

Ross Barkhurst: Thank you. Ross Barkhurst, Pacific County. I live in the Nemah area. Significant uncertainties are really that. They are really significant. There's a contradiction in that – it makes some pretty flat statements if these things are taken care of and then in your significant uncertainties they pop as significant and uncertainties. Self-monitoring by permit holders is not designed by an independent agency and it's not committed to stay tuned and see what kind of program you come up not clear if we comment on it. No integrated pest management – no problem, wouldn't agree with that. The use of a violator of the Public Employee Ethics Rules as the major input to this whole thing is a problem. Your use of granules avoids much as it claims that there are no zooplankton on the oyster beds when you're applying this stuff. It appears that you said you can apply granules from a small shallow draft boat – guaranteed zooplankton will be there. And I've talked to some of you before hand, the zooplankton is there when the water is gone, too.

You make a statement – I'd like to know who made the statement that mammals don't go out on the shellfish beds in the daylight. When I left my house there were 3 racoons out there. They're out there all the time. And in the next pool over there was a blue heron. This is not going to affect blue herons and they're eating everything that's out there and they're eating the little fish that eat what's out there. So I just don't know how after 4 years you can come up with these kinds of statements. I see no basis for removing the high TOC zones. You're telling me that you might bring them back. How do we know? I mentioned the WAC quotes and what you're saying is even in Puget Sound they can go down 50% as long as it comes back. Understand no time frame for it to come back.

You've had a look at cumulative effects as they are well established in legal precedent such as DTM. You've just looked at synergistic effects between 2 chemicals acting on 1 plant. You have to look at how much eelgrass are you removing with Imazamox and how much zooplankton are you removing from the eelgrass that wasn't removed by Imazamox and add it all up. And you haven't done that. The average 10-mile per hour wind [unintelligible] you haven't precluded air boats. The average 10-mile per hour wind in my oyster beds and shellfish beds next to me will have this chemical on the bank in three months flowering plants and pollinators in 30 seconds. You didn't cover that. And they're native pollinators in there. Your attempts to make us believe that Imidacloprid will be kept out of drainages aren't adequate. And the buffer validation test for Imazamox it got into the drainage – that was the source for offsite damage. So what you said in that one was well we didn't spray into a drainage, we sprayed into water that went into a drainage. That's a distinction without a difference. You shouldn't be using it here.

You treat behavior with a broad brush. You're only spraying 1.1% of the base so it won't affect the public. You would be spraying commercial beds next to public shellfish beds – 2 of them within a mile of my house, one of which I frequent. When those beds are posted for "Pathogens, Stay Off" one of the beds, never posted. You report that Imidacloprid travel off-site has never happened. In your literature search you didn't see apparently anything about how films can transport pollutants – including chemicals – far off a site. I mention mammals. The mammals are all over the beds in daylight. And they will be there at night eating what you kill during the daylight so it doesn't really matter.

Fran Sant: Ross, you're going to need to wrap up.

Ross Barkhurst: Okay. The statement – personal communication with Mr. Patton that when you're applying it's going to scare the birds away so there won't be impact. That isn't the way it works. The birds follow you around and eat what you're killing and eat what you're stirring up. I have a number of other comments and I'll give them to you afterwards. Thank you.