

Name: Jeremy Freimund, Water Resources Manager and Alan Chapman, ESA Coordinator/Harvest Manager (not reviewed by policy staff)				Stages of Development:		
Agency/Business: Lummi Natural Resources Department				Draft - External		
Page number or other reference				Final Draft - Internal		
DOCUMENT MATTER TYPE ---				Final Draft - External		
DOCUMENT SECTION ---				Amendment	For September Discussion - Group will address how to incorporate or address comments and questions	Final decision for Liz Ellis
<b>SUBSECTIONS ---</b>	<b>Page No. or other reference</b>	<b>Comment or Question</b>	<b>Date Received (DNR internal use)</b>	<b>Stage of Development</b>	<b>Group Response to Comment or Question</b>	<b>Decision - Modify text? Yes/No</b>
General		The entire document would benefit from a close review by a good editor. Grammatical errors (i.e., missing, incorrect, or extra punctuation; mixed tenses; treating plural words as singulars: etc...), incomplete sentences, and sometimes poor sentence structure have generally not been addressed in the comments presented below. In addition, it would have been very helpful to include line numbers in this review draft to make it easier to identify the location in the document that is the topic of a comment.				
General		The document is difficult to read. Topics should be organized to lead from one section to the next.				
Acknowledgements	1	There may be some problem identifying the group as the Cherry Point Work Group, because there is another group with that name focused on Herring. Lummi Tribal representatives were there to provide information and should not be associated with the conclusions of the group.				
	1	Vitally important should be placed in the context of Puget Sound as a whole. It is more properly part of the Southern Strait of Georgia. Have all resources declined or just herring and the Fraser salmon?				
Introduction	1	(1) The following sentence should be added following the first sentence in the first paragraph in the introduction section: "These resources have been relied on by local Native American Indians since time immemorial for ceremonial, subsistence, and commercial purposes." (2) The following phrase should be added to the second to last sentence: "...ecological functions, is a portion of Treaty-protected Usual and Accustomed (U&A) grounds and stations of local Native American Indians, provide...." (3) The second sentence in the second paragraph should be revised to also identify upland land uses as an influence on water quality and habitat in Georgia Strait.				
	1	The Cherry Point Reach reference is not consistent. In some instances it refers to a marine and shore area, in others it refers to the uplands and others still refer to surrounding areas. Perhaps context setting would be appropriate.				

Purpose and Need, Plan Organization, Relationship to other Federal, State, Local and Tribal Management						
	2	First sentence in the Plan Organization section should be modified as follows: "...used by private and public entities." (tribal entities are public/governmental entities). <a href="#">Another approach would be that this plan has been developed by the group as the basis for cooperative management of the area by parties and institutions with resources and jurisdiction.</a>				
	2	The list of management actions shown here includes five actions whereas on Page 51, only four actions are listed.				
	3	The heading should be re-ordered so that the sovereign governments are listed first followed by subdivisions. That is, the heading should be "Relationship to Other Federal, Tribal, State, and Local Management"				
	3	First sentence in the Tribal Interest section should be revised to: "...dialog with the <i>affected</i> Tribes to ensure...." <a href="#">Adding the thought that tribal participation will be essential to coordinated management of the Cherry Point area.</a>				
	3	Second sentence in the second paragraph of the Tribal Interest section should read: "It is immediately adjacent to the Lummi Indian Reservation." - not close proximity.				
	3	As described on page 153, the Nooksack Tribe occupied territory in the watershed, not the coastal areas. Consequently, the last sentence of the second paragraph of the Tribal Interests section, strike the words "and Nooksack tribes". <a href="#">It might be appropriate to note that Cherry Point is within the homeland of the aboriginal Lummi Tribe whose sole successor is the Lummi Nation</a>				
	3	Strike the last paragraph in the Tribal Interests section regarding the Samish Indian Nation.				
	3	In the second sentence of the Commercial Fisheries and Shellfish Harvesting section, tribal authorities are regulatory entities for finfish and shellfish harvesting. Consequently, to add clarity to this sentence, add the following parenthetical phrase following the words "regulatory entities" (primarily Washington State Department of Fish and Wildlife and tribal authorities). <a href="#">This should not imply that the conclusions reflect tribal policy</a>				
<b>General</b>						
<b>Background</b>						
Cherry Point Reserve Established, Cherry Point Work Group, Common Aim						
	3	<a href="#">It should not be implied that the Lummi Nation concurred with the Common Aim, or was a stakeholder in the "Work Group"</a>				

<b>General</b>	Throughout document	Pursuant to Lummi Indian Business Council (LIBC - the governing body of the Lummi Nation) Resolution No. 90-23, on April 3, 1990 the LIBC changed the name of the "Lummi Indian Tribe" to the "Lummi Nation". The name of the reservation is the "Lummi Indian Reservation" not the "Lummi Indian Nation Reservation". Please do a "search and replace" of the entire document to make these corrections.				
<b>Planning Area</b>						
Cherry Point Planning Area, Geographic Location	9	Should be <i>Water Resources Inventory Area 1</i>				
<b>General</b>						
<b>Land Use/Ownership</b>						
Site Ownership, Background, History of Ownership and Use at Cherry Point		Overall comment is that the proposed bulk commodities shipping port/Gateway International Terminal is not permitted, does not have a lease, and the project may never happen or if it does, it could be a completely different project proponent with a completely different project. As a result, this specific project does not merit being identified/treated as an existing land use or likely project along the reach.				
	11	Perhaps a starting paragraph that these were the homelands of the Lummi Tribe ceded to the United States in the Point Elliot Treaty for considerations including the right to fish in common with the citizens of the territory at their usual fishing grounds and station. (Ref Boldt and Rafeedie)				
	11	In the second paragraph of the Background section for clarity please consider providing the brief history about the ownership transactions of the industries at Cherry Point here also rather than as footnotes to Table 2 that starts on page 12.				
	11	The third paragraph in the Background section states that there are currently 7 existing leases etc. but only five are listed.				
	11	Our understanding is that the Gateway International Terminal project no longer has an active permit application with the Corps of Engineers and their application for an aquatic lands lease is over 10-years old. Why is this proposed project being given special treatment in the management plan relative to other potential projects along the Reach?				

	11	The last paragraph on this page should be revised to read as follows: "...play and important role in the Lummi Nation economy and the Whatcom County...."				
	11	The second to last sentence in the last paragraph should be more opened-ended. Please revise it to read: "...commercial and recreational harvest of numerous species including: salmon, herring,..."				
	12	Table 2 should be revised to include the following items in the timeline of major events that affect the management of the Cherry Point Reach: (1) Date column add Time Immemorial; Event column insert Ceremonial, subsistence, and commercial harvest of finfish and shellfish by Native American Indians and the occupation of village sites; Type column insert Fishery management and land use. (2) Date column add 1855; Event column insert Treaty of Point Elliot signed; Type column insert Federal/Tribal law; (3) Date column add 1889; Event column insert Washington Statehood; Type column insert Federal/State law; (4) Date column add 1974; Event column insert Boldt decision ( <i>United States v. Washington</i> (384 F. Supp. 312, 377 [W.D. Wash. 1974], aff'd, 520 F.2d 676 [9th Cir. 1975], cert. Denied, 423 U.S. 1086 [1976]); Type column insert Federal/Tribal/State law; (5) Date column add 1989; Event column insert Centennial Accord; Type column insert Intergovernmental agreement; (6) Date column add 1996; Event column insert SeaFarms Decision ( <i>Northwest Seafarms v. US Army COE</i> , 931 F.Supp. 1515 (WD WA 1996); Type column insert Federal law.				
<b>General</b>						
<b>Land Use/Ownership</b>						
		The organization of this section is confusing. There are management functions by many of the regulatory agencies. Maybe list the agencies first and outline responsibilities and then go into more detail on those regulatory and management responsibilities as they apply to Cherry Point.				
Land and Shoreline Management						
<b>General</b>						
<b>Land Use/Ownership</b>						
Resource Management Entities, Supporting and Interested Entities		Should there be mention of State Historic Preservation Office and the Lummi Historic Preservation Office?				

	15	In the Resources Management Entities section, the following text should be added to the sentence describing the Corps of Engineers: "...in wetlands and waterways including the construction of any structures such as bulkheads or piers constructed waterward of the Mean Higher High Water Mark". An additional sentence should be added to the text that states: "Like all federal agencies, the Corps of Engineers is a trustee for all federally recognized American Indian tribes and nations and must consult with tribal governments prior to taking any action that could potentially affect treaty-protected resources, including cultural resources and traditional cultural properties."				
	15	In the Resources Management Entities section, the U.S. Environmental Protection Agency should be added and the description of their role should include the following text: "Lead federal response agency for oil spills occurring in inland waters and jointly administers Section 404 of the Clean Water Act with the Corps of Engineers."				
	15	In the Resources Management Entities section, the description of NOAA Fisheries should include their responsibilities associated with the Endangered Species Act. <a href="#">Reference to the Fisheries Conservation Management Act and Effective Fish Habitat might be warranted.</a>				
	16	In the Resources Management Entities section, the description of Tribes with U&A rights within the management area should be deleted and replaced with the following text: "Tribes are salmon co-managers with the State of Washington and are responsible for cultural and natural resources management on their Reservations and within their U&A.(historical range of habitataion)"				
	16	In the Resources Management Entities section, the description of the Washington Department of Natural Resources should be revised to add the following sentence: "Pursuant to the 1989 Centennial Accord, the DNR is obligated to conduct government-to-government consultations with federally recognized Indian tribes."				
	16	In the Supporting and Interested Entities section, in the description of the Puget Sound Partnership( <a href="#">the partnership is a State Agency charged with implementing the Recovery of Puget Sound by 2020</a> ), the word "tribes" should be deleted (tribes are governments so identifying them separately after listing "governments" is redundant). <a href="#">The MRC is operating under the auspices of the Whatcom County Government to provide advise on the management and conservation of marine resources.</a>				
<b>General</b>						
<b>Management &amp; Regulatory</b>						
Regulatory Framework						



	20	I am not sure whether it is appropriate to use forage fishing. It is fin fishing on small non salmonids, what are also used a forage for other species. I would not include the other species listed as forage fish but stocks which have supported fisheries. The focus of the paragraph should be non salmonid fisheries. Again there is a confusion between fisheries and use of the habitat. There is a history of bottomfish trawl fisheries in the area.				
	21 Page Top	The Cherry Point Herring Fishery, is dependent upon the reach, not the Cherry Point Herring. The 20- stocks referenced are in Washington State, not all Pacific Herring. A reference to the spawning times more than winter and spring might be appropriate.				
	21	The herring fishery is not limited to Spawn on Kelp fisheries, it is closed due to management actions associated with a lack of a harvestable biomass. Managers will identify fisheries appropriate to the harvestable surplus.				
	21	Is <i>integrefolia</i> the current <i>Macrocystis</i> species name or <i>pyriferea</i> ? It might be noted that all herring fisheries in the area have been closed since the late 90s due to the lack of a harvestable biomass.				
	22	I suspect that the only commercial growing area in Birch Bay, is that covering the tribal commercial harvest. Drayton Harbor or Semihamoo growing areas.				
	22	Crab are considered shellfish so the first sentence in the first paragraph of the Commercial Shellfish Management section that states that there are no commercial shellfish growing areas in Cherry Point is not accurate. Please restate to something like, "There are not commercial bi-valve shellfish growing areas in the Cherry Point reach."				
	22	Shellfish growing areas in Portage Bay are also tribal lands. As a result, this area should be deleted from the list of other shellfish growing areas in Whatcom County (third sentence in this paragraph).				

	22	<p>The fourth sentence in this paragraph regarding DOH closures should be deleted and replaced by the following text: "Under the Shellfish Consent Decree (Order Regarding Shellfish Sanitation, <i>United States v. Washington</i> [Shellfish], Civil Number 9213, Subproceeding 89-3, Western District of Washington, 1994), the Washington Department of Health (DOH) is responsible to the federal Food and Drug Administration (FDA) to ensure that the National Shellfish Sanitation Program (NSSP) standards for certification of shellfish growing waters - including, in consultation with affected tribes, on Indian Reservations. Poor water quality attributed to land use practices in the Nooksack River and Drayton Harbor watersheds has resulted the closure of commercial shellfish beds in several of these growing areas. There are also mandatory closure areas around outfalls associated with wastewater treatment plants.</p> <p>Biotoxin Closures are seasonal, and commercial and sport harvests are permitted only in areas with approved shellfish growing waters. It should be clear that shellfish in this use refers only to bivalve mollusks.</p>				
	23	<p>The first sentence on Page 23 is not accurate in that it does not reflect the co-management role of the state and tribal governments and should be revised as follows: "The Washington State Department of Fish and Wildlife and <i>Indian Tribal Governments</i> manage the commercial ...."</p>				
	23	<p>There is no designated Birch Bay Marine Fish/Shellfish designated area. There is MFSFMCR Area 20A. The area you refer to concerns crab management separating sport and commercial crab fisheries. There are also designated beach management areas.</p>				
	23	<p>There is no objective crab catch information in the Cherry Point Reach as it is all reported as Area 20A. There is no question that the area is an important crab harvest area. There is some information suggesting a female aggregation area at the base of the slope into deep water.</p>				
	24	<p>I am not familiar with the Biotoxin Zone. I know only of closures associated with reference samples in areas. It would appear that the lack of growing water area designation has removed the shellfish beds from recreational harvest. Prohibited is the default designation in the absence of information to show meeting approved growing water criteria.</p>				

		The accuracy and utility of Figure 4 is questionable. The three affected waters along the Lummi Indian Reservation shoreline shown in Figure 4 include the two mandatory closed areas along Georgia Strait and Hale Passage associated with wastewater treatment plant outfalls and the portion of Portage Bay that was closed starting in November 1996 due to elevated fecal coliform levels attributed to dairy farm management in the Nooksack River. The two areas along Georgia Strait and Hale Passage are always closed and the shellfish growing areas in Portage Bay were re-opened in May 2006. The marine biotoxin closure zones are transient so if an accurate map of areas closed to marine biotoxins is shown, the transient nature of these closures should be better described.				
	24					
<b>General</b>						
<b>Management &amp; Regulatory</b>						
Public Access and Conservation Opportunities, State-Owned Aquatic Land Management		The reach is in the vicinity of a variety of etc. Not surrounded. The rationale for the discussion could be better established.				
	25	Figure 5 should be revised to (1) Show the upland and approximate tideland boundaries of the Lummi Indian Reservation; and (2) remove all miscellaneous public parks and natural areas shown on the Lummi Indian Reservation..				
<b>General</b>						
<b>Management &amp; Regulatory</b>						
Cultural protection						
<b>General</b>						
<b>Other comments</b>						

Name: Jeremy Freimund, Water Resources Manager and Alan Chapman, ESA Coordinator/Harvest Manager (not reviewed by policy staff)			Stages of Development:			
Agency/Business: Lummi Natural Resources Department			Draft - External			
Page number or other reference	pg 30 - 48		Final Draft - Internal			
DOCUMENT MATTER TYPE ---			Final Draft - External			
DOCUMENT SECTION ---			Amendment	For September Discussion - Group will address how to incorporate or address	Final decision for Liz Ellis	
SUBSECTIONS ---	Page No. or other reference	Comment or Question	Date Received (DNR internal)	Stage of Development	Group Response to Comment or Question	Decision - Modify text? Yes/No
Technical Matter						
Natural Resource Descriptions						
Background, Ecological Zones		The emphasis should be on telling the best story then listing the sources of the primary information rather than summaries of summaries.				
	30	First paragraph of the Background section following the second sentence should be added: "Salmon species that migrate through the reach include sockeye, chinook, coho, chum, and pink salmon." <a href="#">The referenced shrimp fishery is a pot fishery.</a>				
	30	Second sentence of the second paragraph of the Ecological Zones section should be revised to end as follows: "...Birch Point to the north and <i>Neptune Beach</i> to the South."				
	30	Fourth sentence of the second paragraph of the Ecological Zones section should be revised to end as follows: "...in the north to Neptune Beach in the South." An additional clarifying sentence should be added following this sentence that states: "The northern boundary of the Lummi Indian Reservation abuts the southern boundary of the Cherry Point Reach - no part of the Lummi Indian Reservation is included in this Reach."				
Technical Matter						
Habitat						
Shoreline, Nearshore, Freshwater						
	32	Is it still true 10-years later that little is known about either the extent of kelp within the Sound, possible threats, the composition of kelp communities or their seasonal variation (Shaffer 1998)???				
	32	Third sentence in the first paragraph of the Freshwater Streams section, the paranthetical statement should be revised to read: "(prior to settlement by <i>euro-Americans</i> )"				
Technical Matter						
Species Use, Birds, Marine Mammals						
Species Use - Salmonids, Forage Fish, Other Fish, Shellfish						
	32	Strike the word "unique" in the first sentence of the last paragraph since the subsequent sentence states that these species may or may not be found elsewhere....				
	33	The following sentence should be added to the paragraph on salmonids, which seems to only focus on the juvenile lifestages: "Adults of all of these salmon species migrate through the reach and are harvested for ceremonial, subsistence, and commercial purposes."				

	33	There is an error in one of the citations in the paragraph on salmonids. Same citation, two spellings.				
	33	I am not aware of any evidence supporting homing in forage fish. A citation would be useful.				
	33	In you discussion of bivalves, you should differentiate between manila clams and native littleneck clams and also identify horse clams and butter clams as a species occurring in large numbers in this area.				
	33	Sea Cucumbers are also found in the area in commercial quantities.				
	33	Another instance of confusing reference about the reach is the reference to clams as far south as Portage Island unless the intent is to show a possible source for seed in the reach.				
<b>Technical Matter</b>						
<b>Species Use, Birds, Marine Mammals</b>						
Species Use - Birds, Terrestrial and Marine	34	The reference to bird accumulations appears to be drawn from eras with high herring densities. The common murre is common during the late summer.				
<b>Technical Matter</b>						
<b>Species Use, Birds, Marine Mammals</b>						
Species Use - Birds, Terrestrial and Marine						
<b>Technical Matter</b>						
<b>Species Use - Marine Mammals</b>						
Species Use - Birds, Terrestrial and Marine						
<b>Technical Matter</b>						
Non-Native Species						
<b>Technical Matter</b>						
<b>Ecological Questions</b>						
Background/Identify Ecosystems						
	36	In the first sentence of the background section, wasn't this area actually largely forested prior to the development of the industrial facilities.				
	38	An additional Question No. 8 that should be addressed is: "What can be done to minimize gear loss?"				





<b>Technical Matter</b>						
<b>Ecological Questions</b>						
Questions about air quality						
	47	The last sentence of the first paragraph should be revised to include the following text at the end: "...movement within this airshed <i>and potentially from air quality in Asia.</i> "				
	48	The following two questions should be added to the list: "How do emissions from vessel traffic including docked vessels contribute to air quality in the reach?" and "How do emissions from the industries in Anacortes contribute to air quality in the Cherry Point area?"				

Name: Jeremy Freimund, Water Resources Manager and Alan Chapman, ESA Coordinator/Harvest Manager (not reviewed by policy staff)				Stages of Development:			
Agency/Business: Lummi Natural Resources Department				Draft - External			
Page number or other reference		pg 49 and on		Final Draft - Internal			
DOCUMENT MATTER TYPE ---				Final Draft - External			
DOCUMENT SECTION ---				Amendment	For September Discussion - Group will address how to incorporate or address	Final decision for Liz Ellis	
SUBSECTIONS ---		Page No. or other reference	Comment or Question	Date Received (DNR internal)	Stage of Development	Group Response to Comment or Question	Decision - Modify text? Yes/No
Future of Cherry Point							
Desired Future Resource Conditions and Management Goals							
Desired Natural Resource Outcomes							
		49	The first sub-bullet should be revised to add the following text: "...Pacific herring stocks <i>and other forage fish</i> ."				
Future of Cherry Point							
Desired Future Resource Conditions and Management Goals							
Desired Business Outcomes							
		49	Add a bullet that reads: "Commercial fisheries at Cherry Point are successful and interference and gear losses are minimized."				
Future of Cherry Point							
Desired Future Resource Conditions and Management Goals							
Desired Recreational Outcomes							
Future of Cherry Point							
Desired Future Resource Conditions and Management Goals							
Desired Cultural Outcomes							

	50	<p>Office and the Lummi Cultural Resources Department. I am suggesting the following text for now as a placeholder that has been adapted from other documents. Add the following text to the section entitled, "Desired Cultural Outcomes": The Lummi Nation considers it of highest priority to:</p> <ul style="list-style-type: none"> <li>• protect and preserve its Schelangen (language, culture, heritage, traditional practices and places, or way of life) and to pass these teachings, traditions, and practices on to succeeding generations;</li> <li>• protect and preserve natural resources that are part of their tradition and are required to sustain and enhance the quality of life of the Lummi People;</li> <li>• provide a high quality of education and a wide range of educational opportunities for its people; and</li> <li>• ensure that community and economic development is conducted in a manner that is respectful of, and in harmony with, traditional cultural values and needs of the Lummi community.</li> </ul> <p>The shoreline within the Cherry Point reach was the primary home of many Lummi villages and Traditional Cultural Properties (TCPs) within the traditional homeland of the Lummi and is an important component of the Lummi usual and accustomed grounds and stations used since time immemorial for hunting, fishing, and gathering. The development of the</p>				
<b>Future of Cherry Point</b>						
<b>Desired Future Resource Conditions and Management Goals</b>						
Resource Management Goals for Cherry Point						
	50	Add "reduce fishing gear loss" to the bulleted list.				
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Management Principles						
	51	The text says six primary categories, the similar list on page 2 has five listed categories, and this list has four primary categories listed.				
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Identifying and Conserving Ecosystems						
	52	Under the Protection subheading add a bullet with the following text: "Reduce vessel interference with fishing activities and therefore reduce fishing gear loss in the reach and the associated incidences of derelict fishing gear. <u>Cooperators:</u> Industries, pilot association, fishers				
	52	Under the Monitoring, Data Collection, and Research subheading add two bullets with the following text: (1) "Identify the location, extent, and quality of other forage fish (e.g., surf smelt, sand lance) spawning habitat." (2) "Measure the diversity, distribution, and abundance of intertidal species along the reach."				

<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Addressing Water Quality						
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Addressing non-point and legacy sources of contamination						
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Recreational activities in the nearshore and ecosystem disturbance						
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Addressing shoreline modification						
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						
Addressing the effects of shading from overwater structures						
<b>Future of Cherry Point</b>						
<b>Management Actions</b>						

Addressing the effects of artificial night lights on overwater structures					
<b>Future of Cherry Point</b>					
<b>Management Actions</b>					
Examining the relationship between intermittent sound and Pacific Herring					
<b>Future of Cherry Point</b>					
<b>Management Actions</b>					
Working on vessel traffic management and spill issues					
<b>Future of Cherry Point</b>					
<b>Management Actions</b>					
Managing non-native species introduced from ballast water and other vectors					
	59, 60	"affected Indian tribes" should be added to the list of Cooperators in the first and third bullet of Protection measures.			
<b>Future of Cherry Point</b>					
<b>Management Actions</b>					
Addressing issues related to air quality					
<b>Future of Cherry Point</b>					
<b>Future Uses, Modifications, and Limitations</b>					
General Strategies					

<b>Future of Cherry Point</b>						
<b>Future Uses, Modifications, and Limitations</b>						
DNR Lease Management						
<b>Future of Cherry Point</b>						
<b>Responding to Climate Change</b>						
Background						
<b>Future of Cherry Point</b>						
<b>Responding to Climate Change</b>						
General Strategies						
<b>Future of Cherry Point</b>						
<b>Proposed Plan Implementation, Oversight and Priorities</b>						
Role of the Plan Manager						
	70	Additional detail needs to be added regarding how the proposed "Plan Manager" will be selected and what entity that individual will report to. In addition, a structure and function diagram and associated descriptive text should be added to clearly describe the roles and responsibilities of the parties. As discussed previously, the WRIA 1 Watershed Management Project structure and functions, including decision-making practices, can be used as a model of how government-to-government relations can be maintained and non-governmental organizations, industries, and individuals can be represented.				
<b>Future of Cherry Point</b>						
<b>Proposed Plan Implementation, Oversight and Priorities</b>						
Plan oversight and implementation						

<b>Future of Cherry Point</b>						
<b>Adaptive Management</b>						

Name: Jeremy Freimund, Water Resources Manager and Alan Chapman, ESA Coordinator/Harvest Manager (not reviewed by policy staff)				Stages of Development:		
Agency/Business: Lummi Natural Resources Department				Draft - External		
Page number or other reference				Final Draft - Internal		
DOCUMENT MATTER TYPE ---				Final Draft - External		
DOCUMENT SECTION ---				Amendment	Group will address how to incorporate or address comments and questions	Final decision for Liz Elli
SUBSECTIONS ---	Page No. or other reference	Comment or Question	Date Received (DNR internal u	Stage of Development	Group Response to Comment	Decision - Modify text? Yes/No
Other Material						
References						
Other Material						
Glossary						
Appendices						
Appendix A: Environmental Resources and Ecological Questions						
Environmental Resources						
	93	Last sentence of the second paragraph of the Ecological Resources section should be revised to end as follows: "...in the north to Neptune Beach in the South." An additional clarifying sentence should be added following this sentence that states: "The northern boundary of the Lummi Indian Reservation abuts the southern boundary of the Cherry Point Reach - no part of the Lummi Indian Reservation is included in this Reach."				
	95	Because the proposed facility did not exist in 2001, does not currently exist, and may never exist, it should not be identified as an item that was not included in the 2001 model. This If there is ever additional development along the reach, the storm water impacts can not be modeled until the type of development and storm water management practices are known. Consequently, the last sentence on this page should be deleted.				
	103	The list of salmonid species should include sockeye salmon.				
	104	The descriptions of salmonid species life histories is missing sockeye salmon.				

	111	The section on shellfish should not that crab are shellfish and are a major fishery in the Cherry Point reach. As they are not within the Reach, mention of Eliza and Portage islands should be deleted. In the list of bivalves, should include horse clams and Manila clams and identify littleneck clams as native littleneck clams.				
<b>Appendices</b>						
<b>Appendix A: Environmental Resources and Ecological Questions</b>						
Ecological Questions						
	134	The discussion of legacy sources on sites adjacent to Cherry Point, the three former landfills along the Intalco shoreline that were cleaned up by Alcoa should be characterized and the results of the clean up efforts summarized.				
<b>Appendices</b>						
<b>Appendix B: Map Appendix</b>						
Site Ownership, Background, History of Ownership and Use at Cherry Point						
		The contents of this Appendix were not available for review and comment. However, we will want to see that the maps clearly mark the Lummi Indian Reservation boundary including the approximate extent of the Reservation tidelands.				
<b>Appendices</b>						
<b>Appendix C: Archaeological, Cultural and Historical Resources</b>						
		The Lummi Nation Tribal Historic Preservation Office (LNTHPO) and the Cultural Resources Department need to review and comment on this appendix.				
<b>Appendices</b>						
<b>Appendix D: Existing Encumbrances and Applications within the Management Area</b>						

<b>Appendices</b>						
<b>Appendix E: Public Withdrawal of the Cherry Point Reach</b>						
	159	Any statements that suggest that the proposed Gateway Pacific Terminal Project/Pier is a "done deal" (i.e., "The waterside trestle and warf <u>will</u> be located on ..." need to be deleted.				
	160	The last sentence should be deleted (it repeats an earlier sentence) and the second to last sentence should be revised to read: " <u>I</u> f the final approvals and lease agreements are issued, the PIT project will begin construction and operation of the facility."				
	161	The last sentence is not clear.				