



WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE SHELLFISH TRANSFER PERMIT SUPPLEMENTAL INFORMATION

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This document is intended to be a guide to assist Shellfish transfer Permit applicants. For specific information on authority see generally RCW 77.12.047(1)(d) (general transfer permit authority); RCW 77.60.080 (oyster import permit requirement); RCW 77.60.060 (transfer permit requirement – restricted areas); RCW 77.115.040 (Aquatic Farm Registration required for commercial farming or management of shellfish); WAC 220-340-020(4), -050, -110, -150, and -280; WAC 220-370-010 to -090, 160, and -200 (rules implementing these provisions); and RCW 77.15.250, .270, .290,.350, and .750 (Fish and Wildlife Enforcement Code, making it unlawful to violate Title 77 statutes and the rules implementing these provisions).¹

Section 1. Shellfish Transfer Permit Guidelines and Explanations

Washington Department of Fish and Wildlife (WDFW) Shellfish Transfer Permits (STP) are required per WAC 220-340-150 for transfers of live shellfish, shellfish products¹, and shell, in addition to equipment, vessels, and vehicles used for shellfish transfers. The purpose of WDFW's STP requirements is to prevent the introduction, establishment, and spread of shellfish pathogens, pests, and invasive species that may cause harm to aquaculture, fisheries, and wildstock shellfish. A STP is required for any proposed intra-state movement of live shellfish that will enter (or re-enter) or otherwise contact state waters.

Who needs a STP?

Anyone wishing to transfer shellfish, shellfish aquaculture products (such as seed, cultch, and shell), aquaculture equipment (such as vessels and vehicles), or any marine organisms potentially adversely affecting shellfish, into or contacting state waters are required to have a valid STP in possession during the transfer. Activities requiring a STP generally fall to four user groups: commercial shellfish (growers, harvesters, and operators of wet-storage); non-commercial shellfish growers (i.e. shellfish gardeners or hobbyists); aquarium, display and education; and researchers or research facilities. STPs will contain conditions to reduce risks associated with proposed movements. The following provides guidance *by user group* on what activities require WDFW Shellfish Transfer Permits.

Who can I contact with questions?

Please contact shellfishpermits@dfw.wa.gov with questions, for more information on WDFW shellfish permitting requirements, or to arrange any necessary facility inspections.

Commercial Shellfish Growers and Harvesters

All transfers of live shellfish, including shellfish seed and larvae, and shell into state waters require a valid STP. This includes transfers where shellfish, shellfish products, and shellfish pests or pathogens may come into contact with state waters, or are transferred between state bodies of water. Examples of transfers that require a STP include:

1. Placement of shell, including shell bags or shell strings, onto tidelands or into state waters to catch natural oyster set, or for any other purpose. All shell must originate from a WDFW-inspected and approved source. Inspections are documented on the STP.
 - For all transfers of live shellfish, shell, shellfish seed or vessels and equipment from Restricted Shellfish Areas refer to Sections 3.
2. Placement of hatchery or natural-set seed, seeded cultch (shell), or seeded shell strings onto tidelands or into state waters.
 - All shell and seed must originate from a WDFW inspected and approved source.

¹ "Shellfish products" include but are not limited to any bodily part of, or life history stage of shellfish as classified in [WAC 220-320-010](#). This includes, but is not limited to oysters, oyster shell, oyster seed, cultched oyster seed, clams, clam seed, geoduck seed, mussels, and mussel seed.

3. Transfers of harvested oysters, clams, mussels, or any other shellfish from harvest sites to wet storage sites.
 - Wet storage includes tidelands, floating storage, and upland facilities using flow through seawater.
 - Transfer of harvested product from Restricted Shellfish Areas to wet storage in Unrestricted Shellfish Areas is prohibited, unless provisions can be made to prevent transfer of pathogens or pests.
4. Shellfish seed, shell and larvae acquired from a WDFW certified disease and pest free supplier may be transferred onto private tidelands and state waters if accompanied by a valid STP or Shellfish Import Permit (SIP) issued to the supplier that specifies sales to commercial or non-commercial farmers including shellfish gardeners.
 - The buyer or those receiving shellfish seed or larvae for commercial purposes from a WDFW permitted supplier must provide the supplier with either a physical address for any receiving facility or tax parcel number identifying the tidelands to which the transfer will be made prior to receiving seed.
 - The supplier will provide a copy of their STP or SIP, which must accompany the seed during transfer.
5. All transfers of equipment (i.e. vessels, vehicles, oyster tubs, etc.) from Restricted Shellfish Areas to Unrestricted Shellfish Areas or other Restricted Shellfish Areas.
 - Additional permit conditions may apply
6. STPs are typically issued on a calendar-year basis. Those desiring renewal of permits are advised to apply for renewal at least 30 days before the permit is needed.
7. Per Section 8.1.1 of the Federal Shellfish Implementation Plan, 898 F. Supp. 1453, 1463 *et seq* (as amended 8th April 2002) applications for Shellfish Transfer permits for the purposes of commercial farming requires WDFW to submit the applications to the Treaty Tribes for a 20 working day review. Please anticipate approximately 30 days for this process when applying for new permits or renewal of permits.
8. No shellfish transfers are “grandfathered” by prior actions, letters, communications, booklets or permits issued by WDFW or the former Washington Dept. of Fisheries. WDFW will consider current existing conditions when issuing SIPs and STPs.
9. Suppliers of shellfish seed, shell, and stock who are issued a STP allowing transfers to commercial shellfish growers must maintain a record of each transfer including date of transfer, recipient name, address, AFR if commercial, tax parcel number or physical address for the destination tidelands or facility, species, life stage, and quantity. Transfer records are to be submitted quarterly to the WDFW Shellfish Disease Prevention Program at shellfishpermits@dfw.wa.gov. This shellfish transfer requirement is in addition to any required Aquatic Farm Registration production reports. Failure to submit reports required as a condition of an STP will result in denial of applications to renew, and may result in revocation of an STP.

Non-commercial Shellfish Growers (i.e. restoration, shellfish gardeners and hobbyists)

All transfers of live shellfish, shell, shellfish products, and shellfish seed or larvae onto tidelands, into state waters, into contact with state waters, or between water bodies require a valid Shellfish Transfer Permit, including:

1. Placement of shell onto tidelands or into state waters for habitat or substrate enhancement.
 - All shell must originate from a WDFW inspected and approved source and documented on a STP.
2. Shellfish seed, shell and larvae acquired from a WDFW-certified shellfish disease and pest free supplier.
 - May be transferred onto private tidelands and into state waters if accompanied by a copy of a valid STP or Shellfish Import Permit (SIP) issued to the supplier. The supplier will provide a copy of their STP or SIP that specifies sales or transfers to non-commercial farmers, including shellfish gardeners.
 - The buyer, or those receiving shellfish seed or larvae for non-commercial purposes from a WDFW-permitted supplier, must provide the supplier either a physical address for any receiving facility or county tax parcel number identifying the tidelands to which the transfer will be made prior to receiving seed.
3. Transfer of shellfish seed and larvae acquired from a supplier who does not possess valid STP allowing sales or transfers to private tidelands requires a separate application to WDFW from the private tideland owner for a STP.
4. Suppliers of shellfish seed, shell, and stock who are issued a STP allowing transfers to non-commercial shellfish growers must maintain a record of each transfer including date of transfer, recipient name, address, tax parcel number or physical address for the destination tidelands, species, life stage, and quantity.
 - Transfer records are to be submitted quarterly to the WDFW Shellfish Disease Prevention Program at shellfishpermits@dfw.wa.gov. This requirement is in addition to any Aquatic Farm Registration reports that a supplier may be required to provide to WDFW.
5. A WDFW STP does not authorize placement of shellfish or shellfish seed onto public tidelands by private individuals or parties. Unauthorized use of public tidelands for private aquaculture may result in criminal and or civil prosecution for trespass and damages.

Aquariums, Display and Education

All transfers of aquatic invertebrates into, from, or between aquaria, display, or educational facilities from in-state sources requires a STP (Movements from out of state require a Shellfish Import Permit).

Other considerations:

1. If a valid WDFW Scientific Collection Permit (SCP) has been issued, an additional STP may not be required. Contact the WDFW Shellfish Disease and Pest Prevention Program for further information shellfishpermits@dfw.wa.gov.
2. If the aquatic invertebrates are collected under the authority granted the UW Friday Harbor Lab for local scientific collections an additional STP may not be required. Contact the WDFW Shellfish Disease and Pest Prevention Program for further information.
3. All transfers from Restricted Shellfish Areas require an application for a STP. Refer to Section 3.
4. Transfers from Restricted Shellfish Areas may require quarantine conditions. Contact the WDFW Shellfish Disease and Pest Prevention Program for further information.
5. The requirement for an STP also applies to suppliers of live aquatic invertebrates for research, educational and display purposes.

Researchers and Research Facilities

All transfers of aquatic invertebrates to, from, or between research facilities into state waters for the purposes of research requires a STP. All transfers of aquatic invertebrates from outside of Washington state boundaries require a Shellfish Import Permit (SIP).

Other considerations:

1. If a valid WDFW Scientific Collection Permit (SCP) has been issued that conditionally allows transfer, return, or release of collected aquatic invertebrates an additional STP may not be required. Contact the WDFW Shellfish Disease and Pest Prevention Program for further information shellfishpermits@dfw.wa.gov.
2. If the aquatic invertebrates are collected under the authority granted the UW Friday Harbor Lab for local scientific collections (which includes the waters of San Juan County and Cypress Island only), an additional STP is not required for transfers unless the aquatic invertebrates are collected from a Restricted Shellfish Area.
3. All transfers from Restricted Shellfish Areas require an application for a STP. Refer to Section 3.
 - a. Transfers from Restricted Shellfish Areas may require quarantine.
4. Contact the WDFW Shellfish Disease Prevention Program for a review of release and transfer requirements, and waiver information.
5. The requirement for an STP also applies to suppliers of live aquatic invertebrates for research, educational and display purposes.

Section 2. Shellfish Transfer Permit Instructions

The following sections of the permit application are to be completed as directed. Please refer to Table 1 for information on which sections are required by user group and the permit application instructions that follow.

Table 1. Sections of the application required to be filled out in entirety, by applicant group.

Applicant	Section A	Section B	Section C	Section D
Commercial Shellfish Growers, Buyers, Shippers, Harvesters	X	X	X	X
Non-commercial Growers and Hobby Farmers	X	X	X	X
Researchers and Research Facilities	X	X	X	
Display, Aquariums, and Education	X	X	X	

Section A: Applicant Information

1. Provide name of company, organization, institution, or agency
 - a. Provide name of primary applicant. Additional names to be listed on the permit may be required in Section B.
2. Provide contact information for applicant, including a mailing address and physical address, if different.

Permits are delivered by e-mail and letter, or Fax if needed.—Please provide email address and FAX number.

Section B: Transfer Information

1. Check the box that corresponds to the purpose of the transfer.
2. Check the box corresponding to whether this is a new permit application and if applicable, provide previous permit number.
3. Check whether this is a transfer of shell or cultch and if applicable, state the source location of shell or cultch.
4. Provide information on the life stage(s) proposed for transfer i.e. larvae, juvenile (seed), adult, etc.
5. Check whether species proposed for transfer have come from stock that was imported from out of state within the past 5 years. If applicable, provide the permit number regarding this transfer. If unknown, state “unknown.” Note: providing more information may increase the likelihood of permit approval and reduce permit processing time.

6. Provide information on the property from which the shellfish transfer will be made. This must include: general area (waterbody, embayment name), specific location (i.e. county tax parcel #, site physical address, facility name), name and contact information of property owner(s) if different than the applicant.
7. Provide information on the property to which the transfer will be made. Including, any off-loading areas, general area of the transfer (waterbody, embayment name), specific location (i.e. county tax parcel #, site physical address, facility name), name and contact information of property owner(s) if different than the applicant.
8. Describe the purpose of the transfer, noting any special details or comments on the transfer methods and intermediate transfer points.
9. Describe all equipment that will be used for the transfer including vessel name(s), vessel registration number(s), and license plate number(s) of road vehicles.
10. List any additional names to be included on the permit.
11. Check whether shell will be returned to marine waters and if applicable, list the location(s) using the same level of detail as in Section B, items 6 & 7 (above).

Section C:

1. List the beginning and end date of the proposed transfer.

Section D:

1. Check whether this transfer is related to commercial aquaculture or harvest.
2. Check whether this transfer is being used to create a new (previously non-existing) cultivated shellfish bed.
 - If applicable, provide the relevant AFR number(s) with details on the AFR parcel(s) from which transfer will be made and/or to.
3. If applicable, enter the AFR number.

Once you have completed the permit application, check the box under “Acceptance,” then sign and date. By checking this box and signing, the applicant signifies that the information in the application is complete and accurate and agrees to abide by the conditions set forth in any Shellfish Transfer Permit issued by the Washington Department of Fish and Wildlife. The applicant acknowledges that they have read and understand the requirements outlined in the Shellfish Transfer Permit Supplemental Information packet (separate document).

- WDFW will not issue a permit without completion of the “Acceptance” section.

Section 3. Restricted Shellfish Areas - Definition and Requirements

Specific waters, tidelands, bedlands and shorelines of Washington are designated by the Washington Department of Fish and Wildlife as Restricted Shellfish Areas for the purposes of preventing transfers of disease, parasites, pests, and invasive species (RCW 77.60.060, WAC 220-340-130, 220-340-140, 220-340-170). Currently these areas are determined by the presence of the Japanese oyster drill (*Ocenebrellus ornatus*), the American oyster drill (*Urosalpinx cinerea*), and the invasive European Green

crab (*Carcinus maenus*). ***Preventing transfers of these species is a priority for protecting the health of Washington's shellfish cultivated and wildstock fisheries and marine ecosystems.***

Maps and descriptions of Restricted Shellfish Areas can be found on the agency website²:

<https://wdfw.wa.gov/licenses/fishing/shellfish-import-transfer>.

A shellfish transfer permit from WDFW is required for all transfers of shellfish and shellfish products including but not limited to oysters, oyster shell, oyster seed, cultched oyster seed, clams, clam seed, mussels, mussel seed and equipment (including vessels and vehicles) from Restricted Shellfish Areas to Unrestricted Shellfish Areas, between Restricted Shellfish Areas and from Grays Harbor and Willapa Bay to any other waters, shorelines, tidelands, bedlands, or shellfish related facilities. Willapa Bay is designated as a Restricted Shellfish Area due to the presence of two oyster drill species and the invasive European Green crab. Grays Harbor is designated as a Restricted Shellfish Area due to the presence of European Green crab. A copy of the permit must accompany all of the above transfers.

Below are the standard requirements for all transfers from Restricted Shellfish Areas:

1. All shellfish and shellfish products, including market ready shellfish, must be contained in such a manner that no oyster drills, oyster drill eggs, debris, and visible marine animal or plant life may escape containment into state waters.
2. Upon exiting a Restricted Shellfish Area, all shellfish and shellfish products must remain in containment during on-water transfer, offloading, and/or transfer to an onshore destination.
3. All vehicles leaving a Restricted Shellfish Area and equipment used to transport shellfish and shellfish products including but not limited to oysters, oyster shell, oyster seed, cultched oyster seed, clams, clam seed, mussels, and mussel seed, must be cleaned of all debris, oyster drills, oyster drill egg cases, and visible marine life at a site at least 200 horizontal feet from any marine shoreline or waters prior to returning to any marine shoreline.
4. Except for containment of shellfish and shellfish products, all equipment (i.e. oyster tubs, baskets, bags, netting, ropes, rakes, dredges, etc.) must be washed and free of oyster drills, oyster drill egg cases, shell, debris and visible marine life prior to exiting a Restricted Shellfish Area.
5. Transfers from floating nurseries or other similar in-water facilities located in Restricted Shellfish Areas may be conditionally approved in a transfer permit, after inspection and approval of facilities and operating conditions by authorized WDFW.
6. Transfers of shellfish, including harvested oysters, clams and mussels, and shellfish products from Restricted Shellfish Areas to wet storage in the waters, tidelands, bedlands and shorelines in Unrestricted Shellfish Areas is prohibited except where specifically permitted.

² Please refer to the separate ***Restricted Shellfish Area Maps*** for detailed maps of these identified areas:

<https://wdfw.wa.gov/licenses/fishing/shellfish-import-transfer#>

Additional Requirements for Transfers from or Into Willapa Bay and Grays Harbor Restricted Shellfish Areas:

1. A Shellfish Transfer Permit is required for all transfers between Willapa Bay and Grays Harbor and from those waterbodies to Puget Sound, including deliveries of harvested oysters to shucking or processing facilities. Special provisions to prevent the spread of Green crab will be required as part of the shellfish transfer permit.
2. Transfers between tidelands and waters within Willapa Bay **do not** require a STP.
3. Transfers between tidelands and waters within Grays Harbor **do not** require a STP.
4. Transfers into Willapa Bay and Grays Harbor **do** require a STP.