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Submitted online via: <http://sppr.ecology.commentinput.com/?id=Nvpi7>

February 15, 2021

RE: North Puget Sound Geographic Response Plan Update

To Whom It May Concern,

Thank you for taking the time to consider our comment on the updates to the North Puget Sound Geographic Response Plan. We live in a beautiful area rich with natural, cultural, and economic resources that are constantly at risk of the impacts oil spills would bring. As Whatcom County recently witnessed December 22nd, 2020 in Custer, these Geographic Response Plans are critical for quick, coordinated responses to avoid total catastrophe in already terrible situations. Additionally, with so much heavy oil product moving through North Puget Sound, it is all the more important for response plans to deal with heavier, sinking oils that could have very long lasting effects and are more difficult than floating oils to clean up and contain.

RE Sources is a non-profit organization located in northwest Washington and founded in 1982. We work to protect the health of northwest Washington's people and ecosystems through the application of science, education, advocacy, and action. Our priority programs include Protecting the Salish Sea, Freshwater Restoration, Climate Action, and Fighting Pollution—all critical issues affecting our region. Our North Sound Baykeeper is also a member of the Waterkeeper Alliance, with over 300 organizations in 34 countries around the world that promote fishable, swimmable, drinkable water. RE Sources has thousands of supporters in Whatcom, Skagit, and San Juan counties, and we submit these comments on their behalf.

In the *Resources at Risk* section, on page 7, please note that Alden Bank supports substantial kelp beds. This also means that the area likely is characterized by more than just soft sediment as kelp requires rocky substrate in order to grow. Alden Bank is also a shallow area far from shore near shipping lanes, so we hold particular concern over the risk of this area for allision. The Alden Bank kelp bed is included in the Whatcom County Marine Resource Committee's monitoring with the Northwest Straits Commission and can be found mapped with annual data on Sound IQ (1).

Moreover in the *Resources at Risk* section, we did not see any mention of usual and accustomed areas. Be sure to consult with tribes on this plan as a whole. The list of tribes included in this document seems incomplete as other documents like the Aquatic Reserve Management Plans for Cherry Point (2), Fidalgo Bay (3), and Cypress Island (4) include several other tribes who have interest in the area, including Nooksack Indian Tribe, Suquamish Tribe, Samish Indian Nation, Jamestown S'Klallam Tribe, Lower Elwha Klallam Tribe, Port Gamble S'Klallam Tribe, Skokomish Tribe, Suquamish Tribe, and Tulalip Tribes in addition to Swinomish Tribe and Lummi Nation, as having usual and accustomed areas within the North Puget Sound Geographic Response Plan area.

In the appendix for *Economic Resources at Risk*, we noticed that Drayton Harbor Oyster Company, located in Drayton Harbor was not included in the list for Aquaculture. Also, the Whatcom Creek Hatchery at Maritime Heritage Park in Bellingham was not listed under Hatcheries. These should be added to the appendix and we wonder what else may be missing from this list.

In the *Response Strategies and Priorities* section, we wonder why several locations like the mouths of Little Squalicum Creek, Squalicum Creek, the pocket beach at Waypoint Park, Cornwall Beach, and Aiston Preserve/Abnor's Point area on Lummi Island were not included as several other similar locations were included in these response strategies.

Please better clarify the difference between NPS-26 and NPS-27 in the *Response Strategies and Priorities* section to avoid confusion. Many folks locally know what is referred to in the plan as "Lagoon at Port of Bellingham Marine Park" as being called "Post Point Lagoon" including by the City of Bellingham who had a restoration project there using this name (5). "Post Point Lagoon" in the plan is the name given to NPS-27, which appears to be located on the other side of Post Point, much closer to Edgemoor than the Post Point Wastewater Treatment Plant, and is therefore confusing to give a commonly used name to a different lagoon.

On page 6 in the *Non-Floating Oils Response Options and Considerations* section, Model Toxics Control Act sites should be added in addition to Superfund sites under "Hazards and safety concerns." On page 8, the second table indicates that open public shellfish harvest is absent in Drayton Harbor, which reopened public shellfish harvest several years ago for clam, mussel, and oyster year-round (6).

Some additional concerns we have include some considerations that we did not find in this plan. We hope that as updates to this plan come out, they reflect our continued understanding of climate change and sea level rise. We are also very concerned about the chemicals used to deal with oil spills. Crude oil from the Bakken fields in North Dakota poses a higher risk of fire. Recently, fire suppressant foams containing PFAS were used to respond to the crude oil train derailment in Custer, leaving local wells and drinking water sources at risk, which we are still trying to fully understand. Similarly, oil dispersant chemicals can also bring new threats to important environmental, cultural, and economic resources. It should be well understood when, where, and how any potentially damaging chemicals are used in an oil spill response, and when used, what follow up is expected to address these harmful contaminants. Consideration should also be given to when a spill occurs at the boundary of a Geographic Response Plan area to make it clear what emergency response will be taken. Lastly, we would like to see more diverse resources as well as better ways to address non-floating oil spills included.

Thank you for your time and consideration in reviewing our comment letter. North Puget Sound is important to our supporters and us as a natural, cultural, and economic resource and it is imperative to do our best to protect our waterways and plan to respond as best we can to the inevitable oil spills that will occur.

Sincerely,

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References:

1. Sound IQ: <https://www.nwstraits.org/our-work/soundiq/>
2. Department of Natural Resources: *Cherry Point Aquatic Reserve Management Plan* (2017) p. 12 https://www.dnr.wa.gov/publications/aqr_resv_cp_mgmtplan_amend_201702.pdf
3. Department of Natural Resources: *Fidalgo Bay Aquatic Reserve Management Plan* (2019) p. 9 https://www.dnr.wa.gov/publications/aqr_resv_fb_mgmt_plan_0619.pdf
4. Department of Natural Resources: *Cypress Island Aquatic Reserve Management Plan* (2007) p. 10 https://www.dnr.wa.gov/publications/aqr_rsve_cyp_comp_pln_fn.pdf
5. City of Bellingham, Department of Public Works: *Post Point Lagoon Monitoring Project* (2005) <https://cob.org/wp-content/uploads/post-point-lagoon-monitoring-project.pdf>
6. Washington Department of Fish and Wildlife: *Drayton Harbor* <https://wdfw.wa.gov/places-to-go/shellfish-beaches/200104>