

JCC 18.25.440 Aquaculture

(4) Regulations – General.

(a) When a shoreline permit is issued for a new aquaculture use or development, that permit shall apply to the initial siting, construction, and/or planting or stocking of the facility or farm. If the initial approval is a shoreline substantial development permit, it shall be valid for a period of five years with a possible one-year extension. If the initial approval is a conditional use permit, it shall be valid for the period specified in the permit.

(b) Ongoing maintenance, harvest, replanting, restocking of or changing the species cultivated in any existing or permitted aquaculture operation is not considered new use/development, and shall not require a new permit, unless or until:

(i) The physical extent of the facility or farm is expanded by more than 25 percent or more than 25 percent of the facility/farm changes operational/cultivation methods compared to the conditions that existed as of the effective date of this program or any amendment thereto. If the amount of expansion or change in cultivation method exceeds 25 percent in any 10-year period, the entire operation shall be considered new aquaculture and shall be subject to applicable permit requirements of this section; or

(ii) The facility proposes to cultivate species not previously cultivated in the state of Washington.

(iii) The activity involves dredging using mechanical equipment such as clamshell, dipper, or scraper; or

(iv) The activity involves filling of tidelands or bedlands.

(c) Aquaculture uses and activities involving hatching, seeding, planting, cultivating, raising and/or harvesting of planted or naturally occurring shellfish shall not be considered development, as defined in Article II of this chapter, and shall not require a shoreline substantial development permit, unless:

(i) The activity substantially interferes with normal public use of surface waters; or

(ii) The activity involves placement of any structures as defined in Article II of this chapter; or

(iii) The activity involves dredging using mechanical equipment such as clamshell, dipper, or scraper; or

(iv) The activity involves filling of tidelands or bedlands.

(d) The county shall assess the potential for interference described in subsection (3)(c) of this section on a case-by-case basis. All proposed new aquaculture uses or developments shall submit a joint aquatic permit application (JARPA) and SEPA checklist to enable assessment by the county. Activities shall not be considered to substantially interfere with normal public use of surface waters, unless:

(i) They occur in, adjacent to or in the immediate vicinity of public tidelands; and

(ii) They involve the use of floating ropes, markers, barges, floats, or similar apparatus on a regular basis and in a manner that substantially obstructs public access, or passage from public facilities such as parks or boat ramps; or they exclude the public from more than one acre of surface water on an ongoing or permanent basis.

http://www.co.jefferson.wa.us/commissioners/Agenda/2013%20Agendas/SMP_Dec

[%2713/5.%20Exhibit%20A.%20JeffCo%20Final%20Adopted%20SMP%20w%20Appx%20A-B.pdf](http://www.co.jefferson.wa.us/commissioners/Agenda/2013%20Agendas/SMP_Dec%2713/5.%20Exhibit%20A.%20JeffCo%20Final%20Adopted%20SMP%20w%20Appx%20A-B.pdf)