

Phil Rigdon

This is submitted on behalf of the Yakama Nation Superintendent of Natural Resources Phil Rigdon



August 14, 2025

Interagency Clean Energy Siting Coordinating Council

**RE: Comments from the Yakama Nation on Draft Recommendations of the
Siting Coordinating Council**

Dear Council,

On behalf of the Confederated Tribes and Bands of the Yakama Nation and as Superintendent of Natural Resources I have a responsibility and duty to protect and enhance the Yakama Nation's Treaty natural resources, environment and cultural resources throughout our territories. Our history and reserved treaty resources extend beyond our reservation, with a Ceded area of 12 million acres, located throughout the State of Washington. For this reason, I find it necessary to comment on your Draft Recommendation for the siting of Clean Energy.

First, the word "clean" is a misnomer and does not give justice the damaging impacts to resources the Yakama people depend upon today. It should be viewed as alternative energy that is not fossil fuel. The word "clean" assumes that alternative energy development does not impact or damage the natural, environmental, and cultural resources that the people of the Yakama Nation utilize today, impacts which we are having to live with currently.

The Draft Recommendations, while understandably encourage alternative energy to be developed in Washington to meet air quality standards set for 2030, 2040 and 2050, there are ways to develop energy that are not on the backs of the Tribe's Treaty Resources. As the Tribal Council has repeatedly asked from former Governor Inslee and those Washington Leaders making these decisions that there be upfront and advanced Tribal Consultation with Yakama Nation Leadership when projects are going to impact our resources. This is necessary for protection and development to align.

These recommendations are not that. Each Tribal Government is a Sovereign and must be recognized and referred to as such in this Report. While the Report recognizes the importance of Tribal engagement, it should recommend the Governor set this precedent by meeting with Leadership on a Sovereign-to-Sovereign basis with each Federally recognized Tribe to establish how this engagement should

occur. Since the passage of the Climate Commitment Act, this has not occurred. This is not an easy task, admittedly it takes time to do this. The Yakama Nation Council has invited the Governor to do this and are still waiting for a response.

The Draft Report also recommends that to expedite permits for “clean” energy, they recommend exempting the State’s only environment act, the State Environmental Protection Act (SEPA) from permits. That is contradictory to the word “clean”. Without an environmental review of water, air, endangered species, cultural resources and other environmental impacts, not only is the State’s resources put into jeopardy, but the Tribe’s Treaty resources which pre-date Statehood are not reviewed or protected. How can Tribal consultation work, if the recommendation is to exempt permitting from environmental review? It goes on to say the Tribes should work this out on how to address protections in light of the exemption. Why is that? It should be the burden of the developers and the permitting authority to make sure protections are already in place before any permits are issued. The recommendation that Programmatic Environmental Impact Statements (PEIS) could address this in lieu of site-specific environmental review. A PEIS does not address culturally sensitive areas that are sacred and where the Tribe has ongoing activities and access to sites. Once again, this is not responsible and destroys the environment for developers who in most cases are not located in Washington, or even in the United States to make a profit selling Washington energy resources.

In light of the attacks on the Federal level at NEPA, ESA, CWA and funding for the State’s historic and preservation office, recommending the State weaken environmental laws does not make sense. Aligning SEPA with NEPA as recommended, leaves vulnerable Washington’s own resources such as water, tidelands, wetlands, shorelines, clean water and air quality.

It is Yakama Nation’s hope that the Council will reconsider these Recommendations, and the Governor will work with the Yakama Nation to find alternative energy sources that work for all. The Yakama Nation is working to take a lead in energy development and this should be encouraged. Otherwise, we all are spending resources that are not aligned with meeting the alternative energy goals that each Sovereign envisions for our People.

Respectfully,

A handwritten signature in blue ink, appearing to read "Philip Rigdon", followed by a horizontal line.

Philip Rigdon, Superintendent
Yakama Nation Department of Natural Resources