

6:03/02. HOUSE NARROWLY REJECTS KLAMATH AMENDMENT ON CROPS IN WILDLIFE REFUGES TO INTERIOR APPROPRIATIONS BILL:

On the same day the U.S. House of Representatives overwhelmingly approved an amendment to the 2003 Interior Appropriations bill blocking oil drilling offshore California, it narrowly rejected language aimed at making crops grown in wildlife refuges in the Klamath Basin more fish and wildlife friendly. The amendment, offered by Representatives Earl Blumenauer (D-OR) and Mike Thompson (D-CA), would have helped make farming on the Klamath Wildlife Refuges more consistent with farming on other refuges by prohibiting the growing of pesticide and water-intensive row crops and alfalfa. The amendment, supported by the Klamath Coalition, which includes PCFFA, would have had several beneficial effects on Klamath River flows, including: (1) increasing available water for critical Spring and early Summer out-migrations of salmon, when downriver flows are most biologically important; (2) increasing total storage of water in the system through restoration of some of the currently used leaselands back into natural wetlands (which would add perhaps 2-3 acre feet of water for each acre converted back to wetlands); (3) decreasing the use of the many pesticides and fertilizers that contribute to water quality problems in the upper basin and; (4) increasing the pollutant filtration capacity of the system through wetlands restoration, which helps break down agricultural chemicals.

Representative George Miller (D-CA), a leading House member working for western water reform, spoke in favor to the amendment, saying "It doesn't make sense to keep raising alfalfa in a desert." The amendment, nevertheless, was defeated on a 201-223 vote. Only a week before, the U.S. Bureau of Reclamation (BOR) had announced it was cutting water releases into the Klamath River, further jeopardizing the survival of Endangered Species Act (ESA) listed coho salmon, as well as the chinook salmon that support important tribal, commercial and sport fisheries (see Sublegals, 6:02/09). On the same day of the House floor vote on HR 5093, it was announced that Oregon's Department of Environmental Quality (DEQ) had issued a permit to the Klamath Irrigation District to apply acrolein (a very toxic aquatic herbicide) in its Klamath Basin canals (see Sublegals, 6:01/06). It is not known whether the permit is in compliance with the federal Clean Water Act.

6:03/03. KLAMATH BASIN LANDOWNERS VOICE SUPPORT FOR WILLING SELLER BUYOUT:

On 16 July, Greenwire reported "landowners representing one-eighth of the farmland in the Klamath Irrigation Districts announced support for a willing seller buyout program." The statement contradicts claims made by members of the Klamath Water User Association (KWUA) who have fought any Congressional proposal for a willing seller buyout program to address the overcapitalization of irrigated agriculture in the basin. In normal to dry years there is not enough water to support fish, wildlife, tribal water rights and the amount of irrigated crops currently being grown in the arid Klamath Basin. The landowners have accused KWUA of being "dominated by agribusinesses and tenant farmers."

<http://www.fishsniffer.com/fishlink/072602.html>

6:03/07. WASHINGTON STATE'S NOT-SO-SUSTAINABLE OYSTER GROWERS:

Among aquacultured organisms, oysters have long been regarded as sustainable. For hundreds of years they have been grown off France's Brittany coast (c.f., *The Oysters of Locmariaquer* by Eleanor Clark), and around many other areas of the world such as Japan, as well as in the U.S. along both the Gulf and West Coasts for a century or more. Unlike some other aquaculture operations, such as salmon and shrimp farming that have been destructive of the natural environment and placed wild fish stocks at risk, oyster growing has always been regarded as benign. True, non-native stocks have been used in many areas, but these have generally not been seen as a threat to remnant native oyster populations. In Willapa Bay and Grays Harbor, Washington, however, oyster growers have taken to applying the pesticide carbaryl to eradicate burrowing shrimp that stir up the bottom where the oysters are set out. They have been doing so quietly since the 1960's, generally after the 4th of July holiday when the tides are lowest, poisoning the bays for a month or more. Carbaryl is not only toxic to the burrowing shrimp, but to Dungeness crab and salmon as well.

The issue of the use of carbaryl began coming to a head a few years ago, when nearby organic oyster growers began quietly raising objections. The carbaryl use meant a loss of markets for them of one to two months each year, before the oysters could purge themselves of the poison. The response from the Pacific Oyster Growers Association, the trade group representing the West Coast oyster industry, was to kick the dissenters off its board. In a 30 June 2002 letter to the editor of the *Chinook Observer*, fishery scientist Bill Kier, who works closely with the Institute for Fisheries Resources, wrote, "no forward-thinking community would ever use a product like carbaryl directly in the water. The U.S. Environmental Protection Agency explicitly bans its use anywhere near water, the stuff is so poisonous. These two or three Oysterville producers have apparently used their political drag to get some kind of dispensation to use carbaryl to kill the local shrimp because the shrimp burrow and loosen up the bay bottom where the producers want the oyster spawn to attach. Meanwhile, those Oysterville producers that want to sell good, clean, chemical-free oysters apparently have to wait weeks for the carbaryl to dissipate.... In all other West Coast bays I know of where oysters are produced, with the possible exception of Grays Harbor, great care is taken to keep the areas free of biological and chemical toxins. What a shame, that with the Long Beach Peninsula's wonderful, rich oyster history there should be this one-eyed practice of poisoning native bay creatures still going on."

In 2001, a federal court ruled that the Washington Department of Ecology was required to issue a National Pollution Discharge Elimination System (NPDES) permit for the use of carbaryl by the oyster growers. Ecology, heavily influenced by the oyster growers, then proceeded to issue a permit allowing growers to spray 800 acres of tideflats for the next four years. Then, on 5 July, the Washington Pollution Control Hearings Board on a 2-1 vote issued a stay, barring growers in Willapa Bay and Grays Harbor from using carbaryl. The stay was requested by the organic oyster growers and the Washington Toxics Coalition. "The board finds that the potential for irreparable harm to the environment outweighs the potential economic impact to

Suspension Orders for Certain Bonide Carbaryl and Sodium Acifluorfen Pesticide Registrations

the oyster growers if carbaryl spraying were allowed to proceed this summer," the majority Board opinion said, reported The Olympian in its 7 July issue. The Pollution Control Hearings Board decision, however, was overturned on 19 July, when Thurston County Superior Court Judge Paula Casey ruled "the multimillion dollar hit to the industry from the loss of the oysters outweighs the environmental harm." The question now is what harm will come to the area's oyster growers when consumers get wind of the fact the Willapa Bay and Grays Harbor oyster growers are poisoning crab, salmon and other aquatic animals.

To see **The Olympian article**, go to:

<http://www.theolympian.com/home/news/20020706/southsound/9333.shtml>

For more information on carbaryl, go to:

<http://infoventures.com/e-hlth/pesticide/carbaryl.html>

For more information from the **Washington Toxics Coalition**, go to:

<http://www.watoxics.org>

Farmers, Crop Growers, Ranchers - Forum Website

<http://klamathbasincrisis.org/index.html>

Grant, Harney, Hood River, Jefferson, Lake, Klamath, Malheur, Morrow, Sherman, ... **Carbaryl is not subject to significant bioaccumulation:**

http://av.rds.yahoo.com/_ylt=A0oGkttR18BKvCwAaDPzHaMX;_ylu=X3oDMTBvdmM3bGlxBHBndANhdI93ZWJfcmVzdWx0BHNIYwNzcg-/SIG=12vip9qa5/EXP=1254238417/**http://www.oregon.gov/ODA/PLANT/docs/pdf/ippm_gh_ea_or_09_fws_bio_asses.pdf

Study: Combining pesticides makes them more deadly for fish

By Jeff Barnard

Seattle Times March 10, 2009

<http://www.kswild.org/ks-conservation-news-digest/study-combining-pesticides-makes-them-more-deadly-for-fish>

FIFRA

June 24, 2009: EPA Issues Suspension Orders for Certain Bonide Carbaryl and Sodium Acifluorfen Pesticide Registrations

<http://www.epa.gov/oecaagct/lfraenf.html>

New Limits on Pesticide Uses Will Protect Salmon

US - The Environmental Protection Agency (EPA) has announced plans to place additional limitations on the use of three organophosphate pesticides – chlorpyrifos, diazinon and malathion – to protect endangered and threatened salmon and steelhead in California, Idaho, Oregon and Washington.

In a press release, EPA explains that **anticipated changes to product labels** include the addition of pesticide buffer zones; application limitations based on wind speed, soil moisture and weather conditions; and fish mortality incident reporting requirements. New, enforceable labels could be available as early as the 2010 spring growing season.

"These limitations, developed as a result of the Endangered Species Act formal consultation process, will protect Pacific salmon and steelhead while providing for appropriate pesticide use," said Steve Owens, assistant administrator for EPA's Office of Prevention, Pesticides and Toxic Substances.

<http://www.thefishsite.com/fishnews/10807/new-limits-on-pesticide-uses-will-protect-salmon>

Concern for Salmon in new Logging Rules

US - New logging rules intended to protect California salmon may do just the opposite, according to federal officials who are considering additional industry monitoring to prevent extinction.

The California Board of Forestry has approved new rules governing logging near streams in coastal and mountain forests.

The new rules are designed to protect California's salmon population.

But some officials are concerned that they could do the opposite, according to a report in The Sacramento Bee.

The new rules follow pressure from the National Marine Fisheries Service over concerns that the existing rules on logging did not do enough to protect the salmon population.

However the report says that the federal fisheries service is worried that the new rules weakened existing controls.

<http://www.thefishsite.com/fishnews/10785/concern-for-salmon-in-new-logging-rules>

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<http://www.astral-arts.com/orca.html>