

To: Washington State Department of Ecology
From: Stephanie Ross, non-representational
Re: "Cooke Aquaculture Pacific NPDES permits modifications to raise steelhead"
Date: October 25, 2020

Commentator Stephanie Ross (hereafter "Commentator") attaches and incorporates in full the prior NPDES Comment on the Cooke Aquaculture Pacific (hereafter "Applicant") application for NPDES permits, mandatory pursuant to the laws of the United States, to operate Applicant's facilities while discharging pollutants into the waters of the United States. At this time, the NPDES authorization is delegated, as a matter of discretion, to the State of Washington Department of Ecology (hereafter "DOE"). This authorization, of course, can by law be removed from DOE if that unelected agency does not wholly comply with the intent and express laws of the United States, as well as the laws of the State of Washington and the financial responsibilities to the citizens/taxpayers.

As set forth in the attached Comment, "Governor Inslee's 2019-21 budget package includes over \$26 million in operating and \$300 million in capital investments for the Southern Resident orca recovery. Specifically, we will use these funds to address lack of prey, TOXIC CONTAMINANTS and vessel traffic issues." Comment at 2-3. Quoting Department of Ecology Focus on: Saving the Southern Resident Orca Financial Services_19-01-00. (emphasis added)

These toxic contaminants, as explicitly set forth, are a multitude of toxins and antibiotics, and expressly include "PCBs...THE MOST CARCINOGENIC." United States Environmental Protection Agency "Polychlorinated Biphenyls (PCBs)" (emphasis added)

Giving DOE the initial benefit of the doubt, it is assumed this agency intends to utilize this taxpayer money in full to do what was intended: protect the Southern Resident Orcas. The sole compliant legal option then, is invalidating the prior NPDES permits and denying the present applications.

Grant of the permits, however, would of course be proscribed by both the United States and State of Washington. 18 U.S.C. Ch. 47; RCW 42.20.

Moreover, the proposed "modifications" have no impact whatsoever on the multiple violations of governing and controlling laws of the United States, specifically, the Endangered Species Act and Clean Water Act.

Accordingly, Commentator submits this cover letter and the prior comment as incorporated by reference, in response to the Applicant's "permits modifications to raise steelhead."

Respectfully,

Stephanie Ross