

**From:** Laura Hendricks [laura.l.hendricks@gmail.com]  
**Sent:** Thursday, February 07, 2008 12:12 PM  
**To:** Lund, Perry (ECY)  
**Cc:** Holcombe, Candice (ECY); Lantz.Patricia@leg.wa.gov; Manning, Jay (ECY)  
**Subject:** SARC Feb 11 Meeting---Impacts Need to be Discussed

*Dear Perry,*

*I see from the new SARC agenda that you will be leading the discussion for the February meeting. I am once again requesting that the citizens concerns outlined below be addressed. We have brought these issues up during the brainstorming section of this SARC process in the very beginning and now the industry/DNR "Best Management Practices" format do not allow these important impacts to be considered.*

*We will look forward to seeing that our issues are included in the discussion. If an additional meeting is necessary, we will be glad to add that to our schedule. I am also copying Candace on this request as she asked for any input for the February meeting.*

*Thank you for your consideration.*

*Sincerely, Laura Hendricks*

*Topics that must be Addressed by the State Aquaculture Regulatory Committee to provide a comprehensive review of Aquaculture Impacts to citizens and habitat/aquatic life*

#### *Social Considerations*

1. Establishing County approved aquaculture expansion zones that would reduce the impacts to residents and aquatic life in critical areas. If zones are not included in this discussion, a minimum setback from residences and sensitive aquatic life areas must be required.
2. Requiring industry/DNR Setbacks from adjacent property owners to avoid erosion and siltation of adjacent beaches and sensitive habitat  
Not Addressed
3. Requiring Tideland Surveys of proposed lease to avoid adjacent trespassing or adverse possession claims  
Not Addressed
4. Prohibiting Industrial petrochemicals and metals pollution from PVC pipes, vexar netting, rebar materials not rated for marine/salt water uses  
Not Addressed
5. Prohibiting Spraying of pesticides or herbicides on tidelands  
Not Addressed
6. Requiring industry/DNR to pay for Biologist/Habitat & Geological Baseline Studies of leased and adjacent properties ( cost ranges from \$6,000- \$20,000 per site)  
Not Addressed

7. Identifying derelict aquaculture debris currently in Puget Sound waters

Industry stated " there is no problem." Citizens have testified in hearings that this is a problem. This statement from industry does not end the responsibility to comply with the requirements of HB2220 for debris.

8. Requiring industry/DNR to use daylight hours during weekdays only for aquaculture operations

-- Since industry states this is not negotiable, then designated aquaculture zones should be established for expansion that do not impact citizens and critical aquatic life areas. (See Massachusetts, Virginia and Florida aquaculture regulations)

9. Requiring industry/DNR to stay xxxxxfeet from residential homes with lights and the diesel engines mounted on rafts for harvesting

Per Diane Cooper--Taylor Shellfish "The noise is minimal." Citizens have testified that these engines are not quiet and the noise travels over water further than on land. A noise meter reading on land should be required and recorded by an independent source.

-- Since industry states this is not negotiable, then designated aquaculture zones should be established for expansion that do not impact citizens and critical aquatic life areas. (See Massachusetts, Virginia and Florida aquaculture regulations)

10. Restricting the use of private roads for commercial vehicles and workers cars

Not addressed

11. Limiting navigation rights of the public waters for fishermen, boaters, kayakers, windsurfers

--Diane Cooper states it does not interfere with navigation.

--Citizens have testified in two Pierce County cases (Washington Shellfish and Foss Hearings Examiner appeal) that the geoduck operations do interfere with public navigation rights.

12. Degradation and access restriction of state tidelands by leasing state aquatic lands to one industry

--Industry and DNR state that they prefer to lease the "sandy beaches."

--Citizens and aquatic life also prefer the "sandy beaches."

Not Addressed

13. Prohibiting vehicles on the nearshore

Not Addressed

**What Agency is going to be designated to enforce these regulations? Where does the funding for enforcement action come from?**

*Environmental Considerations that must be addressed in the March SARC meeting*

1. Providing reports that list current aquaculture operations by County, parcel, species. (These have been requested and accurate reports have not been provided to date). When will we receive these reports? According to the expert scientists from the SeaGrant workshop, the existing sites must be identified before approving expansion sites.

2. Collecting baseline studies, mapping looking at regions and habitat slated for development for current and cumulative impacts (per scientists from SeaGrant Workshop). Where current/ adequate mapping is not available, additional mapping needs to be completed.

3. Developing ecological carrying capacity models to assess the influence on the ecosystem processes. (per scientists from SeaGrant Workshop). When will this be implemented?

4. Prohibiting aquaculture operations in designated forage fish, critical salmon habitat or eelgrass/macro algae areas. A setback/buffer zone should be established around these areas. These populations are already documented to be in decline.
5. Prohibiting aquaculture impacts/injury to aquatic birds, diving ducks and other industry named "predators." These populations are already documented to be in decline.
6. Prohibiting the scraping off of rocks and woody debris from the Nearshore areas.
7. Prohibiting mechanical harvesting equipment on the Nearshore areas.
8. An Environmental Impact Study should be required as requested by the Makah Indian tribe representative in an earlier session. An EIS was required for wild geoduck harvesting and an EIS has been required for mussel rafts in Totten Inlet, so why has an EIS not been required for this aquaculture expansion? A comprehensive study, not a snapshot study of just one piece of the aquaculture operations that start with preparing the Nearshore like a pasture, planting, netting and harvesting. Since industry states these operations are perpetual and permanent, the alteration of habitat does not cease.

**Is a state agency or a County going to determine the total number of nearshore acres of habitat that can permanently be altered by converting it to industrial aquaculture?**

**What agency is going to be monitoring the environmental impacts from these operations? Where does the funding for monitoring come from to protect Puget Sound habitat and aquatic life?**