

December 22, 2011

To the Whatcom county Planning Commission

Regarding: Proposed land use and Storm water Revisions for the Lake Whatcom Watershed Overlay District

While I would support the concept of a Lake Whatcom Water Shed District to address the issue of the TMDL of Phosphorus in Lake Whatcom, I am unequivocally opposed to the proposed regulation changes presently proposed.

The proposed changes put the burden squarely on the backs of only those land owners planning to develop or improve their property with the responsibility of reducing phosphorus into Lake Whatcom. Until "whenever" and we get around to dealing with the Road system and all existing residences in the water shed.

The proposed changes bring on a whole new realm of uncertainties when trying to develop or improve one's property in the water shed. From an engineering perspective at this time an Engineer would not have a clue what to quote for the cost to design an "approved" system which would meet the county requirements. That's to say nothing of the cost to install a system once it has been approved. If it were comparable to a septic drain field we could expect something in the \$30,000 range.

There appears to be NO "Proven" method to control phosphorus in run off other than totally engineered systems. So most of the ground infiltration systems will be by "trial and error".

There appears to be no valid or reasonable procedure to evaluate or measure the results of the improvements required, to satisfy the proposed regulations. Permitted Septic systems have been around for over 50 years and we still have somewhat limited ability to judge the efficiency of an individual septic system.

Should the designed treatment system fail, how will you monitor it, what measures do you pass next year to assure that the existing systems will work after repair or retrofit. Will the county simply test the lake at the mouth of Whatcom Creek and if the TMDL of phosphorus goes up or down then all NEW developments "pass or fail", accordingly.

A better alternative would, at best be an existing tax funded agency, funded by "water users" as well as property owners. Said agency could develop treatment zones within the Watershed District that would relate to a particular drainage basin or portion of the lake. Treatment systems would be tailored

to that particular area. The systems would be installed and monitored as to their effectiveness, with the agency having the ability to improve or correct systems according to their quality of output.

The City is presently spending money on land acquisition to "prevent development". Thus removing land from county tax rolls with limited potential for lake improvement. The money might be better spent acquiring storm water treatment sites to deal with such issues as phosphorus intrusion into the lake.

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