



August 12, 2025

Washington Dept. of Ecology  
Water Quality Program  
P.O. Box 47600  
Olympia, WA 98504-7600

RE: Draft Tier II Antidegradation Analysis for the Washington Forest Practices Board's Proposed Western Washington Type Np Water Buffer Rule

To Whom it may Concern,

On behalf of the Snoqualmie Indian Tribe (Tribe), please accept these comments on the Draft Tier II Antidegradation Analysis for the Washington Forest Practices Board's Proposed Western Washington Type Np Waters Buffer Rule.

The Snoqualmie 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). The Tribe has lived on, tended, and managed this land since time immemorial and the Snoqualmie River basin, including its tributaries and surrounding lands, are vitally important both culturally and ecologically.

We appreciate and support Washington Department of Ecology's commitment to strengthening environmental protections for Riparian Management Zones (RMZ) and the use of Best Available Science (BAS) to protect water quality in streams and wetlands, and to reduce negative impacts of development and timber harvest. We do, however suggest that the Washington Department of Ecology strengthen its commitment to the use of current BAS and its protection of water quality by linking RMZ width explicitly to Site Potential Tree Height (SPTH), as recommended by the most recent guidance provided by the Washington Department of Fish and Wildlife. Ecology contributed to this guidance by providing funding and feedback on the draft documents. Ecology employees also participated in a technical advisory group that convened three all-day meetings over the course of the project. The Tribe is concerned that Ecology's support of the current proposed DNR rulemaking is inconsistent with the guidance published by WDFW – guidance that Ecology supported and helped create.

Currently, WDFW recommends that RMZs be delineated by using the SPTH<sup>200</sup> method. This method does not distinguish between non-fish and fish-bearing streams, as intact riparian areas are vital to protecting



ecological function for all streams. This BAS, which was funded and reviewed by Ecology, results in no scientifically valid justifications for adopting narrower RMZ widths (which corresponds to higher likelihood of water quality impacts) regardless of the presence or absence of fish (Quinn, T., G.F. Wilhere, and K.L. Kruiger, 2020). We recommend the adoption of the state-adopted BAS and the utilization of SPTH<sup>200</sup> for determining management zone width for all stream types. Logging practices as currently allowed and designed are negatively impacting stream temperatures and water quality, however implementing regulatory RMZ widths determined by SPTH will help to preserve water quality, reduce temperature rise in streams, and support other critical ecological functions such as providing woody debris and other organic materials to stream channels and riparian zones.

The Snoqualmie Tribe would also like to express our concerns regarding a one-size-fits-all approach to riparian buffer management. While the proposed buffer management strategy may have positive temperature-related outcomes for many Type Np streams, it fails to take into consideration the diverse landscapes and site conditions of Western Washington. No-touch buffers can have a negative impact on forest understory and inhibit species and structural diversity that enable complex and varied habitats to form and develop. This is especially true in the context of typical industrial-style timber planting plans which generally have low species diversity and are even-aged. Wildfires are also of concern in unmanaged, no-touch buffers, as dense forests and overcrowding create conditions where wildfire can more easily spread via crowning or increased fuel within the understory. The Tribe recommends the application of Option 2 site-specific treatment within buffers to allow land managers to manage from the bottom up to promote overall forest health within and outside of RMZs, understory development, and to manage temperature and water quality in all streams. We recommend equipment be limited to hand operations only within SPTH buffers, *when appropriate based on the site*. This latter part is key—the overarching goal should be to maintain water quality by optimizing ecological/vegetative health and structural diversity within the RMZ. There are also sites that may be good candidates for passive management. Attributes like topography, elevation, hydrology, geology, rain on snow potential, stream conditions, wildlife considerations, all with an eye toward forest health within the RMZ should always be considered when deciding what the appropriate approach to management will be.

We appreciate your efforts to protect water quality and prevent temperature rise in Type Np streams and we believe the proposed rule is a step in the right direction. However, the Tribe recommends utilizing the state-endorsed Washington Department of Fish and Wildlife's guidance for calculating the width of Riparian Management Zones to best protect water quality and forest health. We also ask that the Washington Department of Ecology consider how the endorsement of this proposed rule is inconsistent with guidance set forth by their partner agency, WDFW. As previously mentioned, this is guidance that Ecology supported financially and assisted in drafting the guidance, and which represents current state-endorsed Best Available Science. Please be consistent in applying Best Available Science across various land use zones.



Thank you for your consideration.

Sincerely,

DocuSigned by:

*Michael Ross*

E0D26BDD350B44F...  
Michael Ross

Deputy Executive Director, Government Affairs and Special Projects