

EXHIBIT B-1 - REQUIRED CHANGE ITEM "T"

18.30.060 Aquaculture

A. Applicability. Aquaculture is the farming or culturing of ~~food~~ fish, shellfish or other aquatic plants and animals in lakes, streams, marine waters and other natural or artificial water bodies. Aquaculture does not include the harvest of wild geoduck associated with the state managed wildstock geoduck fishery or activities on private property for personal consumption.

There are no aquaculture activities existing ~~or anticipated~~ within the shoreline jurisdiction. Aquaculture activities are not anticipated to occur within shoreline jurisdiction; in the southern half of University Place, the sale for human consumption of commercial shellfish is currently prohibited by the State Department of Health.

B. Policies

1. Some forms of aquaculture are dependent on the use of the water area; when consistent with control of pollution and prevention of damage to the environment, water-dependent aquaculture is an acceptable use of the water area. Future aquaculture uses are not anticipated within the City's shoreline jurisdiction; however some scale or form of aquaculture may be appropriate in locations within the City of University Place.

2. Aquaculture ~~should be limited~~ related to the recovery of native populations should be encouraged.

3. Development of aquaculture facilities and associated activities should assure no net loss to shoreline ecological functions or processes. Aquaculture facilities should be designed and located so as not to spread disease to native aquatic life, establish new non-native species which cause significant ecological impacts, or significantly impact the aesthetic qualities of the shoreline or views from upland properties.

4. The City may support aquaculture uses and developments that:

- Protect or improve water quality; and
- Avoid and minimize damage to forage fish spawning areas and important nearshore habitats such as eelgrass and macroalgae; and
- Minimize interference with navigation and normal public use of surface waters; and
- Minimize the potential for cumulative adverse impacts, such as those resulting from in-water structures/apparatus/equipment, land-based facilities, and substrate disturbance/modification (including rate, frequency and spatial extent).

5. Aquaculture use and development should locate in areas where biophysical conditions, such as tidal flow, currents, water temperature and depth, will minimize adverse impacts to shoreline ecological functions.

C. Regulations.

~~1. Commercial aquaculture is prohibited.~~

2.1. Aquaculture for the recovery of native populations may be authorized when part of an approved restoration or habitat management plan and when it complies with the provisions of Section 18.25.070 of this Shoreline Program.

2. Aquaculture for the purpose of recovering native populations may be authorized when authorized by the Department of Fish and Wildlife and/or other state or federal agencies having jurisdiction. Fish hatchery facilities are a permitted use in all shoreline environment designations when they comply with all other applicable provisions of this Program.

3. Commercial shellfish and net pen/finfish aquaculture is prohibited in the Natural designation. In all other instances, commercial aquaculture shall be a conditional use.

4. Commercial aquaculture involving development of mini-seed nurseries, including those which use FLUPSY2 technology, are limited in size to those which can be installed in a marina slip or within an existing boathouse. No more than 10 percent of the slips at a marina shall be occupied by commercial aquaculture to ensure conflicts with existing water-dependent recreational uses are minimized.

5. Commercial aquaculture is allowed as a conditional use as outlined in Table 18.30.A where it can be located, designed, constructed, and managed to avoid all of the following:

- A net loss of shoreline ecological functions.
- Spreading diseases to native aquatic life.
- Adversely impacting native eelgrasses and macroalgae species.
- Significantly conflicting with navigation and public access.

6. Aquaculture facilities shall identify and use best management practices to minimize impacts such as light and noise from the construction and management of the facilities.

7. New aquatic species that are not previously cultivated in Washington State shall not be introduced into City waters without prior written approval of the Washington Department of Fish and Wildlife, including import and transport permits under WAC 220-76-100 and WAC 220-72-076.

8. Aquaculture wastes shall be disposed of in a manner that will ensure compliance with all applicable governmental waste disposal standards, including but not limited to, the Federal Clean Water Act, Section 401, and Chapter 90.48 RCW, Water Pollution Control. No garbage, wastes, or debris shall be allowed to accumulate at the site of any aquaculture operation.

9. The rights of treaty tribes to aquatic resources within their usual and accustomed areas shall be addressed through direct coordination between the project proponent and the affected tribe(s) through the permit review process.

10. Applicants shall include in their shoreline permit applications all information required by State and Federal permit applications for new and expanded aquaculture uses and development. Additional studies or information may be required by the City, which may include but is not limited to monitoring and adaptive management plans and information on ecological and visual impacts. For floating and

above-water facilities, the City shall reserve the right to require that a visual impact analysis be conducted using a method approved by the City. Generally, the methods for identifying and analyzing potential visual and cumulative impacts will follow the principles in the *Aquaculture Siting Study*, Washington State Department of Ecology publication number 86-10-000 (October 1986).

11. Aquaculture structures and activities that are not water-dependent (e.g., warehouses for processing or storage of products and parking lots) shall be located landward of vegetation conservation areas and critical area buffers, and shall be located, designed and constructed to avoid and minimize detrimental adverse impacts to the shoreline.

12. Aquaculture activities and facilities shall be located where they do not adversely impact forage fish spawning areas, native eelgrass and microalgae species, or other critical saltwater habitats, priority species or species of concern, or habitat for such species as outlined in 18.25.070.D and E.

13. When a shoreline permit is issued for a new aquaculture use or development, that permit shall apply to the initial siting, construction, and planting or stocking of the facility or farm. Authorization to conduct such activities shall be valid for a period of five (5) years with a possible extension. After the aquaculture use or development is established under the shoreline permit, continued operation of the use or development, including, but not limited to, maintenance, harvest, replanting, restocking or changing the culture technique or species cultivated shall not require a new, renewed or revised permit unless otherwise provided in the conditions of approval or this Program. Permit revisions shall proceed in accordance with WAC 173-27-100. Changing of the species cultivated shall be subject to applicable standards of this Program.

14. A new permit is required when:

a. The physical extent of the use or development or associated overwater coverage is expanded by more than ten percent (10%) compared to the conditions that existed as of the effective date of this SMP. If the amount of expansion or change in overwater coverage exceeds ten percent (10%), the revision or sum of the revision and any previously approved revisions shall require the applicant apply for a new permit; or

b. The use or development proposes to cultivate a species not previously cultivated within University Place's jurisdictional waters; or

c. New chemicals not previously approved as part of the existing permit are proposed for use.

15. Floating/hanging aquaculture structures and associated equipment, except navigational aids, shall use colors and materials that blend into the surrounding environment in order to minimize visual impacts.

16. Aquaculture that involves significant risk of cumulative adverse effects on water quality, sediment quality, benthic and pelagic organisms, and/or wild fish populations through potential contribution of antibiotic resistant bacteria, or escapement of nonnative species, or other adverse effects on ESA-listed species shall not be permitted.

17. Additional standards for commercial geoduck aquaculture:

a. In addition to the standards above, commercial geoduck aquaculture shall only be allowed where sediments, topography, land and water access support geoduck aquaculture operations without significant clearing or grading.

b. All permits shall take into account that commercial geoduck operators have the right to harvest geoduck once planted.

c. All subsequent cycles of planting and harvest shall not require a new CUP, subject to WAC 173-27-100.

d. A single CUP may be submitted for multiple sites within an inlet, bay or other defined feature, provided the sites are all under control of the same applicant and within the Program's jurisdiction.

e. Commercial geoduck aquaculture workers shall be allowed to accomplish on-site work during low-tides, which may occur at night or on weekends. Where such activities are necessary, noise and light impacts to nearby residents shall be mitigated to the greatest extent practicable.

f. Where an applicant proposes to convert existing non-geoduck aquaculture to geoduck aquaculture, a Conditional Use permit shall be required.

g. In addition to the requirements in chapter 7, proposals and applications for commercial geoduck aquaculture shall comply with and contain all of the items identified in WAC 173-26-241 (3)(b)(iv).