



LUMMI INDIAN BUSINESS COUNCIL

2616 KWINA ROAD • BELLINGHAM, WASHINGTON 98226 • (360) 384-1489

April 22, 2013

Honorable Senator James Hargrove
PO Box 40424
Olympia, WA 98504-0424

SUBJECT: Concerns Regarding the Senate Budget for the Department of Ecology

Dear Senator Hargrove,

I am writing to seek your support to address elements of the Senate version of the budget that, if passed, would have substantial negative impacts on the environment in Whatcom County. The Senate version of the budget as currently drafted would inexplicably eliminate the Bellingham Field Office operated by the Washington Department of Ecology (Ecology).

Ecology's Bellingham Field Office staff members have played and continue to play an important role in addressing environmental threats in the watershed that the Lummi Nation relies on to support our *Schelangen* ("way of life"). The work performed by staff from this office includes:

1. Oil Spill Prevention and Response – four of the five petroleum oil refineries in Washington State are located either directly adjacent to the Lummi Indian Reservation or within 15 air miles of the Reservation. An oil spill from these facilities would have a devastating impact on the natural resources that the Lummi Nation and its members rely on for our economy and culture.
2. Water Quality Protection – the Lummi Nation members rely on shellfish beds in Portage Bay and Lummi Bay for commercial, ceremonial, and subsistence harvest. The Portage Bay shellfish beds were closed from 1996 to 2006 due to elevated fecal coliform contamination attributed to poor dairy waste nutrient management practices in the Nooksack River watershed (which discharges to Bellingham/Portage Bay). Ecology played an important role in reducing discharges of cow manure and the eventual re-certification of the shellfish beds for commercial harvest in 2006. Since that time, fecal coliform levels have again increased and Ecology's Bellingham Field Office staff members are once again playing a key role in identifying and eliminating pollution sources as part of the Washington Shellfish Initiative.
3. Lummi Peninsula Ground Water Litigation Settlement Implementation – the Lummi Nation, the United States, and the State of Washington reached a settlement agreement in 2007 to resolve the conflict over ground water allocation on this portion of the Lummi Indian Reservation. Ecology Bellingham Field Office staff continue to play an important role in implementing this settlement agreement.
4. Watershed Management – the Lummi Nation has worked with Ecology and local governments to develop and implement the WRIA 1 Watershed Management Project since its inception in 1998. The goal of this project is to resolve long-standing conflicts about water allocation in this area. Ecology is a critical partner for this work.
5. Gateway Pacific Terminal Project Permitting – the Department of Ecology is a co-lead agency for the permit review of the proposed Gateway Pacific Terminal export facility along Cherry Point. This proposed project will have regional impacts – removing an office of one of the regulatory

agencies from the location most affected by the proposed projects sends a message to the affected parties.

For these reasons alone, the Ecology Bellingham Field office cannot be summarily removed as the Senate budget contemplates. Thank you for your attention to this matter. Please do not hesitate to contact me (360-384-2225) if you need additional information.

Sincerely,

A handwritten signature in blue ink that reads "Merle Jefferson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Merle Jefferson, Executive Director
Lummi Natural Resources Department

cc Senator Doug Erickson
 Senator Sharon Nelson