

February 1, 2006

Mr. Wayne Clifford  
Site Assessment Section  
Office of Environmental Health  
Washington State Department of Health  
PO Box 47846  
Olympia, WA 98504-7846

Re: Request for Shellfish Study

Dear Mr. Clifford:

I am writing on behalf of Friends of Holmes Harbor (FoHH), a non-profit organization that is dedicated to the protection and preservation of Holmes Harbor ([www.friendsofholmesharbor.org](http://www.friendsofholmesharbor.org)).

Holmes Harbor is a natural non-flushing harbor located in Freeland on the east side of Whidbey Island (aerial photo enclosed). Its extensive mudflats and excellent shellfish beds support widespread recreational shellfishing and a commercial shellfish bed. Nichols Brothers Boat Builders, Inc. (NBBBI), the largest industrial facility on South Whidbey, is located on the south end of Holmes Harbor, and is surrounded by a public park, Freeland Park, and residential neighborhoods on both sides of the harbor. Freeland Park's beach is stocked with shellfish by WSDFW for public harvesting and it and the surrounding private beaches are used for recreational swimming, shellfishing and boating.

NBBBI has operated as an industrial boat and ship building facility on the south end of Holmes Harbor for four decades. NBBBI builds a range of vessels including the 360' cruise ship "Empress of the North", the 265' military vessel Sea Fighter, and other types of vessels such as fire boats, ferries, and work boats. Similar to other regional shipyards (Todd Shipyards, Dakota Creek and Martinac), NBBBI has the potential to release heavy metals, paint- and solvent-related compounds, blast grit, oil and grease, petroleum compounds and bilge water to state waters.

Our research has turned up scarce useful data or studies that have been done to determine whether NBBBI shipbuilding activities, vessel hauling and vessel launching have resulted in contamination of surface water, sediment and shellfish in Holmes Harbor. Enclosed are letters dated 1976 and 1987 that we believe describe the extent of investigation and data collection activities conducted to date. There have been documented unpermitted releases of industrial process water and stormwater to Holmes Harbor.

NBBBI's first waste water treatment system and infiltration basin was installed in the latter part of 1997. The system was intended to eliminate all discharges to surface water from their shipbuilding processes. The infiltration basin (still in use) is located in a wetland adjacent to the shipyard and the wetland is hydrologically connected to Holmes Harbor via a pipe outfall. Subsequent to the installation, NBBBI expanded their production area without redesigning the system and infiltration basin and without obtaining a new permit from the Department of Ecology (DOE). FoHH found no record of DOE being made aware of the expansion so that adequate inspections of the expanded shipyard could be performed in order to recommend proper sizing of the system and infiltration. Nonetheless, there is no record of NBBBI discharges to the wetland or Holmes Harbor prior to issuance of their latest waste discharge permit (Permit No. ST-7396, effective September 1, 2005).

With the issuance ST-7396, DOE has required NBBBI to increase waste and stormwater storage capacity and to make temporary upgrades until a new system can be designed and installed upland from the harbor. Since the temporary upgrades have been installed, NBBBI reported at least five discharges from the

infiltration basin to the wetland for the one-month period from November 1 through December 1, 2005. (FoHH does question the veracity of NBBBI's prior reporting.) Although requested, no data after December 1, 2005 has been received from DOE.

In addition to the noted discharges and until issuance of ST-7396, NBBBI had been shipbuilding with vessels on the launch equipment and then both the launch equipment and the vessel entered the surface water of Holmes Harbor during launching. This practice, most likely releasing contaminants to Holmes Harbor, is now prohibited by DOE in ST-7396.

FoHH believes that because of:

- the industrial reality of NBBBI's shipbuilding activities
- the DOE and Island County documented history of pollution related violations by NBBBI
- the high tide salt water shipyard intrusions pumped into and overflowing the infiltration basin
- the hydrological connection between the wetlands adjacent to the inadequate infiltration basin and Holmes Harbor

there is a high probability that sediment and shellfish contamination in Holmes Harbor is posing a significant health threat to the community.

Friends of Holmes Harbor is requesting that the Department of Health perform sediment and shellfish testing in Holmes Harbor in the vicinity of the shipyard and on surrounding public and private lands. The purpose of the testing is: 1) to evaluate the contamination levels in the sediment and shellfish and 2) to evaluate the public health risks from current and historic releases to the harbor of hazardous substances from the shipyard.

Most people would not consider fishing, swimming, or shellfish harvesting in the Duwamish or other industrial waterway. Due to the rural and natural beauty of Holmes Harbor, the community and its visitors are lulled into a feeling of security regarding the safety of the shellfish, even though there is a heavy industrial facility located in close proximity.

As a footnote on the difficulties of pinpointing local sources of pollution, high levels of fecal bacteria were found in the swales or ditches surrounding Freeland Park during the Freeland Water Quality Improvement Project conducted by Herrera Environmental Consultants for Island County Public Works and dated May 2004. Without implying any conclusion, during a recent land survey (1/2006) of Freeland's Payless grocery, located on a slope above the park, it was discovered that the store septic system was pumping sewage to the ground surface. There is no Island County managed program for inspecting septic systems or testing the water, sediment and shellfish in Holmes Harbor. FoHH believes Freeland needs the assistance of the Department of Health.

Friends of Holmes Harbor would be pleased to provide additional information regarding documented releases from the shipyard to Holmes Harbor. We look forward to meeting with DOH to further discuss this study. Please feel free to contact us at 360 321-FOHH, via mail at FOHH, P O Box 493, Freeland WA 98249 or email [fohh@whidbey.com](mailto:fohh@whidbey.com).

Respectfully submitted,

Christine Goodwin, President  
Friends of Holmes Harbor