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**To:** [Kardouni, James D. \(ECY\)](#)  
**Cc:** [Henderson, Lara \(ECY\)](#); [Hanna M. Winter](#)  
**Subject:** Lummi Nation Comments on TMDL Prioritization  
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James,

I hope you are doing well.

On behalf of Merle Jefferson, Lummi Natural Resources Department Executive Director, please see the information below for the Lummi Nation's comments on Ecology's annual TMDL prioritization process.

If Ecology has the resources to put toward TMDL development and implementation within WRIA-1, then it is the position of the Lummi Natural Resources Department that these resources would be best put to use updating the June 2000 Nooksack River Watershed Bacteria TMDL (Nooksack Bacteria TMDL) in order to address the current impairment of beneficial uses where the Nooksack River discharges to receiving waters on the Lummi Indian Reservation, including Portage Bay. The Nooksack River is the primary source of bacterial contamination to the Portage Bay shellfish growing area, where 820-acres of productive shellfish beds have been seasonally closed to harvest since 2014. Among other things, an updated Nooksack Bacteria TMDL should include TMDL targets sufficient to ensure that Lummi Nation's EPA-approved Water Quality Standards for Surface Waters of the Lummi Indian Reservation are met at the Reservation boundary and in the marine waters of the Nooksack River, Bellingham Bay, and Portage Bay. TMDL implementation should follow until we achieve the permanent re-opening of unrestricted shellfish harvest in Portage Bay.

Please let me know if you have any questions.

Kindly,  
Kara

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