



**PORTAGE BAY SHELLFISH PROTECTION DISTRICT  
ADVISORY COMMITTEE**

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**MEETING SUMMARY**

Date: May 12, 2003  
Time: 6:00 – 8:00 p.m.  
Place: 322 N. Commercial St., Bellingham – First Floor Conference Room

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**AGENDA**

1.	6:00	Public Comment Period
2.	6:05	Review Agenda and Previous Meeting Summary
3.	6:10	Quarterly Total Maximum Daily Loads (TMDL) Report
4.	6:30	Review Final Protocol for Fecal Coliform (FC) Response
5.	7:00	2003 Focus for Committee
6.	7:50	New Business
7.	7:55	Next Meeting's Agenda

**MEETING ATTENDANCE**

Portage Bay Advisory Committee

Chris Woodward  
Dorie Belisle  
Justin McKay  
Bob VanWeerdhuizen  
Michael Cochrane

Others

Kasey Ignac – City of Lynden  
Courtney Sterkel – Anvil Corporation  
Ami Stillings – Whatcom County Water Resources  
Andy Ross – Lummi Nation  
Andrew Craig – Department of Ecology (DOE)  
Sharon Roy

**DOCUMENTS DISTRIBUTED**

- 5/12/03 Agenda
- 3/10/03 IFA Portage Bay Advisory Committee (AC) Meeting Summary
- 1<sup>st</sup> Quarter TMDL Levels for Nooksack
- Draft Protocol for FC Response

**MEETING CONTENTS**

1. Public Comment Period  
There was no public comment.
2. Review Agenda and Previous Meeting Summary  
3/10/03 Meeting Summary  
AC members reviewed the 3/10/03 IFA meeting summary and suggested several grammatical revisions.



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- *Action:* Incorporate revisions suggested by AC members and distribute the 3/10/03 summary as Final.

### Meeting Agenda

AC members reviewed the agenda but suggested no revisions.

### 3. Quarterly TMDL Report

Michael Cochrane distributed his first quarter TMDL report to AC members and reported that all Nooksack sites were below the TMDL goal for January through March. Samples were collected twice per month at sites in the Nooksack basin. Marine sites in Portage Bay are sampled once a month by DOH and NWIC and Lummi Natural Resources also sample marine sites either once or twice per month.

Andrew Craig noted that several people from DOE and the community in general are following Portage Bay's TMDL levels and are becoming more conscious of water quality changes.

Several AC members wondered when the August 2002 sample would be removed from the samples used to calculate Portage Bay's 90<sup>th</sup> Percentile value. Ami reported that Department of Health (DOH) uses the last 30 samples to calculate Portage Bay's geometric mean when determining if Portage Bay will be reclassified. With monthly sampling by DOH, it will be quite a while before the numbers are no longer included in the dataset for calculating the 90<sup>th</sup> percentile.

Several AC members were unclear about the State's criteria for classifying shellfish beds and one member suggested that the committee schedule the next meeting around Don Lennartson's availability because it would be beneficial to clarify this issue with AC members.

Another member mentioned that a numerical model of fate and transport of fecal coliform in Grays Harbor was developed. The model shows the effect of non-point loading events due to high runoff, as well as the potential impact of point source discharges of fecal coliform. Results of the model confirm the appropriateness of conditional closure actions taken by the state Department of Health to protect against potential contamination of shellfish that are harvested from Grays Harbor. There was speculation on whether Portage Bay could work the same way.

Another member asked about the monitoring at the NW Washington Fairgrounds in Lynden before and after the fair, which the AC discussed in previous meetings. Andrew suggested conducting dye tests before, during, and right after the fair to see what this shows. AC members mentioned that two dye tests have already been conducted, once by the City of Lynden and again by the DOE, Whatcom County Water Resources, and the City of Lynden. Both dye studies consistently showed that all drains appeared to be correctly plumbed.



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AC members agreed that conducting another dye test on the fairgrounds would not be an effective use of resources.

Another member asked if there were political reasons to conduct another dye test and Andrew recommended that it is a good thing to be as thorough as possible to alleviate any doubts others may have about the testing and the results. Andrew recommended collecting bacteria samples a few days before, during, and after the fair at various sites in Fishtrap, where Fishtrap enters the Nooksack and at sites further down the main stem. AC members supported the idea of taking fecal coliform samples before, during, and after the fair at various sites.

Michael Cochrane reported that funding will be available from the Clean Water grant he is currently working under that would allow him to collect two samples a day during the fair. Another AC member suggested collecting one sample in the early morning, which is when a majority of the washing-down of animals occurs.

One member asked if the sampling frequency of water samples used to calculate the 90<sup>th</sup> percentile could be increased. Andrew mentioned that sampling frequency is at the discretion of DOH.

One AC member suggested that the committee pursue outside funding to have DOH collect samples twice a month. Another member mentioned that it would probably not be feasible for Don to make two trips to Bellingham to collect samples.

One member asked if DOH could designate a local representative to collect more samples and suggested Michael for this position. Michael noted that this is within DOH's authority and is a possibility.

Another member asked AC members if it would be worthwhile to compose a brochure/letter to portable toilet owners/pumpers to educate them on proper disposal. This would be done to make port-o-potty owners aware of correct dumping procedures and to make them aware that this is a concern in the community that needs to be addressed.

AC members discussed the requirements involved with port-a-potty companies, the permits required and the process involved with the company. One member noted that these companies need a business license but otherwise are not required to meet any criteria.

- *Action:* AC members agreed to have DOE and NWIC come up with a sampling plan for water quality monitoring that would occur around the NW Washington Fairgrounds in Lynden when the fair is occurring.

#### 4. Review Final Protocol for Fecal Coliform Response

Ami Stillings distributed the revised version of the protocol for fecal coliform response to AC members for their review.



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- *Action:* AC members should submit any comments in relation to the protocol to Ami by 6/1/03.

### 5. 2003 Focus for Committee

Ami mentioned that the goal of this agenda item was to identify the interests and types of projects that the committee would like to participate in 2003 and to help determine whether these projects could utilize the funding available through Whatcom County Water Resources for special shellfish-related projects.

Dorie suggested that someone from the AC lead a boat tour so that new AC members can see where the problems exist. She also suggested coordinating with one or more of the local newspapers to inform the community of the AC efforts, any water quality improvements, etc. The member also mentioned that the committee is at an advantage because the Lummi Nation is already supporting the group.

It was suggested that the committee focus on community education in relation to water quality, shellfish, and linking the agriculture community to shellfish as crops and how shellfish can be impacted by individual actions.

Several AC members felt that the committee should focus on their public relations and getting information out to the community regarding the efforts of the committee. Another member suggested that the committee establish a public relations subcommittee for this.

- *Action:* Andrew will talk to Joan Pelly at DOE regarding her public relations efforts and the contact person at the Bellingham Herald.
- *Action:* Ami will send out an email to AC members about serving on the public relations subcommittee.

### 6. New Business

- *Action:* Ami will distribute the 1<sup>st</sup> quarter report on activities occurring in the watershed via email to AC members for their review.

Andrew updated AC members on several internal changes within DOE due to budget cuts and summarized the major points of Senate Bill 5889, which is pending approval from the legislature.

If signed, the bill would shift all dairy inspection duties from DOE to Department of Agriculture (DOA). The Governor set aside \$600,000 for this change, which they can use to hire new inspectors or pay the DOE to continue sampling. The bill also specifies that an agreement be written up between DOA and DOE that will be approved by the EPA. A portion of the approval process requires a public comment period of up to two years.



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During the interim period, DOE is still authorized to conduct inspections and follow-up with complaints. DOE will not continue to do around the clock inspections as was done previously but are required to notify DOA if DOE receives complaints about local farms.

DOA and DOE are scheduled to meet next week to discuss these issues related to Senate Bill 5889.

Another AC member asked where the Conservation District fits in with these changes and Andrew reported that they are not involved in this specific bill but are experiencing their own budget cutbacks.

Andrew reported to AC members that DOE has been conducting inspections at a mushroom compost facility near H Street and the Guide Meridian due to bacterial contamination found in Bertrand Creek. This is a continuing investigation.

7. Next Meeting's Agenda

- *Action:* AC members agreed to hold their next meeting on 7/14/03.