

AB2013102a

July 23rd, 2013

The proposed stormwater overlay for the Lake Whatcom Watershed (LWW) has been promoted as a better option to remove phosphorus from the stormwater runoff into Lake Whatcom (LW).

From all of the information that I have seen, the DoE data which showed LW to be an impaired body of water came from random sampling done over 12 years ago.

The current reports coming from Huxley College have shown the phosphorus levels as declining and the oxygen levels as ^{no trend change since 1991} improving, in LW. There are some that would say that this may be true, but there are other factors within this report that show increasing carcinogen's in LW.

Are we now supposed to rely on the BMP's for TMDL proposed for phosphorus removal are the solution to another issue? Have you now moved the target and know that the proposed stormwater overlay is a solution for another problem?

There are a lot of questions that have not been answered by the DoE, which this Council before making a decision that will place a significant financial burden on the property owners in the LWW such as:

Will these new landscape standards actually force the water down into the subsurface? Some knowledgeable people say yes and others say no-way.

If you are able to force the water to infiltrate into the soil, will it stay there or will it percolate up elsewhere? Where will it percolate up to? Do you know? Does the DoE know? They claim they do not, so shouldn't that be answered before you agree to impose this new regulation on the property owners?

Is the phosphorus removed from the water after it's infiltrated into the soil? Do you know the answer to this? Does the DoE know the answer to this?

If you require property owners to stop stormwater from running off of their property, by creating landscapes that stop water from flowing downhill, will the accumulation of these elements/chemicals accumulate to proportions that will become toxic? How will that be handled? The DoE doesn't know the answer to this and they plan to test for toxicity, but haven't told us what we'll be mandated to do then? Do you know the answer to that?

These are just a few of my questions to you and from what I have heard some Council Members state here, "NO COST IS TOO HIGH." But I ask each of you tonight, is there no cost that is too high when you are implementing a plan that has only been studied and modeled?

If there's no proven models that the DoE has presented to you or the public that prove their plan will reach the objective of a forested canopy, is it wise of the Council to approve this plan?

That does not even address the issue that the stated problem is dissolved oxygen levels, which Huxley's own studies show are stable and ^{improving} show no trend changes since 1991.

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