



Lake Whatcom Policy Group

October 29, 2018 Meeting

Brief Digest of Presentations and Discussion

Policy Group members in attendance: Todd Donovan (Whatcom County Council); Larry Brown (Sudden Valley); Todd Citron (Lake Whatcom Water and Sewer District).

1. Land Use: Land Acquisition and Maintenance

The City of Bellingham has approximately 2,400 acres under City management in the watershed, and maintenance, monitoring, and restoration activities are underway. The City is working to put all the property boundary markers into a Geographic Information System (GIS), and is marking the boundaries by putting up signage indicating public property and informing the public on allowed uses of the properties. Management also includes blocking vehicle access to the properties, although access to the public on foot or by bike is allowed. City staff also review forestry activities especially if they are near boundaries of City-owned land. In conjunction with Washington Conservation Corps crews, restoration is ongoing, including removing old vehicles and abandoned structures, and planting between 4,000 to 5,000 trees in most years, with some years seeing up to 25,000 trees planted.

Watershed protection properties have many visitors and many are used as parks although the City does not have plans to create parking lots or build other amenities to expand that use. Some social trails are maintained for light impact use. The City is also coordinating with County Parks to align trails on watershed protection properties with those in adjacent Whatcom County Parks. Some bridges have also been rebuilt. Wildlife cameras are installed in some areas to monitor prohibited activities such as motor bikes, hunting, and destruction of vegetation. The cameras have also captured photos of bears, cougars, and other wildlife.

2. Land Use: Forestry management and policy issues

In 1983 there were a number of large landslides in the watershed, prompting concerns over the impacts of logging and other forestry activities in the watershed. In 1994, the State Department of Natural Resources (DNR) doubled its acreage in the watershed after a land swap with Trillium Corporation, and a watershed analysis was conducted to assess the need for new regulations on forestry activities. In 2000, the State Legislature, led by Harriett Spangel, passed legislation enacting a moratorium on logging and requiring the development of a Lake Whatcom Landscape Plan with more stringent regulations on logging than in other DNR lands.

Activities to design and implement the regulations culminated with issuance of a Final Environmental Impact Statement in 2004. In 2005, an Interjurisdictional Committee (IJC) was formed to monitor implementation of the Landscape Plan. The IJC includes representatives appointed by the City of Bellingham, Whatcom County, Lake Whatcom Water and Sewer District, and DNR. Activities of the IJC include review of forestry plans before implementation, and field visits to look at forest activities to ensure compliance with the regulations. The Landscape Plan applies only to public lands, not private lands, which are managed under DNR's rules for private timberland.

In the 2005-2009 period there were many monitoring activities as the IJC worked to understand conditions on the ground in DNR properties and to inspect forestry activities. In 2010, attention shifted to a reconveyance proposal to transfer more than 8000 acres from DNR to County control, reducing demand for monitoring activities. Although the reconveyance reduced the acreage under DNR control, a number of harvestable areas continue to exist.

Management objectives of the Landscape Plan include:

- Maintain slope stability and control of sediment
- Protect and enhance stream buffers
- Maintain or expand mature forest acreage
- Minimize herbicide/pesticide/fertilizer use
- Manage for sensitive wildlife/fish
- Protect historic and cultural resources
- Minimize visual impacts
- Conduct field review using the IJC

Differences between the statewide DNR Forest Practice rules and the Landscape Plan include larger creek buffers in the watershed under the plan, as well as no aerial application of herbicides. For example, buffers on small, non-fish-bearing streams, where most forestry activities occur, are increased from zero to 33 feet. Both sets of practices include efforts to restore unstable roads or improve culverts to withstand 100-year storms, but the implementation time for improvements was accelerated under the Landscape Plan. Lands in the watershed also have more review procedures and additional operational restrictions.

Although 2007 was a high point for recent forestry activities, the DNR continues to make sites available for timber harvesting. In 2018 two timber sales occurred of approximately 70 acres each on both the south and north ends of the watershed. Logging will occur on these parcels over a number of years.

3. Recreation: Managing recreation in the watershed

County activities. In 2018 a new Lookout Mountain Trail was completed. In total, 4 miles of new trails were built, a mile of existing trail was improved, and one half-mile section of trail was decommissioned. New trails are built to standards that are protective of the watershed, including efforts to minimize steep sections and ensure that the adjoining topography can absorb water. Efforts to build trails and improve facilities involved many volunteers who donated more than 3,000 hours. Washington Conservation Corp crews are also employed for much of the work. In 2019, additional trails will be built at Lake Whatcom Park which is on the eastern side of the watershed.

Volunteer summer hosts were brought on in 2018, helping to educate visitors on rules and reducing complaints from local area residents. Additional dog waste stations and trash cans were also added. The number of visitors is steadily increasing and in July about 27,000 visitors visited one of the parks. People also access the parks from the water and anchor boats on the shore.

Management challenges include facilities that have been built on unstable slopes. For example, there was a slide impacting the Hertz Trail, and in 2018 road repair was needed

	<p>as a result of deteriorating road foundations on unstable slopes.</p> <p>The County is intending to engage in forestry activities on some lands, such as thinning overly dense groves to improve biodiversity and to facilitate creation of mature forest conditions. Planning for forest management may occur in 2019-20. Some roads will be maintained because they have active easements but other may be decommissioned.</p> <p><u>City activities.</u> The City of Bellingham completed the purchase of a major conservation easement covering 2,182 acres that will maintain a popular network of mountain biking trails and protect the area from land development while allowing some private logging activities. About half of the area is in the Lake Whatcom watershed. The City maintains some smaller parks but does not have plans for further development. Bloedel-Donovan remains the major area of activity. Currently there are 200 parking spaces, with 40 taken up by the Aquatic Invasive Species program inspections, and another 200 in overflow areas that are available for intermittent use. There are no plans to increase parking spaces. A private proposal to fund swimming docks has been presented to the City Council and the proponent is continuing work to refine costs and operational needs.</p> <p>There are a series of high-impact events at the park such as 5-K runs, but there are no plans to expand the number of these. Stormwater facilities have been upgraded so that 90% of runoff from developed areas is being captured. The City is expanding its dog waste collection program including the installation of more waste disposal stations to reduce fecal coliform pollution and reduce health risks to humans and animals. Educational outreach events will occur and volunteers can "adopt" a waste station to help keep it stocked and maintained.</p> <p>Policy Group members and meeting attendees discussed issues of herbicide use in the watershed. The County only uses the herbicide Glyphosate when combatting knotweed using hand spraying. Other organizations active in the watershed such as the Bonneville Power Administration use glyphosate and other herbicides for weed control. The DNR may also use it although much weed control is done using mechanical cutting. Policy Group members requested that further discussion of herbicide use be brought back as an agenda item at a future meeting.</p>
4. Stormwater/Administration: Whatcom County Stormwater Utility District funding proposal	
	<p>The County Council established a Lake Whatcom stormwater utility in 2017. In 2018, work is underway to design a fee structure for the utility to pay for anticipated new expenses required by the TMDL. A Lake Whatcom Stormwater Utility Advisory Committee has been formed to advise on the rate structure, and has met six times to date. The committee has produced a draft rate proposal that is currently being analyzed by staff and consultants, and undergoing legal review. The proposal is for a tiered structure that would charge most parcels a flat fee, excepting those with restrictive covenants preventing development, and also assess a second fee based on the amount of impervious surface, which is a major factor in runoff of phosphorus into the lake. Lands used for timber harvests are exempt from fees by state law. In addition, a one-time capital facilities charge may be assessed for new construction projects in the watershed. Sudden Valley is working with the advisory committee to provide more details on impervious surfaces in their community than may be available from aerial photographs and other methods.</p> <p>On November 14 the advisory committee will discuss the proposal and findings regarding</p>

	feasibility. With the current schedule, a proposal may be ready for County Council review in early 2019. The collection of the fees would not occur until 2020.
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5. Monitoring and Data: Work to revise loading and lake response models, implications for TMDL

<p>The State Department of Ecology is using models for phosphorus loading and lake response to phosphorus that are adapted from models used by the EPA. The loading model and the response model are two components that are used together to produce the phosphorus reduction requirements for the Total Maximum Daily Load (TMDL) requirements for reducing phosphorus flows into the lake. Under that model, an 87% reduction in phosphorus flows on developed lots is required to create conditions similar to that of a forest, helping to stabilize conditions in the lake.</p>

<p>The TMDL process assumes that the models will be improved with new data and more sophisticated modeling, and the jurisdictions have engaged in tributary monitoring and other data-collection activities to improve model data inputs and to recalibrate it for improved predictive accuracy. Possible improvements to the model are being analyzed by a consultant, and are also undergoing peer-review. The County is working to create an agreement with Portland State University to run a new model to estimate how the lake responds to the predicted levels of phosphorus loading, taking into account the new data and results from the review. The resulting recalibrations of the response model could result in a somewhat lower required rollback of phosphorus and the issuance of a new TMDL target. However, the overall magnitude of required phosphorus reductions will still be large and are not likely to result in any substantial reductions in the required levels of stormwater control in the near term.</p>
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6. Aquatic Invasive Species: AIS Annual Program Review

<p>Staff reviewed the 2018 activities of the Aquatic Invasive Species boat inspection program. There were 12,375 inspections in 2018, up slightly from the prior year. The majority of these were at Bloedel-Donovan at 6,818, followed by Lake Samish at 2,782. The Samish inspection station is now open seven days/week. South Bay and Sudden Valley launches in Lake Whatcom are only open on the weekends. Boats may be inspected at residences or at recreational facilities if there is a large concentration of boats in one area, or if a boat cannot be trailered to a launch site. There were 1,481 of these inspections completed at 262 appointments. In August the number of boaters was down unexpectedly due to wildfire smoke.</p>

<p>A total of 6,461 boat permits were sold in 2018, with 397 being 3-day permits and the rest about evenly split between motorized and non-motorized craft. Approximately 2,500 people took and passed the AIS education course, which results in a reduction in the required fee. The program took in an estimated \$142,962 in 2018, with most of this accounted for by motorized boat permits. Total program expenditures through the end of September were estimated at \$429,849, with most of this spent to pay inspection staff.</p>

<p>Boat launches go up with good weather, and the busiest day on Bloedel-Donovan had almost 200 boats inspected. The busiest day on Lake Samish was 81 boats inspected. For the year across all stations, 178 of the boats inspected had standing water that had to be drained, and 137 boats carried aquatic plants. Four boats required a full decontamination.</p>

Boats visiting Lake Whatcom or Samish had previously visited a total of 832 waterbodies in 46 states or provinces; 20 boats had last launched in mussel infested waters, and 171 had at some time launched in infested waters. Washington State Department of Fish and Wildlife conducted mussel monitoring in local lakes in August using plankton tows or collection with artificial substrates. Calcium concentrations and water quality were also monitored, and shoreline surveys were conducted by the AIS crew. Also in August, a noxious aquatic weed survey was held in Samish and Whatcom. No new invasive plant species were discovered.

Invasive New Zealand Mud Snails were discovered in Lake Padden in September 2018. These are very small snails that multiply by cloning, and can be spread by equipment, watercraft, and pets. Staff are researching what, if anything, the response should be. Staff have installed signs and fenced off areas to reduce the chances the snails will be carried to another waterbody. Staff have also been doing outreach with park users (+600) to increase awareness about the snails and ways to prevent their spread.

In 2019, interlocal agreements to run the program will be considered by legislative bodies in January, and ordinance revisions will be considered in February. A new fee structure will also be proposed and new boat permit options may be added.