

Jamestown S'Klallam Tribe



Treatment as a State Application
For
Water Quality Standards & Certifications
Under Clean Water Act Section 303(c) & 401

To

Environmental Protection Agency

Submitted
October 7, 2021

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APPLICATION FOR CLEAN WATER ACT ELIGIBILITY TO ADMINISTER
A WATER QUALITY STANDARDS PROGRAM &
A WATER QUALITY CERTIFICATION PROGRAM

The Jamestown S’Klallam Tribe (JST) hereby applies under section 518 of the Clean Water Act (CWA) to the U.S. Environmental Protection Agency to become eligible to be treated in a similar manner as a state (TAS) to administer a CWA section 303(c) water quality standards program and CWA section 401 water quality certification program. JST intends to administer this authority for all waters located within the external boundary of the Jamestown Reservation and Trust lands.

1. Background

The wealth and well-being of the Jamestown S’Klallam Tribe (JST) and surrounding communities are intricately tied to the waters and associated freshwater and marine resources. This led the Tribe to submit its application for Treatment as a State for the Clean Water Act Section 319 program on January 26, 2000. Approval was received on March 14, 2000, and this complete previous application can be found in **Exhibit A**.

Since this previous application, JST has collaborated with local water quality stakeholders, worked to restore watershed processes in various waterways and improved water quality for culturally-significant resources such as salmon and shellfish. These efforts are detailed in Section 4. With this current application, JST looks forward to implementing and managing water quality standards and certifications for waters within our trust and reservation lands. Tribal resolution approving this application is located in **Exhibit P**.

2. Federal Recognition

The Jamestown S’Klallam Tribe received acknowledgment that it was already recognized as a Tribe on February 10, 1981 (see **Exhibit M**). The Tribe is listed as “Jamestown S’Klallam Tribe” in the United States Department of the Interior’s list of *Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, Federal Register Vol. 86, No. 18 Pg. 7554, Jan. 29, 2021 (see **Exhibit B**).

3. Authority Over a Federal Indian Reservation

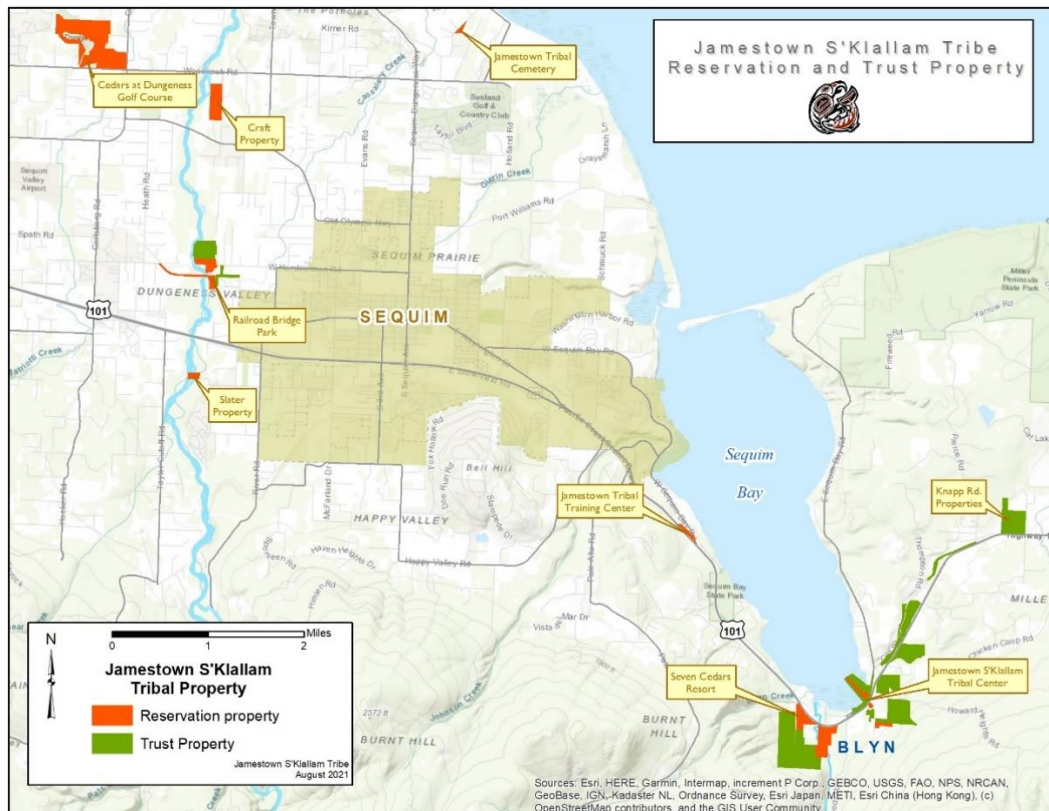
Bounded by the Pacific Ocean to the west, the Strait of Juan de Fuca to the north, and by Hood Canal to the east, Washington State’s Olympic Peninsula, with more than 200 miles of rugged coastline, has long been the place of many S’Klallam villages. Inhabiting this area for more than 10,000 years, the S’Klallams possessed a rich social and religious culture based on the abundant natural resources of the Northwest Coast. They moved from village to village in their traditional territory during the spring, summer and fall, for fishing and resource gathering, and settled into

more permanent longhouses for the winter months. The inhabitants hunted game and subsisted on the wealth of shellfish, herring, and salmon.

The S’Klallam Tribe entered into the Point No Point Treaty with the United States in 1855, but resisted removal to the reservation of the Twana people at Skokomish. They remained in their traditional areas, and in 1874 the S’Klallams from the village at Dungeness privately purchased 210-acres of land, establishing Jamestown. The population of Jamestown at the time was around 100, with about 17 families buying into the acreage. In the 1930s, the Tribe was given the choice of moving to the reservations purchased for the other two S’Klallam Tribes or remaining where they were, unrecognized. The Jamestown people chose to stay on the land they had bought themselves. Tribal citizens received services from the federal government until 1953 when the government ceased recognizing them as Indians. Beginning in the 1950s, the three S’Klallam Tribes combined to litigate land claims and fishing rights. In cases that went to the Supreme Court of the United States, the S’Klallams ultimately regained the fishing rights they had been granted in the Point No Point Treaty.

Facing increasing problems in the areas of fishing rights, health care, and education due to lack of federal recognition as a Tribal entity, the Jamestown Tribe began an intensive effort to obtain recognition in 1974 and adopted a constitution in 1975. They received federal recognition on February 10, 1981. Since then, the Tribe has pursued land acquisition and economic development, and providing health, social service and educational benefits to its citizens.

Today the Tribe has 275.74 acres in Reservation and 368.86 acres in Trust. The map below shows all Tribal parcels in Reservation and Trust status. For more detail, please see **Exhibit E**.



The following table shows Reservation and Trust parcels location, size and current uses.

Parcel Common Name	BIA Tract No.	Status	Acres	Location	Current Use
McLean	129-T1000	Res.	7.56	Blyn	Tribal Government Facilities and Tidelands
Slater	129-T1003	Res.	5.17	114 Spring Creek Dr., Sequim	Restoration, River & Wetlands
Gadamus	129-T1004	Res.	5.09	Corner of Hwy. 101 and West Sequim Bay Rd.	Employee Training Facility
Craft	129-T1005	Res.	30.36	Between Knutsen Farm Rd. and Community Ln., Sequim	Residential Rental
Cemetery	129-T1006	Res.	2.75	Corner of Jake Hall Rd. and Todd Rd., Sequim	Tribal Cemetery
Blank	129-T1007	Res.	1.18	Blyn	Tribal Government Facilities (Social Services)
Carlson	129-T1008	Res.	5.007	Blyn	Tribal Government Facilities and Residential Rental
Clevenger	129-T1009	Res.	1.19	Blyn	Casino and Resort parking
Curry	129-T1010	Res.	3.52	Blyn	Casino and Resort parking
Parsons	129-T1011	Res.	6.00	Blyn	Casino and wetlands
River Center I	129-T1012	Res.	24.22	2151 W Hendrickson Rd, Sequim	Park Facilities, Wildlife Habitat
Sophus Rd. I	129-T1013	Res.	11.035	Blyn	Fire Station, residential rental, fuel station and convenience store
Sophus Rd. II	129-T1014	Res.	19.15	Blyn	Undeveloped, main Tribal government well, and fire station parking
Golf Course	129-T1015	Res.	139.36	Corner of Woodcock Rd. and Cays Rd., Sequim	Commercial Golf Course and Restaurants
Tozzer	156-T1152	Res.	7.26	Blyn	Casino
Johnston	156-T1163	Trust	7.17	Blyn	Tribal Government Facilities, Art Gallery, and Tidelands
Blyn Basin I	157-T1240	Trust	109.88	Blyn	Undeveloped, Residential, Forest
Blyn Basin II	157-T1239	Trust	20.756	Blyn	Residential, Stream corridor
Blyn Basin III	157-T1244	Trust	142.61	Old Blyn Hwy. and Blyn	Tidelands, Residential, Wetlands, Stream corridor, Forest
Rambo	156-T1158	Trust	5.0	Blyn	Resort maintenance facilities

PAC Five	129-T1017	Trust	44.1	Corner of Knapp Rd. and Hwy 101, Sequim	Agriculture, residential
River Center II	129-T1018	Trust	36.62	2151 W Hendrickson Rd, Sequim	Park Facilities, Wildlife Habitat

The Tribe exercises governmental authority over its federal Indian trust and reservation lands. This includes lands held by the United States in trust for the Tribal government that are not located within the boundaries of a formal reservation. See Section 5 of this application for more information about the description of the Tribe’s trust and reservation lands. The Tribe has authority over “water resources which are within the boundary of the Indian Reservation and held by the ...Tribe.” 40 CFR 131.8 (a) (3).

4. Tribal Governance

The Tribal Council is the representative governing body authorized by the Tribe’s Constitution, adopted in 1975. It established a five member Council elected to four-year terms on a staggered basis. The Council sets policy, considers community input, and relies upon the administrative staff to effectively carry out its policies. Through this process, the needs of Tribal members and other Indian people, including Jamestown S’Klallam descendants, living within the Tribe’s designated service area are effectively met. Tribal governmental programs receive overall direction from the Tribal Council through the Executive Director. The Tribe adheres to the practice of separation of Tribal government and Tribal administration to provide continuity and stability in its day-to-day operations.

In 1988, Congress authorized a demonstration project called Self-Governance, which allowed for many programs and services formally administered by the Bureau of Indian Affairs (BIA) to be transferred to the Tribes themselves. The Jamestown S’Klallam Tribe was one of the first seven Tribes in the nation to participate in this project. This Funding Self-Governance funding is used to support numerous Tribal programs and activities. Some of these services include tuition and books for educational purposes; housing; cultural enhancement (such as the Summer Culture Program); natural resources and harvest management; enrollment; water resources planning; aquaculture planning and other business development activities.

The Tribe successfully operates Bureau of Indian Affairs (BIA) programs since 1990 and Indian Health Services (IHS) programs since 1993. These programs include housing, education and training, economic development, natural resources, social services that encompass youth and elder services, and health care, covering managed care, community health and wellness programs. Additionally, the Housing Improvement Program (HIP) and the Housing and Urban Development (HUD) housing funds and transportation projects are also managed by the Tribe.

There have been the following significant changes since that previous application, including:

- Economic Development
 - 2000-2001 Partnership with Peninsula College to operate a Community Technology center at the Jamestown Tribal Center. This center was used for

training Tribal citizens and descendants on a variety of computer related topics. This center is no longer in operation.

- In 2005 the Jamestown S’Klallam Economic Development Authority was established as a political subdivision for the specific purpose of providing oversight and direction to new and existing Tribal business and to create new business opportunities.
- 2005 – Tribe created a limited Liability Company named Jamestown Health and Medical Supply Company LLC – it was the only Indian-owned medical supply in the nation at that time.
- 2007 – Golf course was purchased, and the Cedars at Dungeness was opened.
- Business that Closed: Jamestown TCS = telecommunication and traffic, Fireworks, and Sea food harvesting and sales company.
- 2008 – Opening of the Tribe’s Longhouse Market and Deli
- Current and ongoing Tribal businesses:
 - JKT Development Inc. oversees JKT Construction , Jamestown HomeBuilding and Jamestown Information Technologies
 - Jamestown Excavating
 - JKT Art Inc. oversees Northwest Native Expressions Gallery
 - JKT Gaming Inc. oversees 7 Cedars Casino and Resort.
 - Jamestown Project Services, Inc.: Functions as a project services company for construction projects.
 - Jamestown Properties, Inc.: Functions as a holding company for various Tribal facilities
- Cultural
 - 2004 – purchased 20 acres abutting Tamanowas Rock that is currently managed as a sanctuary to permanently preserve its natural, historic, and cultural values. With Jefferson Land Trust, the Tribe continues to work towards the permanent preservation and restoration of this land. This property has not been placed in Trust at this time, but plans are being made to change its status.
 - In 2006, Elaine Grinnell hosted the first S’Klallam Naming Ceremony performed in the Jamestown Tribe in 120 years – giving traditional names to the youth of her family, as was done traditionally when children reached puberty.
 - Currently, the following programs are offered:
 - S’Klallam Language in the high school
 - Traditional foods program
 - Annual Salmon Ceremony
 - First Food Ceremony
 - Canoe Journeys
- Health
 - Jamestown Family Dental Clinic
 - Jamestown Family Health Clinic
 - 2021 – Begin MAT Clinic Construction – Creation of the Jamestown Healing Campus.
- Administration
 - New Public Safety and Justice Center
 - Transportation loop road in Bly Basin

- Award winning Veterans Memorial Plaza (2019)
- Ownership, restoration and expansion of the Dungeness River Audubon Center that is located along the Dungeness River (2151 W. Hendrickson Rd.) about 2 miles west of the City of Sequim. The Jamestown S’Klallam Tribe owns the Railroad Bridge and Park and the Center buildings. A 2008 Memorandum of Understanding (MOU) between the Tribe, Dungeness River Audubon Center, Olympic Peninsula Audubon Society, and National Audubon assures the Tribe will guarantee public access in perpetuity and provide other services as would normally be the obligation of the property owner. The Tribe’s continuing support of the Center is seen as a way to contribute to the community. A 501-c-3 non-profit organization, The Dungeness River Audubon Center’s mission is to inspire understanding, enjoyment and stewardship of the Olympic Peninsula’s unique natural and cultural resources, with emphasis on birds, rivers, fish, and people. It operates the Park and Center and provides educational programming. The Olympic Peninsula Audubon Society and the Jamestown S’Klallam Tribe are partners in the organization, and aid with educational programming and operational support.

Since 2000 the Tribe has maintained and expanded its capability “of carrying out the functions of an effective water quality standards program.” 40 CFR 131.8(a)(4). The following documents highlight the Tribe’s capabilities and (their links or the complete document) can be found in **Exhibit J**.

- Jimmycomelately Ecosystem Restoration – monitoring report 2004-2011
- Jimmycomelately Ecosystem Restoration – Lessons learned (2008). This restoration included:
 - Removal of a commercial RV park from the estuarine shoreline.
 - Removal of a county road and an industrial road from the estuary.
 - Removal of a commercial log yard and log dump from the estuary and the shoreline.
 - Removal of 95 creosoted piling from the estuary.
 - Construction of a bridge on Hwy 101 to restore connectivity between JCL Creek and Sequim Bay.
 - Renature of 0.4 miles of JCL Creek.
- Protecting and Restoring the Waters of the Dungeness – (2007)
- Protecting and Restoring the Waters of Sequim Bay (2013)
- JST Climate Vulnerability Assessment and Adaptation Plan – (2013)Water Monitoring Strategy for the Jamestown S’Klallam Tribe (2019-2028) – (2018)
- JSKT Inadvertent Discovery Plan – (2018)
- 2020 State of our Watersheds Report – JST Chapter – (2020)
- Tribal Assessment Report: CWA 106 – (2020)
- Jamestown S’Klallam Tribe EPA - Tribal Environmental Plan FY21

Additional projects:

- The Tribe actively participates in water quality improvement efforts in the Dungeness Bay, which was closed for shellfish farming due to fecal coliform levels in 1997. In 2014, the Clallam County Environmental Health, in partnership with the Clallam Conservation District, Jamestown S’Klallam Tribe, Streamkeepers and the public,

developed a Pollution Identification and Correction (PIC) plan to map out a strategy for identifying and correcting sources of water pollution. This program continues today, and the Tribe is involved in taking water samples, identifying failing septic systems, and supporting Clallam County staff in securing permanent funding for this program.

- Partners:
 - Clallam County Environmental Health Division
 - Clallam County Streamkeepers
 - Clallam County Marine Resources Committee
 - Clallam Conservation District
 - WA Department of Health
 - WA Department of Ecology
 - Dungeness River Management Team
 - Dungeness Farm LLC
 - Dungeness River Center
- Tribal Role: Leadership, coordination, staff support, technical support, water quality monitoring, equipment calibration and maintenance.
- Technical Capabilities: Tribal Staff perform water quality monitoring, education and outreach, mapping and GIS support, equipment calibration and maintenance. Database management, data entry, export/upload of data to STORET/WQX
- The Tribe participated in the removal of 585' of roadway in Washington Harbor to restore tidal hydrology to 35 acres of estuary (2013).
 - Partners:
 - City of Sequim
 - Local Landowners
 - North Olympic Lead Entity for Salmon
 - State and Federal funding
 - Tribal Role: Project proponent, project lead, project manager, project monitor.
 - Technical Capabilities: Project visioning, stakeholder outreach, supervised and provided technical support on project design, managed all aspects of funding acquisition, project design, contractor selections, construction, along with performing, before, during and after monitoring of aquatic species.
- The Tribe participated in the removal of 650' of creosoted railroad trestle from the Dungeness River to eliminate contaminants and restore floodplain functions (2015).
 - Partners:
 - Dungeness River Center
 - Floodplains by Design
 - North Olympic Peninsula Lead Entity for Salmon
 - Puget Sound Acquisition and Restoration Fund
 - Tribal Role: Property owner, project proponent, project lead, construction water quality monitoring, and project/construction management.
 - Technical Capabilities: Project visioning, stakeholder outreach, supervised and provided technical support on project design, managed all aspects of funding acquisition, project design, contractor selections, construction, along with performing water quality monitoring to ensure the contractor met construction stormwater regulations. It should be noted that a project of this scale and nature

would normally take 3-5 years but was completed in approximately one year due to some luck, a lot of hard work and leadership by the Tribe.

- The Tribe participated in the removal of seven single-family residences from the Dungeness River floodplain and decommissioned water, septic systems, and electrical connections (2015 to 2018).
 - Partners:
 - Landowners
 - Floodplains by Design
 - North Olympic Peninsula Lead Entity for Salmon
 - Puget Sound Acquisition and Restoration Fund
 - Clallam County Roads.
 - Tribal Role: Project lead, project funding applicant, fiscal management, and contractor supervision,
 - Technical Capabilities: Ability to identify and supervise the cleanup of contaminated site, funding acquisitions, property acquisition, relocation of tenants following state and federal relocation rules, site restoration and revegetation.

5. Management and Protection of Water Resources of The Reservation

The water quality standards and water quality certification programs to be administered by the Tribe will assist in managing and protecting water resources within the Jamestown Tribe's jurisdiction.

The boundaries of the Tribal Reservation and Trust areas for which the Tribe is seeking authority to administer the water quality standards and water quality certification programs are identified by legal description in **Exhibit D** (Trust) and **Exhibit H** (Reservation) and with maps in **Exhibit E**. The maps in **Exhibit E** reflect the best available spatial data.

a. The Applicant is an Indian Tribe recognized by the Secretary of the Interior, 40 CFR 131.8(a)(1) and (b.) (1).

The Jamestown S'Klallam Tribe is a federally recognized tribe organized under a constitution approved by the Department of the Interior. *Id.* *United States v. Washington*, 626 F.Supp. 1432, 1433 (W.D. WA. 1981). The Tribe is listed in the Secretary of the Interior's list of federally recognized tribes as "Jamestown S'Klallam Tribe" in the United States Department of the Interior's list of *Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, Federal Register Vol. 86, No. 18 Pg. 7554, Jan. 29, 2021. See 33 U.S.C. '1377(e)(1). The United States recognizes the Jamestown S'Klallam Tribal Council as the governing body of the Tribe entitled to organize under the Indian Reorganization Act. 626 F.Supp. at 1434.

The Tribe proposes to establish water quality standards on surface waters of the Tribe's Reservation and Trust lands as a well as all associated riparian, wetlands, coastal beach front, and lakefront areas within the boundaries of these lands.

The following list of the Tribe's Reservation and Trust lands and includes:

- Alternative names for the tract and BIA number
- References for the map appendix (see **Exhibit E**)
- The named waterbodies associated with that tract (see **Exhibit K** for descriptions)
- History
- Legal Descriptions (see **Exhibits D** for Trust and **Exhibit H** for Reservation)

Reservation Lands

“McLean” (BIA No. 129-T1000):

Names: McLean Properties and Tidelands), Previous BIA No. 130-T1145 - Trust

Maps: **Exhibit E** – Jamestown Tribal Campus- page 14

Waterbodies: Sequim Bay Tidelands

History and Legal Descriptions:

In February 1983, the Department of Interior formally acknowledged that the “McLean Tract,” a 7.56-acre parcel in Blyn, Washington, had been taken into trust for JST. It was listed in the Federal Registry and proclaimed as Reservation in 1986 and again in 2017. A full legal description of this parcel can be found in **Exhibit H** on page 2 and page 10. The deed conveying the property into trust can be found in **Exhibit D** on pages 2-3. Due to the modification in parcel acreage by BIA, the latest Track History Report for this parcel can be found in **Exhibit I**, page 2 showing the corrected acreage.

“Slater” (BIA No. 129-T1003):

Names: Slater Property (No Previous BIA No.)

Maps: **Exhibit E** – Slater – Dungeness River - page 10

Waterbodies: Dungeness River and associated wetland

History and Legal Descriptions:

In May 2001, the Department of Interior formally acknowledged that the “Slater Tract,” a 5-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 4-5. A full legal description of this parcel can be found in **Exhibit H** on page 7.

“Gadamus” (BIA No. 129-T1004):

Names: Log Cabin Training Center (No Previous BIA No.)

Maps: **Exhibit E** – Log Cabin Training Center - page 11

Waterbodies: None identified

History and Legal Descriptions:

In December 2011, the Department of Interior formally acknowledged that the “Gadamus Tract,” a 5.09-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 6-8. This deed shows the correction to the legal description. A full legal description of this parcel can be found in **Exhibit H** on page 5.

“Craft” (BIA No. 129-T1005):

Names: Craft Properties, Previous BIA No. 130-T1169 - Trust

Maps: **Exhibit E** – Craft- page 7

Waterbodies: Adjacent to Dungeness River

History and Legal Descriptions:

In March 2000, the Department of Interior formally acknowledged that the “Craft Tract,” a 30.36-acre parcel in Clallam County, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 9-10. A full legal description of this parcel can be found in **Exhibit H** on pages 6-7.

“Cemetery” (BIA No. 129-T1006):

Names: Jamestown Cemetery, Previous BIA No. 156-T1157 - Trust

Maps: **Exhibit E** – Tribal Cemetery- page 8

Waterbodies: None Identified

History and Legal Descriptions:

In December 1992, the Department of Interior formally acknowledged that the “Cemetery Tract,” a 2.75-acre parcel in Clallam County, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 11-12. A full legal description of this parcel can be found in **Exhibit H** on page 8.

“Blank” (BIA No. 129-T1007):

Names: Blank Property, Previous BIA No. 130-T1161 - Trust

Maps: **Exhibit E** – Jamestown Tribal Campus- page 14

Waterbodies: None Identified

History and Legal Descriptions:

In August 1995, the Department of Interior formally acknowledged that the “Blank Tract,” a 1.18-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 13-14. A full legal description of this parcel can be found in **Exhibit H** on page 8.

“Carlson” (BIA No. 129-T1008):

Names: Carlson Property, Previous BIA No. 130-T1175 - Trust

Maps: **Exhibit E** – Jamestown Tribal Campus- page 14

Waterbodies: None Identified

History and Legal Descriptions:

In April 2001, the Department of Interior formally acknowledged that the “Carlson Tract,” a 5.007-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 15-16. A full legal description of this parcel can be found in **Exhibit H** on pages 8-9.

“Clevenger” (BIA No. 129-T1009):

Names: Clevenger Property, Previous BIA No. 130-T1162 - Trust

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: None Identified

History and Legal Descriptions:

In September 1995, the Department of Interior formally acknowledged that the “Clevenger Tract,” a 1.19-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 17-18. A full legal description of this parcel can be found in **Exhibit H** on page 9.

“Curry” (BIA No. 129-T1010):

Names: Curry Properties, Previous BIA No. 130-T1165 - Trust

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: None Identified

History and Legal Descriptions:

In May 1999, the Department of Interior formally acknowledged that the “Curry Tract,” a 3.52-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 19-20. A full legal description of this parcel can be found in **Exhibit H** on page 9.

“Parsons” (BIA No. 129-T1011):

Names: Parson Property , Previous BIA No. 130-T1164 - Trust

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: Wetlands associated with Jimmycomelately Creek

History and Legal Descriptions:

In October 1998, the Department of Interior formally acknowledged that the “Parsons Tract,” a 6.0-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 21-22. A full legal description of this parcel can be found in **Exhibit H** on page 10.

“River Center I” (BIA No. 129-T1012):

Names: Railroad Bridge Properties, Previous BIA No. 130-T1178 - Trust

Maps: **Exhibit E** – Dungeness River Center- page 9

Waterbodies: Dungeness River

History and Legal Descriptions:

In April 2001, the Department of Interior formally acknowledged that the “River Center I Tract,” a 24.22-acre parcel in Clallam County, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 23-26. A full legal description of this parcel can be found in **Exhibit H** on pages 10-12.

“Sophus Rd. I” (BIA No. 129-T1013):

Names: Sophus Road I Properties, Previous BIA No. 130-T1207 - Trust

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: Jimmycomelately Creek and associated wetlands

History and Legal Descriptions:

In April 2007, the Department of Interior formally acknowledged that the “Sophus Road I Tract,” an 11.035-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 27-29. A full legal description of this parcel can be found in **Exhibit H** on pages 12-13.

“Sophus Rd. II” (BIA No. 129-T1014):

Names: Sophus Road II Properties, Previous BIA No. 157-T1202 - Trust

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: Jimmycomelately Creek and associated wetlands

History and Legal Descriptions:

In July 2012 the Department of Interior formally acknowledged that the “Sophus Road II Tract,” a 19.15-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 30-33. A full legal description of this parcel can be found in **Exhibit H** on pages 14-15.

“Golf Course” (BIA No. 129-T1015):

Names: Cedars at Dungeness Golf Course Properties, Previous BIA No. 157-T1191 - Trust

Maps: **Exhibit E** – Cedars at Dungeness Golf Course- page 6

Waterbodies: Type 2 Stream, Wetlands Class II

History and Legal Descriptions:

In June 2012, the Department of Interior formally acknowledged that the “Golf Course Tract,” a 139.36-acre parcel in Clallam County, Washington, had been taken into trust for JST. It was proclaimed as Reservation in 2017 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 34-43. A full legal description of this parcel can be found in **Exhibit H** on pages 15-23.

“Tozzer” (BIA No. 156-T1152):

Names: Tozzer Property, Casino Property, (No Previous BIA No.)

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: None Identified

History and Legal Descriptions:

In April 1987, the Department of Interior formally acknowledged that the “Tozzer Tract,” a 7.26-acre parcel in Blyn, Washington, had been taken into trust for JST. It was proclaimed as Reservation in June of 1993 (**Exhibit H**). This property is described in the deed conveying the property into trust, found in **Exhibit D** pages 44-46. A full legal description of this parcel can be found in **Exhibit H** on page 3.

Trust Lands

“Johnston” (BIA No. 156-T1163):

Names: Johnston Property and Tideland, Previous BIA No. 130-1163

Maps: **Exhibit E** – Jamestown Tribal Campus - page 14

Waterbodies: Sequim Bay Tidelands

History and Legal Descriptions:

In July 1995, the Department of Interior formally acknowledged that the “Johnston Tract,” a 7.17-acre parcel in Blyn, Washington, had been taken into trust for JST. The full legal description for the parcel can be found in **Exhibit D** on pages 47-48. Due to the modification in parcel acreage by BIA, the latest Track History Report for this parcel can be found in **Exhibit I**, page 11 showing the corrected acreage.

“Blyn Basin I” (BIA No. 157-T1240):

Names: Blyn Basin I Properties, (No Previous BIA No.)

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: None Identified

History and Legal Descriptions:

In January 2017, the Department of Interior formally acknowledged that the “Blyn Basin I Tract,” a 109.877-acre parcel in Blyn, Washington, had been taken into trust for JST. The full legal description of this parcel can be found in the deed conveying the property into trust, located in **Exhibit D** pages 49-55.

“Blyn Basin II” (BIA No. 157-T1239):

Names: Blyn Basin II Properties, (No Previous BIA No.)

Maps: **Exhibit E** – Jamestown Tribal Campus- page 14

Waterbodies: Type 3 Stream

History and Legal Descriptions:

In January 2007, the Department of Interior formally acknowledged that the “Blyn Basin II Tract,” a 20.756-acre parcel in Blyn, Washington, had been taken into trust for JST. The full legal description of this parcel can be found in the deed conveying the property into trust, located in **Exhibit D** pages 56-57.

“Blyn Basin III” (BIA No. 157-T1244):

Names: Blyn Basin III Properties, (No Previous BIA No.)

Maps: **Exhibit E** – East Blyn Basin and Jamestown Tribal Campus- pages 13 & 14

Waterbodies: Type 5 Stream with associated wetlands, Type 3 Stream with associated wetlands, wetlands, and tidelands.

History and Legal Descriptions:

In February 2018, the Department of Interior formally acknowledged that the “Blyn Basin III Tract,” made up of multiple parcels totaling 142.61 acres in Blyn, Washington, have been taken into trust for JST. The full legal description of these parcels can be found in the deed conveying the property into trust, located in **Exhibit D** pages 59-66.

“Rambo” (BIA No. 156-T1158):

Names: Rambo Properties, Previous BIA No. 130-T1158

Maps: **Exhibit E** – Resort Properties- page 15

Waterbodies: None Identified

History and Legal Descriptions:

In April 1993, the Department of Interior formally acknowledged that the “Rambo Tract,” a 5.08 acre parcel in Blyn, Washington, had been taken into trust for JST. The full legal description of this parcel can be found in the deed conveying the property into trust, located in **Exhibit D** on page 70.

“PAC Five” (BIA No. 129-T1017):

Names: PAC Five Properties, Knapp Road Properties, (No Previous BIA No.)

Maps: **Exhibit E** – East Clallam County- page 12

Waterbodies: Wetlands

History and Legal Descriptions:

In September 2020, the Department of Interior formally acknowledged that the “PAC 5 Tract,” a 44.1-acre parcel in Clallam County, Washington, had been taken into trust for JST. The full legal description of this parcel can be found in the deed conveying the property into trust, located in **Exhibit D** pages 73-75

“River Center II” (BIA No. 129-T1018):

Names: **River Center II Properties**, (No Previous BIA No.)

Maps: **Exhibit E** – Dungeness River Center- page 9

Waterbodies: None Identified

History and Legal Descriptions:

In September 2020, the Department of Interior formally acknowledged that the “River Center II Tract,” a 36.62 acre-parcel in Clallam, Washington, had been taken into trust for JST. The full legal description of this parcel can be found in the deed conveying the property into trust, located in **Exhibit D** pages 80-80.

6. Tribal Legal Counsel Statement

a. The basis of the Applicant’s Authority is its Constitution and Tribal Law. 40 CFR 131(8)(b)(3) (ii).

The Tribe is organized under a Constitution that is included in **Exhibit C**. The Tribe has, pursuant to its Constitution, asserted power over all lands and water resources within the exterior boundaries of their trust and reservation lands. The Tribe's Constitution provides that its “territory and jurisdiction” shall include “over the following to the fullest extent possible under Federal Law”:

All lands, waters, property, airspace, other natural resources and any interest therein either now, or in the future, owned by the Tribe or individual tribal citizens held in trust status or located within the boundaries of a reservation which may be proclaimed for the Tribe notwithstanding the issuance of any patent or right-of-way”.

Jamestown S'Klallam Constitution, Article I, ' 2 (a). The Tribe’s Constitution demonstrates the Tribe’s exercise of authority over their trust and reservation jurisdiction.

- As previously proven in 2000, the Tribe has authority to manage lands and waters within its boundaries. As shown in its 2000 application (**Exhibit A**), the Jamestown S'Klallam Tribal Court has authority under the Tribe's Constitution to

enjoin violations of law. Jamestown S’Klallam Constitution, Article VIII (approved by Sec. of the Interior Aug. 17, 1983); See **Exhibit A** - 2000 Application at page 8. Pursuant to its Constitution, the Tribe has a Tribal Court. Jamestown S’Klallam Tribal Code, Title XIII (**Exhibit F**). Tribe has adopted a Court Code for resolving civil disputes in Title XX (**Exhibit G**) of its Tribal Code.

Pursuant to its authority under its Constitution, the Tribe’s Tribal Code allows it to take land into trust and manage water and other natural resources within its boundaries. The Tribes Constitution was last amended in 2014, contains 12 Articles, and is included in **Exhibit C**. The governing body of the Tribe is the Tribal Council, which is the representative governing body of the Tribe. The enumerated powers of the Tribal Council are in Article VII of the Tribe’s constitution. The Tribal Council’s powers include the authority to” develop, manage, protect and regulate” all natural resources within the tribe’s jurisdiction Article VII, § 1(s). Article VIII establishes a Tribal Court to provide prosecutorial and judicial services to the Tribe, its citizens and other parties.

In the Tribal Code, the Tribal Court is under Title 13 and is included in **Exhibit F**. The Tribe has appointed the Northwest Intertribal Court System to serve as the Tribe’s Tribal Court. Tribal Council has conferred upon the Tribal Court “all judicial authority of the Tribe.”

The Tribe’s Tribal Environmental Policy Act (TEPA) is located in Title 27 of the Tribal Code specifically deals with land development and project proposals on Tribal lands and any other actions that may have a significant adverse impact to the environment, including impacts to Treaty Rights, cultural or archeological resources of the Tribe. The link to this document is https://jamestowntribe.org/wp-content/uploads/2018/05/Title_27_TEPA.pdf. Included documents for review are the Tribal Code for Fishing (**Exhibit N**) and the Tribal Code for Hunting (**Exhibit O**).

Tribal documents or their links can be found in **Exhibit J**. Relevant documents for this section all follow the Tribe’s priority of protecting and enhancing the natural and cultural resources of the Tribe and protecting Treaty Rights, including fisheries.

- Comprehensive Plan – this is the roadmap for the Tribe’s efforts in meeting their mission of self-sufficiency, quality government programs and services that addresses the unique social, cultural, natural resources, and economic needs of the Jamestown people, while preserving, restoring, and sustaining their Indian heritage and community continuity. See **Exhibit J** Link 9.
- Inadvertent Discovery Plan – this plan outlines procedures if archaeological materials or human remains are discovered. See **Exhibit J** Document 3, pages 20-24.

- Multi-Hazard Mitigation Plan – this plan serves as a guide for decision makers as they commit resource to reducing the effects of natural hazards. See **Exhibit J** Link 10.
- Protecting and Restoring the Waters of the Dungeness – Dungeness – Morse Watersheds. This Chapter examines key indicators of habitat quality and quantity across the watersheds in the Tribe’s Usual and Accustomed fishing areas and provide a basic assessment of watershed health. See **Exhibit J** Link 3.
- Jamestown S’Klallam Tribe EPA-Tribal Environmental Plan FY21. See **Exhibit J** Document 5 pages 79-143.

The Tribe has the Natural Resources staff available to carry out the requirements of this program (see Section 7 for a full listing and description).

The basis for the Tribe’s assertion of authority under this application is the express congressional delegation of authority to eligible Indian tribes to administer regulatory programs over their reservation contained in section 518 of the Clean Water Act. This authority is described in the U.S. Environmental Protection Agency’s final interpretive rule, *Revised Interpretation of Clean Water Act Tribal Provision*, 81 FR 30183, May 16, 2016.

There are no limitations or impediments to the Tribe’s authority or ability to implement the delegation of authority from Congress as described in this application. To our knowledge there are not any “special circumstances” which act to “limit or preclude “ Jamestown’s ability to “accept or effectuate the congressional delegation of authority over its reservation.” 81 Fed. Reg. 30192-30193 (May 16, 2016). The EPA has stated there is not a limitation on EPA delegating authority unless there is a limitation applicable to only specific tribes or states. The Tribe is not aware of any statute or act of Congress that limits the Tribe’s right to regulate waters within our boundaries by exercising the delegation of Clean Water Act authority. Other tribes in this State, including Jamestown in 2000 have gotten TAS status so there is no reason to deny that status here.

There are no non-member owned fee lands within the boundaries of the Reservation so there is no issue here concerning fee land to address. Moreover, there is no reason that an otherwise valid delegation of federal authority could be impeded under these facts concerning a reservation in this situation which is composed entirely of tribal trust lands. Because delegated authority from the U.S. is at issue, there is no reason to reach the issue of inherent authority.

b. The Tribe Has Identified Surface Waters Over Which It Proposes to Establish Water Quality Standards. 40 CFR 131(8)(b)(3) (iii).

As outlined above in Section 5 and mapped in **Exhibit E**, certain trust lands have been designated Jamestown S’Klallam Reservation by the United States. The United States

has authority to have these lands declared Reservation pursuant to federal authority 25 USC 467. Those lands were previously taken into trust by the United States. See page 4, *supra*. Other lands were declared trust lands by the United State but have not yet been formally declared part of the Reservation *Id.* The lands are listed and identified above. All Reservation lands are owned by the Tribe and held in trust for it by the United States.

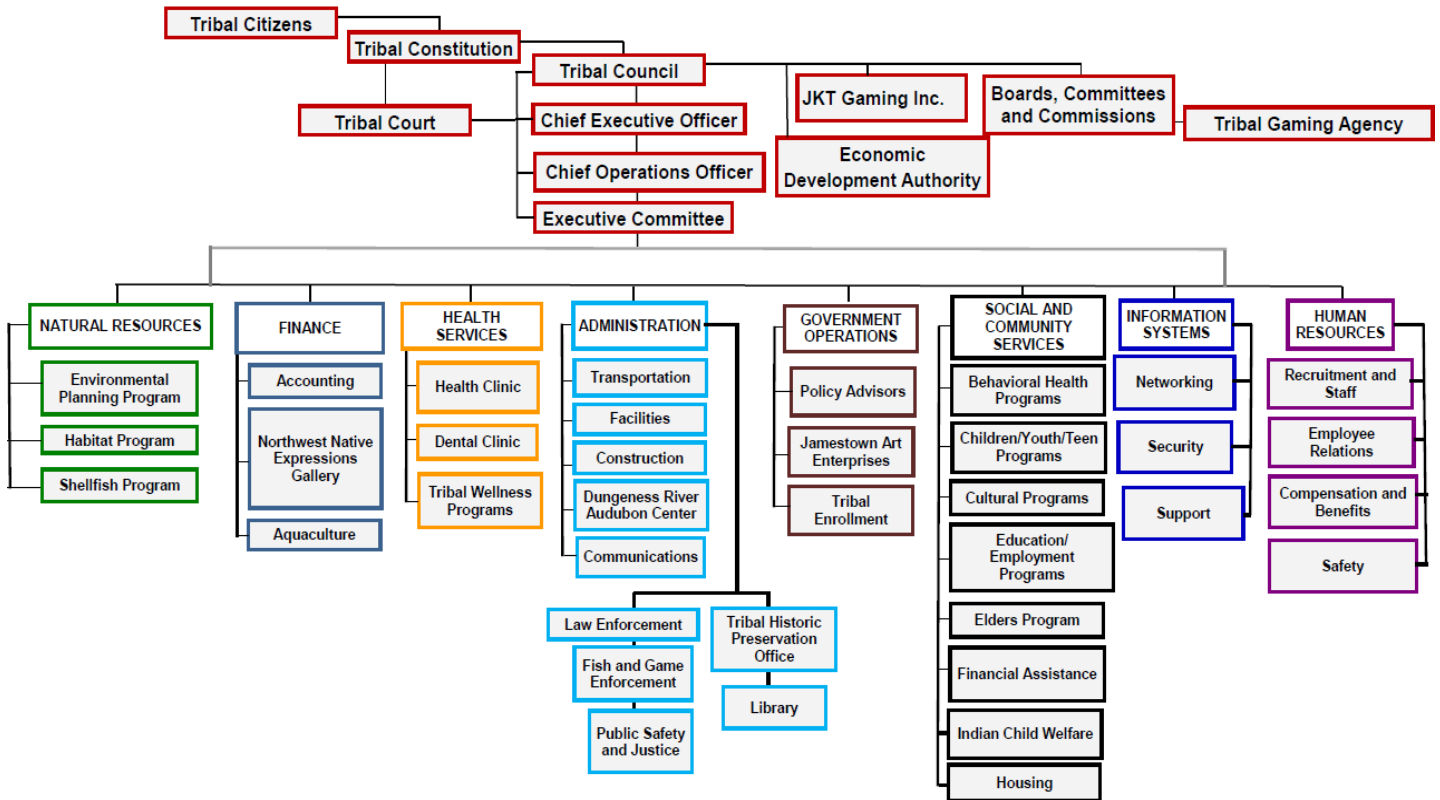
The Reservation and Trust lands include wetlands, portions of rivers, streams, creeks and tidelands. The tidelands, wetlands and portions of rivers, streams and creeks, including the portions of the Dungeness River identified on the table below, are identified on the maps provided in **Exhibit E**. The Tribe had previously identified lands and waters over which it asserts authority in 2000. 2000 TAS Application (**Exhibit A** – Appendix 2). The lands and waters held in trust have expanded in acreage since 2000 to include the following new lands and waters:

Tribal Properties	BIA Tract No.	Associated Waters
McLean	129-T1000	Sequim Bay Tidelands
Slater	129-T1003	Dungeness River and associated wetland
Parsons	129-T1011	Wetlands associated with Jimmycomelately Creek
River Center I	129-T1012	Dungeness River
Sophus Road I	129-T1013	Jimmycomelately Creek and associated wetlands
Sophus Road II	129-T1014	Jimmycomelately Creek and associated wetlands
Golf Course	129-T1015	Type 2 Stream, Wetlands Class II
Johnson	156-T1163	Sequim Bay Tidelands
Blyn Basin II	157-T1239	Type 3 Stream
Blyn Basin III	157-T1244	Type 5 Stream with associated wetlands, Type 3 Stream with associated wetlands, wetlands, and tidelands
PAC Five	129-T1017	Wetlands

7. Tribal Capability

The Tribe is capable of administering effective water quality standards and water quality certification programs. The overall organization of the Tribe’s government and experience in managing programs, such as environmental or public health programs, is described in our previous TAS application (see **Exhibit A**). The Tribal government today is illustrated in the following organizational chart.

Tribal Governmental Organizational Chart FY 2019



The responsibilities to establish, review, implement and revise water quality standards will be assigned to the Tribe's Natural Resources (NR) Department. The mission of this department is to protect treaty rights of the natural resources of the Point No Point Treaty area for the benefit of Jamestown S'Klallam Tribal members and future descendants. In this capacity, the Department is charged with ensuring the orderly harvest of fish, shellfish and wildlife resources, providing opportunities for Tribal members to derive subsistence and/or livelihood from the harvest of these resources, increasing opportunity through restoration, enhancement and scientific study, and reversing the decline of these resources resulting from environmental degradation.

The primary functions of the NR department are divided between three programs: resource management, environmental planning and habitat protection and restoration. The NR programs are focused on 1) scientifically based management and wise-use of fish, shellfish and wildlife resources, 2) improving the quality of water and habitat supporting these resources and 3) utilizing a range of restoration, education, enforcement and management techniques. The department is run by our NR director, who oversees the departments activities, as well as serving

as the Tribe's representative on the Dungeness River Management Team and the Tribe's fisheries manager. Three managers serve under our director. They are:

1. Shellfish Program Manager, who provides technical assistance for the bioassessment, management, and enhancement of the intertidal and subtidal shellfish resource. This manager also conducts shellfish research, helps with regulating and monitoring the commercial and subsistence shellfisheries, and conducts intertidal population surveys.
2. Environmental Planning Program Manager, who applies sound scientific and planning principles to the protection and restoration of habitat for salmon, shellfish, and other wildlife in the Tribe's usual and accustomed fishing area. This manager is responsible for developing public outreach on restoration and initiating direct contact with landowners related to habitat restoration and property purchase/management.
3. Habitat Program Manager, who works closely with the habitat staff from the Olympic Peninsula and Puget Sound Tribes, and county, state, and federal agencies. This manager's current focus is the Dungeness River, including the removal of tidal dikes in the estuary and in the lower river, and installing engineered logjams in the reach.

Supporting our NR Director and our Program Managers are 10 staff with various titles and responsibilities.

- GIS/Data Management Specialist, who is responsible for maintaining the Tribe's geographic information system by compiling, storing, updating, managing and analyzing data producing a wide range of maps, graphics and diagrams for Tribal programs. This specialist is also the administrator of the Tribe's EPA/Brownfields Response Program, which assesses Tribal properties for potential environmental hazards.
- Forest and Fish Biologist, who reviews logging and development permit applications that have the potential to impact tribal fisheries habitat and cultural resource issues. The Forest and Fish Biologist also conducts field research on habitat conditions in key salmon-bearing streams in the Tribe's area.
- Shellfish Biologist, who maintains oversight of the Tribe's shellfish aquaculture and beach enhancement projects, coordinated and implemented interagency marine research projects, and collects the biological and ecological data needed to manage populations of harvestable shellfish.
- Watershed Planner, who serves as the watershed planner, research assistant and support staff for the Tribe's NR Department. In addition, this planner is the communication contact for local agencies and citizens involved in watershed planning and salmon recovery efforts within the Dungeness watershed.
- Fisheries Management Biologist, who's duties are to plan organize and administer the Tribe's fin fish harvest management program. This biologist analyzes data and makes recommendations to the NR Director, Point No Point Treaty Council, Natural Resources Committee and the Tribal Council regarding management options and program operations. This biologist works with the State, Tribal and Federal fisheries agencies regarding planning objectives and goals for hatchery production and population recovery programs.
- Environmental Biologist, who works with water and land resources management projects that focus on Tribal and public environmental resource protection. This biologist

conducts research on harmful algal blooms and nutrients in Sequim Bay as well as lending a hand where needed for other natural resource projects. This biologist also reviews plans, reports and scientific studies relevant to Tribal watershed issues.

- Restoration Planner, who focuses on habitat restoration and protection projects for the benefit of Treaty Resources in the Tribe's Usual and Accustomed fishing area, including grant writing and management, and coordination with landowners for restoration and floodplain protection/purchase.
- Environmental Planning Biologist, who prepares, evaluates, and processes aquaculture, land use, and environmental applications related to the Tribe's business and development projects and also works other projects, codes, or policies that may impact the Tribe's cultural and natural resources.
- Natural Resources Technicians (3), who assist the NR department in various field related projects. They are responsible for collecting water quality samples and entering the data for several ongoing water quality projects. Some also work with the Department of Health collecting water quality samples in Sequim, Dungeness, and Discovery Bay which helps keep our shellfish certified. Others assist with the monitoring of Tribal Shellfish Harvests and in the spring, work on the smolt trapping project.
- Fisheries Technician, who assists the NR department in various field related projects. This technician assists with the monitoring of Tribal Shellfish Harvests and our commercial geoduck fishery. This technician also works with the Department of Health collecting water quality samples in Dungeness, Sequim and Discovery Bay.

Besides having a robust staff, the NR department maintains key partnerships. These include:

- Point No Point Treaty Council (PNPTC): The Department works closely with the PNPTC, a fish and wildlife management consortium including the Jamestown S'Klallam and Port Gamble S'Klallam Tribes to coordinate management of our finfish, shellfish and wildlife resources.
- Dungeness River Management Team (DRMT): The Dungeness River Management Team (DRMT) is a partnership of individuals and stakeholders working together to develop and help implement locally based, long-term solutions to Dungeness Watershed management issues. The Team has operated since the late 1980s, is co-led by the Jamestown S'Klallam Tribe and Clallam County, and includes active participation from residents and other partners and stakeholders. The group meets monthly to coordinate locally based, long-term solutions to water quantity, water quality, flood control, forest management, salmon recovery and other critical watershed issues. All meetings are open to the public, and are held at the Dungeness River Audubon Center at Railroad Bridge Park.
- Dungeness River Audubon Center at Railroad Bridge Park (River Center): The River Center includes a public park with river access, a historic bridge over the Dungeness River, a half-mile stretch of the Olympic Discovery Trail, numerous small trails through the forest and along the river, an outdoor amphitheater, and an interpretive center. The interpretive center provides displays, meeting space, library, gift shop, lectures, and classes for all ages on the natural resources of the region. It is owned by the Jamestown S'Klallam Tribe and cooperatively managed by the River Center Foundation, the Olympic Peninsula Audubon society, and Audubon Washington.

- Northwest Indian Fisheries Commission: The Tribe is a member of the NWIFC, a fisheries consortium of 20 western Washington Tribes, which was formed following the 1974 federal court decision in U.S. vs. Washington (the Boldt Decision). The NWIFC assists tribes with conducting orderly and biologically sound fisheries, and provides a forum for tribes to jointly address other natural resource management issues such as wildlife and habitat.

The Natural Resources Department manages funds for programs including water quality and quantity monitoring, stormwater management, wetland protection, estuary restoration, salmon habitat restoration, and shellfish area restoration, management and harvesting. **Exhibit J** lists documents and links to some of the Tribe’s efforts regarding water quality, including our ETEP, and a list of some of our projects are included in Section 4. **Exhibit L** includes all our QAPPs.

Natural Resource Department: GOALS & OBJECTIVES

Goal 1: Protect and enhance the natural resources of the Jamestown S’Klallam Tribe

Without available fish, shellfish, wildlife and forest products, the treaty right is meaningless. We strive to protect functioning habitat and healthy resources while restoring impacted habitats and recovering depressed populations. We perform ongoing data collection to inform restoration, enhancement, and harvest management.

Current Objectives:

- Implement floodplain conservation and restoration projects on the Dungeness River including the complete construction of Phase 2 of USACE dike setback.
- Coordinate and collaborate to improve water quality in the Dungeness River, its tributaries, and Dungeness Bay.
- Provide leadership and technical support to the Pollution Identification and Correction (PIC) program in the Dungeness Clean Water District.
- Construction of River’s Edge phase of Dungeness dike realignment to setback miles of dike and restore 115 acres of floodplain for river processes. Chinook, steelhead, summer chum and native char productivity are dependent upon functional floodplains. Coordination and partnership with Clallam County.
- Update the Tribe’s Greenhouse Gas Emissions Inventory
- Monitoring harmful algal and invasive crab species and populations.
- Participate in Natural Resources Damage Assessments that affect Jamestown treaty resources.
- Monitor the impacts of drought, elevated water temperatures, and low flow conditions on fish.
- Monitor the impacts of extreme heat and heatwaves on shellfish.
- Participate in processes to ensure instream flows aquatic species including providing continued Dungeness Water Rule leadership.

Long Range Plans:

- Fund and implement floodplain reconnection and restoration.

- Fund and implement channel restoration through re-meandering, reconnection and reconstruction of side-channels, and reestablishing healthy levels of channel roughness through installation of large wood and other habitat features.
- Recover self-sustaining, harvestable, salmon runs within the Tribe's U&A.
- Protect and restore harvestable shellfish and other marine and intertidal resources.
- Restore riparian and floodplain forests to the full width of the channel migration zone.
- Better understand population dynamics to inform management (crab larvae research, food web studies).
- Better understand and mitigate for the conditions that favor the growth of harmful algal species.
- Understand and adapt to changing environmental conditions including climate change that impact habitats and species that are important to the Tribe.

Goal 2: Protect the treaty rights of the Jamestown S'Klallam Tribe

Development within S'Klallam territory has resulted in damaged habitats and impacted fish and wildlife populations. Loss of habitat and treaty resources is occurring at a rate greater than we are able to restore and recover. Other stressors, including toxics and climate change impacts are further reducing treaty resource resiliency. We continue to seek the support and assistance of the US government in the protection of the Tribe's treaty rights.

Current Objectives:

- Environmental Review: Natural Resources Department will continue to support TEPA review for Casino and resort management activity, JST government projects (all HUD required environmental review responsibilities), JST EDA projects; as well as external projects that are most likely to impact Treaty Resources (including Navy and private projects). JST NR staff also review/ comment for local Shoreline Master, Stormwater and Critical Areas programs and rules.
- Solid Waste planning: Natural Resources Department will participate in Clallam County's Solid Waste Plan and support Resort management.
- Dungeness Summer Chum stock rebuilding program. Summer chum have rebounded well through much of the streams and rivers, but Dungeness stock is still precariously low. Biologists are now recommending a rebuilding program similar to Jimmycomelately program. The remainder of the summer chum area is performing well enough that there is discussion to delist from Threatened status under ESA.
- Secure access to hunting grounds.
- Perform stock assessment and management of finfish and shellfish harvest.
- Participate in legal proceedings affecting the Tribe's treaty rights.
- Monitor and provide feedback on Culvert Case fish passage barrier removal projects.
- Engage with Navy to ensure habitat and treaty rights mitigation is appropriate and protective of the Tribe's interests.

Long Range Plans:

- Access to fishing, hunting and gathering grounds.

- Co-management authority and capacity to participate in local, state and federal management arenas.
- Protection of high-quality habitat, with an emphasis on freshwater and marine shoreline and associated habitats.
- Self-sustaining, abundant populations of traditional fishing, hunting and gathering species.

Goal 3: Protect and improve the fishing, hunting and gathering opportunities of the Jamestown S’Klallam Tribe

Healthy habitat supporting healthy fish, wildlife and traditional plant populations allows the Tribe to exercise its treaty rights, and its citizens and their families to benefit from resources harvested. Cultured fish and shellfish allow harvest opportunity not provided through natural production. Access to hunting areas is integral to the right and ability to hunt.

Current Objectives/Initiatives:

- Tribal Citizen Access to Resources:
 - Recovering salmon populations is a continued priority to assure that the Tribe continues to have harvestable resources.
 - Understanding shellfish resource populations and recovery (i.e., geoduck tracts) is a priority to assure management for sustained harvestable resources
 - Responsible species management: Coho, Halibut, Crab, Geoduck, Shrimp, Manila Clams, Oyster, et al – special emphasis in 2021 on shrimp population surveys and management.
 - Track/ work with PGST for continued access on formerly Pope Resources lands in Kitsap Co, now Rayonier lands.
 - Work with traditional foods program on shellfish garden cultivation; and providing workshops on shellfish harvesting and safe handling.
- Work with traditional foods program on shellfish garden cultivation; and providing workshops on shellfish harvesting and safe handling.
- Support JST Seafood Venture planning.
- Carry out tribal co-management responsibilities for the orderly harvest of fish and wildlife resources in cooperation with the State of Washington and other jurisdictions.
- Maintain Tribal licensing policy for Tribal member fish buyers/dealers.
- Promulgate ordinances and regulations for the harvest of fish, shellfish, and wildlife
- Oversee development and operation of Tribal aquaculture programs in coordination with the staff of Jamestown Seafoods.
- Support shellfish/net pen farm permits.
- Ensure that shellfish resources meet requirements for health certification or safe subsistence harvest.
- Work with traditional foods program to create a shellfish garden.
- Improve State recreational catch estimates for shrimp.
- Continue experimental shellfish plantings on reservation tidelands.
- Provide shellfish harvest workshop for tribal citizens.

Long Range Plans:

- Oversee ceremonial and subsistence harvest.
- Participate in co-management with WA State and Tribes for shellfish, bottomfish and other marine species.

The table below shows the year and the amount of funds managed by the Natural Resources Department.

<u>Fiscal Year End</u>	<u>Total Direct Expenditures</u>
10/1/2009 - 9/30/2010	\$2,350,712.88
10/1/2010 - 9/30/2011	\$3,407,036.30
10/1/2011 - 9/30/2012	\$4,768,662.59
10/1/2012 - 9/30/2013	\$5,414,755.71
10/1/2013 - 9/30/2014	\$4,580,934.70
10/1/2014 - 9/30/2015	\$5,752,089.10
10/1/2015 - 9/30/2016	\$5,878,904.93
10/1/2016 - 9/30/2017	\$5,515,024.59
10/1/2017 - 9/30/2018	\$4,558,534.92
10/1/2018 - 9/30/2019	\$4,078,002.69
10/1/2019 - 9/30/2020	\$3,258,316.58

The Tribe's Natural Resources Department is the existing agency that will assume responsibility for establishing, reviewing, implementing, and revising water quality standards. We have experienced staff members already on board that will administer the water quality standards and certification programs and we will seek out specific training opportunities on water quality standards administration. Our Environmental Planning Director will be the responsible staff, with secondary roles played by our Environmental Biologist and our Natural Resources Technicians.