



NISQUALLY INDIAN TRIBE

Department of Natural Resources

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submitted electronically

William Weaver

WA Department of Ecology

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Olympia, WA 98504-7696

Dear Mr. Weaver,

The Nisqually Indian Tribe thanks you for the opportunity to comment on the Draft 2025 Puget Sound General Nutrient Permit (GNP). While we generally support the GNP, the Tribe would like to express concerns about several aspects of the permit because of its potential implications for Tribal waters and overall salmon habitat.

Impact on Salmon Populations

The Nisqually Indian Tribe supports the permit's intent to reduce nutrients and improve dissolved oxygen and commends Ecology for taking on these issues. Both can have an impact on salmon and maintaining appropriate levels of both are essential for healthy salmon habitat. We recommend Ecology explicitly incorporate salmon recovery objectives as performance metrics.

Support for Infrastructure Upgrades – Equity

The Tribe supports investments in improving wastewater treatment plant technology but recommends that Ecology take note of a specific problem. Smaller jurisdictions may struggle with the costs, especially facilities in areas that serve or are nearby Tribal communities. We recommend prioritizing funding for nutrient upgrades for these areas and watersheds, particularly those with high salmon use.

Voluntary Approach

While it might be important to include a voluntary permit structure in the GNP, such an inclusion raises concerns about potential for fragmented and inconsistent regulatory enforcement. We recommend Ecology create consistent and compatible standards for both permit structures to promote consistent standards and accountability across the region. At a minimum, the Tribe recommends creating a public, trackable registry of facilities categorized by participation status with timelines for WQBEL integration for applicable individual permits.

Enforcement and Management

The Nisqually Tribe has concerns about enforcement standards and protocols for facilities that exceed nutrient action levels. The Tribe recommends a public reporting system that includes exceedances,

actions taken, and progress over time. Such a reporting system should also include potential impacts of those exceedances on Tribal waters and adjacent salmon-bearing streams.

Water-Quality Based Effluent Limits and Technical Team

The current permit draft does not include WQBELs, which are to be determined later by a Technical Team. This lack of clarity risks delaying meaningful water quality improvements. The Tribe recommends laying out a clear structure for the Technical Team before finalizing the permit. In addition, we recommend that Ecology offer Tribes the opportunity to nominate representatives and/or co-develop evaluation criteria.

Current Timeline

We are concerned that there are discrepancies between the timelines for the GNP and the Puget Sound Nutrient Reduction Plan. The Tribe recommends Ecology provide a coordinated implementation roadmap that links the requirements of this permit to the milestones in the Nutrient Reduction Plan and outline how Ecology plans to regulate opt-out facilities within this timeline.

Watershed-Level Accountability

The Tribe has concerns that the permit focuses almost exclusively on individual wastewater treatment plans to solve large, cumulative basin-wide and Puget Sound-wide problems with nutrients and dissolved oxygen. The Tribe recommends the GNP Team and General Nutrient Reduction Plan Team coordinate to ensure that permit actions are aligned. The Tribe also recommends Ecology be more transparent about how permit action levels relate to broader Puget Sound-level targets in the Nutrient Reduction Plan.

The Nisqually Tribe, and all other Washington tribes, exist within a specific geographic area or watershed. Therefore, we are specifically concerned with non-point source control efforts upstream of Tribal land or trust resources. The Tribe recommends that Ecology develop a clear feedback mechanism between this permit and nutrients and dissolved oxygen issues on each specific watershed, including the Nisqually river watershed. This request could be addressed, at least in part, through our recommended tracking registry.

Sincerely,



David A. Troutt
Natural Resources Director
Nisqually Indian Tribe