



## Washington State Chapter

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November 1, 2012

Kathy Hamel  
Washington State Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

Dear Ms. Hamel:

According to the Washington Department of Ecology October 3, 2012, public notice: "After considering public comments, Ecology is proposing to issue a general permit for the application of the aquatic herbicide imazamox to manage Japanese eelgrass on commercial clam beds in Willapa Bay. Based on comments from Ecology's earlier proposal to issue a permit for all commercial shellfish beds, Ecology plans to narrow the scope of this proposed permit to include only commercial clam beds (excluding geoduck culture) in Willapa Bay in Pacific County. Ecology is requesting comments from the public about whether or not it is appropriate for Ecology to develop a permit for this activity."

The Sierra Club is opposed to spraying additional pesticides into Washington waters that will further degrade our aquatic natural resources. The first reason this permit should not be issued is that eradicating seagrass is unlawful as documented below:

The Washington Department of Ecology's Shoreline Master Program Updates guidance manual notes: "*The SMP Guidelines currently do not distinguish between protection requirements for native (*Zostera marina*) and non-native (*Zostera japonica*) eelgrass. Eelgrass is considered a critical saltwater habitat in the SMP Guidelines per WAC 173-26-221(2)(c)(iii) and requires "a higher level of protection due to the important ecological functions they provide." WAC 173-26-241(3)(b)(i)(C) states that **aquaculture should not be permitted where it would adversely impact eelgrass.**" (page 10)*

The Washington Department of Fish and Wildlife (WDFW) recognized Japanese eelgrass served as a critical habitat function for years. That critical habitat function did not change, it was just removed as a protected species of seagrass because of intense political lobbying by the shellfish industry. WDFW Hydraulic Code Rules still do not distinguish different species of eelgrass, noting: "WAC 220-110-250(3) "*The following vegetation is found in many saltwater areas and serves essential functions in the developmental life history of fish or shellfish:*

(a) *Eelgrass (*Zostera spp* [spp is used to denote multiple species, not single species]); "*[\[click here for WAC 220-110-250, Saltwater habitats of special concern\]](#)

The first public comments that the Washington Department of Ecology has already received from the public, United States Fish and Wildlife (USF&W) and scientists clearly documented that Japanese eelgrass:

1. Provides a critical food source for tens of thousands of various species of waterfowl in Willapa Bay/Grays Harbor.
2. Serves as a valuable spawning medium for herring.
3. Provides habitat for various aquatic species.
4. Acts as a carbon sink for CO<sub>2</sub> which is extremely important as our oceans face acidification problems.
5. Grows adjacent in many areas to native eelgrass which is essential to the future of the marine ecosystem.

Shellfish growers have already been given the right to manually remove Japanese eelgrass from their private commercial shellfish beds. The Washington Department of Ecology currently allows Willapa Bay/Grays Harbor to spray carbaryl, imazaphyr and glosphate to eradicate native ghost shrimp and spartina. We have seen no evidence of monitoring of these chemicals and the effects on the aquatic plant and animal species or on human health.

It is our understanding that a risk assessment was prepared on this issue, but has not been made available to the public for review prior to this public comment period for the EIS. In order to make the most informed comments, this risk assessment should have been made available and posted on the website along with the other information you have provided. We also noticed in your scoping document that the well-known environmental impacts were not mentioned. Since the Washington Department of Ecology's primary role is to protect our aquatic resources, it is important that the information provided to the public is thorough and non-biased.

The proposed EIS should address the issues outlined above. Since the EIS is being performed by the shellfish industry, it is important that:

1. All environmental impacts are included.
2. The science that is quoted be independent, non-industry science.
3. Scientific quotations be included directly from the scientific sources and not be paraphrased.
4. The same scientist who has been promoting the spraying efforts for the industry for years not be the same scientist who is preparing the EIS.

If the EIS is done correctly, we do believe the evidence will prove the only reasonable alternative is for the shellfish industry to manually remove Japanese eelgrass from their existing privately owned commercial shellfish beds if it is necessary. This EIS should not be just the first step in eradicating a valuable aquatic resource in Willapa Bay and then moving on to eradicating it in Grays Harbor and Puget Sound.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Elaine Packard, Chair  
Water and Salmon Committee  
Washington State Chapter Sierra Club