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## Shellfish farm loses some of its tideland

*Confusion over ownership of tideland leads to new survey*

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Washington state's largest shellfish producer has discovered it has been using some state-owned tidelands in Totten Inlet near Olympia to seed and harvest oysters and geoducks.

The discovery came as a result of complaints made to the state by landowners concerned about the effects of Taylor Shellfish Farm's geoduck production on their saltwater views and the possible harmful effects of geoduck production on the environment.

In a July 14 interview with Capital Press, Bill Dewey, spokesman for Taylor Shellfish, said the company purchased 20 acres of tidelands from an existing shellfish farm in 1972 and that those tidelands were first purchased from the state in 1904.

Since Taylor Shellfish's purchase of the tidelands, it has managed the same footprint that was farmed by the previous owners.

"Until this issue was recently raised, Taylor Shellfish had no idea that our activities at this location may be occurring on state lands," said Dewey.

He also pointed out that until the controversy over the shellfish farm's geoduck operations flared up, no adjacent landowners had any issues with the tidelands the company was farming.

"There was no reason for us to worry that we were trespassing, so we kept farming," he said. "It was in no way intentional on our part."

Dewey said a recent survey of the disputed tidelands has revealed that there was a "significant amount" of state land being used for geoduck and oyster farming.

The company has ceased any harvest of geoducks from the area in question until the issue is resolved. It is also working closely with the state's Department of Natural Resources to obtain a precise understanding of the property boundaries.

Jane Chavey, spokesperson for the department's Aquatic Resources Program, said the department is still analyzing the boundaries of the land.

When asked why the department didn't have survey information about the tidelands on hand when the land was sold to Taylor Shellfish, she explained that because the state owns 2.6 million acres of aquatic land and because it's very complex to survey tidelands, the department doesn't do a survey unless there's a question about ownership.

In the case of tidelands, the surveys have to be done during the lowest of low tides, making winter surveys during nighttime low tides unfeasible.

Dewey said DNR contacted the shellfish farm late last year and advised the company to halt any farming in the disputed tidelands until an accurate survey was completed.

Now that the survey, which was begun in April, is in hand, Dewey said the company will be sitting down with the department to discuss the situation and resolve the problem.

The company will likely be asked to compensate the state for the use of its tideland property, but just how much the compensation will be is yet to be determined.

Although company shellfish farmers have removed planted oyster bags from the site to keep them from dying, the geoducks in the unauthorized area will remain there because they don't face any harm in remaining planted for longer than expected.

The company, meanwhile, is still trying to figure out possible losses it will incur.

"It's still too early to tell," said Dewey, referring not only to loss of production but also to the considerable investment the company has made.

Geoducks are big business, thanks in large part to demand in Asia.

Jim Gibbons, founder of Seattle Shellfish, said an acre of planted geoducks can bring in \$50,000 to \$1.5 million an acre every six years.

"It depends on how good the beach is and how successful you are," he said in an interview with Capital Press.

A wholesaler in Asia will pay from \$13 to \$14 per pound for geoduck, which when harvested in Washington state is worth about \$10 per pound.

By the time geoduck meat gets to a restaurant table, it's worth about \$50 per pound.

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