

**Email letter from Bill Trandum, Case Inlet Shoreline Association, to Tom Clingman, Department of Ecology**

January 12, 2008

Re: Best Management Practices

Attention: Tom Clingman

Dear Mr. Clingman,

My name is Bill Trandum, I serve on the board of the Case Inlet Shoreline Association. I am a salt-waterfront property owner. I live adjacent to Dutcher Cove. I have a degree from the University of Washington and an MBA from Harvard University. I am a retired U.S. Navy Captain. I am a financial advisor by trade. I evaluate money managers based on best management practices in the financial industry.

"Best management practices" is jargon used to describe sets of protocols and decision rules employed to manage an activity. Best management practices often do not reflect the wisdom or the validity of the activities to which they are applied. Often, regulatory agencies are asked to approve activities based on best management practice protocols.

The Weyerhaeuser Corporation and others employed scientists and industry experts to create best management practices to be used in forest harvesting. They are formally adopted by Weyerhaeuser and approved by regulators. See [www.weyerhaeuser.com/environment/sustainability/2004/pracsustainforestry/certification.asp](http://www.weyerhaeuser.com/environment/sustainability/2004/pracsustainforestry/certification.asp) . Relying on these best management practices, the Department of Natural Resources approved an activity the consequences of which can be seen in this photo, published in the Seattle Times and on-line on December 17, 2007, and again in the Tacoma News Tribune on January 11.

The best management practices used may or may not have been flawed. The underlying activity, that of clear-cutting was certainly flawed. The regulatory agency, in this case the Washington State DNR would have served the public much better by examining the wisdom of allowing the underlying activity, rather than focusing on the so-called best management practices.

The bad news is that for years and years, every time there is significant rainfall on this hill, the consequences will be felt in Stillman Creek and the other connected rivers and streams in this area of southwest Washington.



The good news is that the DNR is right now in the process of contemplating approval of another set of best management practices, also devised by an industry group. DNR has an opportunity to look beneath the BMP and at the underlying activity: that of intensive geoduck aquaculture and harvesting.

Stillman Creek, photo by Steve Ringman/The Seattle Times

If the barren landscape in this photo was covered by tidewaters and stretched along acres and acres of shoreline, would it be any less a disaster? I submit that in fact it would be worse because it would be hidden. The legislature

and the state's regulatory agencies have a rare opportunity to address the underlying activity: concentrated industrial aquaculture. You can avoid making the mistake of validating industry's preferred practices by calling them "Best Management Practices" and then applying them to activities that are not in the best interests of protecting Puget Sound.

The denuding of this hill would be bad enough in itself, but the unintended consequences of this activity, again, governed by certified best management practices, and approved by the Washington State DNR resulted in the conditions depicted in the photograph below, taken December 4, 2007 by The Seattle Times.

**Flooding in Southwest Washington, photo by Steve Ringman/The Seattle Times**



The problem, of course, is not regulatory agencies approving the best management practices, the problem is permitting, and many times facilitating and even promoting the underlying activity.

There are many many examples of best management practices being applied to flawed activities. In my own industry, most recently three giant firms, Merrill Lynch, Bear Stearns and Citigroup applied best management practices to the securitization of sub-prime mortgages with disastrous results. All was done under

the watchful eye and approval of the regulatory agency, the Securities and Exchange Commission. You can be sure the best management practices were scrutinized. What was ignored was the fundamentally flawed underlying activity of granting mortgage loans to unqualified buyers.

I plan to attend the public comment session and use my three minutes to address this issue, but because I cannot attend the entire session, I ask that this correspondence be distributed and incorporated into the meeting you will lead.

Respectfully,

Bill Trandum