



Confederated Tribes of the Colville Reservation

Natural Resources Department - Office of Environmental Trust
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30 April 2020

Attn: Susan Braley, Water Quality Program
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504

RE: CTCR Comments – Water Quality Policy 1-11 Revisions: Recreational Use Criteria

Comments by the Confederated Tribes of the Colville Reservation regarding Department of Ecology Water Quality Policy 1-11 Revisions: “Recreational Use Criteria”

The Confederated Tribes of the Colville Reservation (CTCR) have been the caretakers of our lands and waters for time immemorial. Our ancestors relied upon the waters of these lands for survival, sustenance, transportation, health, culture, community, and economy – just as we still do today. Our cultural continuity, physical, and spiritual health is dependent upon access to, and availability of, clean, pure water in all its forms and a functioning ecosystem rich with diversity.

Today, the Colville Reservation (Reservation) includes nearly 1.4 million acres of land in Northeastern Washington State and contains about 4,500 miles of waterways. Based upon the inherent sovereignty and constitution of the CTCR, several environmental and natural resource Tribal codes have been enacted by the CTCR. These Tribal codes apply to surface and ground waters within the Reservation and are administered by the CTCR’s Environmental Trust Department (ETD). Importantly, the U.S. Environmental Protection Agency (EPA) has promulgated Water Quality Standards for the Reservation in 40 CFR 131.35. ETD is currently working on revising existing water quality standards. The CTCR has Treatment-as-State (TAS) authorization for Sections 106, 303c, 319, and 401 of the Clean Water Act (CWA).

Interests of ETD in water quality and aquatic habitats extend beyond the boundaries of the Reservation throughout the usual and accustomed lands and waters of the Colville Tribes, and rely upon protections required by other tribal, state, federal and international jurisdictions. For this reason, we appreciate the opportunity to review and comment on the Department of Ecology’s (Ecology) Water Quality Policy (WQP) 1-11 Revisions: “Recreational Use Criteria”.

Recreational use by the public at designated sites on or adjacent to the Reservation, CTCR off-reservation Allotted lands, and traditional territories have impacted water quality. At least twenty-six parks under the management of Washington State Parks (WSP) are located within CTCR traditional territories throughout WSP’s North Central, Northeast, Southeast, and Southcentral Regions.

Additionally, much of CTCR traditional territories continue to be protected federal lands where forms of recreation are encouraged by the public at large: two National Recreation Areas (one of which is on the Reservation), one National Historic Site, and portions of three National Forests (USFS). CTCR citizens retain hunting, fishing, and gathering rights on the former North Half of the Reservation for time immemorial. Large tracts of land on the North Half are owned by the Colville National Forest and the Bureau of Land Management (BLM) and land management activities on those properties also contribute to water quality degradation.

Four federal dams on or adjacent to the Reservation are also present: two managed by BIA, one managed by the Army Corps of Engineers (ACOE), and one managed by the United States Bureau of Reclamation (USBR). These federal facilities have a significant impact on water quality, and improvements in bacteria methodology may benefit decision-making in the future.

ETD is supportive of any actions Ecology undertakes which seek to identify and resolve impaired or degraded water quality throughout our traditional territories and supports the reserved rights of CTCR citizens to conduct ceremony, reside, hunt, fish, gather and without fear of contacting contaminated or polluted waters. ETD requests that Ecology continue to communicate updates and proposed changes to the Ecology Water Quality Assessment and appreciates the opportunity to comment. We will continue to work with our state partners in good faith to protect the integrity of resources for our environment and communities. If you have any questions or require clarification, please do not hesitate to contact me.

Sincerely,



Amelia Marchand, Program Director
Environmental Trust Department
Confederated Tribes of the Colville Reservation