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September 30th, 2026

Clean Energy Coordination
Shorelands and Environmental Assistance Program
Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Re: Snoqualmie Tribe Comments in response to Scoping for Battery Energy Storage Systems Programmatic Environmental Impact Statement

To Whom it May Concern:

On behalf of the Snoqualmie Indian Tribe, please accept these comments in response to the scoping document for the Programmatic Environmental Impact Statement (PEIS) for utility-scale battery energy storage system (BESS) facilities in Washington.

The Snoqualmie Indian Tribe [Tribe] is a federally recognized sovereign Indian Tribe and a signatory to the Treaty of Point Elliott of 1855 in which it reserved to itself certain rights and privileges and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliott, the Tribe specifically reserved to itself, among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington. Treaty of Point Elliott, art. V, 12 Stat. 928. The Snoqualmie people have stewarded the waters of their ancestral lands since time immemorial, and the Tribe seeks to work collaboratively with the Department of Ecology to protect these waters and their environmental and cultural values for future generations.

We appreciate the steps the Department of Ecology (Ecology) is taking to comprehensively evaluate the full range of potential impacts associated with the construction, operation, and decommissioning of utility-scale BESS facilities. While we recognize the potential role of BESS facilities in supporting energy storage and grid reliability, these facilities should not threaten Tribal cultural or environmental resources or public health and well-being. The PEIS presents an important opportunity to evaluate the potential impacts of BESS development and inform comprehensive regulations that protect these resources and values. Below, we provide several recommendations for inclusion in the PEIS.

Tribal Rights, Interests, and Resources

The PEIS should provide a robust analysis of potential impacts to Tribal treaty-reserved and sovereign and inherent rights and resources, including Tribal waters and natural resources, which are themselves Tribal cultural resources, as well as culturally significant places, archaeological sites, and Traditional Cultural Properties (TCPs). The analysis should consider direct, indirect, and cumulative impacts, including potential impacts to Tribal access to traditional lands and areas used for fishing, hunting, gathering, or cultural practices. The PEIS should also recognize that potential impacts may vary substantially among Tribes and Ecology should consult with individual Tribes to identify their specific concerns.

Furthermore, Tribes possess Traditional Ecological Knowledge (TEK) and Indigenous Knowledge (IK) gained through the stewardship, observation, experience, and conservation of these lands and resources since time

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immemorial (Shrestha et al. 2026). IK is an important aspect of the best available science (BAS) that is often omitted from environmental review processes (Whyte et al. 2016; Kassi et al. 2022) IK gained through consultation should be included as one of the important bodies of knowledge contributing to the PEIS and evaluating impacts on Tribal cultural and natural resources, alongside other sources of BAS.

Construction and Siting Impacts
The PEIS should evaluate the impacts of constructing and siting BESS facilities and associated infrastructure, including transmission lines and access roads, on Tribal cultural and environmental resources. This analysis should consider impacts from clearing and grading, tree removal, disturbance of critical areas and their buffers, increased impervious surfaces, modification of stormwater and runoff, and pollution and the resulting impacts to ecological function and habitat connectivity as well as to Tribal cultural resources.

The PEIS should identify whether areas being considered or scoped for BESS development across the State overlap with critical areas, wetlands, mature forests, or other important ecological areas that provide flood attenuation, habitat, water quality, and other valuable ecological functions. The analysis should consider the cumulative effects of siting BESS facilities in these areas, including potential loss or degradation of ecological functions and resilience, and evaluate alternatives that avoid or minimize these impacts (Moore et al. 2020; Nature Conservancy 2024; Lane et al. 2018; McKane et al. 2025; Gourevitch 2026).

Battery Fires, Emergency Response, and Fire Suppression
The Snoqualmie Tribe is particularly concerned about the potential consequences of battery fires and thermal runaway driving long-term and widespread environmental damage and public health impacts (Mylenbusch et al.2023; Mayorquín 2025; Krol 2026). The PEIS should evaluate impacts from fire-related emissions, smoke and soot, fire damage, and emergency response activities, including suppressant use and contaminated runoff. The analysis should consider how contaminants released during a BESS fire or emergency response could enter the soils, groundwater, wetlands, streams, and downstream waters and potentially impact salmon and other fish and aquatic organisms, water quality, and habitat (Bordes et al. 2024; Fuller 2026). The PEIS should also consider how thermal runaway and BESS fire-related pollution could spread beyond the facility and affect air quality and subsequently public health (Zhao et al. 2026). Additionally, this analysis should evaluate whether Tribal communities, Tribal lands, or treaty resources could face greater exposure to these risks based on potential facility locations.

Operational, Climate, and Resource Impacts
The analysis should consider the impacts of BESS deployment on electricity reliability, the frequency of power outages, and electricity costs for Tribal governments, Tribal communities, and utilities serving Tribal communities. The PEIS should also consider the full life-cycle environmental, public health, climate, and financial impacts of BESS development, including the extraction and processing of lithium and other critical minerals and their manufacturing and transportation, BESS operation, and eventual decommissioning, battery recycling and disposal, and site restoration (Mrozik et al. 2021). This analysis should account for environmental impacts and greenhouse gas emissions occurring both within and outside Washington when considering the potential climate benefits and impacts of BESS development (Dehghani-Sanij et al. 2019; Gutsch & Leker 2022; Han et al. 2023).

The PEIS should also consider whether BESS deployment in Washington is expected to support greater utilization and reliability of renewable energy and associated emissions reductions, or whether it could facilitate increased electricity demand and expansion of energy- and resource-intensive development. In

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particular, Ecology should consider whether BESS facilities could facilitate additional, potentially extraneous data center construction (EPC Energy 2025; Siefkes 2026). Where reasonably foreseeable, Ecology should evaluate the need for along with the associated electricity and water demands and other environmental impacts of data center development enabled or supported by BESS deployment, including potential cumulative impacts.

These costs and benefits should be considered alongside the environmental, public health, and economic risks associated with construction and facility failures, including whether communities and Tribes bearing these risks also receive the anticipated reliability and economic benefits.

Siting, Avoidance, and Mitigation

Project-level review and consultation should not be used to defer issues that can reasonably be evaluated and regulated at the programmatic level. The PEIS should establish a clear framework for identifying potential Tribal-resource impacts for subsequent project-level reviews to follow. Ecology should also identify measures for avoiding and minimizing impacts from the outset, including consideration of critical areas, Tribal treaty-reserved and sovereign and inherent rights and resources, and culturally significant landscapes. Potential impacts to these resources should be identified and avoided at the programmatic level. The PEIS should also identify potential mitigation measures, monitoring requirements, and adaptive management approaches for subsequent project-level reviews that address impacts throughout the life of a BESS facility, including construction, operation, emergency events, decommissioning, and site restoration.

The Snoqualmie Tribe appreciates Ecology's commitment to meaningful Tribal engagement throughout development of the PEIS. We encourage Ecology to incorporate these recommendations to ensure that Tribal rights, interests, and resources are evaluated and protected. We remain ready to continue to work with Ecology to protect the Tribe's Ancestral Lands.

Thank you for the opportunity to provide these comments.

Sincerely,

DocuSigned by:
Michael Ross
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Michael Ross
Deputy Executive Director of External Affairs

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