



US Army Corps  
of Engineers  
Seattle District

# PUBLIC NOTICE

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Applicant: Chuckanut Shellfish, Inc.      Published: March 16, 2026  
Expires: April 15, 2026

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**Seattle District**  
**Permit Application No. NWS-2007-1174-AQ**

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Interested parties are hereby notified that a revised application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings dated January 15, 2026.

The Corps will also review the work in accordance with Section 404 of the Clean Water Act (CWA).

APPLICANT: Chuckanut Shellfish, Inc.  
Attention: Mr. Bill Dewey  
704 E. Hiawatha Blvd.  
Shelton, Washington 98584  
Telephone: (360) 790-2330  
Email: [billd@taylorshellfish.com](mailto:billd@taylorshellfish.com)

LOCATION: In Samish Bay, near Bow, Skagit County, Washington; Section 20, Township 36 North, Range 3 East; Latitude/Longitude (approximate cultivation area center): 48.59266, -122.458374.

WORK: The applicant is seeking to expand their shellfish cultivation area within parcels #P61607, P61608, and P61616 by increasing the total cultivation area from 6.93 acres to 10.62 acres, as depicted in the drawings dated January 15, 2026. The applicant would continue their existing commercial shellfish operation on tidelands located within parcels #P61611, P61610, P61607, P61608, and P61616 in Samish Bay near Bow, Skagit County, Washington, as previously authorized on June 19, 2021.

Manila clams (*Venerupis philippinarum*) will be cultivated between the +2.0-foot (ft) and +5.0 ft Mean Lower Low Water (MLLW) tidal elevations; Pacific oysters (*Crassostrea gigas*) between +2.0 ft and -4.0 ft MLLW; and geoduck clams (*Panopea generosa*) between 0.0 ft and -4.0 ft MLLW. Over the duration of the permit authorization, the portion of the up to 10.62 acres of actively cultivated area used for each species may vary from year to year within the parcels referenced above.

Manila clams are cultivated in rows of varying length under 48-inch-wide rigid plastic mesh predator control nets. Each net is typically 150 ft long, and rows are separated by

aisles approximately 1.5 ft wide. Predator exclusion nets are installed using a tractor implement that buries the edges of the nets. Macroalgae is removed from the nets using a tractor-mounted rotary sweeper. Nets remain in place for the full growth cycle and are then removed by tractor. Clams are harvested at low tide using a modified tulip bulb harvesting machine that separates the clams from the sand.

Pacific oysters are cultivated either suspended in plastic mesh bags or cages, or on-bottom, and are harvested by hand.

Geoduck are cultivated using individual plastic mesh tubes without cover nets. Installation involves removing a core of sand with a tool similar to a razor clam gun, placing the sand core on the tideland, sliding the mesh tube over the core, and returning the core to the excavated hole. Geoduck are harvested using a hand-held water jet that liquefies the substrate, allowing the clams to be removed by hand.

Access to the site is by a 30-ft vessel that pushes or tows a non-motorized scow. Eelgrass is present throughout the project area in areas that will not be cultivated.

**PURPOSE:** The purpose of the project is commercial shellfish cultivation and harvest for human consumption.

**ADDITIONAL INFORMATION:** Copies of this public notice which have been mailed or otherwise physically distributed feature project drawings in black and white. The electronic version features those drawings in color, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and under the heading Open Public Comment Periods select Regulatory Public Notices. Recently-issued public notices are listed in chronological order of the date of issuance. Select and view the listing for this project.

The location of the line of mean high water/high tide line shown on the project drawings has not yet been verified by the U.S. Army Corps of Engineers (Corps). If the Corps determines the boundaries of the waters are substantially inaccurate a new public notice may be published.

**MITIGATION:** No mitigation is proposed.

**ENDANGERED SPECIES:** The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The proposed work has previously been permitted by the Corps and reviewed for compliance with Section 106 of the National Historic Preservation Act. A search of the Washington Information System for Architectural and Archaeological Records Data (WISAARD) online database identified no previously recorded historic properties within the permit area. The nature, scope, and magnitude of the work to be permitted indicate a low likelihood that historic properties exist within or would be affected by the project area. The Corps invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns regarding historic properties and sites of religious and cultural significance at or near the project area. After receipt of comments from this public notice, the Corps will evaluate potential impacts and consult with the State Historic Preservation Officer and Native American Nations in accordance with Section 106 of the National Historic Preservation Act, as appropriate.

WATER QUALITY CERTIFICATION: Section 401 of the Clean Water Act requires applicants proposing any activity that may result in a discharge into waters of the U.S. to provide the Corps with a certification from the jurisdiction in which the discharge originates that the discharge will comply with applicable water quality requirements. The Washington State Department of Ecology (Ecology) is the certifying authority for this activity. The Corps cannot make a final permit decision until Ecology determines the activity would not result in a discharge, grants certification (with or without conditions), waives certification, or fails to act within the reasonable period of time. Conditions may be added to the Corps permit if Ecology determines they are necessary to ensure compliance with the applicable water quality standards.

COASTAL ZONE MANAGEMENT ACT: The Coastal Zone Management (CZM) Act requires federal permitting agencies to ensure that authorized activities affecting any coastal use or resource are conducted in a manner consistent with the State's approved CZM program. The applicant will provide a certification that the proposed activity complies with and will be conducted in a manner consistent with the management program. The Washington Department of Ecology (Ecology) will evaluate the proposed project for consistency with their enforceable policies and will determine whether they conditionally concur with, concur with, or object to this consistency certification. The Corps cannot make a final permit decision until Ecology concurs with the applicant's

certification of consistency. Conditions may be added to the Corps permit if Ecology determines they are necessary to ensure compliance with the CZM program.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

**SOURCE OF FILL MATERIAL:** The source of the fill material will be from the tidelands on-site. Should a permit be issued, the Corps will evaluate the fill material source prior to the start of construction.

**COMMENT AND REVIEW PERIOD:** Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether authorizing the work would not be contrary to the public interest. In order to be accepted, e-mail comments must originate from the author's e-mail account

and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to brody.g.garner@usace.army.mil. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commenter's name, address, and phone number. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

You may also now submit project specific comments to the Corps through the new Regulatory Request System (RRS) through this link: <https://rrs.usace.army.mil/rrs>; Click Public Notices and filter to Washington State to see all current Seattle District Public Notices, including this notice. You may submit your comments directly through this portal.

Conventional mail comments should be sent to:

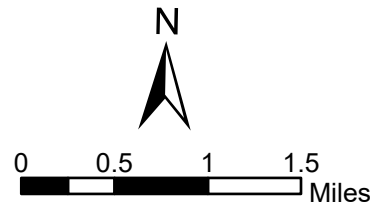
U.S. Army Corps of Engineers, Regulatory Division,  
Attention: Mr. Brody Garner,  
4735 E. Marginal Way S, Bldg. 1202,  
Seattle, Washington, 98134-2388.  
Telephone: (206) 561-7686

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Chuckanut Shellfish, Inc.; NWS-2007-1174-AQ

Encl: Figures (2 PAGES)



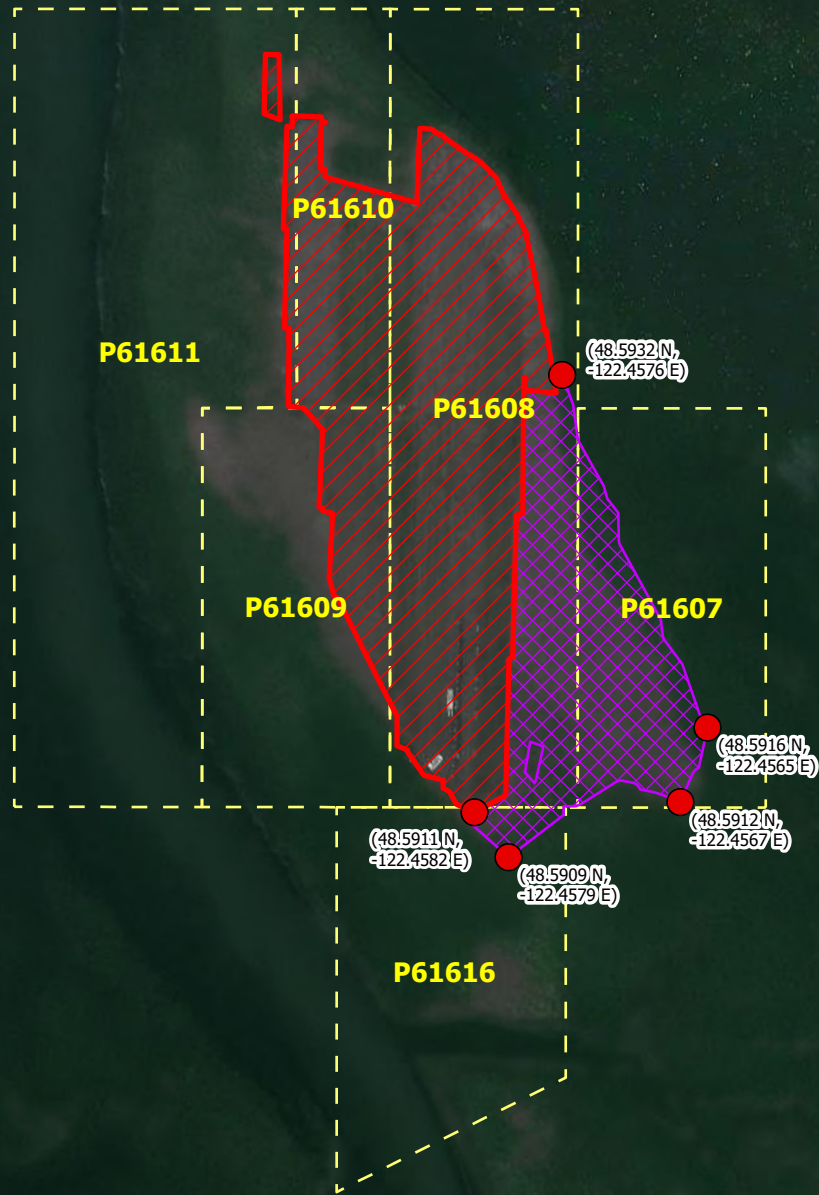
 Parcel Boundaries



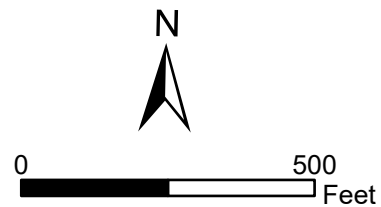
**APPLICANT:**  
Bill Dewey  
Chuckanut Oyster, Inc.

**PROJECT:**  
Chuckanut Oyster - 2026 Expansion

**PERMIT:**  
Created: January 15, 2026



- Existing Aquaculture Permit Area
- Proposed Aquaculture Area
- Corner Points
- Parcel Boundaries



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