

From: [WAGNER, ANDREA \(DNR\)](#)
To: [Lubliner, Nathan \(ECY\)](#)
Cc: [REEVES, BLAIN \(DNR\)](#); [Lassiter, Katrina \(DNR\)](#)
Subject: RE: Comment Letter on draft permit and EIS for control of Zostera Japonica
Date: Friday, February 14, 2014 11:25:39 AM
Attachments: [021314 Nate Lubliner Zostera aponica.pdf](#)

I am sorry, here is the electronic file.

From: WAGNER, ANDREA (DNR)
Sent: Friday, February 14, 2014 11:22 AM
To: Lubliner, Nathan (ECY)
Cc: REEVES, BLAIN (DNR); Lassiter, Katrina (DNR)
Subject: Comment Letter on draft permit and EIS for control of Zostera Japonica

Good morning, Mr. Lubliner:

Kristin Swenddal, Division Manager of the Department of Natural Resources' (DNR) Aquatic Resources Division, asked me to send you the attached electronic file to submit DNR's comments on the draft permit and Environmental Impact Statement for the control of Zostera Japonica. The original letter is in Campus Mail to you. If there is a problem with the file, please contact me and I will try to get it to you in a different format.

Have a great and safe three day weekend!

Andrea Wagner
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Aquatic Resources Division
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February 14, 2014

Mr. Nate Lubliner
Washington State Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

SUBJECT: Response to public comment period on draft permit and Environmental Impact Statement for the control of *Zostera japonica*

Dear Mr. Lubliner:

Thank you for the opportunity to review the draft permit and Environmental Impact Statement: Management of *Zostera japonica* on Commercial Clam Beds in Willapa Bay, January 2, 2014 (Draft EIS).

The Department of Natural Resources' (DNR) Aquatic Resources Division manages state-owned aquatic lands for the citizens of Washington State. As the manager and steward of state-owned aquatic lands in Willapa Bay, DNR supports Ecology's EIS process and the issues that it is addressing. However, DNR Aquatics is concerned about the impacts of using the herbicide Imazamox to manage the seagrass *Zostera japonica* population on state-owned aquatic lands. Specifically, DNR has questions about the non-target effects that Imazamox may have on other species and the potential effects on adjacent tidal and subtidal land particularly the potential, adverse impacts to populations of the native seagrass, *Zostera marina*, which are defined as state-critical habitats.

DNR supports a science-based analysis of potential impacts of the proposal. The information in the EIS has implications for proposed applications of Imazamox on *Zostera japonica* outside of the scope of the EIS in areas that would expand the footprint of existing shellfish farms or in areas beyond Willapa Bay commercial clam farms, or for influencing the noxious weed classification of *Zostera japonica* in Washington. More scientific information is needed in order to assess whether concerns related to *Zostera japonica* outweigh both the ecological benefits of *Zostera japonica* and the ecological costs of its control.

DNR offers the following specific considerations for the draft EIS:

- The proposed application of Imazamox needs to be clearly defined – What are the specific types of clam aquaculture? Does it apply to existing and/or new aquaculture or areas that could be good shellfish growing areas not currently in use?
- The evidence of economic and ecological concerns needs to be sufficiently detailed. The draft EIS states that farmed areas have been abandoned because of *Zostera japonica*

growth but this hasn't been substantiated or documented. There is also conflicting information in the draft EIS regarding the impacts of *Zostera japonica* on clam beds as well as the potential effects of Imazamox on the native *Zostera marina* and other vulnerable species.

- The scientific research results and studies used to support the EIS must undergo rigorous peer review and be appropriately referenced.

As the steward of state-owned aquatic lands in Washington, DNR requests further consideration of the following in the permit language to avoid and minimize potential impacts of the proposal:

- Include a provision that would require permit holders to notify the landowner prior to spraying on public lands. Currently, the draft permit does not require a lessee to notify the property owner when they are going to manage vegetation with a chemical application. Given the outstanding questions about the impacts of Imazamox to sensitive habitats on state-owned aquatic lands, and potential impacts to adjacent leaseholds, public, or private land, DNR requests notification prior to application of a chemical control.
- Include more substantial monitoring language. DNR is concerned about the impacts of Imazamox application to native vegetation and covered species. Currently, the permit language does not articulate when monitoring will be required nor whether it will be enforced. DNR understands the burden of monitoring requirements for each permit holder, but is concerned about unmonitored impacts to native eelgrass and vulnerable species.

Thank you again for the opportunity to comment on this Draft EIS and for meeting and discussing the draft permit in South Bend on February 1. Please contact Blain Reeves at (360) 902-1731 or blain.reeves@dnr.wa.gov with any questions. DNR remains interested in participating in the collection and evaluation of information relevant to the sustainable management of aquatic lands throughout the state.

Sincerely,



Kristin Swenddal, Manager
Aquatic Resources Division

c: Blain Reeves, Assistant Aquatic Resources Division Manager, Operations
Katrina Lassiter, Aquatic Policy Analyst