

RE Sources for Sustainable Communities North Sound Baykeeper

News, Events, and Opportunities January 18, 2008

Details are found after the initial listing.
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Thanks to all who responded to last week's action alert.

The comment period for the Draft Environmental Impact Statement for the City of Bellingham's Waterfront Redevelopment has been extended! (see item #3 below)

1) RE Sources and North Sound Baykeeper Sponsored BEACH WALK:
January 19th; 8-10pm: Discover the wonders of Larrabee Park in the Dark!

2) February 3rd: Deadline for public input on Draft Cruise Ship Discharge Report

3) Draft Environmental Impact Statement for City of Bellingham Waterfront Redevelopment
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Thanks!

News, Events and Opportunities listings are provided to the interested community as a service of the North Sound Baykeeper.

The North Sound Baykeeper is your local advocate for the protection and conservation of marine waters in Whatcom and Skagit Counties.

To help support the North Sound Baykeeper project, send a check to North Sound Baykeeper, RE Sources, 2309 Meridian Street, Bellingham, WA, 98225 Specify Baykeeper in the subject line.

RE Sources North Sound Baykeeper website: www.re-sources.org/baykeeper.htm

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1) RE Sources and North Sound Baykeeper Sponsored:

January 19th; 8-10pm: Discover the wonders of Larrabee Park in the Dark!

(also, see related story- item #6)

Join RE Sources, WSU Beach Watchers and People For Puget Sound at this premiere event of the winter season! Enjoy a rare and exciting opportunity to scout out the rich night life of our shoreline **Saturday, January 19th 2008 from 8-10 pm at Larrabee State Park**. Guided by Beach Naturalists, Beach Watchers and other creature experts, the group will have special permission to access this beach otherwise closed after dark.

For truly eager beach explorers, night-time beach walks are an adventure not to be missed. Big surprises often reveal themselves at night, as unsuspecting sunflower stars, kelp crabs, nudibranchs and more may lurk in darkness above the receding tide. The low tides of the longer winter nights offer a wonderful opportunity to witness many creatures that would otherwise "run" and hide from predators or the drying sun of summer.

Volunteer naturalists will prowl the shore, flashlights in hand, to help seek, discover and observe the shore's denizens of the night, while imparting tips in beach exploration etiquette.

Adventurers should come prepared with flashlight, rubber boots, warm clothing and rain gear. Although the walk to the beach is short, rocks can be wet and slippery so the event is recommended for sure-footed adults and older children accompanied by adults.

Registration is recommended. This event is free, though donations are appreciated to help support the continuation of the volunteer program. To register or for more information contact Doug Stark at dougs@re-sources.org, 733-8307, or look up www.re-sources.org or

www.pugetsound.org

The Beach Naturalist Program is made possible by volunteers and the North Sound Baykeeper, a project of RE Sources for Sustainable Communities, with partial funding from REI (www.rei.com).

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2) February 3rd: Deadline for public input on Draft Cruise Ship Discharge Report

EPA is seeking public comment on the Draft Cruise Ship Discharge Assessment Report that will be used to help the agency develop the final report and identify a range of alternatives for addressing waste streams from cruise ships.

The draft report assesses five waste streams from cruise ships: sewage, graywater, oily bilge water, solid waste and hazardous waste. For each waste stream, the draft report discusses the nature and volume of the waste stream generated; existing federal regulations applicable to the waste stream; environmental management, including treatment, of the waste stream; potential adverse environmental impacts of the waste stream; and actions by the federal government to address the waste stream.

EPA also is seeking public input on options, alternatives, and recommendations on whether and how to better control and regulate the five waste streams. EPA intends to use this public input to help identify a range of options and alternatives to address these waste streams as it completes the Cruise Ship Discharge Assessment Report.

EPA has performed a comprehensive, multi-year evaluation of cruise ship sewage and graywater to better understand the nature of these waste streams. Complete results of that evaluation will be made public in 2008, and are summarized in this draft report as well.

The public has 45 days starting December 20, 2008 to comment on the draft report.

Learn more about the report and download it:

http://www.epa.gov/owow/oceans/cruise_ships/disch_assess.html

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3) Draft Environmental Impact Statement for City of Bellingham Waterfront Redevelopment

February 20th; 1pm and 6pm Public Hearing: Bellingham Cruise Terminal

March 10th: Deadline for public comment

On January 9th the Port of Bellingham released a draft environmental study of the possible impacts of the 220-acre waterfront redevelopment that will span at least 20 years. This study is an essential step as the port and City of Bellingham consider rezoning and redeveloping the property.

This environmental analysis will be used by the port and City of Bellingham in the coming months as they develop a master plan and development agreement that will guide long-term redevelopment of the project site. Based upon preliminary DEIS findings -- particularly those regarding traffic impacts -- the port and city will recommend modifications to the Draft Framework Plan, which was adopted by the Port Commission and City Council in 2006 as the basis for preliminary site planning.

Formal public hearings on the Draft Environmental Impact Study (DEIS) will be from 1-4 p.m. and from 6 p.m. until closing on Wednesday, February 20th, at the Bellingham Cruise Terminal, 355 Harris Avenue.

In addition to the public hearings, people can submit written comments by March 10th, to the port's designated State Environmental Policy Act (SEPA) official Andrew Maron via email at sepaofficial@portofbellingham.com or by regular mail to:

Andrew Maron
SEPA Responsible Official
Port of Bellingham
PO Box 1677
1801 Roeder Avenue
Bellingham, WA 98227-1677

This approximately 1,300-page Draft Environmental Impact Statement (DEIS) measures potential environmental impacts for development in The Waterfront District at a range of densities over a 20-year period.

Although the full document is lengthy, the first chapter is a summary of all of the environmental findings. The remaining chapters look more in-depth at each of the 14 areas of study.

The DEIS analyzes a range of future development alternatives for the site over two time periods (2016 and 2026). The alternatives include high, medium and low density redevelopment under mixed use zoning, in contrast to continued use as an industrial site.

Although each density analysis forecasts acreage for parks or certain transportation improvements, the port and city expect to "mix and match" elements from each of the alternatives in the final master plan, based upon information learned from the DEIS.

After the written comment period ends on March 10, 2008, the port will prepare and issue a Final Environmental Impact Statement. The Final EIS will include responses to comments received on the DEIS.

The draft environmental analysis can be reviewed and downloaded at the Port's web site under The document includes a detailed summary of the environmental findings in Chapter One. The website also will have a fact sheet description of the DEIS.

Copies of the draft environmental study are available for review at the following locations:

- Bellingham Central Library, 210 Central Ave.;
- Port of Bellingham, 1801 Roeder Ave.; and,
- City of Bellingham, Planning Office, 210 Lottie St.,

A limited number of printed copies may be purchased at the Port of Bellingham's Administrative Office at 1801 Roeder Avenue. The purchase price is \$120 per set (Volumes 1 and 2) to cover printing costs.

Persons interested in receiving a copy of the DEIS on CD (no charge) should contact Brenda Tate at 360-676-2500 or by e-mail at: brendat@portofbellingham.com.

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[4\) NEWS: City of Bellingham Waterfront Redevelopment](#)

City ponders waterfront authority

January 15, 2008 – John Stark, The Bellingham Herald

<http://www.bellinghamherald.com/102/story/290904.html>

Pike seeks clarity on plan for waterfront

January 16, 2008 – John Stark, The Bellingham Herald

<http://www.bellinghamherald.com/102/story/292077.html>

Port details waterfront proposal...and there WILL be a marina; Alternatives range from high-density residential to industrial zoning

January 18, 2008 - Christopher Key, Whatcom Independent

If a document can be judged by sheer volume, then the Port of Bellingham may have a hit with the Draft Environmental Impact Statement (DEIS) for the New Whatcom Redevelopment Project (NWRD). It is available free on two CDs, but if you want the printed version, it will cost you \$120 and you'd better bring a forklift.

There's little in the DEIS that's going to surprise anyone who has been following the process, but it presents a much more comprehensive vision of what this project could possibly entail. Since the WI doesn't have the space to present even a Cliff Notes® version of the massive document, we'll just touch on some parts that caught our interest.

There are four development alternatives and one sub-alternative envisioned by the DEIS: high density, medium density (with a sub-alternative), low density and another alternative entitled "No Action." It should be noted the No Action alternative would not preclude further development. No Action would just assume no change in current zoning. Future industrial development would still be possible under that alternative.

The DEIS makes it clear that all of the alternatives exist solely for the purpose of estimating potential environmental impacts. As the Port and the City of Bellingham move toward a Master Development Plan (MDP), it is likely that features from each of the alternatives would be considered.

It probably comes as no surprise the redevelopment area would be at high risk in the event of an earthquake. The DEIS makes it clear that it is at the highest risk level as determined by Landau Associates in a report prepared for the City of Bellingham last year.

Because the project is mostly on filled land, liquefaction is the chief hazard. That can be overcome with modern construction techniques, but it's going to be expensive. Parts of the project would be built on the closed Roeder Avenue and Cornwall Avenue landfills. Again, those challenges can be overcome for a price.

The thoroughness of the document is indicated by the sections anticipating the effects of global warming on sea levels. For the purposes of the DEIS, a worst-case scenario could result in a 2.4-foot rise in sea level by 2100. Raising site grades in anticipation of that eventuality could require as much as 700,000 cubic yards of fill.

One of the features included in all the alternatives (including No Action) is a marina in the area

currently known as the Aerated Stabilization Basin (ASB), a basin G-P used for the treatment of toxic liquids.

The Port has chosen not to consider the possibility of not having a marina and explains its reasoning in Appendix A of the DEIS. This response was given in answer to a public comment that the marina should not be a part of the No Action alternative:

“Disagree. The No Action Alternative should reflect existing conditions and future potential development under current zoning. If no element of the proposed project is ultimately adopted, development of the site may occur under the existing zoning and regulatory framework, which allows development of a marina within the location of the Aerated Stabilization Basin.”

Perhaps the most striking section of the DEIS is the one dealing with aesthetic impacts. In that section are photos including 14 viewpoints ranging from Bellwether Park to Boulevard Park. Overlays show both potential building heights and building massing. It is extremely unlikely the final development will resemble any of these concepts, but they provide a graphic demonstration of just how much the look of the waterfront could change. Under Alternative A (high density), one of the development areas would allow buildings up to 200 feet in height. As a useful comparison, Bellingham Towers is 155 feet high.

As the title indicates, this Environmental Impact Statement is still in draft form. Two public hearings will be held on Wednesday, Feb. 20, to receive citizen input and feedback. Both will be held at the Bellingham Cruise Terminal, 355 Harris Ave. The first is from 1 until 4 p.m. and the second is from 6 p.m. until the close of the meeting.

Copies of the DEIS may be examined at the Port offices, 1801 Roeder Ave., the downtown Bellingham Library, 210 Central Ave., and the Bellingham planning office 210 Lottie St. The document is also available on the Port's Web site.

Written comments may be submitted through March 10 via email to sepaofficial@portofbellingham.com or postal mail to Andrew Maron, SEPA Responsible Official, Port of Bellingham, P.O. Box 1677, Bellingham, WA 98227.

For more information, visit: www.portofbellingham.com

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5) NEWS: A fight for orca's freedom

January 16, 2008 – Erika Parker Price, The Seattle Times

Lolita's life changed on Aug. 8, 1970, when the capture nets closed in on her family of orca whales. Her days of swimming and foraging for salmon in Puget Sound ended abruptly, and she was sold to the Miami Seaquarium to live out her days as a performer.

After more than 25,000 shows, Lolita continues to be an attraction at the Seaquarium.

While Florida may be a retirement haven for people, the performing-mammal industry has no retirement plan. But Lolita has family and friends in Washington state, and those friends want to bring her home to retire.

The family is a group of 43 orcas, known as L pod, from which she was taken. Lolita continues to vocalize in her native L pod language, which orca experts say may help her to be recognized after such a long absence. Fourteen of the whales who were in the area with Lolita are still alive. The friends are human supporters willing to pay for her return to Puget Sound and for rehabilitation they hope would lead to her release.

Most recently, actor Raul Julia-Levy has indicated an interest in putting together a group of actors, musicians and politicians to call publicly for Lolita's release. And the 1970 capture of Lolita and other orcas will be among the topics discussed at a whale conference Saturday in Coupeville on Whidbey Island. Coupeville overlooks Penn Cove, where the orcas were captured. Efforts to bring Lolita home began in 1995, when Ken Balcomb, executive director of the Center for Whale Research, and then-Gov. Mike Lowry first called for her return.

Orca Network, a nonprofit advocacy group on Whidbey Island, offered \$1 million for Lolita in 1996. Miami Seaquarium turned that down, as well as a quiet offer of \$1 million-plus a few years later from the Free Willy/Keiko Foundation.

Endangered status

Lolita's family, the southern resident orcas, was listed as endangered in 2005. This distinct group of 88 whales comprises the J, K and L pods, which are referred to as the southern residents for their annual return to the waters of Puget Sound and southern British Columbia. Of the southern residents the National Marine Fisheries Services recorded as captured during the 1960s and '70s, Lolita is the only known survivor.

Miami Seaquarium says that endangered status is the best reason for Lolita to stay in her present home.

"It would be irresponsible for us to treat her life as an experiment and jeopardize her health and safety," said Carolina Perrina, public-relations coordinator for the Seaquarium, "especially given the fact that scientists have added the members of the resident community of orcas, who reside in the waters of Puget Sound, on the endangered-species list due to a distressed ecosystem.

"Lolita has learned to trust humans completely, and this long-standing behavioral trust would be dangerous for her if she were returned to Puget Sound, where commercial boat traffic and human activity are heavy."

Orcas' capture contributed to their endangered status. According to the National Marine Fisheries Service, the captures "likely depressed their population size and altered the population characteristics sufficiently to severely affect their reproduction and persistence."

Lolita was one of 80 orcas herded into Penn Cove on Whidbey Island on Aug. 8, 1970. That day, six whales were captured, and five were killed in the process. According to the National Marine Fisheries Services, at least 47 southern resident orcas were killed or captured between 1965 and 1973.

While capturing orcas is not illegal in Washington waters, no permits have been granted since San Diego's SeaWorld netted some in 1976. They were later released after SeaWorld lost a court case related to the capture.

Stardom on the wane

When Lolita arrived at Miami Seaquarium, she was just a few years old. Hugo, an orca captured from her extended family, greeted her. Lolita became a performer and earned her stage name, the Star of Miami.

Today, that star is fading. Her companion died 27 years ago, leaving this social creature alone except for three dolphins who share a tank with her that measures 80 feet across at its widest point.

Nor does Miami Seaquarium give Lolita star billing anymore. The entrance sign touts its new "dolphin encounter" program. The only postcard available features Salty the Sea Lion. Except for the hour she performs each day, Lolita, unlike the other animals, is hidden from view in her locked stadium.

If you ask Florida residents about Lolita, many have a look of distant recognition. Lifelong Miamians remember her fondly but seem surprised she is still alive. Female orcas can live 80 to 90 years in the wild, but Lolita is believed to be the oldest whale in captivity. Now an estimated 40 years old, she has grown to 20 feet long and remains in good health.

Stacy Leets, who works nearby and brought her young daughter for her first visit to the Seaquarium on a sunny day in December, expresses concern about Lolita's environment and even rethinks her decision to come to the park: "I don't know if I want to come back anymore. It kind of reminds me of the circus."

Miami Seaquarium prides itself on helping endangered species but doesn't publicly acknowledge that Lolita qualifies for this designation. The Seaquarium rescues, rehabilitates and releases manatees and sea turtles. The sea-lion show even includes a pitch for protecting the endangered conch.

"Lolita plays an important role in educating the public about the need to conserve killer whales that populate our Northwestern shores," Perrina said. "She plays a vital role in our society's understanding and appreciation of these magnificent animals."

Family matters

The work done by the Center for Whale Research in Friday Harbor has made the orcas that swim in Puget Sound — including Lolita's family — the most extensively studied group of whales in the world. Relying on the unique characteristics of their dorsal fins and "saddle patches" (gray markings behind the fin), each whale has been tracked and identified yearly for more than three decades.

Lolita would be set free only if contact could be established with her family. Orca Network believes the support of her family would be crucial for her survival in the wild.

For this reason, a rehabilitative pen would be placed on the west side of San Juan Island, a location the L pod passes almost daily in summer. There, Lolita would build her strength and learn to catch her own food.

Orca Network founder Howard Garrett thinks that three of the pod's matriarchs, each of whom could be Lolita's mother, would accept her and that the others would follow.

"We assume with recognition of her vocal call, she would be recognized right away. That is ascribing some pretty high abilities to them, but I think it is warranted."

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6) NEWS: It's a whole different beach after sundown

January 18, 2008 – Kie Relyea, The Bellingham Herald

<http://www.bellinghamherald.com/outdoors/story/294269.html>

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The North Sound Baykeeper is your local advocate for the protection and conservation of marine waters in Whatcom and Skagit Counties.

The North Sound Baykeeper is a project of RE Sources, a local not-for-profit organization, dedicated to providing education about local environmental issues, assisting the public in identifying and solving local environmental problems, and to demonstrating environmentally viable business practices.

Events and Opportunities listings are provided to the interested community as a service of the North Sound Baykeeper.

The North Sound Baykeeper is funded by private giving dollars. To help support the North Sound Baykeeper project, send a check to North Sound Baykeeper, RE Sources, 2309 Meridian Street, Bellingham, WA, 98225. Specify 'Baykeeper' in the subject line.

RE Sources North Sound Baykeeper website: www.re-sources.org/baykeeper.htm