



*PROMOTING THE PROTECTION, CONSERVATION AND RESTORATION OF NATURAL FOREST ECOSYSTEMS AND THEIR PROCESSES ON THE OLYMPIC PENINSULA, INCLUDING FISH AND WILDLIFE HABITAT, AND SURROUNDING ECOSYSTEMS*

February 18, 2019

The Honorable Kevin Van De Wege, Chair  
Senate Committee on Agriculture, Water, Natural Resources & Parks  
Washington State Legislature

The Honorable Joe Fitzgibbon, Chair  
House Committee on Environment and Energy  
Washington State Legislature

*Electronic communication*

**RE: Opposition to SB 5626 and HB 1611** – Authorization for the use of imidacloprid to control infestations of burrowing “ghost” shrimp in Willapa Bay and Grays Harbor

Dear Senator Van De Wege and Representative Fitzgibbon, Committee Members:

We are writing on behalf of the Olympic Forest Coalition in opposition to SB 5626 / HB 1611 authorizing the use of imidacloprid pesticide in Willapa Bay and Grays Harbor.

SB 5626 / HB 1611 are an attempt by industry to circumvent the environmental protections and procedures regulating environmental impacts for all fisheries. The Department of Ecology denied the application of pesticides based on compelling research that indicated serious environmental effects in aquatic systems (Final Supplementary EIS, pg. 869 and references). The denial was not a political decision, rather it was based on serious scientific review of current information. For the past 30 years the shellfish industry has used a similar pesticide until 2012/2013, when legal action prevented it from continuing its use. That pesticide has now been removed from the market altogether. A neonicotinoid with indications of serious toxicity that has already been banned in Europe and Canada is now proposed to be used in the same way.

Ghost shrimp are natural inhabitants of Northwest bays and coastal waters. The problem arises because the non-native oyster that much of the industry uses is larger and heavier than the native oyster, sinking the oyster and making it more vulnerable to ghost shrimp burrowing. However, the burrows of ghost shrimp are home to a number of benthic inhabitants. Poisoning ghost shrimp with a neonic pesticide will also kill their guests, the zooplankton and ichthyoplankton in the waters moving across the tidelands. These are the food sources for other fisheries that are commercially important, including some salmon species, sturgeon and Dungeness crab that feed on the ghost shrimp and other zooplankton.

Scientific study is needed to determine if this new pesticide is effective without harming other important species that are the food resources for the fish and birds reliant upon them. The funding scheme in the proposed legislation should be reconsidered. Funding is needed to evaluate marine ecosystem impacts. Funding should be provided to the appropriate state agency - the Department of Ecology - and science teams with marine science expertise. Reliable scientific research may discern in one year that the pesticide is effective in killing ghost shrimp, but research will require a minimum of 3-5 years to provide scientifically reliable

answers for a NOEC (No Observed Effect Concentration) on other fish, bird and benthic populations. Policy options for supporting oyster farmers to explore sustainable methods should be considered. Other experimental and “sustainable” culture methods should also be identified and studied, including funding for research to evaluate those methods that are successfully being used in other areas – such as off-ground methods, raised cages or long lines. A panel of experts from industry, agriculture, ecology and marine sciences should set the list of desired outcomes of this research. The methods used and the results obtained must meet scientific criteria of publication in refereed journals.

If authorization to apply imidacloprid is approved, the authorization must be accompanied by:

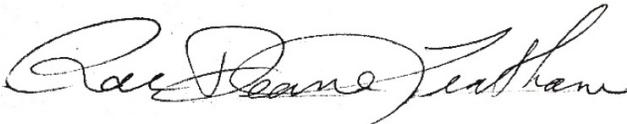
- A requirement that industry cooperate with the Department of Ecology on the timing and placement of the pesticide to minimize effects on other species;
- Funding for a scientifically rigorous monitoring program, independent of the industry and agricultural interests, to evaluate all aspects of the use of this pesticide (effectiveness, harm to other species);
- Funding for research be in place, including support for alternative sustainable methods of oyster rearing, and native species resilience to ghost shrimp;
- A cause of action for other fisheries that may be economically disadvantaged, as well as for public health effects.

The application of this pesticide is short sighted and not scientifically defensible. Please do not pass SB 5626 / HB 1611 out of committee. Thank you for your kind attention.

Sincerely,



Lorna Smith, Vice President  
Olympic Forest Coalition



Rae Deane Leatham, Board of Directors  
Olympic Forest Coalition

Cc: The Honorable Mike Chapman, 24<sup>th</sup> Legislative District  
The Honorable Steve Tharinger, 24<sup>th</sup> Legislative District