



## **NISQUALLY INDIAN TRIBE**

**Department of Natural Resources**

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February 3, 2012

Bill Moore  
Washington Department of Ecology  
Water Quality Program  
PO Box 47696  
Olympia, WA 98504-7696

RE: Draft Municipal Stormwater General Permits

Dear Mr. Moore,

Thank you for an opportunity to comment on the draft Stormwater General Permits and low impact development (LID) standards. The Nisqually Indian Tribe has treaty protected rights to fish and shellfish and we are deeply concerned about the growing problems associated with polluted stormwater runoff and our ability to recover salmon and ultimately Puget Sound.

It is a critical time for the shellfish growers in our state. We are faced with increased ocean acidification levels, more sewage overflows, and polluted stormwater runoff. The challenges to protect of our treaty rights and trust resources abound. Scientists throughout the region have identified stormwater runoff as the single largest source of water pollution facing Puget Sound. Unless we do something about it, shellfish growers and tribes up and down our shorelines will be facing more closures and bigger challenges to our way of life.

Ecology's municipal stormwater permit and LID standards are where the rubber hits the road and presents the single most important opportunity to achieve big results.

We believe that in order to avoid continuing threats to our water quality it is essential that the state move forward with approaches to prevent the generation of stormwater, namely Low Impact Development and Basin Planning techniques. We believe that Ecology has a tremendous opportunity with the reissuance of the Phase I and II Municipal Stormwater General Permits to change the manner in which we conduct land use development to dramatically reduce water quality problems throughout the state.

Right now, the draft permits fail to adopt and encourage proven green infrastructure strategies. Green infrastructure techniques have been successfully implemented in pilot projects across the region now – adopting them as official best practice is a straightforward next step.

The current draft doesn't include any measures that would prevent a developer from completely paving over existing green space. We know that this not only leads to big water pollution problems, but it increases flooding and taxpayer costs.

Since 1980, 45,000 acres of commercial shellfish growing areas were closed or partially closed to harvesting because the water was polluted and the shellfish unhealthy to eat. In 2010, one shellfish grower lost three weeks of work because their inlets were shut down due to water quality problems.

From an economic perspective, our state cannot afford to ignore or delay action on this water quality issue. Over \$20 billion in economic activities each year are at risk, including the fishing and shellfish industries. The recreational and non-treaty commercial fishing industry contributes over \$1.66 billion to Washington State's economy annually. It supports more than 16, 000 jobs and \$540 million in salaries and wages. Washington is the largest producer of farmed shellfish in the United States – with increasing demands due to the Gulf shellfish industry oil spill losses. The average annual commercial value of the Puget Sound shellfish industry is \$59.3 million.

We know that the Department of Ecology is committed to restoring Puget Sound to health by 2020. We hope that with some adjustments the updated draft Stormwater General Permits and low impact development (LID) standards will add to the good work already been done.

Thank you,



David A. Troutt  
Natural Resources Director  
Nisqually Indian Tribe