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WA State Department
of Ecology (SWRO)

Re: Cooke Aquaculture new fish-net-pens in WA state

This hastily-pushed-through new Cooke fish-net-pens permit by the WDFW appears to be yet another sneaky attempt at circumventing adequate scientific, public, agencies, environmental organizations, etc. input. The failure to require an EIS on this project, which obviously will significantly affect the quality of water and the beings who live in it, is not in keeping with WA's SEPA. The failure needs to be remedied immediately before any work is commenced on the old fish net pens.

Some of the SEPA violations include:

- *failure to properly designate the lead agency
- *failure to analyze direct and indirect impacts of the proposed actions
- *failure to analyze cumulative impacts of the action when added to other impacts to the Puget Sound ecosystem and environment
- *failure to base the threshold determinations on reasonably accurate information
- *failure to include sufficient mitigation measure
- *failure to prepare an EIS
- *failure to conduct an alternatives analysis

Procedure errors

It appears that in an effort to circumvent the needed and proper decision to require an EIS, the WDFW decided on its own to go ahead and do the MDNS review and, in spite of many opposing inputs from a wide variety of resources, decided to forego a needed more complete environmental review (EIS) of the new fish net pens and new species of fish in this project. The WDFW jumped the gun, because it is actually the WA Dept. of Ecology that has the highest priority for lead agency designation to conduct this EIS, not 4th place WDFW. The Dept. of Ecology is now claiming its legal right to do the project study and procedures, and the WDFW should rescind its decision and let the proper legal procedures take place.

Further, I understand the WDFW used a 30-year old EIS to justify its decision. To say the least, this is not scientific decision making. It certainly looks like more hasty sneakiness.

The Puget Sound Treaty Tribes criticize that the agency consultation with Tribes has been most inadequate. Since Tribes are Sovereign Nations, agencies are supposed to consult with Tribes prior to issuing any permits or even the general scoping process. One can see why Tribes would have great interest in curtailing this proposed Cooke polluting fish farm business in Puget Sound, since Tribes often have fishing businesses. They don't want their fish polluted. To meet this requirement properly, the permit should be rescinded and the procedure should be followed properly with regard to prior Tribal consultation and input.

Cooke's modified NPDES permits should not be authorized until the ongoing lawsuit challenging the SEPA environmental review process and determination is complete.

The lack of Alternatives in the decision-making process is totally out of place in an environmental review of a territory as big and complex as Puget Sound. Alternatives for decision-making need to be clearly spelled out for the scientists, public, etc. to comment on.

Effects on me personally

Coming from a fishing family, I personally am quite concerned about the amount and type of pollutions that will stream into our local waters (and rivers and streams?) from these dirty fish-net-pens. When I read of Fish Effluent; Fish Waste; Discharge of Viruses, Parasites and Diseases; Discharge of antibiotics and medical effluent; and the dangers of partially-sterile forms of steelhead fish escaping into the general fishing waters, it is literally sickening. Many people in the state of WA appreciate catching wild fish in the local waters, and the wild fish are good for our health. Fish raised with antibiotics are not. All the WA environment agencies should be working on protecting the purity of our local waters, and that includes the WDFW. This project dirties up our waters; it does not preserve our waters' health.

I am also greatly concerned about the effect of all of the above pollutions on our Critically Endangered Southern Resident Orcas, and it mandatory that this threat should be completely presented and analyzed in any decision-making document. And the Orcas should be protected from pollutants from these fish-net-pens by denying the project.

I sincerely hope that we the public will soon see a rescinding of the faultily-issued MDNS and a complete and adequate EIS process started. Thank you very much for giving us this opportunity to comment on this destructive project.

Sincerely yours,



Diane D Marks