From: Toteff, Sally (ECY)
To: Schrieve, Garin (ECY); Ehlers, Paula (ECY); Lund, Perry (ECY); Cornett, Deborah (ECY);
Subject: FW: Complaint from Keith Starum.
Date: Thursday, June 05, 2008 5:39:32 PM
Attachments: 606205.pdf

FYI - in case your folks get a call on this Spartina spraying complaint

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From: Smitherman, Opal (ECY)
Sent: Thursday, June 05, 2008 2:03 PM
To: Pastore, Dianne (ECY)
Cc: Toteff, Sally (ECY)
Subject: Complaint from Keith Starum.

Good Afternoon,
I received the attached complaint yesterday from Mr. Starum. He is very frustrated with the Department of Agriculture and has filed a lawsuit against them for Spartina sprayng which he believes has caused his oyster beds to die. In short Mr Starum wanted me to cc Jay however I did not feel comfortable doing that. So I thought I'd give you the heads up. Mr. Starum has stated that his lawsuit may get bigger if need be and he is also very frustrated with the Ecology staff response to this matter. In short he may contact Jay's office or a complaint may come from the Governor's office on this one or he may file a lawsuit against Ecology also although he did not seem to be going that direction quite yet. If you have any question please let me know.

Thanks
Opal Smitherman
Southwest Regional Office
Environmental Response Coordinator
360-407-6300 Phone
odav461@ecy.wa.gov

ERTS # 606205

Department of Ecology - Environmental Report Tracking System

Initial Report

External Reference #

Caller Information

	First	Last
Name	KEITH	STARUM

Busines Name: MOBY DICK HOTEL AND OYSTER FARM
Street Address: 28514 SANDRIDGE RD
Other Address:
City: OCEAN PARK State: WA Zip:
E-mail: Confidential_FL ☐

Phone	Ext	Type
(360) 244-3220		Mobile

Where did it happen

Berth: Anchorage
Location Name: MOBY DICK HOTEL AND OYSTER FARM
Street Address: 28514 SANDRIDGE RD
Other Address:
City/Place: OCEAN PARK State: WA Zip:
County - Region: PACIFIC SWRO FS ID:
WIRA #:
Waterway: Type:
Latitude: Longitude:
Topo Quad 1:24:000: OCEAN PARK
Direction/Landmark (mile post, cross roads, township/range)

What happened

Spills Program Oil Spill? N

Incident Date: 6/4/2008 Received Date: 6/4/2008 13:33
Medium: SURFACE WATER-MARINE
Material: HERBICIDE
Quantity: Unit:
Source: OTHER
Cause: OTHER
Incident Type:
Activity: SPRAYING
Impact: NATURAL RESOURCE DAMAGE
Vessel Name:
Hull Number:

Primary Potentially Responsible Party Information

	First	Last
Name		

Business Name: DEPARTMENT OF AGRICULTURE
Street Address:
Other Address:
City: State: WA Zip:
Phone: Ext: Type:
E-mail:

Additional Contact Information

Name	Phone	Ext	Type

More Information

CALLER REPORTING THAT THE DEPARTMENT OF AGRICULTURE SPRAYED FOR SPARTINA LAST YEAR. THIS SPRAYING CAUSED HIS OYSTER FARM TO BE CLOSED FOR THE YEAR DUE TO THE OYSTERS DYING.

CALLER BELIEVES THE OYSTERS HAVE SIED DUE TO THE CHEMICAL AGRICULTURE IS USING TO CONTROL THE SPARTINA.

CALLER STATES THE DEPARTMENT OF AGRICULTURE WILL BE SPRAYING A GAIN THIS YEAR FROM THE NORTH OF HIS PROPERTY AND DOES NOT WANT TO GO ANOTHER YEAR WITH A CLOSED OYSTER BEDS AND LOSS OF INCOME.

CALLER STATES THAT HE HAS MADE SEVERAL SUGGESTIONS OF DIFFERENT METHODS OF REMOVING SPARTINA SUCH AS MOWING, OR PULLING INSTEAD OF SPRAYING AND THESE HAVE NOT BEEN TAKEN INTO CONSIDERATION.

CALLER ALSO STATES THAT THE WILDLIFE IN WILLAPA BAY ARE SUFFERING. HIS EXAMPLE OF THIS WAS FOR EVERY CRAB POT PULLED IT SEEMS AS THOUGH THERE IS ONLY ONE CRAB PER POT.

Entry Person: SMITHERMAN, OPAL Entry Date: 6/4/2008

*** The Initial report contains only information provided to Ecology from the complainant.

ERTS # 606205

Referral

Referral # 112965

Referral Method
- ○ E-mail ERTS number
- ○ E-mail attachment
- ● Print
- ○ Telephone

Person Referred to: DEPARTMENT OF HEALTH, SHELLFISH — Primary ☐
Phone: (360) 236-3306 Fax: (360) 236-2257
E-mail:
Program/Organization: DEPARTMENT OF HEALTH
Address:
City: OLYMPIA WA
Region/Location: OLYMPIA
Referral Date: 6/5/2008

Referral # 112966

Referral Method
- ○ E-mail ERTS number
- ● E-mail attachment
- ○ Print
- ○ Telephone

Person Referred to: ROGERS, GLORIA — Primary ☐
Phone: (360) 249-4268 Fax:
E-mail: rogergsr@dfw.wa.gov
Program/Organization: DEPARTMENT OF FICH AND WILDLIFE
Address:
City: MONTESANO WA
Region/Location: REGION 6 FISH AND WILDLIFE
Referral Date: 6/5/2008

Referral # 112967

Referral Method
- ○ E-mail ERTS number
- ● E-mail attachment
- ○ Print
- ○ Telephone

Person Referred to: HAMEL, KATHY — Primary ☐
Phone: (360) 407-6562 Fax:
E-mail: kham461@ecy.wa.gov
Program/Organization: WATER QUALITY
Address:
City: LACEY WA
Region/Location: HQ
Referral Date: 6/5/2008

Referral # 112968

Referral Method
- ○ E-mail ERTS number
- ○ E-mail attachment
- ● Print
- ○ Telephone

Person Referred to: DEPARTMENT OF NATURAL RESOURCES-, AQUATIC L — Primary ☐
Phone: (360) 902-1600 Fax: (360) 902-1789
E-mail:
Program/Organization: DEPARTMENT OF NATURAL RESOURCES
Address:
City: OLYMPIA WA
Region/Location: HQ
Referral Date: 6/5/2008

*** The Initial report contains only information provided to Ecology from the complainant.

ERTS # 606205

Referral # 112969

Referral Method

- ○ E-mail ERTS number
- ◉ E-mail attachment
- ○ Print
- ○ Telephone

Person Referred to	DEPT OF AG - PESTICIDE MANAGEMENT, COMPLAINT
Primary	☐
Phone	(360) 902-2040
Fax	(360) 902-2093
E-mail	compliance@agr.wa.gov
Program/Organization	DEPARTMENT OF AGRICULTURE
Address	
City	OLYMPIA WA
Region/Location	OLYMPIA
Referral Date	

*** The Initial report contains only information provided to Ecology from the complainant.

Provided by
Laura Hendricks 6/9/08

-----Original Message-----
From: Ryan [redacted]
To: JJNM@aol.com
Sent: Wed, 20 Feb 2008 3:45 pm
Subject: Re: Swimming Pools not Gone

Jules,

I agree, you don't need a degree, but then again I'm a common sense type of person.

In the end it's going to come down to PhD's hammering it out for each side...so on and so forth. as I am pretty sure your well aware of being a timberland owner. The only problem is new farms will continue to be allowed or just put in without notifying anyone which is pretty much how the aquaculture industry operates.

My father in law lives on Skookum Inlet and we deal with clam diggers all the time, I have even been assaulted by them trying to save a state recognized archaeological site they continue to destroy with their digging. The most painful and annoying thing is to watch each year when the ducks arrive... Brenner Shellfish sends out several boats and they just go up and down Skookum Inlet all day shooting ducks and leaving them lay....all in the name of deprivation. I counted up to 100 ducks they killed in one day and left for dead in the water a few years back. I couldn't even get a game warden to do anything...although a federal agent was very interested. At some point I hope the State takes a closer look at this industry and starts setting some limits. If we don't we will continue to see more and more degradation of our shorelines. In the end we may just leave future generations a real mess to try and fix.

Don't get me wrong, I do believe that aquaculture is important as is the timber industry to our economy and way of life, but just like with everything else that has potential negative impacts on the community, limits are necessary as greed always gets the best of us if we allow it.

Take care,

Ryan

From: Lund, Perry (ECY)
Sent: Tuesday, June 17, 2008 8:30 AM
To: 'JJNM@aol.com'
Cc: Mraz, Richard A. (ECY)
Subject: RE: Harrowing of Tidelands

Hi, Jules. We are not involved with that type of activity. We are involved in very little (i.e., none) of the specific operational aspects of aquaculture.

Perry J Lund
Shorelands and Environmental
Assistance Program
Southwest Regional Office
(360) 407-7260
plun461@ecy.wa.gov

From: JJNM@aol.com [mailto:JJNM@aol.com]
Sent: Sunday, June 15, 2008 6:49 PM
To: Lund, Perry (ECY)
Cc: Mraz, Richard A. (ECY)
Subject: Harrowing of Tidelands

Hi Perry - This note is from an Oakland Bay watershed meeting I received a few days ago. It follows a note which I saw on the DOH fecal coliform sample report saying "dragging in cove." Is this type of activity something which DOE is involved with, or some other agency? It seems to go a bit beyond "aquaculture." Thanks - Jules

"Steve Bloomfield, Seattle Shellfish: Is coordinating the harrowing about to happen with John Konovsky so that water sampling can be done before, during, and after. Noted a lot of changes in sediments in the bay over the last six months due to dragging and graveling."