

**From:** Clingman, Tom (ECY)  
**Sent:** Wednesday, February 27, 2008 12:55 PM  
**To:** Holcombe, Candice (ECY)  
**Subject:** FW: SARC committee

**Follow Up Flag:** Follow up  
**Flag Status:** Red

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**From:** kathleen tei [mailto:kateirn@hotmail.com]  
**Sent:** Monday, February 04, 2008 12:08 PM  
**Subject:** SARC committee

I am very concerned about the direction the SARC committee seems to be taking. They are not addressing my concerns about protecting our natural fish habitat and protecting our fragile environment. I do not want to know what color PVC tubes will be; I want to know the impact of the deterioration of PVC pipes in our sand. I want be reassured that increasing industrial aquaculture practices will not cause habitat degradation that will take billions of our tax dollars to clean. I do not want a rubber stamp for the shellfish industry - I want protection for Puget Sound. Sincerely, Kathleen Tei

**From:** Clingman, Tom (ECY)  
**Sent:** Wednesday, February 27, 2008 12:58 PM  
**To:** Holcombe, Candice (ECY)  
**Subject:** FW: Inadequacy of proposed regulations re. aquaculture

**Follow Up Flag:** Follow up  
**Flag Status:** Red

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**From:** Mary Kenney [mailto:msk3136@comcast.net]  
**Sent:** Tuesday, February 05, 2008 7:25 PM  
**To:** Clingman, Tom (ECY); Lantz.Patricia@leg.wa.gov; Seaquist, Larry; Kelley, Troy; Green, Tami; hunt.sam@leg.wa.gov; Kilmer, Derek; Fraser.karen@leg.wa.gov; Carrell.michael@leg.wa.gov; tlee1@co.pierce.wa.us; Drew, Kathleen (GOV); spanel.harriet@leg.wa.gov  
**Subject:** Inadequacy of proposed regulations re. aquaculture

Because I will be unable to attend the State Aquaculture Regulatory Committee (SARC) meeting on February 11, I'm writing to support the points made by Laura Hendricks, of the Coalition to Protect Puget Sound Habitat, in a letter to Ted Sturdevant, Legislative Liaison for the Washington State Dept. of Ecology (with copies to) many of you on January 30th, 2008. My understanding is that the Dept. of Ecology will use recommendations from SARC to issue guidelines to each County for its Shoreline Master Plan Update currently under way. I'm very concerned that counties may use the recommendations to give industry far too much power in locating and "regulating" aquaculture sites. I believe the counties themselves, together with broadly based citizens stakeholders groups, should hold this power. Regulations on all aspects of the industrial shellfish-raising process should be strictly enforced by the counties; industry "self-policing" is certain to be far from adequate. Preservation of marine habitat and the protection of the character and liveability of shoreline neighborhoods should *always* take precedence over the profit-making goals of the shellfish industry.

A copy of Ms. Hendricks' letter, in boldface, follows. Thank you for your attention to this matter.

Mary A. Kenney  
7916 Olympic View Drive NW  
Gig Harbor, WA 98335  
2153-851-3136  
[msk3136@comcast.net](mailto:msk3136@comcast.net)

**To: Ted Sturdevant, Legislative Liaison for the Washington Dept. of Ecology**

**Dear Ted,**

**It has become apparent from the Ecology agenda submitted for the State Aquaculture Regulatory Committee meetings, that the new aquaculture regulation recommendations will simply be industry's/DNR's "Best Management Practices." These BMP's are nothing but a "try to list" by**

**industry that have already been in place and did not prevent the problems that have been pointed out to legislators and officials by our shoreline coalition for the last 20 months. Further evidence of the inadequacy of this approach is the 2005 Western Washington Growth Management Hearings Board decision regarding Skagit County's minimal approach to protecting critical areas on agricultural lands that is relevant to this entire discussion. The Board states quite forcefully that such high-risk, voluntary approaches must be buttressed with a rigorous adaptive management program to insure protection is actually being provided and this is the price local governments, landowners and taxpayers must be willing to pay if voluntary BMP's are substituted for a strictly regulatory approach.**

**Link: <http://www.gmhb.wa.gov/western/decisions/2002/02-2-0012cSwinomishComplianceOrderAdaptiveMgmt20050113.pdf>**

**In the past, industry/DNR " Best Management Practices" have not been adequate, monitored or enforced. There is no provision in any of the regulations to set up an independent enforcement agency.**

### **Environmental Siting Issues**

**We are still formally requesting that Dan Penttila, a forage fish/aquatic vegetation expert from Fish and Wildlife, make a presentation to the SARC committee that outlines his report that was published in the Protecting Nearshore Habitat and Functions in Puget Sound--An Interim Guide. The F& W representative stated at the last SARC meeting that she could not insure that a future presentation on forage fish would be consistent with the Nearshore or Puget Sound Partnership goals. Since Penttila's publication is shown on your SARC website main page and is published by state agencies and endorsed by the Nearshore and Puget Sound Partnership, we request that this forage fish technical report be presented. For the record, we do oppose the example that the Ecology chair of this committee put on the board showing geoduck farming squeezed in between the high level on the beach and eelgrass as an acceptable practice in forage fish areas. State regulations must prohibit aquaculture in designated forage fish and critical salmon habitat areas to be consistent with these published state agency reports. Trout Unlimited has also voiced this concern.**

### **Sea Grant Northwest Workshop on Bivalve Aquaculture and the Environment**

**The expert scientist's recommendations from the September 2007 SeaGrant Bivalve Workshop are not mentioned in the meeting framework that Ecology is issuing and are ignored in the BMP's. These scientists clearly stated that impacts from existing aquaculture sites must be evaluated in relation to new siting and that baseline information, monitoring and cumulative impacts should be evaluated. These issues do not appear on the future Ecology meeting agenda. How can regulations be designed when the committee has still not received any reports on existing aquaculture by location or species? This SeaGrant document link is shown on page 2 of our attached position paper for your review.**

**On Monday, Fran McNair testified to the Senate Natural Resource committee that the future SeaGrant science studies will take care of the science concerns. The recent SeaGrant proposal**

**studies on genetics and a study on harvesting impacts cannot possibly be considered a comprehensive study as the design does not include the perpetual planting, netting, harvesting impacts on the birds, waterfowl, forage fish, salmon and aquatic vegetation (not just eelgrass). Since comprehensive studies are not available for Puget Sound, Dr. Roger Newell, a world renowned restoration expert, stated that the "precautionary approach" must be used when he addressed the audience at the SeaGrant Bivalve Workshop.**

**According to HB2220, the committee must examine "Methods for quantifying and reducing marine litter." When are the independent trawls, diving, sonar going to be done and who is going to pay for it? Merely taking the word of industry at the last meeting that there is "no debris problem" is not solving the problem when numerous citizens throughout South Puget Sound are still picking up aquaculture debris miles away from known aquaculture sites.**

### **Social Siting Issues**

**As we have stated on the record, social siting issues will not be solved by changing the color of the tubes or placing them in a straight or zig zag pattern down the beach. I have attached our coalition position paper that clearly points out the following social siting issues that have been ignored by this committee: Proximity to residential homes, siltation/erosion buffers, baseline studies, noise, lights, navigation rights. Diane Cooper's/Taylor Shellfish, statement that restricting hours and days of operation in residential neighborhoods "is not negotiable" is just another example of how this aquaculture industrial expansion is completely incompatible with shoreline residents and recreational users.**

**Our coalition groups endorsed HB2220 so a regulatory framework could be implemented to protect Puget Sound habitat/aquatic life, residential communities and recreational users. If this committee agenda continues on the present course that Ecology is directing, this committee will be legitimizing industry practices that are in direct conflict with citizen's rights and the stated goals of the Puget Sound Partnership in protecting habitat. It is not acceptable to allow one industry to industrialize our shorelines for profit, while ignoring the stated multi use goals contained in the Shoreline Management Act and the recommendations of the expert scientist's who participated in this very discussion.**

**I will look forward to not only hearing from you on this issue, but seeing at our next SARC meeting on February 11th that the agenda encourages regulatory recommendations that are consistent with the intent of HB2220. While industry and DNR are testifying in front of the Senate Natural Resources committee that all of these issues are being addressed, we can clearly document that they are not.**

**Thank you for your consideration on this issue.**

**Sincerely,  
Laura Hendricks  
SARC Member**

**From:** Clingman, Tom (ECY)  
**Sent:** Wednesday, February 27, 2008 12:50 PM  
**To:** Holcombe, Candice (ECY)  
**Subject:** FW: SARC

**Follow Up Flag:** Follow up  
**Flag Status:** Red

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**From:** Denise McElney [mailto:denisemcelney@yahoo.com]  
**Sent:** Tuesday, February 05, 2008 4:37 PM  
**To:** Clingman, Tom (ECY)  
**Cc:** Lantz.Patricia@leg.wa.gov; Seaquist, Larry; Kelley, Troy; Green, Tami; hunt.sam@leg.wa.gov; Kilmer, Derek; Fraser.karen@leg.wa.gov; Carrell.michael@leg.wa.gov; tlee1@co.pierce.wa.us; Drew, Kathleen (GOV); spanel.harriet@leg.wa.gov  
**Subject:** SARC

Dear Mr. Clingman,

I am writing to express my concerns with the direction of the SARC committee. This committee is not adequately addressing the interests of Puget Sound citizens and is acting in favor of the shellfish industry and DNR. I do not approve of adopting current BMP's as a basis for aquaculture regulations. Regulations need to be specific, measurable and accountable. The current BMP's are none of these.

It is completely inappropriate to use residential shoreline areas for aquaculture. In addition to the unsightliness of industrial aquaculture feedlots, and the restricted use of tidelands for recreation, the noise and nuisance associated with farming and harvesting renders this activity unacceptable. Equally unacceptable is the arrogant attitude of the shellfish industry in stating that reduced hours of operation are non-negotiable. Surely the shellfish industry can find adequate space for farms that do not interfere with longtime shoreline residents. Do not think residents will 'just get used to it'. We will not. The SARC committee needs to develop regulations restricting industrial expansion in residential neighborhoods.

But of even greater concern are the negative and long lasting impacts to our environment caused by aquaculture. It is this committee's responsibility to establish meaningful (e.g. measurable, accountable) regulations that protect our fragile habitat and ecosystem from harmful aquaculture practices such as industrial petrochemicals and metals pollution from PVC pipes, rebar, and vexar netting that are not rated for use in salt water. We do not believe the biased biologists' or industry claims that aquaculture gear is 'better than eel grass' for forage fish and salmon habitat. All one has to do is visit Totten Inlet to see the destruction to habitat caused by aquaculture. This committee needs to set regulations that call for unbiased scientific biological and geological studies. SeaGrant biologists have already recommended a precautionary approach. This means that if there is any compelling evidence of environmental destruction (as there is), the activities should be halted until better methods can be adopted. It does not

mean we go ahead and destroy our sound and then say “Oops”.

The SARC committee has the opportunity to significantly impact the future health and longevity of Puget Sound. I ask Mr. Clingman and all state legislatures - Imagine ten, fifteen, twenty years from now. Could you really sleep at night knowing that your lack of leadership and unwillingness to stand up to the shellfish industry caused irreparable damage to our sound and precious habitat?

I respectfully request that this committee get back on track and take responsible actions to regulate this rogue industry.

Sincerely,

Denise McElney

Concerned citizen and steward of Puget Sound for ~ 50 years

**From:** Clingman, Tom (ECY)  
**Sent:** Wednesday, February 27, 2008 12:57 PM  
**To:** Holcombe, Candice (ECY)  
**Subject:** FW: geoduck aquaculture

**Follow Up Flag:** Follow up  
**Flag Status:** Red

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**From:** Lawrence Ollen-Smith [mailto:lollensmith@yahoo.com]  
**Sent:** Tuesday, February 05, 2008 5:43 AM  
**To:** Clingman, Tom (ECY)  
**Cc:** Seaquist, Larry; Kelley, Troy; Green, Tami; hunt.sam@leg.wa.gov; Kilmer, Derek; Fraser. karen@leg.wa.gov; Carrell.michael@leg.wa.gov; tlee1@co.pierce.wa.us; Drew, Kathleen (GOV); spanel.harriet@leg.wa.gov  
**Subject:** geoduck aquaculture

Dear Mr. Clingman,

I have enjoyed the beaches of Case Inlet for the past fifty years, and want my children and grandchildren, as well as all Puget Sound area residents and visitors, to be able to do so as well. I urge you and members of the SARC to support HB 2220 and regulatory recommendations consistent with its intent, in order to preserve these fabulous beaches. As you know, intensive geoduck aquaculture has the potential to destroy essential habitat on Puget Sound beaches. At your next meeting on February 11 I hope that you will support more scientific research to measure the effects of geoduck aquaculture, and to inform the design of appropriate regulations that will protect the beaches for the public good.

Sincerely,  
Lawrence Ollen-Smith

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From: Diane Nelson [dnelsonma@nwtekk.com]  
Sent: Thursday, February 07, 2008 5:59 PM  
To: Holcombe, Candice (ECY)  
Cc: Manning, Jay (ECY); lantz.patricia@leg.wa.gov; Lund, Perry (ECY)  
Subject: Taylor's impact on our once beautiful cove at Cape Horn

Follow Up Flag: Follow up  
Flag Status: Red

Attachments: 100HP927-HPIM0411\_HPIM0411.JPG;  
100HP927-HPIM0439\_HPIM0439.JPG; 101MSD-DSC00538\_DSC00538.JPG

If one picture is worth a thousand words, then let me be really talkative. We bought our home on Cape Horn in June 2001, when there were almost no Taylor plantings in the cove. At first, we tried to be good neighbors and chat it up with the Taylor people. We even found out from an employee that Taylor was training their people to be more "user friendly." Then in the summer of 2006, the Taylor people told us the demand had really skyrocketed for geoducks so they were going to increase their plantings in the cove. Attached are pictures of the thousands of PVC pipes and the effluent from the tens of thousands of geoducks they have put in.

To no avail, we voiced our concerns to Taylor about the effluent from so many geoducks washing ashore and making the water quality questionable. Gone are the abundant juvenile (3-5 inch) red rock and kelp crabs that scurried along our shores as are the dozens of native oysters that were numerous on the point before their habitat was destroyed by the pipes and nets. It appears that money speaks louder than the environment, and of course, nothing has come of our concerns. (Let me note that our property taxes were just increased 70 percent, yet the quality of our environment has decreased equivalently!)

I would like to know why the Govenor (who professes to want to protect the shoreline environment) and all of you good people in the ecology department aren't interested in regulating what is clearly an industry that is negatively impacting the environment in a significant way with NO apparent regulations, oversight, or even concern for the Sound's ecosystem? Surely, tens of thousands of geoducks crammed together on 3 acres of tidelands can't be what nature intended for a balanced shoreline environment!

Thanks for your attention.

Diane Nelson

Mason County taxpayer and registered voter





07/29/2007 6:55 pm



19 8:17AM

**From:** tko 17 [tko17@webtv.net]

**Sent:** Thursday, February 07, 2008 2:06 PM

**To:** Holcombe, Candice (ECY); JayM@ecy.wa.gov; Lund, Perry (ECY)

**Subject:** Geoduck harvesting

**Follow Up Flag:** Follow up

**Flag Status:** Red

Good Morning,

I am a waterfront property owner that is extremely concerned with the proposed tideland usage for geoduck harvesting. I am located in Dutcher Cove in Pierce County. Recently a permit was applied for to harvest 21 acres of this cove. The cove itself isn't much larger than 30 acres. If you are not a waterfront property owner I doubt that you can possibly comprehend the damage that harvesting will do to this cove. It is not a mudflat devoid of life. It is teeming with hundreds of creatures. Acres of it are home to native sanddollars, all which would be destroyed by burying them in liquid sand. There are moonsnails, midshipmans, varieties of starfish and anemones, a fresh water stream that is an annual coho run, eels, cockles, several types of snails and more. It is an amazing natural ecological preserve.

The practice of planting 44,000 tubes/acre x 21 acres, then liquefying the sand causing tremendous amount of silt to drift over sensitive areas of marine life that will be extinguished is a crime. You cannot with clear conscience truly believe that this will cause no environmental impacts on the tidelands. Please keep geoduck harvesting out of sensitive areas, and away from residential and recreational areas. Our cove will never regain its diverse sealife if you allow these practices to take place then study their impact 5 years from now. History has shown several times over that protection should come first, before the loss is unrecoverable.

Thank you for your time,

Karen Oberbillig

Member CISA

<http://www.caseinlet.org>

**From:** Kkris47@aol.com

**Sent:** Friday, February 08, 2008 9:42 AM

**To:** Holcombe, Candice (ECY)

**Cc:** Manning, Jay (ECY); lantz.patricia@leg.wa.gov; Lund, Perry (ECY)

**Subject:** Geoduck Aquaculture in the Puget Sound

**Follow Up Flag:** Follow up

**Flag Status:** Red

Hello,

Geoduck Farming will ruin out beautiful Puget Sound ecosystem. Please help Stop all Geoduck Farming practices until the science is completed. Decisions cannot only be made by listening to the Shellfish Industries so called Best Management Practices. We need to have independent studies done NOW on all phases of this Geoduck Aquaculture not after it begins to destroy our tidelands. I feel that these pro-industry decisions will hurt our environment forever. I want to get it right the first time!

Thank you,

Kris Mansfield

Concerned Citizen

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Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

To: Mr. Perry Lund  
Ms. Candice Holcombe  
Shellfish Aquaculture Regulatory Committee Members

From: Jules Michel  
3<sup>rd</sup> generation Mason County tideland, shoreline property owner

Date: 02/08/08

**RE: Advisory Committee Recommendations**

I am writing to the Department of Ecology and committee members requesting that these comments be made part of the public record and be considered in any recommendations the committee makes, specifically as they relate to “regulatory processes and approvals for all current and new shellfish aquaculture activities” (Section 4, HB2220). This task assigned to the committee by HB2220 is critical to the Department of Ecology’s task to develop “guidelines for the appropriate siting and operation of geoduck aquaculture operations to be included in any master program under this section.” (Section 5, HB2220).

Section 4, guiding what the committee is responsible for, is clear in its defining that the committee’s recommendations be focused on two areas: the permit process and, “appropriate guidelines for geoduck aquaculture operations.” In order for the latter to occur, it is critical that the committee’s advice draw from the intent of HB2220.

Section 1, the longest and most detailed of HB2220, is to ensure that the research required for guiding decisions made from HB2220 (which “...satisfies the planning, permitting and data management needs of the state...”) is available. As such, any recommendations about geoduck operations which the committee makes must consider, and be guided first and foremost by the information provided through Section 1. To do otherwise tarnishes the purpose of the committee: to advise Ecology.

On January 25, 2008, Sea Grant published the results of its literature review, defined in Part 1 of Section 1. The results of that review clearly show that rather than a wealth of knowledge and studies to support current Geoduck cultivation, virtually none exists. Attached is a document which shows, section after section, that there is simply no research on Geoduck cultivation.

As such, for the advisory committee to consider current “Best Management Practices” as a framework is premature. Instead, the committee’s role should be to advise Ecology that before the committee may proceed further, Sea Grant must fulfill its role of completing the needed research. Without that research, it is impossible for Ecology to receive “appropriate guidelines” in order for them, in turn, to develop “guidelines for the appropriate siting and operation of geoduck aquaculture operations to be included in any master program...”

It is important to emphasize that the lack of studies and information is pervasive. It is not simply a matter of one or two areas needing study. Throughout the document published by Sea Grant, section after section, it is clearly stated that there is a lack information on the environmental impacts which current geoduck cultivation may, or may not, have on the tidelands and waters of Puget Sound.

Deadlines and economics should not drive this committee to go further than telling Ecology that Sea Grant’s recommendations need to be fulfilled before its task of providing “appropriate guidelines” is possible.

Attachment

# Effects of Geoduck Aquaculture on the Environment: A Synthesis of Current Knowledge

Prepared for Washington Sea Grant

by Kristina M. Straus, Lisa M. Crosson, and Brent Vadopalas  
School of Aquatic and Fishery Sciences, University of Washington  
January 25<sup>th</sup>, 2008

## B. Ecological Effects of Geoduck Aquaculture

### Chapter 5: Abiotic and Biotic Effects

#### 5.1 Introduction:

“...little work has been done on the ecological impacts of these practices. Research that has been conducted comprises primarily pilot-scale studies that have not been subjected to formal peer-review.”

#### 5.2 Water Quality

“...Filtration rates have not been published for *Panopea abrupta*;...”

#### 5.3 Substrate

“...geoduck biodeposition has not been examined...”

“...It appears likely that the influence of predator exclusion netting on sedimentation is site-specific; these effects should be examined for geoduck aquaculture in Puget Sound.”

#### 5.4 Effects of Tubes

There is no peer-reviewed information available on the ecological impacts of the meshcovered polyvinylchloride (PVC) tubes currently used in geoduck aquaculture to protect seed from predation and dessication. As this system both appears unique to geoduck culture and is rapidly evolving, no data are available to review.

#### 5.5 Community Structure

“...no data available for geoducks,...”

“...These effects should be examined for geoduck aquaculture in Puget Sound.”

#### 5.6 Effects of Harvest

“...This method is unique to geoduck harvest and no peer-reviewed papers have been published which examine these questions....”

### 5.7 Carrying Capacity

“...No peer-reviewed studies are available for geoduck carrying capacity or bivalve carrying capacity in Puget Sound.”

## **Chapter 6: Disease**

### 6.2 Aquaculture Impacts on Disease Prevalence and Distribution in the Pacific Northwest

“...Determining the risks of the inadvertent introduction of pathogens with the transfers of juvenile bivalves for grow-out and the marketing of live *Panopea abrupta* from areas within the current distribution of known etiological agents requires that the susceptibility of *P. abrupta* to endemic and naturalized diseases be assessed.”

### 6.3 Parasites and Diseases Associated with Geoduck Aquaculture

“...further research is required to characterize the distribution and effect of any pathogens or diseases impacting cultured and wild geoduck clams.”

### 6.4 Parasites and Disease Associated with Wild Geoducks

“...More sensitive methods of detecting and identifying the fungus (or fungi) are needed to fully assess involvement in geoduck integument abnormalities....”

“...Although Bower and Blackburn’s preliminary work was initiated to address the health status of geoduck clams, the risks, distribution, prevention, and management of geoduck-related diseases need further exploration to develop an understanding of potential effects of geoduck disease on the ecosystem.”

**From:** Clingman, Tom (ECY)  
**Sent:** Wednesday, February 27, 2008 1:01 PM  
**To:** Holcombe, Candice (ECY)  
**Subject:** FW: Geoduck Commercial Farms

**Follow Up Flag:** Follow up  
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**From:** Shillbill98365@aol.com [mailto:Shillbill98365@aol.com]  
**Sent:** Friday, February 08, 2008 7:52 PM  
**To:** Clingman, Tom (ECY); Lantz.Patricia@leg.wa.gov; Seaquist, Larry; Kelley, Troy; Green, Tami; hunt.sam@leg.wa.gov; Kilmer, Derek; Fraser.karen@leg.wa.gov; Carrell.michael@leg.wa.gov; tlee1@co.pierce.wa.us; Drew, Kathleen (GOV); spanel.harriet@leg.wa.gov  
**Cc:** laura.l.hendricks@gmail.com  
**Subject:** Geoduck Commercial Farms

Dear Leaders;

It appears that DNR's approach to impementing geoduck farms is to ignore; 1/the general public concerns, 2/fish and aquatic vegetation experts such as Dan Penttila, 3/Shoreline Coalition advice, 4/ expert recommendations from the September 2007 Sea Grant Northwest Workshop on Bivalve Aquaculture and the envirement.

It appears that DNR wants to reward a few companies in the state of Wahington who will benefit greatly while the state will receive a relatively small amount of revenue in comparison to their budget. As our elected leaders, please make decisions based on the best scientific inforemation ensuring that the environment is protected not only for this generation but for future generations.

Concerned citizen  
Bill Pearson

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Who's never won? [Biggest Grammy Award surprises of all time on AOL Music.](#)

February 8, 2008

## Recommendations for SARC Land Use Topics

Save Our Shoreline organized in 2004 and is made up of shoreline property owners and recreational users concerned with geoduck farm operations.

We believe that proper siting of aquaculture away from sensitive areas, recreational and residential uses will mitigate most conflicts. This can be done through zoning or designating areas that have little social or environmental impact. Recommendations for policies then could pertain to operations inside these zones, or if the local jurisdictions choose not to zone or district, they would be for areas that would impact neighbors.

We endorse the Pierce County Interim Regulations for policy on items below. More specific to your agenda:

- **Aesthetics:** Districting would be the best solution. The farms cannot be made pleasing to those who value views or a peaceful home environment.
  - Work boats should not be moored on-site for longer than the particular operation (planting or harvesting) when in view corridors.
- **Artificial lights:** Shielded headlamps only with a maximum number allowed. (Mason County recent decision says 5.)
- **Noise:** Baffled engines and State Noise Standards.
- **Hours of Operation:** 8:30 AM to 4:30 PM no Sunday's or State Holidays. Pierce County Shoreline Substantial Development Permit: Case No. SD10-05 of Aquaduck LLC/Roland, on January 20, 2006, The Hearing examiner conclusion was on condition "H" "Hours of operation shall be limited to Monday through Friday 8:00 AM to 5 PM. There shall be no work on holidays." There was no appeal of this condition, and at the hearing, the geoduck farmer offered to dive during the day for the harvest activity to minimize impacts on the neighbors. This was a small operator.
- **Debris and Litter:** Baseline study would include currents, wind direction and likely places debris would accumulate. Local knowledge of where these areas are could be sought. As well as bonding, harvest will not be granted if all gear is not cleared on site or off site. Areas that are a continual problem due to currents or other factors that generate escapement should be discontinued through adaptive management as suggested under "Adaptive management".
- **Navigation and Public Access:** If access is allowed from uplands, and the road is private with several owners, permission to use the road for non-residential use must be in writing from each owner. Notification of the exact nature of the use will include how many vehicles, how often and what hours workers will be present must be included. Compensation to the community for wear and tear and damage is the responsibility of the operator. (Most road agreements did not anticipate non-residential use of their roads). A community can deny use of their private road.
  - Public access to farm areas should be perpendicular and parallel paths to the water. Perpendicular paths should be large enough to drag a boat through should the tide go out leaving a boat stranded. Paths should also be made wide around eelgrass areas to prevent employee and public trampling.

# Save Our Shoreline!

Working together to preserve our beaches

P.O. Box 260, Tanglewilde, WA 98394

- **Landowner Notification:** Notification of new farms should be within the debris control patrolling areas. In Pierce County, the patrol area is ½ mile on each side of the farm.
  - 3 residential properties on each side of the site must be informed of upcoming harvest activities at least 5 days in advance. (Size of lots can vary, going by residential lots instead of a footage will make the notification fair.)
- **Site Identification:** Markers and buoy anchors should be embedded in the bottom with non harmful (won't protrude like a piece of metal) markers such as chain or line for safety reasons.
- **Maintenance Requirements:** Hoses from pump barges to the harvest site should not be allowed to drag over eelgrass beds between the two.
  - Company should provide interpreter and materials for non-English speaking employees for standardized training programs.
  - Employees' animals are prohibited using the beach, adjacent uplands or waters for defecating.
- **Bonding:** At least \$1.00 a tube. This number reflects what it cost to clean up a Pierce County farm and does not take into consideration the large amount of volunteer help.
- **Record Keeping:** "Records and Logs" posted to a website for public review. This includes complaints.
- **Adaptive management:** Instead of a 5 year review: The local jurisdiction permitting and review process would establish acceptable limits of probable impacts that would allow projects to be implemented. The project would need to show proof of meeting those parameters, initially, through submittal of baseline studies and projections and, as the project is in place, through periodic submittal of environmental studies and performance reviews. The permit would state terms of performance and obligations and include terms under which the permit may be reviewed or revoked.<sup>1</sup> This would include land use issues as well as environmental. Precautionary Principle should be the standard for environmental safeguarding.
- **Surveys:** Baseline study would include currents, wind direction and likely places debris would accumulate.
- **Performance Measures:**
- **Siting Tools:** We recommend either updating or creating a new Aquaculture siting study to have a more comprehensive way to review aquaculture siting that is done in tidal areas. This tool was used to site floating aquaculture, and it's principles could be expanded to other types of seabed aquaculture.

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<sup>1</sup> In part, taken from Aquaculture Siting Study, State of Washington Department of Ecology, EDAW Inc., CH2m/Hill, October 1986  
Page 93

**Comments from Kathryn Townsend of Protect our Shoreline.  
Received by Ecology 02-08-08.**

I am sending you the following comments regarding the SARC process and your **Task 3 Geoduck Aquaculture Siting and Operations Discussion Outline**:  
[http://www.ProtectOurShoreline.org/SARC/080211\\_SARC\\_DiscussionOutline.pdf](http://www.ProtectOurShoreline.org/SARC/080211_SARC_DiscussionOutline.pdf)

**HB 2220 reads in part:**

SECTION 4(2) The shellfish aquaculture regulatory committee shall develop recommendations as to:

(b) Appropriate guidelines for geoduck aquaculture operations to be included in shoreline master programs under section 5 of this act. When developing the recommendations for guidelines under this subsection, the committee must examine the following:

(i) Methods for quantifying and reducing marine litter; and

(ii) Possible landowner notification policies and requirements for establishing new geoduck aquaculture farms.

NEW SECTION. **Sec. 5.** (1) The department of ecology shall develop, by rule, guidelines for the appropriate siting and operation of geoduck aquaculture operations to be included in any master program under this section. The guidelines adopted under this section must be prepared with the advice of the shellfish aquaculture regulatory committee created in section 4 of this act, which shall serve as the advisory committee for the development of the guidelines.

<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=2220>

Despite the title of your discussion outline, it appears that the Ecology staff has erroneously framed Task 3 as "guidelines for the appropriate operation of geoduck aquaculture," **excluding 1) "appropriate siting" and 2) "requirements for establishing new geoduck aquaculture farms."** Ecology staff has mistakenly utilized the terminology, "BMP's", which is a term typically used to describe voluntary industry practices. The SARC industry representative stated at the January SARC meeting that some operational practices are non-negotiable, giving the impression that the shellfish industry is being allowed to dictate the content of the discussion.

**Correctly framed, Task 3 should include, in this order of discussion: 1) siting framework based on environmental and land use criteria; 2) guidelines for a permitting process; 3) guidelines for conditions placed on the permit for appropriate operations.**

**1. Appropriate siting -- a topic required by HB 2220**

The mandated topic of "appropriate siting" should have priority in the order of discussion relative to "appropriate operations." Yet "appropriate siting" is not even identified as a mandated topic. There is a topic listed for the February meeting called "site identification" but no indication of the context for this topic. "Appropriate siting" is not an operational BMP or condition on a permit, but should rather be discussed first as a higher level topic. It should include research into aquaculture zoning frameworks established by other states for shellfish aquaculture siting, research that our representative, Laura Hendricks, has already offered to give to the committee. It should include both environmental and land use criteria. Environmental criteria cannot be excluded and pushed aside as a completely separate topic. It is a logical and

integral part of siting. Both environmental and land use criteria must take into account the conversion of large swaths of tideland, particularly coves and sandy beaches, to industrial aquaculture use, events that have already occurred in Thurston County without environmental review or public comment.

## **2. Requirements for establishing new geoduck aquaculture farms - a topic required by HB 2220**

Establishment of guidelines for a permitting process is the next logical discussion step for the Committee after "appropriate siting." Yet there is no obvious topic for discussion of guidelines related to permitting for new geoduck aquaculture farms in the SARC agendas for the next three months. The recent SHB decision on the oyster farm in Mason County states that:

The Marnin/Cook shellfish operation is a major presence on the shoreline and presents an obstacle to full surface water access just as the geoduck operation did in *Washington Shellfish*. Accordingly, the Marnin shellfish enterprise is properly considered a shoreline development.

[http://www.ProtectOURShoreline.org/legal/080206\\_SHB\\_07-021\\_Modified\\_FF\\_CL.pdf](http://www.ProtectOURShoreline.org/legal/080206_SHB_07-021_Modified_FF_CL.pdf)

We know that Thurston and other counties are watching the legal events as they unfold regarding the expansion of shellfish aquaculture in Puget Sound and are expecting guidance from the Department of Ecology. ECY must include guidelines for establishing a permit process in Counties for new geoduck aquaculture farms (and indeed for all new shellfish aquaculture operations.) for the County SMP's. This topic should be discussed before the topic on "operational guidelines."

"Operational guidelines" will have no relevance without guidelines for permitting because without a permit process, there is no mechanism for even identifying the operations, much less allowing public comment, environmental review or enforcing the conditions.

## **3. Requirements for operational guidelines - a topic required by HB 2220**

Once siting framework is established and permitting guidelines developed, then operational guidelines should be discussed. To talk about tube color and straight rows of pipes before talking about appropriate siting and permitting requirements gives the impression to citizens that ECY's stance toward the legislation is both illogical and frivolous.

### **Other mandated topics:**

#### **Methods for quantifying and reducing marine litter - a topic required by HB 2220**

The January SARC discussion of this mandated topic centered mainly around a lengthy presentation by the DFW representative refuting statistics on marine aquaculture litter developed by another DFW staff member. The discussion also included the assertion by the industry representative that there is no litter problem. Based on continued citizen reports of aquaculture litter on beaches, we do not feel that the January meeting discussion fulfilled the legislative requirement to develop methods for quantifying and reducing marine litter.

#### **Possible landowner notification policies - a topic required by HB 2220**

This mandated topic has been placed exclusively under the "operational guideline" context. We believe that landowner notification should also be placed under the context of "Requirements for establishing new geoduck aquaculture farms." Citizens should be afforded the opportunity to comment on proposed geoduck operations before they are established, i.e., in a substantial shoreline development permit process. Without a permit process, as has been the history at least in Thurston County, citizens have only become aware of new geoduck farms when the barge comes in filled with PVC tubes, ready to plant. This can dramatically impact an entire community, not just a single upland owner. See:

[http://www.ProtectOurShoreline.org/letters/080207\\_MasonCntyResident\\_Email\\_To\\_ECY.pdf](http://www.ProtectOurShoreline.org/letters/080207_MasonCntyResident_Email_To_ECY.pdf)

### **Our concerns about the process on "Task 3" so far:**

The January SARC meeting included what to many was a foolish and lengthy discussion of tube color and whether tubes should be in straight rows along with the dubious DFW presentation. Citizen observers were left with the impression that the Department of Ecology is attempting to avoid the serious work of discussing appropriate guidelines for environmental/land use siting and permitting requirements for new geoduck aquaculture operations by focusing exclusively on detailed operational BMP's. Guidelines on operational conditions on permits are important, but first the guidelines for siting and the permit process must be established.

Please let us know if ECY intends to introduce the discussions mandated by the legislation as I've outlined above and if so, in what context and at what meeting. Since I may have overlooked something in your Discussion Outline document or simply not understood it, please advise or clarify any points. I believe all of the above suggestions can be harmonized with

## **WAC 173-26-241.**

Our group looks forward to hearing from you.

Best regards,

Kathryn Townsend

<http://www.ProtectOurShoreline.org>

In Coalition with:

<http://www.HendersonBayShorelineAssociation.com>

<http://www.CaseInlet.org>

<http://www.APHETI.com>

<http://www.NoGeoduckFarm.com>

Case Beach Shoreline Association

Citizens of Anderson Island, Harstene Island, Hood Canal and Hammersley Inlet.

**From:** esc1633@comcast.net [mailto:esc1633@comcast.net]

**Sent:** Sunday, February 10, 2008 12:45 PM

**To:** Clingman, Tom (ECY); Lantz.Patricia@leg.wa.gov; Seaquist, Larry; Kelley, Troy; green;tami@leg.wa.gov; hunt.sam@leg.wa.gov; Kilmer, Derek; Fraser.karen@leg.wa.gov; carrell.michael@leg.wa.gov

**Cc:** Lund, Perry (ECY)

**Subject:**

I am writing as a landowner of beachfront property on Case Inlet regarding the proposal before the State Aquaculture Regulatory Committee to accept the Best Management Practices of the Shellfish Industry. I agree with concerns raised by Laura Hendricks and others that there are many issues this does not address and more research needs to be conducted and a regulatory framework implemented and funded prior to moving forward with the shellfish industry's "non-negotiable" positions.

The work of this committee includes the larger mission to protect Puget Sound habitat, aquatic life, residential communities and recreational users as well as regulate the shellfish industry.

Our family has owned and enjoyed this property for 50 years, we are alarmed by the apparent lack of research re: affects of this intensive geoduck farming, its harvesting techniques and its potential effects on the habitat and life in Puget Sound.

Thank you for your equal consideration of those who would like more information/research before wholesale approval of the shellfish industry geoduck farming plans.

Ellen Carmody  
1633 36th Ave  
Seattle, Wa 98122  
206-324-1871

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**From:** Bob Paradise [mailto:thesportguy@hotmail.com]

**Sent:** Sunday, February 10, 2008 5:44 PM

**To:** Clingman, Tom (ECY); lantz.patricia@leg.wa.gov; Seaquist, Larry; Kelley, Troy; Green, Tami; hunt.sam@leg.wa.gov; Kilmer, Derek; fraser.karen@leg.wa.gov; carrell.michael@leg.wa.gov; tlee1@co.pierce.wa.us; Drew, Kathleen (GOV); spanel.harriet@leg.wa.gov

**Subject:** Public Comment on Shellfish Committee Regulations

1. As a windsurfer and SCUBA diver, I am concerned about the nets, ropes, rebar, and other hazards. I have been tangled in derelict geoduck equipment while diving and nearly drowned. Many windsurfers have been injured and had equipment damaged because of collisions with derelict equipment.
  
2. I am also very concerned about the environmental damage that aquaculture is causing in Puget Sound and Hood Canal. The introduction of the concentration of geoducks in areas where they did not previously exist in these numbers is changing the marine environment in ways we do not fully understand. They are feeding on micro-organisms that may be needed by salmon, herring, and other important species in Puget Sound.
  
3. I am also concerned about the declining health of Puget Sound and the destruction of critical near-shore habitat occurring in these aquaculture areas, some of which are on public lands that are supposed to be managed for long term benefit of the public, not the short term gain of private corporations.
  
4. I am also concerned about the cost to the tax payers for clean up and restoration of these areas.

-- Robert Paradise  
Gig Harbor, WA

**From:** jerry johannes [mailto:jfjohannes4@msn.com]  
**Sent:** Sunday, February 10, 2008 11:15 PM  
**To:** Lund, Perry (ECY)  
**Subject:** SARC meeting

TO: SARC

February 11, 2008

Good afternoon--

My name is Jerry Johannes. My official title is chairman of the Anderson Island Tidelands Committee. I have a multitude of concerns about geoduck aquaculture but in the interest of brevity shall focus on one today--that of marine debris or what is termed derelict gear.

HB 2220 mandates that this committee **must** quantify marine debris. That is the law and it is required that you do that.

Now, there is some dispute over figures of plastic tubes and netting on the bottom of Puget Sound. Washington Department of Fish and Wildlife gives us conflicting information. The important point here is that if the number is 85,000 (as reported to me) or 8500 or 850 this committee must find a way to verify the number. There is a problem out there--we just don't know how extensive it is yet.

This quantification cannot be done with beach cleanups. It cannot be done from the shoreline. You have to go underwater to find out what we have drifting on the bottom of Puget Sound.

After talking with some experts they say that the methods of quantifying derelict gear could be done by sonar, by underwater dives, by trawls, and/or by remote camera.

So, this committee must embark on the task of knowing what is out there. I suggest that you form a technical committee, as outlined in HB 2220, to start the process.

After you have a number then we must find a way to clean up this derelict gear.

The numbers are staggering when they are examined. If there are 35,000 tubes per 1 acre then there would be hundreds of thousands on a 10 acre site. How many acres are out there? This committee should find that out.

We cannot have plastic derelict gear fouling the birds and marine life in our waters.

Regards,

Jerry Johannes

COMMENT FROM SARAH TAYLOR, PROPERTY OWNER

As a property owner, I am very concerned about the impact that aquaculture will have on both the environment and <sup>on</sup> the use and enjoyment of our waterfront. Aquaculture often makes our shorelines unsightly, ~~can~~ can be very loud and bright, and can hinder ~~private~~ private property owners' access to the water right in front of their homes! Furthermore, if my neighbors are able to ~~lease~~ <sup>LEASE</sup> their land to the aquaculture industry, the silt from that operation will ruin ~~the~~ neighboring property, and kill much or most of the seabed living on or under the seabed.

As a citizen, I ~~am~~ am putting my trust into the Dept. of Ecology to protect the waterfront, the environment and to keep Washington state pristine. As the Mastercard commercials say, "Some things are priceless." I believe this is true of our waterfront. Please don't sell out to the aquaculture industry.

As a final note, I find it shocking and disturbing that public <sup>shellfish</sup> comments have been asked to be deleted from the <sup>committee</sup> meeting minutes ~~transcript~~. If the public's comments are essentially going to be discarded, then why am I missing a full day of work in an effort to be heard?

Thank you for taking the time to read this,

Sarah Taylor

(Note: I believe this <sup>was</sup> submitted Feb 11, not Jan 11. GH)  
January 11, 2008

Chairman and  
Publicly Paid Members of the  
Shellfish Aquaculture Regulatory Commission  
Hand Delivered

Ladies and Gentlemen:

This is my second appearance before this commission. I am greatly concerned that you, the public employees, in whom we, the taxpaying citizens have placed our trust, are in fact representing a single special interest group rather than the general public.

Our state had a population, according to the US Census Bureau of over 6.3 million people at the end of 2006.

According to the BLS fewer than 25,000 people nationwide are employed in the combined fishing, hunting and trapping industry. If a third were employed in Washington State, and if a third of those were engaged in the shellfish industry they would constitute about 2,800 people. The shellfish industry would then represent about four one hundredths of one percent of the population of Washington State: 0.0004.

They have their paid agents, you are our agents. We have to trust that you will do what is right, to find the truth, rather than working to facilitate a special interest group.

Here is an example. The industry claims that geoducks actually clean the water. An acre of 5 year-old-geoducks, weigh an average of 2.2 pounds each: a 95,000 pound biomass. That is the equivalent of over 83 fully grown beef cattle crammed onto an acre of land.

We know that beef cattle produce about 9 pounds of sewage – excrement per day. 747 pounds a day from a 95,000 pound herd. 272,655 pounds per year. We have scientific studies that tell us that geoducks' heart-liver function provide a waste removal mechanism, just like cattle.

You do not know, nor do I, what the real waste production of 95,000 pounds of geoducks is. It may be that every acre of intensive geoduck farming is the equivalent of a one-acre failing drainfield. You can't quantify it. You can't know where it goes. You can't know how the waste or the concentration of that big a herd affects the marine food chain.

Somebody here, representing the general public – that-is everyone who values Puget Sound must find the strength to stop this apparent freight train. It was done in British Columbia with a moratorium. Please stop it until a totally independent assessment can be done on the clean water issue alone. And clean water is only one of many issues that need to be scientifically addressed.



Bill Trandum  
253-853-2502  
btrandum@earthlink.net

**From:** Lund, Perry (ECY)  
**Sent:** Friday, February 22, 2008 6:14 AM  
**To:** 'Paul Sparks'  
**Cc:** Holcombe, Candice (ECY)  
**Subject:** RE: SARC March Meeting--DNR/F&W Forage Fish Presentation

**Follow Up Flag:** Follow up

**Flag Status:** Red

Thank you for your comments, Paul.

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

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**From:** Paul Sparks [mailto:porcupineflats@fairpoint.net]  
**Sent:** Thursday, February 21, 2008 5:52 PM  
**To:** Lund, Perry (ECY)  
**Subject:** Re: SARC March Meeting--DNR/F&W Forage Fish Presentation

Perry...My organization would prefer to see a salmon and nearshore habitat presentation from the WDFW as well as People for Puget Sound. ( I presume the abbreviation after Mr Myers name stands for People for Puget Sound. ) The issue for us is one of both expertise and credibility. Even if they had the kind of expertise available to fairly present this issue, PPS's close ties to the shellfish industry would raise questions for bias for many people. Especially so when the environmental organizations represented have no expertise with these kinds of issues and the committee rules militate against informed questions or comments from the floor.

Paul Sparks

----- Original Message -----

**From:** [Lund, Perry \(ECY\)](#)  
**To:** [Laura Hendricks](#)  
**Cc:** [Lantz, Rep. Pat](#) ; [Fraser, Senator Karen](#) ; [Senator Mike Carrell](#) ; [Trout Unlimited--Paul Sparks](#) ; [White, Gordon \(ECY\)](#) ; [Holcombe, Candice \(ECY\)](#)  
**Sent:** Thursday, February 21, 2008 10:55 AM  
**Subject:** RE: SARC March Meeting--DNR/F&W Forage Fish Presentation

Hi, Laura.

We are still finalizing March's agenda, but we are putting together a panel of people to speak to the

issues that have been raised.

Right now our panel looks like this:

Dan Pentilla (WDFW) – forage fish  
Doug Myers (PfPS) – Salmon and nearshore habitat  
Russell Rogers (WDFW) – Genetics and Disease  
Dave Nysewander (WDFW) – Birds (not confirmed yet)  
Blain Reeves (WDNR) – Eelgrass

Randy Carmen (WDFW) will also be on hand for consultation if needed.

We are planning for a brief (15min) presentation from each of them and then 1.5 – 2 hours of open discussion and questions and answers with the panel.

I am looking forward to this being an interesting and informative day. See you there.

Perry J Lund  
Shorelands and Environmental  
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Southwest Regional Office  
(360) 407-7260  
[plun461@ecy.wa.gov](mailto:plun461@ecy.wa.gov)

---

**From:** Laura Hendricks [mailto:laura.l.hendricks@gmail.com]  
**Sent:** Friday, February 15, 2008 12:55 PM  
**To:** Lund, Perry (ECY)  
**Cc:** Lantz, Rep. Pat; Fraser, Senator Karen; Senator Mike Carrell; Trout Unlimited--Paul Sparks; White, Gordon (ECY); Holcombe, Candice (ECY)  
**Subject:** Re: SARC March Meeting--DNR/F&W Forage Fish Presentation

Dear Perry,

My statement is not about mistrust of DNR staff, but the fact that the stated DNR aquaculture policy regarding forage fish is contradictory to state agency technical documents from the leading forage fish expert at F&W. I am concerned because Lisa Venerosa, the F&W representative at the SARC meeting, stated that the DNR/F&W SARC presentation might not be consistent with the Penttilla technical forage fish report. The DNR policy sites aquaculture in forage fish areas and that a SARC presentation that is contradictory to information that is published by The Puget Sound Partnership should not be allowed. While DNR does have valuable information in many instances, they have a conflict of interest on this issue that cannot be ignored.

I have learned on this committee that once a presentation is made, there will be no opportunity

to change input or direction. Since I have already been told what the direction is, it made more sense to be sure that forage fish concerns are addressed in advance. I am told on one hand to try to work in a cooperative manner, and now you are stating that I should not have brought up a concern like this one. A great many citizens are concerned about what is happening on DNR aquatic leases and industry private tidelands because it does impact the habitat on adjacent tidelands and the entire Puget Sound ecological balance.

Since November, we have asked for Dan Penttila, who is the state agency expert on forage fish, to present to this committee. Since we are now being told to wait and see who shows up and listen to what they are going to say, I assume you will be making sure that the information presented will be consistent with F&W and The Puget Sound Partnership published documents.

Sincerely, Laura Hendricks

On Fri, Feb 15, 2008 at 11:05 AM, Lund, Perry (ECY) <[plun461@ecy.wa.gov](mailto:plun461@ecy.wa.gov)> wrote:

Thank you, Laura, for sharing your concerns.

I do not share your mistrust of DNR staff. DNR has been an objective and professional participant on the Committee, often helping identify problems and working toward solutions. I believe their participation and presentation of information at the upcoming meetings will be valuable and I will not remove DNR from the panel of presenters. I will ensure that we receive the right information from the right people. DNR has experience and knowledge that may help us better understand elements of this issue, and I will welcome their input. I would ask you to, please avoid making assumptions and drawing conclusions about an event that is still several weeks away.

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Shorelands and Environmental  
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(360) 407-7260  
[plun461@ecy.wa.gov](mailto:plun461@ecy.wa.gov)

---

**From:** Laura Hendricks [mailto:[laura.l.hendricks@gmail.com](mailto:laura.l.hendricks@gmail.com)]

**Sent:** Tuesday, February 12, 2008 8:42 AM

**To:** Lund, Perry (ECY)

**Cc:** Lantz, Rep. Pat; Fraser, Senator Karen; Senator Mike Carrell; Trout Unlimited--Paul Sparks; White, Gordon (ECY)

**Subject:** SARC March Meeting--DNR/F&W Forage Fish Presentation

Re: State Aquaculture Regulatory Committee

Dear Perry,

I wanted to thank you for trying to moderate very complicated and controversial issues at the SARC meeting yesterday.

We would like to minimize conflict at the environmental portion of the SARC meeting in March by pointing out our serious concern now about the proposed DNR/F&W presentation on forage fish. Since DNR is looking at generating revenue from aquaculture sites, we feel that it is a conflict of interest for DNR to jointly present their position on forage fish with DF&W. DNR's 2006 & 2007 geoduck aquaculture site selections in forage fish habitat areas already documents that their policy on forage fish is inconsistent with F&W/ Penttila's recommendations which specifically states that forage fish spawning/rearing habitat areas should not be altered. This Penttila forage fish technical report is contained in the recently published Protecting Nearshore Habitat and Functions in Puget Sound- An Interim Guide and is shown on your Ecology SARC website. To allow a presentation for decision making purposes that is not consistent with this technical information that was just published in October 2007 for citizens by the Puget Sound Partnership would be irresponsible at best. Taxpayers must be able to trust that recommendations that are published by the Governor's partnerships are not ignored because a favored industry or state agency now seeks additional revenues.

Our coalition is requesting that Ecology not allow a SARC presentation that will justify further alteration to critical forage fish habitat and critical salmon habitat areas by industry/DNR aquaculture expansion. Forage fish populations are documented to be in decline and further impacts must be avoided. Squeezing in intensive aquaculture operations in these areas must not be an option if state agencies and The Puget Sound Partnership want taxpayers to believe they are serious about saving Puget Sound.

I will look forward to your consideration and response to our request.

Sincerely,

Laura Hendricks

SARC Shoreline/Citizen Representative

**From:** Paul Sparks [porcupineflats@fairpoint.net]

**Sent:** Thursday, February 21, 2008 10:44 PM

**To:** Lund, Perry (ECY); Laura Hendricks

**Cc:** Lantz, Rep. Pat; Fraser, Senator Karen; Senator Mike Carrell; White, Gordon (ECY); Holcombe, Candice (ECY)

**Subject:** Re: SARC March Meeting--DNR/F&W Forage Fish Presentation

**Follow Up Flag:** Follow up

**Flag Status:** Red

Perry...in my previous communication I forgot to give you guys an atta-boy for including a presentation by Dan Pentilla at the next meeting. Thanks.

As an after thought, I came up with a few more questions. First, when I introduced the forage fish issue at the sea grant conference. I did not raise further questions about forage species because I assumed that the question would be folded into a larger and more pointed discussion of the effects of the geoduck aquaculture on ESA listed species. I now do not think that this is going to happen. In part, because of the way this process has been framed and in part because the environmental issues involved are being very narrowly addressed. For instance, the agenda for the next meeting addresses forage fish and eel grass. However, Copepods, euphasids, several species of shrimp, and dozens of other benthic critters are also part of the food base for all Puget Sound Salmonids except chum and pink salmon. These issues are less important in the north sound but of major consequence in the south sound where salmonids make more use of the near shore habitat. Where does this and other unconsidered science driven questions like it this fit into your discussion? Who is going to ask those questions? Where and how will the question of a broad based EIS for the coast and sound be addressed? Only in recent years under the pressure of ESA listings, has our understanding of near shore habitat needs begun to expand beyond the old estuary/eelgrass paradigm. What percentage of the forage base can be written off for a shell fish expansion without creating a new limiting factor for the salmon which along with reduced stream flow, rising stream temperatures, and loss of spawning habitat pushes one or more of the local populations into extinction? Given that these will be cumulative effects with a built in time lag, the consequences will in all likelihood be undetectable until they are irreversible.

The legislative directions to the committee are fairly narrow, but do not preclude addressing raising questions on endangered species issues. Even if the committee chooses to direct itself down a narrow path, the Department of Ecology as the steward of the resource still has responsibility for the final outcome and shaping the final product. With this in mind, we would like to see more questions asked in the following areas:

1. What should be included in an EIS? Where does it fit in the permitting process? We believe that WDFW should be charged with this responsibility. Their mission to conserve and protect our fish and wildlife is written into their legislative mandate.

2. What are known risk factors for ESA listed Salmonids associated with the expansion of Geoduck Aquaculture? What are potential or projected risk factors. In the absence of sound science, what adaptive management strategies will insure the survival of the fish until the real risks are known with certainty? The aim here should be to err on the side of caution.

3. Can the Shoreline Management process foster aquaculture and effectively protect the salmon in the near shore? Can we accept the risks implicit in a process that to date has been highly politicised and inconsistent? Should this be a state responsibility with the WDFW in charge?

4. To what extent are the aims of of SAARC consistent with the salmon recovery goals and the

near shore goals of the Puget Sound Partnership? Should these be addressed in the committee's deliberations?

5. If the committee adopts an adaptive management strategy with in the Shore Line Management process, will it be subject to regular independent scientific review? From our perspective, it should be.

I apologise for dumping all this on your plate. Also, for whatever it is worth, I thought the last meeting was the most effective one yet. Keep up the good work.

Paul Sparks

----- Original Message -----

**From:** [Lund, Perry \(ECY\)](#)

**To:** [Laura Hendricks](#)

**Cc:** [Lantz, Rep. Pat](#) ; [Fraser, Senator Karen](#) ; [Senator Mike Carrell](#) ; [Trout Unlimited--Paul Sparks](#) ; [White, Gordon \(ECY\)](#) ; [Holcombe, Candice \(ECY\)](#)

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**From:** Laura Hendricks [mailto:laura.l.hendricks@gmail.com]

**Sent:** Friday, February 15, 2008 12:55 PM

**To:** Lund, Perry (ECY)

**Cc:** Lantz, Rep. Pat; Fraser, Senator Karen; Senator Mike Carrell; Trout Unlimited--Paul Sparks; White, Gordon (ECY); Holcombe, Candice (ECY)

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[plun461@ecy.wa.gov](mailto:plun461@ecy.wa.gov)

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**From:** Laura Hendricks [mailto:[laura.l.hendricks@gmail.com](mailto:laura.l.hendricks@gmail.com)]

**Sent:** Tuesday, February 12, 2008 8:42 AM

**To:** Lund, Perry (ECY)

**Cc:** Lantz, Rep. Pat; Fraser, Senator Karen; Senator Mike Carrell; Trout Unlimited--Paul Sparks; White, Gordon (ECY)

**Subject:** SARC March Meeting--DNR/F&W Forage Fish Presentation

Re: State Aquaculture Regulatory Committee

Dear Perry,

I wanted to thank you for trying to moderate very complicated and controversial issues at the

SARC meeting yesterday.

We would like to minimize conflict at the environmental portion of the SARC meeting in March by pointing out our serious concern now about the proposed DNR/ F&W presentation on forage fish. Since DNR is looking at generating revenue from aquaculture sites, we feel that it is a conflict of interest for DNR to jointly present their position on forage fish with DF&W. DNR's 2006 & 2007 geoduck aquaculture site selections in forage fish habitat areas already documents that their policy on forage fish is inconsistent with F&W/ Penttila's recommendations which specifically states that forage fish spawning/rearing habitat areas should not be altered. This Penttila forage fish technical report is contained in the recently published Protecting Nearshore Habitat and Functions in Puget Sound- An Interim Guide and is shown on your Ecology SARC website. To allow a presentation for decision making purposes that is not consistent with this technical information that was just published in October 2007 for citizens by the Puget Sound Partnership would be irresponsible at best. Taxpayers must be able to trust that recommendations that are published by the Governor's partnerships are not ignored because a favored industry or state agency now seeks additional revenues.

Our coalition is requesting that Ecology not allow a SARC presentation that will justify further alteration to critical forage fish habitat and critical salmon habitat areas by industry/ DNR aquaculture expansion. Forage fish populations are documented to be in decline and further impacts must be avoided. Squeezing in intensive aquaculture operations in these areas must not be an option if state agencies and The Puget Sound Partnership want taxpayers to believe they are serious about saving Puget Sound.

I will look forward to your consideration and response to our request.

Sincerely,

Laura Hendricks

SARC Shoreline/Citizen Representative

