



July 28, 2022

Chelsea Morris  
Washington State Department of Ecology  
PO Box 47696  
Olympia, WA 98504

**Submitted via Online Comments Form**

*RE: Public Comment Period for the Draft CAFO Permits*

Dear Chelsea Morris:

On behalf of the Snoqualmie Indian Tribe (Tribe) Environmental and Natural Resources Department (ENR), please accept these comments on the Draft Combined Concentrated Animal Feeding Operational General Permit. We appreciate the opportunity to provide these comments.

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 Elliot, 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 Elliot, art. V, 12 Stat. 928). Because of Treaty and other sovereign indigenous rights, the Tribe maintains a keen interest in wise management of watershed resources and water quality in Washington State, as the Tribe has done since time immemorial.

The proposed field discharge management practices in section 4N (page 29 of redline strike through draft) of the combined general permit is not sufficiently protective of water quality, and does not align with the State of Washington’s own science-based guidance. One of the five options available to permittees in section 4N is a 35 foot wide grass vegetation strip, which does not comply with current state recommendations for sufficiently protective buffers for waterways (Washington Department of Fish and Wildlife, 2020, p. 13). By allowing this narrow buffer option in section 4N, CAFO permittees will infrequently—perhaps never—choose options for riparian buffer management that are appropriately protective of surface water, as defined by the State of Washington’s own guidance. We request that this option be removed in favor of buffer options that align with the state’s own best available science-based guidance, and which will support water quality for fish, wildlife, recreation, a healthy populace, and a healthy watershed.



Sincerely,

*Kelsey Payne*

Kelsey Payne  
Water Quality Manager  
Snoqualmie Indian Tribe  
[kelsey.payne@snoqualmietribe.us](mailto:kelsey.payne@snoqualmietribe.us)

References:

Riparian Ecosystems, Volume 2: Management Recommendations. 2020. Amy Windrope, Terra Rentz, Keith Folkerts, and Jeff Azerrad. A Priority Habitats and Species Document of the Washington Department of Fish and Wildlife, Olympia, Washington.  
<https://wdfw.wa.gov/sites/default/files/publications/01988/wdfw01988.pdf>