



Stillaguamish Tribe of Indians

Natural Resources Department

August 5, 2021

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Washington Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Guidance for Marine Net Pen Aquaculture in Washington State

To the authors of the Washington Marine Net Pen Aquaculture guidance update,

The Stillaguamish Tribe appreciates the opportunity to comment on the interagency update of Guidance for Marine Net Pen Aquaculture in Washington State. Western Washington tribes and dozens of other agencies based in Washington State work tirelessly to restore wild salmon populations to sustainably harvestable levels. The addition of commercial net pens can have unintended consequences on these recovery efforts that ultimately interfere with Tribal Treaty Rights.

Because of the connectivity of shorelines and waters within Puget Sound and the greater Salish Sea, fish farms can affect fish and other protected or vulnerable species that move through waters near or adjacent to net pens; this includes but is not limited to out-migrating juvenile salmon, adult returning salmon, forage fish, bottom fish, benthic invertebrates, and many more.

Our concerns with net pen aquaculture continue to include but are not limited to: 1) escapees from pens competing with native fish for food resources and habitat, 2) the potential transfer of parasites, bacteria and/or viruses to wild salmon populations, 3) the use of chemicals and pharmaceuticals negatively impacting Puget Sound water quality, wildlife, and human consumers, 4) the benthic and water column impacts of net pen waste material, 5) the practice of unsustainable fishing used to create fish feed, 6) the siting of pens in areas that interfere with Tribal Treaty rights, recreation, and/or habitats of special significance, and 7) the potential market depression of wild fish prices.

The Tribe commends the authors for utilizing the latest National Centers for Coastal Ocean Science (NCCOS) State of the Science to assist in the development of this document, which identifies the risks of net pen aquaculture and clearly outlines best management actions to reduce these risks. Please find the following specific comments on the draft updated guidance:

We strongly encourage the affected agencies to design inspections and monitoring schedules to include traceable information and enforceable consequences. Accountability of the producer must not be taken for granted. In the section entitled, “Mitigating Risk to the Benthic Environment,” beginning on page 54, monitoring is listed as the responsibility of the operator. We believe that operator-based monitoring and self-reporting should either be sourced out to State approved independent contractors, accompanied by agency staff, and/or that other accountability measures be implemented to eliminate the conflicts of interest inherent in operational self-policing. The weekly scoring of biofouling and confirmation by DNR as noted on page 58 is a good example of built-in accountability.

We also suggest adding language that requires monitoring for adult sand lance populations when citing net pen facilities. Regional scientists are finally beginning to learn more about this cryptic species that is so important to the Salish Sea food web. Care should be taken that facilities are not located over or upstream of sand lance burrows. This recommendation could be incorporated by changing the Forage Fish Spawning Area section title on page 43, to Forage Fish Habitat Areas, and then including spawning, holding, and burrowing habitat in the text.

The Tribe commends the inclusion of Tribal Treaty rights and Tribal notification/consultation when citing net pen facilities, and to this end we suggest adding “Treaty fishing areas” to the criteria noted on page 40. We also suggest adding Tribal fishing to the User Conflict section on page 47.

The current guidance document does not mention the use of “sustainable” fish feed. The highest standards should be used in permitting and sourcing fish feeds, and ecologically and environmentally sustainable feeds should be required. Wild fish and wild fish oils continue to be a significant component of the feed used to grow farmed salmon. Washington State should not contribute to globally declining fish stocks by diverting local protein from poorer countries and unnecessarily depleting the ocean food web of mid-sized fish. Both the WA-USDA and the WA-DNR have mission statements that refer broadly to protection of the environment, while WA-DOE and WDFW refer more specifically to environmental protection at the State level. Whether sourced locally or extracted from oceans on the other side of the planet, this document and all four state agencies should at a minimum encourage and incentivize the use of sustainable fish feed for net pen aquaculture.

Finally, on pages 94 and 95, we suggest the following:

- 1) To paragraph one, line 3 about appropriately funding various tasks, add “and Treaty Tribe consultations.”

- 2) To Recommendation #3, add a fourth bullet, "Incentivize sustainably sourced fish feed to reduce global impacts to mid-sized fish stocks."

We thank the net pen aquaculture team for the opportunity to provide comment on the updated guidance document. The Stillaguamish Tribe will continue to monitor finfish aquaculture practices in the Salish Sea and expects that State agencies will take seriously their role in regulating and enforcing Best Management Actions to assure that the benefits of net pen aquaculture far outweigh the risks.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Thitipraserth". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sara Thitipraserth
Stillaguamish Tribe Natural Resources Department, Director

