

## Sawabini, Annie (ECY)

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**From:** Carla Carlson <Carla.Carlson@muckleshoot.nsn.us>  
**Sent:** Friday, May 3, 2019 2:20 PM  
**To:** Cykler, Kasey (ECY); Sawabini, Annie (ECY)  
**Cc:** Verner, Mary (ECY)  
**Subject:** Comments on WRIA 1, Chapter 173-501 Amendment

Hi Kasey and Annie,

We only have one comment on the amendment for the Nooksack rule. WRIA 1 is not within the Muckleshoot Tribe's U&A, but we are concerned about Ecology's approach on currently closed streams and rivers..

### 173-501-070(4)

We are concerned that opening up previously closed surface waters in WRIA 1 is setting a precedent for other watershed plans and rule amendments. It is a fallacy that flows during the winter or other time of the year above some level (i.e., the 10% exceedance level) is not needed by fish or is "available". It very much depends on a number of factors, such as channel characteristics, available habitat for a particular species at different life stages, etc. Smolts and juvenile salmon need suitable flows for outmigration or high flows can provide water for side channels that have over-wintering refuges for juvenile salmon. Of course flood flows and redd-scour producing flows are in excess, but regulation based on such unpredictable events is wrought with difficulties.

Additionally, the affected tribe or tribes must be in agreement to open up closed streams by rule as co-managers of the resource.

Thank you for the opportunity to comment.

Carla

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