



## SHOALWATER BAY INDIAN TRIBE

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RECEIVED

DEC 10 2014

WA State Department  
of Ecology (SWRO)

Derek Rockett  
Washington State Department of Ecology  
Water Quality Program  
Southwestern Regional Office  
PO Box 47775  
Olympia, Washington 98504

December 5, 2014

Dear Mr. Rockett,

This letter is in response to WDOE's proposed issuance of an NPDES permit to the Willapa-Grays Harbor Oyster Growers Association (WGHOGA) to spray the pesticide imidacloprid in Willapa Bay. The Shoalwater Bay Tribe has serious concerns regarding this proposed permit.

Firstly, research regarding the fate and transport of imidacloprid in the marine environment is lacking. 1-9 of the Draft EIS states that, "Analyses of whole sediment samples indicate that 89% to 98% of the imidacloprid deposited on treatment plots moved off-site". Furthermore, very little research has been conducted regarding what happens to this pesticide once it leaves the application site. 1-15 of the Draft EIS indicates that some studies have shown it has a short half-life while others describe a wide range of results. Carbaryl was presented to the public as having a short half-life and would break down in a matter of hours. However, many times over the past several years, the Shoalwater Bay Tribe has detected carbaryl in water samples collected on the Reservation tidelands more than 24 hours after aerial applications occurred. Unfortunately, there does not appear to be any requirement in the conditions of the proposed permit for monitoring water quality away from the application site.

Secondly, the effects of imidacloprid in the marine environment are still not fully understood. There seems to be little to no information regarding the potential for additive effects as the result of offsite movement from multiple treatment areas. Additionally, huge information gaps exist regarding imidacloprid's impacts on marine fauna. 1-20 of the Draft EIS states, "The effects of imidacloprid on marine zooplankton species has not been widely studied". Furthermore, very little research has been conducted on its effects upon green sturgeon. These are only a few of the areas where the impacts in the marine environment are short on research as evidences by the Draft EIS.

Based on what is presented in the Draft EIS, there is a large lack of information available regarding fate, transport and effects of imidacloprid in a marine environment. Additionally, it is not even known if the

proposed application rates will meet the control objectives. Based on the lack of information, it appears that the proposed activity, if permitted, would be a large scale experiment conducted in Willapa Bay. Since the results of this proposed activity would be unknown, tribal and non-tribal resources alike could be at risk with no benefit to anyone.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Davis", written over a horizontal line.

Douglas Davis  
Chairman  
Shoalwater Bay Tribe