



## SQUAXIN ISLAND TRIBE

26 October 2012

Adrienne Dorrah  
Toxics Cleanup Program  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600  
[\[RuleUpdate@ecy.wa.gov\]](mailto:RuleUpdate@ecy.wa.gov)

RE: Comments on amendments to Sediment Management Standards

Dear Ms Dorrah,

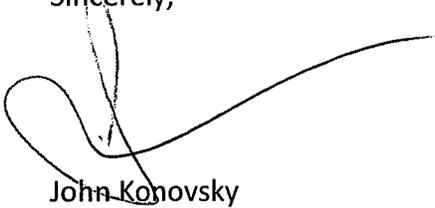
The Squaxin Island Tribe concurs fully with all the details in the comment letter being submitted by the Northwest Indian Fisheries Commission to Director Sturdevant. We also fine the "Dirty Dozen" list compiled by Catherine O'Neill in a letter from Seattle University's Center for Indian Law and Policy a compelling analysis of the failures in the proposed amendments.

In the commission's conclusion, they state what is true for Squaxin Island: that at treaty times, Squaxin members consumed all of our fish from local waters and still continue to obtain most of our fish from local sources. Squaxin Island reserved rights under the Medicine Creek Treaty and other legal agreements entitle us to continue to do so in perpetuity. Our Tribal members would consume more fish and shellfish than we do at present, were these resources not depleted or contaminated. Squaxin Island is working toward a future with restored ecosystems that support fisheries resources in abundant levels, with a variety of species that are safe to eat. Squaxin thus has the intent, potential and legal right to consume a mix of species of fish in the future.

The proposed amendments to the Sediment Management Standards fail to fully incorporate the considerable, definitive science documenting high fish consumption among our Tribal members, and leave Treaty-reserved resources and Tribal health at extremely unacceptable levels of risk. Reasonable maximum exposure is a time consuming, inefficient, and terrible surrogate for doing what really is right: adopting 175 grams/day or higher as the default fish consumption rate in Sediment Management Standards. And furthermore, tinkering with the fish dietary fraction, site use factor, and definitions of background as proposed only makes the protection of Tribal health far, far more inadequate.

The Squaxin Island Tribe advocates that a definitive fish consumption rate be adopted and all the other factors amended in such a way that absolutely minimizes the risk to our members' health. That is the only way to fulfill the promises made in the Medicine Creek Treaty.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Konovsky', with a long, sweeping horizontal stroke extending to the right.

John Konovsky  
Environmental Program Manager