Cherry Point Aquatic Reserve
Implementation Committee Meeting Summary

Wednesday, June 21nd, 2017, 1:00 p.m. – 3:30 p.m.
Department of Ecology Bellingham Field Office | 1440 10th St. Suite 102, Bellingham

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Participants: Elizabeth Kilanowski, Bert Rubash (*Whatcom County MRC*); Marie Hitchman, Kim Clarkin, Lyle Anderson, Rick Hann, Eliana Steele (*Cherry Point Citizen Stewardship Committee*); Sandy McMullen (*Birch Bay Water & Sewer District*); Fred Felleman (*Friends of the Earth*); Natalie Lord (*REsources*); Michael Kyte (*Independent Biologist*); Andrew Gamble, Travis Linds (*Petrogas*); Barry Wenger (*retired Dept. of Ecology*); Mindy Collins, Chad Yunge (*Dept. of Ecology*); Evelyn Brown (*Lummi Natural Resources*); Allen Pleus (*Washington Department of Fish & Wildlife*); Scott McCreery, Steve Mrzek (*BP Cherry Point Refinery);* Kyle Loring (*Friends of the San Juans*); Birdie Davenport, Dennis Clark, Joelene Boyd, Betty Bookheim & Jamie Kilgo (*Department of Natural Resources*)

1:00 p.m.

Welcome & Introductions, Meeting Agenda & Outcomes

1:10 p.m.

Treoil cleanup project update

Mindy Collins, Washington Department of Ecology

Treoil Industries Biorefinery Site Background

- 34-acre industrial property on Aldergrove Rd, 1.8 miles from the Strait of Georgia
- Site has been used for tall oil processing, as a biodiesel refinery, and other small scale industrial operations
- Started processing tall oil in 1989 and since report of a tall oil spill into a ditch in 1989 ($4000 penalty was never paid), there have been several environmental inspections and concerns with compliance. The site is considered to be abandoned.
- In September 2014, DOE received a formal complaint and several inspections were conducted by DOE's Hazardous Waste department. In March 2017, DOE documented more concerns and sent a formal request for assistance to the EPA.

EPA Actions

- EPA emergency removal started March 23, 2017 and will be completed in August 2017. CERCLA chemicals and pumpable tall oil will be removed – to date, 200 containers of CERCLA hazardous chemicals have been removed. Link to EPA website: https://response.epa.gov/site/site_profile.aspx?site_id=12015
- Remaining concerns:
  - Have metals and TPH in trenches been conveyed to exterior sumps?

- Contaminants conveyed to surface/ground water?
- Impacts to site soils?
- Following removal of pumpable tall oil as much as 150,000 gal of non-pumpable tall oil will remain in tanks.

1:50 p.m.

DNR Aquatic Land Management

Dennis Clark, Washington Department of Natural Resources

Compliance

- Phillips 66 compliance visit June 2017:
  - Inspected causeway surface to be repaired. Currently weak spots are covered by steel plates.
  - Causeway pilings: Creosote pilings are being replaced by steel pilings. They will continue to be systematically replaced by steel pilings at a rate of 20 per year. About half are currently steel.
  - Compliance visits include looking for oil spills and signs of previous problems (under marine loading arms and at barge loading valves etc.)– no spills were noted.
- BP compliance visit June 2017:
  - Maintenance program appears to have been well funded and pier is well maintained.
  - There are no creosote-treated wood pilings in the structure. Concrete piles are encased in DensoShield to keep out water and reduce corrosion of rebar.
- Other Lease Management since November 2016:
  - Birch Bay Water & Sewer District: reviewed outfall diffuser video and water re-use analysis (January–March)
  - Petrogas piling replacement/other repair plans review and approval (February–March, June)

Birch Bay Buoy Removal

- Removed half the buoys in 2016
- 2017 Project timeline:
  - Early 2017- Noted locations of remaining buoys
  - Early May- Letter sent to all waterfront property owners
  - May 30- Buoys "tagged"
  - July 24- Buoy removal
  - Comment: Cherry Point Citizen Committee could monitor for new unlicensed buoys in Birch Bay.

2:15 p.m.

Washington State Ballast Water Program

Allen Pleus, Washington Department of Fish & Wildlife

15.1 million Cubic meters of ballast water is discharged Washington each year and WDFW is very concerned about the species that may be in ballast water and how they can impact our ecosystems.

Ballast Water Management

- Washington state has a proactive/preventative approach to ballast water management that goes beyond federal requirements
- Vessels are required to file ballast water reporting form 24 hours prior to arrival in state waters
- Coastal ballast water exchange is required for vessels from Pacific Coast ports outside Washington State (exchange water at least 50 nautical miles from any shore) and from ports outside the US (exchange water at least 200 nautical miles from any shore).
- Washington State has two inspectors. Inspections are based on volume and source. Inspectors confirm that ballast water reporting form is correct. Inspectors are able to do about 200 inspections per year.
- Deal with bulk carriers, container ships, anything over 300 gross tons (can include larger fishing vessels).
- Washington has a Ballast Water Workgroup that meets 4x per year and works directly with the industry.
- Ballast water summary statistics are included in the attached presentation.

Challenges

- Funding is from Aquatic Lands Enhancement Account fund and won't cover the entire program. There is currently a bill in the legislature to fully fund the program - Senate Bill 5303.
- The transition to treatment instead of just exchange is challenging, difficult to monitor the effectiveness.
- Implementing a 6-year strategic plan that will be presented in July 2017.
- WDFW has opposed the Federal Vessel Incidental Discharge Act, which would remove the ability to manage ballast water at the state level.

European Green Crab update

- Closest established green crab population is in Sooke Inlet on Vancouver Island. Thought to be introduced by a mussel string from East Coast used to monitor for paralytic shellfish poisoning.
- European green crabs were introduced to San Francisco Bay in the late 1980s First detection in Washington last year was in the San Juans (one crab found), then Padilla Bay (three crabs found). 76 green crabs have been found to-date near Dungeness Spit.

3:00 p.m.

Aquatic Reserve Program Updates

Birdie Davenport and Betty Bookheim, Washington Department of Natural Resources

- The Aquatic Reserves Program and the Cherry Point Citizen Stewardship Committee has developed an interpretive sign that will be installed at one of the Point Whitehorn Marine Park overlooks.
- There may be additional funding available from the NEP grant that supports the Citizen Stewardship Committees.

- The Puget SoundCorps team will most likely be funded for another two years.

Cherry Point Herring Update

- DNR and WDFW gillnet project:
  - DNR amended the 2016 contract with WDFW to gillnet for running ripe Cherry Point herring after they find spawn.
  - Last year WDFW was successful in collecting a sufficient number of running ripe herring from CP population to analyze for size, age class, sex distribution, fecundity, and genetics. They caught several eight-year-old herring, one that was almost a foot in length. This was surprising because it was thought that the Cherry Point herring stock was down to two-year-old fish (that are significantly smaller).
  - Running genetics with SNP process with University of Washington on the fish collected last year. The technique for SNP analysis has been recently refined by Lorenz Hauser and his PhD students at the Marine Population Genomics Lab at the School of Aquatic and Fishery Sciences of the University of Washington. Their research has provided confirmation of the genetic isolation of CP fish and provided a more efficient, faster, and less expensive technique for genetic differentiation.
  - Some testing on gonads to look at the impacts of increased temperature and acidity.
  - Added some money to contract this year to carry-out additional SNP genetic analysis on herring fin clips collected during WDFW midwater trawls last year. Will choose a distribution of trawl locations throughout the Sound to look at the fin clips and determine if they are CP fish. This will potentially tell us where CP herring are other times of year within the Puget Sound.
  - At the fall meeting, we hope to have Lorenz Hauser from University of Washington to talk about some of the genetic testing results.

- Spawn Surveys:
  - Last year there was 500 metric tons of spawn
  - This year, WDFW only found spawn along Birch Point. There were lots of surf scoters and other birds, but didn't find much spawn.
  - Lots of vegetation, which made it more difficult to do rake surveys. There was a large bed of *Nereocystis* at Point Whitehorn. Lots of *Desmarestia* during the early season and then *Laminaria* and *Sargassum* later in the season.

Partner Updates

- Lummi Natural Resources was funded to do zooplankton, forage fish, and crab larvae light trap work. Two monitoring sites are located in the reserve.
- 'What's the Point' is an annual education event at Point Whitehorn Marine Park sponsored by the Cherry Point Aquatic Reserve Citizen Committee and the Whatcom County Land Trust. The event is Saturday June 24th from 10 am to 2 pm.
- Whatcom Watershed Conference will be held Sept 20-21st and there is currently a call for abstracts.

Question: Has DNR permitted Williams Northwest Pipeline to do seabed surveys?

- In the spring, DNR issued a license to Williams NW Pipeline to do geotechnical surveys associated with the Island Gas Connector proposed natural gas pipeline to Vancouver Island. All sampling sites are outside the reserve and would have no effect on reserve resources.

- DNR has informed William's Pipeline that under the reserve Management Plan, new pipelines are not allowed in the reserve. DNR treated the request for the geotechnical surveys in the same manner as requests for investigative work for other past large projects in or near the reserve.
- There are two implied locations: one that would go under the reserve and one that would go out through Birch Point.

Next steps

- Follow up on John Incardona's research (developmental biologist/toxicologist with Northwest Fisheries Science Center). Link to research group: https://www.nwfsc.noaa.gov/research/divisions/efs/ecotox/oilspill.cfm
- Next meeting will be in fall 2017

3:30 p.m. – Adjourn