

**Regarding Protection of the
Nearshore Waters of Fishing Bay and Ship Bay**

**Presented to the EPRC by the Open Spaces Visioning Group
Thursday, Sept. 6, 2018**

Whereas, the Pacific Northwest Orca whale population known as the Southern Resident Killer Whales (SRKW) has not produced a single viable calf since 2015, a circumstance highlighted by the apparent grieving behavior of the whale "J35", who carried, for all to see, her deceased calf for 17 days in July and August of 2018.

Whereas, the marine shorelines of the San Juan Islands provide uniquely beneficial rearing habitat for juvenile Chinook salmon.

Whereas, Pacific herring is a critical food source for the Chinook salmon which are the essential food source for Orca whales.

Whereas, the Orcas Island community is in a unique position to assume a key role in the preservation of herring spawning grounds critical to Chinook salmon, in that the eelgrass meadows of Fishing Bay and Ship Bay in Eastsound comprise one of only three remaining active herring spawning grounds in San Juan County.

Whereas, the 2017 Open Space Visioning Group Recommendations for revision to the Eastsound Subarea Plan address the protection of near-shore waters as follows:

Protect the near-shore waters of both Fishing Bay and Ship Bay. The waters at the north end of East Sound are home to significant and critical marine species and habitats, including spawning grounds for forage fish species Pacific herring, Pacific sand lance, and surf smelt. The committee recommends the county adopt regulations that (1) prohibit new boating facilities and "in and over" water developments, including a "no-anchor" eelgrass protection zone to a depth of 30 feet mean low water; (2) prohibit additional private boat moorages within the no-anchor zone; and (3) limit the number of new public mooring buoys beyond the no-anchor zone in Fishing Bay to six (6).

Furthermore, the group recommends the county initiate a study regarding the removal of Crescent Beach Road, along the shoreline of Ship Bay, in order to (1) restore the free-flow of water into and out of the marsh, (2) ensure beach and eelgrass habitats that support spawning forage fish are maintained into the future, (3) to enhance public access, enjoyment, and safety along the beach, and to (4) reduce through-traffic through Eastsound. The group further recommends that any long-term plan for Crescent Beach recognize the risk of sea-level rise in expenditures of public funds for power, water, communication, and transportation infrastructure;

Whereas, the 2017 Open Space Visioning Group Recommendations for revisions to the Eastsound Subarea Plan further address the need for storm-water management critical to the preservation of herring spawning grounds as follows:

Utilize nature-based stormwater management systems to protect Eastsound watersheds, wetlands, and marine environments, including the Eastsound Swale.

This goal can be achieved by (1) building systems that reduce source pollution and quantity; (2) that include opportunities to protect, enhance or restore wetlands; (3) that promote public access along wetland buffers; (4) and that reduce impacts to the marine environment. These systems should protect and enhance and restore wetland quantity, function and connectivity through the use of nature-based approaches including multifunctional landscape features that mimic or replicate hydrologic functions, maintain ecological/biological integrity of receiving streams and near-shore waters, and encourage critical aquifer recharge.

Furthermore, the Open Space group recommends that wetlands within the Eastsound Subarea be protected by purchase or conservation easements and restored to native character and function;

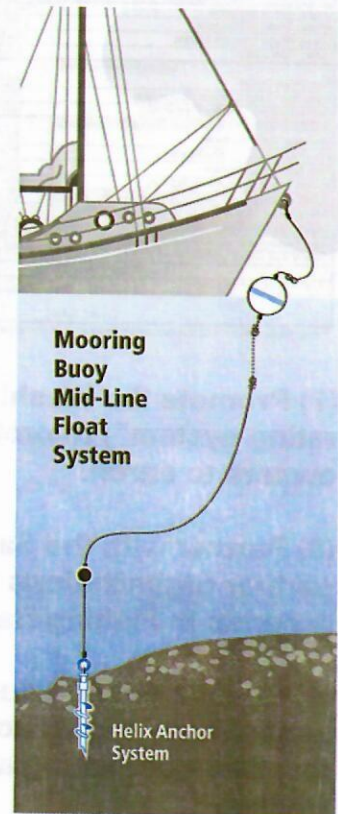
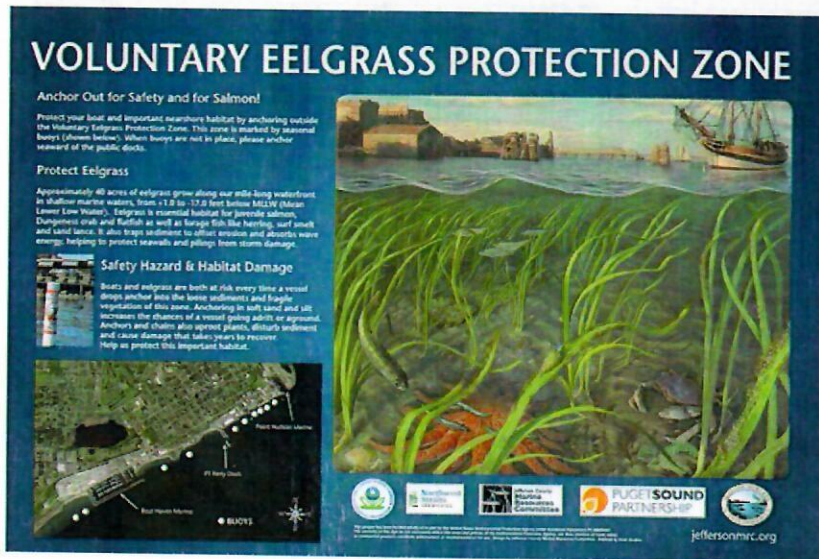
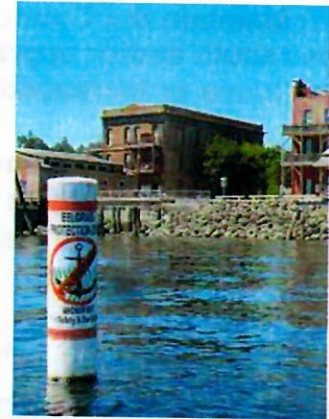
Whereas, a 2017 public survey testing the recommendations of the Eastsound Visioning Groups revealed that Orcas Island citizens deeply care for the marine residents of the Salish Sea, in that of the 388 Orcas residents who completed all 65 questions of the survey and the 217 residents who completed parts of the survey,

- 73% approved of recommendations to protect the nearshore waters of Fishing Bay and Ship Bay.
- 85% approved of recommendations to utilize nature-based stormwater management systems.
- 70% approved beginning a conversation regarding the closure of Crescent Beach Rd

Therefore, be it resolved EPRC requests San Juan County government to make changes to the Eastsound Subarea plan as part of the Comprehensive Plan update as well as direct county departments to collaborate with the San Juan County Marine Resources Committee and other organizations to take immediate and specific actions to protect and preserve the near-shore waters in Fishing Bay and Ship Bay, as follows:

(1) Encourage boaters to respect the existing, voluntary no-anchor zone and expand the zone to protect all eelgrass in the herring spawning areas off of Eastsound in Fishing and Ship Bays through the following actions:

- Place navigational buoys with no-anchor signage (Port Townsend has used such buoys for approx. 10 years with 98% compliance.)
- Install educational signage at county dock explaining importance of eelgrass meadows for herring spawn, the significance of herring for the Chinook Salmon, and the significance of Chinook Salmon for the survival of the Orca Whales.



- Place educational information as described above in boating magazines such as *48 Degrees North* and *Northwest Yachting Magazine*
- Request that companies producing navigational software for the Salish Sea include “no-anchor” indications for Fishing Bay and Ship Bay.

(2) Install permanent mooring buoys (maximum 6) in Fishing Bay beyond the no-anchor zone to aid in the reduction of anchoring impacts while supporting safe moorage.

(3) Establish a permanent moratorium on new mooring buoys within the no-anchor zone.

(4) Prohibit in-and-over-water development along the shorelines of Fishing Bay and Ship Bay.

(5) Maintain the County dock at Madrona Point as a dinghy dock. The dock may be rebuilt and/or upgraded to decrease environmental impacts yet accommodate the same or increased number of dinghies.

(6) Use a “herring lens” to identify and prioritize a “top-three” stormwater-management projects to protect water quality in the eelgrass meadows of Fishing Bay and Ship Bay. (below are current Clean Water District Stormwater improvements plans)



6-Year Clean Water Capital Improvement Program Summary

Project	Project #	Island	Previous Spending	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY 2024	Total Budget**
Lopez Village Bioswale	FMB 5 & 6	Lopez	\$ -	\$ 30,000	\$ 70,000	\$ 31,400	\$ 4,000	\$ 6,000	\$ 4,000		\$ 145,400
Weeks Wetland Bioswale	FMB 3	Lopez	\$ -	\$ 10,000	\$ 108,000	\$ 216,400	\$ 4,000	\$ 4,000	\$ 4,000		\$ 346,400
Lopez Village Farmers Market	FMB4	Lopez	\$ 73,500	\$ 46,500	\$ 405,400	\$ 5,000	\$ 6,000	\$ 3,000	\$ 2,000		\$ 541,400
Lopez Tide Gates	LTG	Lopez	\$ -	\$ 20,000	\$ 50,000	\$ 50,000	\$ -	\$ 101,000	\$ 101,000	\$ 50,000	\$ 372,000
Lopez Island Subtotal			\$ 73,500	\$ 106,500	\$ 633,400	\$ 302,800	\$ 14,000	\$ 114,000	\$ 111,000	\$ 50,000	\$ 1,405,200
Pear Point Outfall	NB1	San Juan	\$ 55,370	\$ 9,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 64,870
False Bay Creek Corridor Restoration	FB1	San Juan	\$ -	\$ 30,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 65,000	\$ 425,000
Garrison Creek Corridor Restoration	GB1	San Juan	\$ -	\$ -	\$ 20,000	\$ 10,000	\$ 21,000	\$ 37,000	\$ 37,000	\$ 25,000	\$ 153,000
San Juan Island Subtotal			\$ 55,370	\$ 39,500	\$ 85,000	\$ 76,000	\$ 90,000	\$ 103,000	\$ 103,000	\$ 91,000	\$ 643,870
Madrona Street Bioswale	ES7	Orcas	\$ -	\$ -	\$ -	\$ -	\$ 10,000	\$ 17,000	\$ 51,500	\$ -	\$ 87,000
Prune Alley Bioretention Planters	ES8	Orcas	\$ -	\$ -	\$ 65,000	\$ 342,500	\$ 20,000	\$ 19,000	\$ 15,000	\$ -	\$ 461,500
Fern Street Bioretention	ES9	Orcas	\$ -	\$ -	\$ 18,500	\$ 22,200	\$ 181,550	\$ 6,000	\$ 5,000	\$ -	\$ 233,250
Market Street Bioretention Planters	ES44	Orcas	\$ -	\$ 10,000	\$ 429,400	\$ 10,000	\$ -	\$ 500	\$ -	\$ -	\$ 459,900
Orcas Village Bioretention Planters	OV1	Orcas	\$ -	\$ -	\$ -	\$ 27,900	\$ 128,600	\$ 7,000	\$ 2,000	\$ -	\$ 165,500
Montgomery Lane Bioswale to Crescent Beach	ES3 & ES28	Orcas	\$ -	\$ -	\$ -	\$ 5,000	\$ 25,000	\$ 133,500	\$ 7,500	\$ -	\$ 171,000
Ugla Road Loneyance ID Outfall	ES1	Orcas	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,200	\$ 176,500	\$ -	\$ 219,700
Point Lawrence Road & Bond Hill Road	DB1	Orcas	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 85,000	\$ -	\$ 98,000
Crow Valley Ureak Corridor Restoration	CV1	Orcas	\$ -	\$ -	\$ 30,000	\$ 34,080	\$ 34,080	\$ 35,080	\$ 35,080	\$ 35,080	\$ 203,400
Orcas Island Subtotal			\$ -	\$ 10,000	\$ 542,900	\$ 441,680	\$ 403,230	\$ 213,280	\$ 378,580	\$ 43,580	\$ 2,099,250
Small Works Countywide	SJCG SW	All	\$ -	\$ 80,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 350,000
Grand Total			\$ 128,870	\$ 206,000	\$ 1,312,300	\$ 870,480	\$ 563,230	\$ 540,280	\$ 642,580	\$ 234,580	\$ 4,498,320

** Budget estimates are in 2018 dollars and should be adjusted annually to reflect market conditions, totals include previous spent dollars for projects

5 Year Avg (2019-2023) \$ 785,774

(7) Promote the Washington State “open-open space” tax break (“public-benefit rating system”) to protect critical shorelines and assist interested property owners to enroll.

(8) Partner with the San Juan County Marine Resources Committee and other partner organizations to identify positive actions to protect herring spawning grounds in Fishing Bay and Ship Bay.

(9) Enact a public-education program to inform Orcas Island residents (adult and school-age) and visitors to the islands of the critical value of the eelgrass meadows of Fishing and Ship Bays to the survival of Chinook salmon and Orca whales.

(10) Uphold steps 1 – 9 above as a model for protection of remaining eelgrass meadows, herring spawning habitats and marine shorelines throughout San Juan County that support out migrating juvenile chinook salmon.