

Subject: Removal of Sand Dollars
Date: Mon, 26 Apr 2010 12:33:03 -0700
From: Dan.Brinson@dfw.wa.gov
To:
CC: Michele.Culver@dfw.wa.gov; Irene.Goldenberger@dfw.wa.gov

To "Brenda B"

REF: Removal of Sand Dollars

Brenda,

Thank you for your correspondence regarding your concern over the issue of the removal of sand dollars by Seattle Shellfish Company employees. Your observations and concern have generated much needed internal discussions between the Washington Department of Fish and Wildlife's (WDFW's) Shellfish Program, Enforcement and the Attorney General's Office. I truly appreciate you bringing this issue to our attention, and I hope the following summary provides you with the information you have requested.

The sand dollar is considered an "unclassified marine invertebrate" under WDFW's rules, where recreational take is limited to 10 per day. However, WDFW rules pertaining to the taking of unclassified marine invertebrates, as those rules apply to the active management of private sector aquatic farms, are more complicated. For instance, RCW 77.12.047 exempts aquatic farmers from regulations pertaining to the suppression and prevention of disease and pests that affect shellfish. In other words, a shellfish farmer may be considered exempt from WDFW rules when it comes to removing sand dollars from a beach as long as the activity is part of the management of the farmer's private sector aquatic farm. Admittedly, I use the word "...may..." because the laws are not crystal clear on the issue.

I contacted several shellfish companies, including Seattle Shellfish, in an attempt to get an understanding of the history of this issue. What I learned is that sand dollars prevent the planting of the new geoduck seed, so they are typically moved within the water column away from the planting area. The planting area is protected by a small plastic mesh "fence" that is placed for the purpose of excluding the sand dollars until the young geoduck are established. The manager of Seattle Shellfish Company insists that his crew members are instructed very specifically to limit this activity to moving the sand dollars just to the outside of the "fence" so as to reduce the disturbance to their activity as much as possible. I also learned that the Pacific Coast Shellfish Growers Association is currently working with WDFW biologists to provide a manual for all shellfish growers. The manual will describe the "Best Management Practices" for aquatic farms. Predator and pest control will be a large part of this manual, with detailed management practices and instructions for managing shellfish products with the least amount of impact to other species of fish and wildlife that share the same ecosystems.

Again, thank you for your appreciation and concern for our state's natural resources. You have identified an important issue that WDFW and the shellfish industry are taking seriously and working together to address.

Sincerely,

Captain Dan Brinson
WDFW Enforcement Program
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