



Samish Indian Nation

OF WASHINGTON

5/22/20

Laurie Niewolny, Water Quality Program
Washington State Department of Ecology
P.O. Box 47600, Olympia, WA 98504

RE: Cooke Aquaculture Permit Application to raise Steelhead in its Remaining Facilities

Dear Laurie,

Thank you for the opportunity to comment on Cooke Aquaculture's application to switch from rearing Atlantic Salmon to Triploid Trout at its facilities in the Salish sea. As you may know, Samish was deeply involved in the net pen failure at Deepwater Bay and has consistently voiced significant concern over Cooke's operations and concentrated fish aquaculture in general. It is the Samish Nation's stance that these types of operations pose a significant threat to our native salmon species and the overall food web within our Traditional Territory. Our detailed comments below will reflect this stance.

Overall Objections:

1. Samish is not in favor of concentrated rearing of fin fish in the waters of the Salish Sea. The risk of disease transmission, catastrophic failure of the facilities in which the fish are raised, sea lice transmission and competition from escapees having a detrimental effect on native fish and the food chain is too great.
2. Steelhead Trout can successfully be raised in land based fresh water facilities for human consumption. There is no need for risk to the marine environments of the Salish Sea.
3. Cooke Aquaculture was directly responsible for the Atlantic Salmon release and net pen failure at Deepwater Bay, Cypress Island. The investigative process showed a willful lack of attention to maintenance protocol, record keeping and integrity of the net pen structures that resulted in the failures and the investigation report concluded that Cooke withheld information and details about the pen failure to the State Agencies responsible for their regulation. In addition, while Cooke reported that they had cleaned up their debris and the seafloor under the failed pens, the State, upon inspection, found that there was still debris on the seafloor and had to force Cooke to come back to complete the mandated work. Cooke has not demonstrated any responsibility for that failure and has demonstrated no willingness or actual documented action to rectify its serious, previous management lapses.
4. Currently, Cooke Aquaculture has lost its lease at the Port Angeles and Deepwater Bay facilities. The fact is that WA DNR revoked the Port Angeles lease in December of 2017 due to violating the terms of the lease. The Deepwater Bay facility lease was also terminated due to inadequate maintenance and Cooke's invalid use of the lease. These lease terminations are final, however, Cooke has now taken its lease termination to Court by suing the State..

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5. Sometime during the week of October 14th, 2019, Cooke Management noticed that floats were failing at their Rich Passage Facility that is still in operation and is one of the sites being considered in this permit application. Rather than notifying State Agencies as to the unusual event as required and agreed to after the Secret Harbor pen failure, no action was taken until after October 20th when a WDFW staff member noticed the sinking pens while visiting a relative and made phone calls to notify their agency and Washington Department of Natural Resources. At this point, state agencies and US Coast Guard were called in to respond and oversee repair operations. This demonstrates a continued disregard for the upkeep of their facilities, the safety of their employees and protection of the Salish Sea.

We see that this permit application has included updated plans for operations and maintenance, fish escape, pollution control and other aspects of their operations. Samish Applauds the much-needed update of these documents. Unfortunately, Cooke Aquacultures track record at not following adopted plans has been evident from before the Secret Harbor failure and we are skeptical that their culture has changed based on recent events in October.

For these reasons, the Samish Indian Nation would recommend that Cook's permit application be rejected and their request to switch species be denied.

Thank you for the opportunity to engage with Ecology during this comment period. Please do not hesitate to contact Samish should you have any additional questions or need additional information. Our Director of Natural Resources, Todd Woodard will be the initial point of contact in this matter. Todd can be reached at 360-293-6404 or via email at twoodard@samishtribe.nsn.us.

Regards,


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