

**WHATCOM COUNTY
EXECUTIVE'S OFFICE**
County Courthouse
311 Grand Ave. Suite #108
Bellingham, WA 98225



Jack Louws
County Executive

May 3, 2016

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

You recently reaffirmed your administration's commitment to the Washington Shellfish Initiative. Through the Whatcom Clean Water Program, local, state, federal and tribal partners are working together to identify bacteria sources and fix problems to implement the initiative in Whatcom County. However, to fully achieve its goals, Whatcom County is requesting your assistance in addressing bacteria coming from British Columbia.

Extensive sampling at our international boundary shows fecal coliform bacteria contributions from Canada in the Bertrand and Fishtrap Creek watersheds. This is impacting water quality in the Nooksack River and thus, shellfish beds in Portage Bay. Bertrand and Fishtrap Creeks are the two largest creeks discharging into the lower Nooksack River and Portage Bay and half of these watersheds lie in Canada. As you know, nearly 500 acres of Lummi tribal shellfish beds in Portage Bay, located near the mouth of the Nooksack River, were downgraded in 2015 to seasonal closure due to elevated levels of fecal coliform bacteria. An additional 270 acres are currently being considered for downgrade. Clearly, there are also sources in the U.S. portion of these watersheds that still need to be addressed; however, at times, bacterial pollution coming across the border is at levels that would make it difficult to reopen the Portage Bay shellfish harvest areas regardless of our efforts to deal with U.S. sources.

Whatcom Clean Water Program partners have already made contacts with the B.C. Ministry of Environment and although Ministry staff is sympathetic to the issue, there was a limit on what they could do to accommodate our concerns. The State of Washington has a cooperative agreement with the Province of British Columbia, and we urge you to invoke its provisions to establish a transboundary task force to address the bacterial pollution in surface water as has been done in the past over the high nitrates in our shared groundwater aquifer.

Thank you for continuing to support our efforts to improve water quality in Whatcom County and recover shellfish harvest in Portage Bay and our other shellfish areas.

Sincerely,

A handwritten signature in blue ink, appearing to be "Jack Louws", is written over the typed name and title.

Jack Louws
Whatcom County Executive

Enclosure; cc's list on attached sheet

cc:

Maia Bellon, Director, Washington Department of Ecology
John Wiesman, Washington Secretary of Health
Derek Sandison, Director, Washington Department of Agriculture
Sheida Sahandy, Executive Director, Puget Sound Partnership
Mark Clark, Director, Washington Conservation Commission
Tim Ballew II, Chairman, Lummi Indian Business Council
Bob Kelly, Nooksack Indian Tribe
Merle Jefferson, Lummi Nation Natural Resources
George Boggs, Whatcom Conservation District
Dennis McLaren, Regional Administrator, EPA Region X
Roylene Rides-By-The-Door, State Conservationist, NRCS