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Protecting Health and the Environment with Science, Policy, and Action

For Immediate Release

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Groups Sue U.S. Interior Department to Protect the Dungeness National Wildlife Refuge from Industrial Aquaculture

TACOMA, WA, August 18, 2023—This week, three environmental organizations filed a [lawsuit](#) against the U.S. Department of Interior for failing to protect the Dungeness National Wildlife Refuge from industrial aquaculture. The groups, including Protect the Peninsula's Future, Coalition to Protect Puget Sound Habitat, and Beyond Pesticides, filed their complaint in the U.S. Western District Court of Washington State. The complaint states that the U.S. Fish and Wildlife Service (USFWS), U.S. Department of Interior, must “take action that is required by the Refuge Improvement Act and conduct a compatibility determination and require a special use permit for a proposed industrial aquaculture use” that will abut and impact the Refuge. The Seattle, WA, law firm of Bricklin and Newman LLP represents the plaintiffs.

The shellfish operation leases 50 acres of Washington State bottomlands; 34 acres will be covered with up to 80,000 plastic bags of non-native shellfish and staked into the bottomlands, potentially killing all benthic life underneath and snaring wildlife in the netting. This operation would shift the natural year-round-sediment movement, directing the sediment into the eelgrass beds – beds protected for rearing salmon for whales and nourishing particular migratory ducks. The plastic bags will also cover primary feeding grounds for residential and migratory birds.

- “Despite knowing the gravity this portends, unfortunately, the USFWS has side-stepped its authority to consider the compatibility of the industrial shellfish operation with the Refuge and residual harm to the wildlife and their habitat,” said Laura Hendricks, executive director of Coalition to Protect Puget Sound Habitat.
- “Migratory birds suffer much on their lengthy journeys each fall and winter – air pollution, water pollution, toxic fumes. Now they face starvation as their reliable feeding grounds will be taken. This cannot be allowed,” said Darlene Schanfald with Protect the Peninsula's Future.
- “The USFWS is supposed to protect the species and habitats, not enable their peril. We are asking the court to tell the agency to do its job,” said Jay Feldman, executive director of the Washington, D.C. organization Beyond Pesticides. “This is also troubling because it will set a precedent for all

other national refuges to allow industrial shellfish operations,” Mr. Feldman said.

The Dungeness National Wildlife Refuge was created by Executive Order in 1915 by Woodrow Wilson, directing the area to be set aside as a “refuge, preserve and breeding ground for native birds and prohibits any disturbance of the birds within the reserve.” The Refuge provides habitat, a preserve, and breeding grounds for more than 250 species of birds and 41 species of land animals.

The [front page](#) of the Refuge website states: “Pets, bicycles, kite flying, Frisbees, ball-playing, camping, and fires are not permitted on the Refuge as they are a disturbance for the many migrating birds and other wildlife taking solitude on the Refuge.” With this level of concern, it is counterintuitive to allow destructive industrial aquaculture.

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Beyond Pesticides

Beyond Pesticides is a 501(c)3 nonprofit organization headquartered in Washington, D.C., which works with allies in protecting health and the environment with science, policy, and action to lead the transition to a world free of toxic pesticides and synthetic fertilizers. Learn more at www.beyondpesticides.org.

Protect the Peninsula’s Future

Protect the Peninsula’s Future (PPF) is a nonprofit public benefit corporation engaged in environmental protection and wise land use on the North Olympic Peninsula since 1973. Learn more at <https://www.protectpeninsulafuture.org>.

Coalition to Protect Puget Sound Habitat

The Coalition is an alliance of interested citizens, environmentalists, scientists, and recreation users concerned about current and expanding aquaculture in both the nearshore environment and public waters, and its impacts on plant, animal, and ecological function. Learn more at <https://coalitiontoprotectpugetsoundhabitat.org>.