

Rich Andrews

(Email Submission)

Re: Use of pesticide, imidacloprid, in Willapa Bay and elsewhere

Attached is a copy of the letter I previously sent to your office on the subject proposed use of an ecologically damaging and public health threatening pesticide proposed to be directly dumped into the natural waters of the state of Washington and the United States. My previous comments submitted back in July 2017 are still totally applicable.

The latest draft supplemental EIS remains woefully inadequate, scientifically flawed, and is totally incomplete with respect to the only reasonable alternative, simply denying the use of such poisons to be dumped into natural waters. There are alternatives for the oyster producers, namely to stop using existing methods of production in the muds of the estuaries and bays...and use suspended culture methods which are proven in this same area. The use of poisons of the environment and potential food chain poisonings all the way to the human consumers of the oysters is totally wrong and unnecessary. It must not be allowed. It is a total violation of numerous applicable laws...and of common sense.

Richard D. Andrews

P.O. Box 19105, Boulder, CO 80308

July 11, 2017

Mr. Derek Rockett

Washington State Department of Ecology, Water Quality Program

Southwest Regional Office PO Box 47775

Olympia, WA 98504

sent via Email derek.rockett@ecy.wa.gov and via U.S. Post

Dear Mr. Rockett:

I have become aware that the issue of directly putting toxins, pesticides, into the open waters of Willapa Bay and Grays Harbor has been once again requested by some oyster farmers. Simply stated, this proposition confronts all ecological rationality and I oppose it strongly. It violates the intent and letter of the laws of our nation that are to protect the environment and public health; it violates both the Federal Insecticide, Fungicide, Rodenticide Act (FIFRA) as well as the Clean Water Act (and NPDES under that Act), and likely other federal laws, such as the Endangered Species Act. It also violates the companion primacy implementation laws and programs of the state of Washington. Other laws are likely also violated by this proposal to discharge directly pesticides into the waters of the U.S. and of the state of Washington. If the Department of Ecology would do its job, it would simply shut down any such use of poisons into the waters of the state and nation.

There is no possible legal or ethical and certainly no ecological or public health justification for this proposed blatant pollution of the environment, nor for the poisoning of the many species that would be affected. The particular pesticides, from the neonicotinoid chemical class, are dangerous and indiscriminate in their poisonous effects on aquatic species in particular. These chemicals are very water soluble, easily mixed and dispersed to areas far beyond the immediate application sites. Not only the target burrowing shrimp would be affected and killed, but serious food chain ecological damages would occur to the many other species directly and indirectly. That includes predator aquatic life, fish species, avian species, even mammals that would eat and depend upon the shrimp and other aquatic invertebrates and even aquatic and near shore plant species that would be directly poisoned or poisonous. These non-target species would also be exposed via numerous other pathways to these poisons in the waters and vegetation in and littoral to the bays and estuaries and open waters.

Not only would wild species be affected by this wanton and needless environmental poisoning, but the consumers of the oysters are also vulnerable to being poisoned from the pesticide residuals in the oysters. Increasing scientific and medical evidence is accumulating about the toxic effects of the neonicotinoid chemicals on humans and mammals, specifically neurotoxic effects. These affects can not only be acute but chronic and accumulative with some of the modes of toxic action in the human nervous system. The Department of Ecology must fully investigate these effects and when it does, it will find them to be dangerous, as well as illegal.

A few years ago, this issue arose and the buyers and restaurateurs and the customers of the oysters from Willapa Bay and Grays Harbor arose to object to the adverse effects on the quality of the foods being produced...containing dangerous toxic pesticide residuals and toxic breakdown chemicals. These people can and will arise again to object to this ugly practice of not only poisoning the environment but to poisoning the consumers of oysters.

The oyster growers do have options in their methods, notably by growing oysters in suspended systems, out of the muds where the burrowing shrimp live. It may be more costly, but protecting our world and environment and the quality of our foods does have a price. All too often corporations and business seek the easy and cheap road rather than the responsible road. This is just such a case. The only thing driving their proposal to use the neonicotinoid poisons is simply one of a short sighted view of production economics. They are not considering the external costs nor the health of their customers. And in addition, they are preventing other oyster producers in the same area from operating without having their oysters being poisoned. Safe toxic-free oyster producers have been economically harmed by the irresponsible actions of those producers using poisons in the common waters of these bays. These harmed persons and businesses should in fact be fully compensated for their incurred losses, which are not just temporary given the relatively long half lives of these poisons in the environment.

Now the really dastardly element is that both the U.S. EPA and the Washington Department of Ecology have in the past been complicit in these violations of the laws they are supposed to be implementing. They have applied twisted legal arguments, incomplete and distorted, even conflict of interest compromised biological and medical science, and simply turned their backs on the laws of the state and nation. They have also not conducted legitimate scientific investigations using established scientific principles in even registering these chemicals for use. This is particularly true at the U.S. EPA level of the Office of Pesticide Programs. This is rampant, not only with neonicotinoids, but with essentially all pesticide registration and re-registration processes, establishment of tolerances, endangered species impact referrals-reviews, associated product label approvals/restrictions, etc.

I would encourage the Washington Department of Ecology to directly engage with the enormous expertise of many independent scientists in this field, and also with the public watchdog non-profits who are experts in the area of pesticides, ecology and health effects. These specifically include but are not restricted to the Center for Food Safety, Xerces Society, American Bird Conservancy, Pesticide Action Network North America, Beyond Pesticides, Natural Resource Defense Council, Sierra Club, Center for Biological Diversity and others, even those regulatory agencies in several other countries that do a much better job of protecting their environments and citizens.

I'm a former employee of the U.S. Environmental Protection Agency, NPDES programs, back when that agency had some respect for its mission and the actual words in the name of that agency. That was in the early 1970s. Since then, particularly pesticide so-called registration has been debased, driven by the corporations intent on manufacturing and selling their products as freely as possible. This is a shameful state of affairs, and the State of Washington must not be misled by this lack of competence and the actual corruption at the federal level.

The Department of Ecology must correct these matters and gross deficiencies and protect the environment and the public health. That is its duty. It must do what the EPA is not doing by being honest and conducting legitimate scientific investigations...and until it does so, it must not allow propositions such as the application of neonicotinoid poisons to the waters of the state of Washington nor the waters of the United States. Even with existing scientific information from open peer reviewed literature, the department would deny this proposal to use neonicotinoid chemicals in Wallapa Bay and Gray's Harbor.

Yours truly,

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