



# JAMESTOWN S'KLALLAM TRIBE

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December 16, 2021

Susan Braley  
Water Quality Program  
Washington State Department of Ecology  
PO Box 47600 Olympia, WA 98504-7600

RE: Comments on Rulemaking to Benefit Salmon Spawning Habitat Protection

Dear Ms. Braley,

Please accept the following comments on behalf of the Jamestown S'Klallam Tribe (Tribe). Salmon and shellfish are important to the Tribe's culture and to its ongoing prosperity. Access to treaty protected natural resources is the responsibility of the federal government. EPA has granted Washington State the authority and responsibility to protect water quality. The State and EPA have largely failed to protect water quality and salmon, and this has a very large cost to the Tribe. It is encouraging to see this rule making effort tackling water quality degradation that is damaging salmon habitat and killing salmon.

There are many places in the proposed rule where the language should be clarified to improve both the substance of the rule but also the ability to functionally implement the rule. Please see and address the EPA recommendations submitted December 16, 2021, where they have identified several needed changes. It is great to see the importance of intergravel dissolved oxygen discussed and highlighted in this rulemaking however, not all salmon life stages happen in the gravel, so it is not acceptable to allow only intergravel DO concentrations to determine if a water body meets the DO standards.

While encouraging, the proposed rule does not go far enough. Governor Inslee recent comments on the urgency and immense challenge that we face recovering salmon and orca are important guidance to this process. It is imperative that WA Department of Ecology enact protective rules to ensure that water pollutants don't kill salmon or degrade the habitat that the State, Federal Government and Tribes are expending immense resources to restore. Please move quickly to strengthen and clarify the proposed rule and please move quickly put the rule into effect.

*"Nothing less is adequate to the task at hand" Governor Inslee 12/14/2021*

Sincerely,

Robert Knapp  
Environmental Planning Program Manager

Jamestown S'Klallam Tribe

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