



August 21, 2025

Casey Sixkiller
Executive Director
Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Re: Comments on Draft Washington State Nonpoint Source Pollution Management Plan

Dear Casey Sixkiller:

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 Tribal ancestral lands since time immemorial, and the Tribe seeks to work collaboratively with the Department of Ecology to protect these waters, both environmental and cultural resources, for future generations.

The Tribe would like to see an increased emphasis on protection of lands and waters that are relatively unimpacted by pollution. Restoration of impaired waters is an important goal, but equally so is the protection of waters that are still high-functioning, and which help to lift the combined overall ecological function of rivers in our region. An inclusion of Indigenous Knowledge (IK) into messaging, education, and outreach related to nonpoint source work would improve the outcomes of the plan. This type of messaging would require close collaboration with Tribes, further supporting Ecology’s goal to strengthen its relationship with Tribes. IK, held by Tribes, is part of best available science and should be given the same weight as western science in management and outreach decision making. In addition to these overarching changes needed in the plan, we have comments specific to different section of the plan, described below.

In the Tribal Treaty Rights section of the plan (Section 2.5), impacts to cultural resources, spiritual practices, and sovereign inherent rights should be a focal point of discourse about the effects of nonpoint pollution for tribes. These rights are not just limited to protections for salmon, and an emphasis on the need to protect and maintain overall health for all aquatic species and the species that rely on them should be more present in this section. Treaty rights are one important, but not the only, type of rights



affected by State water pollution policies that are possessed and/or retained by federally recognized Tribes in Washington State.

The agricultural section of the continuing regulations chapter (Section 3.4.2) is too centered on non-regulatory approaches to agricultural nonpoint pollution. There needs to be stronger regulations on this type of land use that takes meaningful steps towards addressing not just runoff, but issues of stream temperature pollution. These regulations should prioritize protection, with clear and enforceable consequences for violations. Buffer widths need to be applied consistently, and in-line with best available science, which does not distinguish between non-fish (Type Ns and Np) and fish-bearing (Type F streams), as intact riparian areas are vital to protecting water quality for all streams. ([Quinn et al. 2020](#), [Rentz et al. 2020](#)). A voluntary approach has led to delays in meeting the state's obligation to protect cultural resources from the impacts of agricultural pollution.

In the section containing Municipal Phase I and Phase II Permits (Section 3.4.4), we would like for Ecology to allow for more flexibility to include peer reviewed green stormwater infrastructure that addresses contaminants of emerging concern and 6PPD-Q. An approach where municipalities can quickly adapt new technologies that become available on the market would help to protect the Tribe's cultural resources as well as drive better pollution management.

In Table 8 (Goals, Objectives, Strategies and Measurable Milestones) of Chapter 9, Section 3.2 includes meetings with Tribes. We would like to see language added to the "strengthen relationships with Tribes" section that states that Tribes will be afforded an early opportunity to comment on new plans, strategies, and initiatives related to the Nonpoint Plan work, in advance of and distinct from a public comment period.

These changes to the plan are needed to drive meaningful consultation and consideration of Tribal treaty rights and management of nonpoint pollution to protect the aquatic resources of our state that we rely on for our health and livelihoods. Thank you for the opportunity to comment.

Sincerely,

Snoqualmie Tribal Council


Robert M. de los Angeles, Tribal Chairman


Amber Holloway, Secretary of Tribal Affairs