



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

WATER
DIVISION

March 30, 2022

The Honorable W. Ron Allen
Tribal Council Chairman
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, Washington 98382

Dear Chairman Allen:

It is my honor to inform the Jamestown S'Klallam Tribe of the U.S. Environmental Protection Agency's decision to approve the Tribe's application for treatment in a similar manner as a state (TAS) for the purposes of administering Clean Water Act sections 303(c) and 401, water quality standards and water quality certification programs, respectively. The enclosed decision document provides the basis and supporting information for EPA's TAS approval. EPA looks forward to working with the Jamestown S'Klallam Tribe on the implementation of these important water protection programs.

If you have questions regarding this letter, please feel free to contact me at (206) 553-1855, or your staff may contact Ted Yackulic, Assistant Regional Counsel, at (206) 553-1218 or Yackulic.Ted@epa.gov.

Sincerely,

/s/ 03-30-2022

Daniel D. Opalski
Director

Enclosure

cc (e-copy): JT Austin, Washington State Office of the Governor
Bob Ferguson, Washington State Office of the Attorney General
Andy Fitz, Washington State Office of the Attorney General
Laura Watson, Washington State Department of Ecology
Vince McGowan, Washington State Department of Ecology
Hansi Hals, Jamestown S'Klallam Tribe

**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

DECISION DOCUMENT:

**APPROVAL OF THE JAMESTOWN S'KLALLAM TRIBE APPLICATION FOR
TREATMENT IN A SIMILAR MANNER AS A STATE FOR
CLEAN WATER ACT SECTIONS 303(c) WATER QUALITY STANDARDS AND
401 WATER QUALITY CERTIFICATION PROGRAMS**

March 30, 2022

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I. Introduction and Index to Decision

A. Introduction

This Decision Document provides the basis and supporting information for the U.S. Environmental Protection Agency’s (“EPA” or “Agency”) decision to approve the Jamestown S’Klallam Tribe’s (“JST” or the “Tribe”) application for treatment in a similar manner as a state (“TAS”) for Clean Water Act (“CWA”) section 303(c) water quality standards and section 401 water quality certification programs, pursuant to section 518(e) of the CWA and part 131 in Title 40 of the Code of Federal Regulations (“C.F.R.”). Section 518(e) of the CWA authorizes EPA to treat an Indian tribe as a state to manage and protect water resources “within the borders of an Indian reservation,” under certain CWA programs, including the section 303(c) water quality standards and section 401 water quality certification programs.

EPA received the JST’s TAS application (referred to as “JST Application”) on October 7, 2021. The JST Application includes sixteen supporting exhibits identified as Exhibits A-P. EPA regulations at 40 C.F.R. part 131 establish the process by which the Agency implements the water quality standards program and its authority to determine whether to approve a tribal TAS application for the purposes of administering programs under sections 303(c) and 401 of the CWA. *See* 56 Fed. Reg. 64876 (December 12, 1991), as amended by 59 Fed. Reg. 64339 (December 14, 1994).

This decision to approve the JST Application does not constitute an approval of the Tribe’s water quality standards. EPA’s review and approval or disapproval of the Tribe’s water quality standards is a separate Agency action under the CWA.

The JST Application seeks approval to administer the CWA water quality standards and certification programs for all lands within the JST Reservation as well as the Tribe’s trust lands located outside of the JST Reservation that qualify as informal reservation lands, as explained herein. The JST Reservation and informal reservation lands (collectively referred to as the “Reservation and Trust Lands”) are located on numerous parcels. These parcels are located in close proximity to each other and near the Dungeness Spit and Sequim Bay. The JST Application identifies 644.6 acres of JST Reservation and Trust Lands that are subject to this application. Of this amount, 275.74 acres are Reservation lands and 368.86 acres are Trust lands.

B. Index to Decision

The following documents constitute a portion of the full docket for this Agency decision, as detailed in Appendix A. All relevant materials in the docket are located in EPA’s official files and electronic storage systems.

1) Application Materials

The JST Application for TAS for the water quality standards and certification programs under CWA sections 303(c) and 401, respectively, includes the following documents:

- JST Treatment as a State Application for TAS for Water Quality Standards and Certifications Under Clean Water Act Sections 303(c) & 401 (October 7, 2021).
 - Exhibit A: Approved JST CWA 319 TAS application submitted to EPA on January 26, 2000

- Exhibit B: Federal Register - Federal Recognized Tribes List dated January 29, 2021
- Exhibit C: JST Constitution
- Exhibit D: Legal Descriptions
- Exhibit E: Maps
- Exhibit F: Tribal Code – Title 13 – Tribal Court
- Exhibit G: Tribal Code – Title 20 – Civil Actions
- Exhibit H: Federal Register and Proclamations Trust to Reservation Documentation
- Exhibit I: Track History Reports
- Exhibit J: Water Monitoring Strategy for the JST (2018), JST Discovery Plan (2018), State of our Watersheds Report (2020), Tribal Assessment Report: CWA 106 (2020), and Tribal Environmental Plan FY21, and supporting links
- Exhibit K: Descriptions and definitions of Waterbodies
- Exhibit L: JST Natural Resources Quality Assurance Project Plans (QAPPs)
- Exhibit M: Tribal Recognition Documents dated May 30, 1980
- Exhibit N: Tribal Code – Title 6 – Fishing
- Exhibit O: Tribal Code – Title 9 – Hunting
- Exhibit P: Tribal Resolution – Application for Treatment as a State under section 518 of the CWA adopted on October 1, 2021

2) Comments Regarding Tribal Authority

As required by 40 C.F.R. § 131.8(c)(2) and noted in Appendix A, by letter dated October 25, 2021, EPA provided notice to the State of Washington, in its capacity as an appropriate governmental entity,¹ of EPA's receipt of the JST Application. The letter informed the State of the opportunity to comment on the substance and basis of the Tribe's assertion of authority in the JST Application to regulate under the CWA the quality of surface waters on the JST Reservation and Trust Lands. The comment period started on October 25, 2021, and ended on December 3, 2021. The State did not provide any comments.

Consistent with Agency practice, EPA also provided the public notice and an opportunity to comment on the assertion of authority in the JST Application. A public notice was published in two newspapers – The Seattle Times, a daily newspaper based in Seattle, and the Peninsula Daily News, a daily regional newspaper which serves the Olympic Peninsula area of Washington, including the cities of Port Angeles, Port Townsend, Sequim, among others. The Seattle Times published the notice on October 25, 2021, and the Peninsula Daily News published the notice on October 27, 2021. The published notices identified EPA's website on which the JST Application was posted and notified the public of the opportunity to review the JST Application and to submit comments to EPA and Washington State Department of Ecology on the Tribe's assertion of jurisdictional authority to administer CWA sections 303(c) and 401 programs over surface waters within the boundaries of the JST Reservation and Trust Lands by December 3, 2021.

Neither EPA nor the Washington State Department of Ecology received comments from the public related to the JST Application during or after the public comment period.

¹ EPA defines the term "appropriate governmental entities" as "States, Tribes, and other Federal entities located contiguous to the reservation of the tribe which is applying for treatment as a State." 56 Fed. Reg. 64876, 64884 (Dec. 12, 1991). Consistent with EPA's regulations, EPA provided notice to the State of Washington in this instance.

3) Statutory and Regulatory Provisions

The following statutory and regulatory provisions govern this eligibility decision:

- Section 518 of the Clean Water Act, 33 U.S.C. § 1377, authorizes EPA to treat an Indian tribe in a similar manner as a state if it meets specified eligibility criteria; and
- 40 C.F.R. §§ 131.4(c) and 131.8 establish the regulatory requirements for a tribe to obtain eligibility approval and the procedures for EPA to process a tribe's eligibility application. *See* Amendments to the Water Quality Standards Regulation That Pertain to Standards on Indian Reservations, 56 Fed. Reg. 64,876 (Dec. 12, 1991); 59 Fed. Reg. 64,339 (Dec. 14, 1994); and 81 Fed. Reg. 30183 (May 16, 2016).

4) Policy Statements

The following policy statements and guidance are also relevant to this eligibility decision:

- *EPA Policy for the Administration of Environmental Programs on Indian Reservations* (November 8, 1984)²
- EPA Memorandum titled *EPA/State/Tribal Relations*, by EPA Administrator Reilly (July 10, 1991)³
- Memorandum titled *Adoption of the Recommendations from the EPA Workgroup on Tribal Eligibility Determinations*, by EPA Assistant Administrator Robert Perciasepe and General Counsel Jonathan Cannon (March 19, 1998)⁴
- Memorandum titled *Strategy for Reviewing Tribal Eligibility Applications to Administer EPA Regulatory Programs*, by EPA Deputy Administrator Marcus Peacock (January 23, 2008)⁵

II. Requirements for Approval

Under CWA section 518(e) and the implementing regulation at 40 C.F.R. § 131.8(a), four requirements must be satisfied before EPA can approve an Indian tribe's application to administer a water quality standards program under CWA section 303(c) and a water quality certification program under CWA section 401. The requirements are:

- 1) The Indian tribe is recognized by the Secretary of the Interior and exercises authority over a reservation;
- 2) The Indian tribe has a governing body carrying out substantial governmental duties and powers;
- 3) The water quality standards program to be administered by the Indian tribe pertains to the management and protection of water resources which are within the borders of the Indian reservation and held by the Indian tribe, within the borders of the Indian reservation and held by the United States in trust for Indians, within the borders of the Indian reservation and held

² Available at <https://www.epa.gov/sites/production/files/2015-04/documents/indian-policy-84.pdf>

³ Available in pages 98-103 of *Working Effectively with Tribal Governments*

⁴ Available in the Supporting Information for this action

⁵ Available at https://www.epa.gov/sites/production/files/2015-10/documents/strategy-for-reviewing-applications-for-tas_0.pdf

by a member of an Indian tribe if such property interest is subject to a trust restriction on alienation, or otherwise within the borders of the Indian reservation; and

- 4) The Indian tribe is reasonably expected to be capable, in the [EPA] Regional Administrator's judgment, of carrying out the functions of an effective water quality standards program in a manner consistent with the terms and purposes of the CWA and applicable regulations.

EPA's regulation at 40 C.F.R. § 131.8(b) identifies the information that must be included in an application by an Indian tribe to administer a water quality standards program. Consistent with the regulation at 40 C.F.R. § 131.8(b)(6), where an Indian tribe has previously qualified for TAS under a different CWA or Safe Drinking Water Act program, the tribe need only provide the required information which has not been submitted in a previous application. Where EPA determines that an Indian tribe is eligible to the same extent as a state for purposes of administering a water quality standards program, the tribe likewise is eligible to the same extent as a state for purposes of certifications conducted under CWA section 401. *See* 40 C.F.R. § 131.4(c). Tribes authorized to administer the CWA water quality standards program are also "affected states" under CWA §§ 402(b)(3) and (5), and 40 C.F.R. § 122.4(d). As "affected states," they receive notice and an opportunity to comment on certain permits issued under the National Pollutant Discharge Elimination System program.

A. Federal Recognition

Under CWA section 518(e) and its implementing regulation, EPA can approve an application from an eligible "Indian tribe" that meets the definitions set forth in CWA section 518(h) and 40 C.F.R. § 131.3(k) and (l). *See* 40 C.F.R. § 131.8(a)(1). The term "Indian tribe" is defined as "any Indian tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian reservation." CWA section 518(h)(2), 40 C.F.R. § 131.3(l). The term "Federal Indian reservation" means "all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation." CWA section 518(h)(1), 40 C.F.R. § 131.3(k).

Consistent with 40 C.F.R. § 131.8(b)(6), the JST Application references EPA's March 14, 2000 approval of the Tribe's TAS application for the CWA section 319 program. The JST is included as "Jamestown S'Klallam Tribe" in the Department of the Interior's current list of federally recognized tribes. *See* 87 Fed. Reg. 4636-4641 (January 28, 2022). Furthermore, as discussed below, the Tribe is exercising governmental authority over a reservation within the meaning of the CWA. Thus, EPA has determined that the JST meets the requirements of 40 C.F.R. §§ 131.8(a)(1) and (b)(1).

B. Substantial Governmental Duties and Powers

To demonstrate that it has a governing body currently carrying out substantial governmental duties and powers over a defined area, 40 C.F.R. § 131.8(b)(2) requires that the tribe submit a descriptive statement that should: (i) describe the form of the tribal government; (ii) describe the types of governmental functions currently performed by the tribal governing body, such as, but not limited to, the exercise of police powers affecting (or relating to) the health, safety, and welfare of the affected population, taxation, and the exercise of eminent domain; and (iii) identify the source of the tribal government's authority to carry out the governmental functions currently being performed.

1) Form of Government

The JST Application describes the form of the JST's Tribal Government. The JST Constitution provides authorities to three governmental bodies. These include a General Council, a Tribal Council, and a Tribal Court.

2) Types of Government Functions

As provided in Article IV of the JST Constitution,⁶ the Tribe's General Council consists of all enrolled Tribal citizens who are qualified to vote in Tribal elections. Article V of the JST Constitution establishes that a Tribal citizen is qualified to vote if (he/she) is (1) at least 18 years of age, and (2) duly registered pursuant to the Tribe's voter registration system. Article IV of the Constitution empowers the General Council with the following authorities:

- Electing Tribal Council Members in accordance with Article V;
- Deciding on initiatives, recalls and referendums in accordance with Article V;
- Adopting or rejecting proposed constitutional amendments in accordance with Article X; and
- Dealing with those matters not expressly delegated to the Tribal Council by Section 1 of Article VII.

The Tribal Council provides legislative and executive functions of the JST Government. Article VI of the JST Constitution describes the membership, authority, and procedures of the Tribal Council.

The Tribal Council consists of five members elected by the Tribe's General Council. The members include a Chairperson, a Vice-Chairperson, a Secretary and Treasurer, and a Councilperson. All members of the Tribal Council are elected to four-year terms. Elections of Tribal Councilmembers are staggered.

Article VII, Section 1, subsections (a)-(v) list the enumerated powers of the Tribal Council. The listed authorities include, but are not limited to, the following:

1. To negotiate with federal, state, and local governments on behalf of the Tribe;
2. To oversee all economic affairs and enterprises of the Tribe;
3. To appropriate Tribal funds for Tribal purposes;
4. To levy taxes and fees on all persons, property and activities within the Tribe's jurisdiction;
5. To enact laws and regulations;
6. To charter and regulate corporation, limited liability companies, partnerships, joint ventures, cooperatives, associations, special districts, educational and charitable institutions, political subdivisions and any other organization;
7. To delegate enumerated powers of the Tribal Council to a subordinate entity; provided that any action taken by such subordinate entity shall only be effective when approved by the Tribal Council; and
8. To develop, manage, protect and regulate the use of air, light, water, fish, animals, wildlife, minerals, timber and all other resources within the Tribe's jurisdiction.

⁶ The JST Constitution is included in the JST Application as Exhibit C.

While the above list is not exhaustive, the list demonstrates many of the legislative and executive functions that the Tribal Council serves.

In addition, Section 2 of Article VII grants the Tribal Council with the authority to exercise other inherent authorities not expressly listed in the JST Constitution. This authority is also granted to the Tribe's qualified voters at a validly called meeting of the General Council.

Consistent with its authority, the Tribal Council has delegated day-to-day executive function to the Tribe's Chief Executive Officer (CEO), Chief Operations Officer (COO) and Executive Committee. The CEO, COO and Executive Committee oversee several departments. The JST maintains a website that includes links to its Tribal Code and governmental departments.⁷ The JST Application includes a tribal government organization chart identifying the departments that provide executive function; and the listed departments include the following entities:

- Natural Resources Department;
- The Public Safety & Natural Resource Enforcement Department;
- Public Safety & Justice Department;
- Finance Department;
- Health Services Department;
- Administration Department;
- Government Operations Department; and
- Information Systems Department.

The Tribal Council has established several advisory committees. These committees include a culture committee, an enrollment committee, a gaming committee, a health committee, a higher education committee, a housing improvement committee, a Jamestown family community network committee, a natural resource committee, and utilities committees. These committees meet on a regular, or as necessary, basis and provide advisory information to the Tribal Council.

The JST Constitution authorizes the Tribe's use of a judicial system and JST has established a Tribal Court pursuant to Article VIII of the Constitution. The Constitution provides the Tribal Court with the power to review and overturn Tribal legislation and executive actions for violations of the Constitution or other applicable federal law and to perform all other judicial and court functions. The Tribal Court's mission "is to ensure Civil and Criminal Justice in a manner which recognizes the sovereignty, individual character, and traditions of the Jamestown S'Klallam Tribe by providing fair, equitable, and uniform justice for all who fall within the Tribe's jurisdiction."⁸ The JST asserts civil jurisdiction "to the full extent permitted under the laws of the United States of America,"⁹ and jurisdiction over certain criminal matters.¹⁰

The Tribe has appointed the Northwest Intertribal Court System to serve as the JST's Tribal Court. The Northwest Intertribal Court System provides both trial and appellate court services to the Tribe.

⁷ See, the Government drop down option at <https://JST.org/>

⁸ <https://jamestowntribe.org/program-staff/public-safety-justice/>.

⁹ See, sections 13.04.01 of the Jamestown S'Klallam Tribe Tribal Code attached as Exhibit F to the JST Application

¹⁰ See section 21.1.1 of the JST Tribal Code which recognizes that the United States and the JST exercise concurrent jurisdiction over criminal matters subject the Indian Country Crimes Act, 18 U.S. 1152, and to the Major Crimes Act, 18 U.S.C 1153; and acknowledges that crimes committed by non-Indians against non-Indians within the JST's Indian Country are subject to prosecution under state law.

Finally, the Jamestown Public Safety & Natural Resource Enforcement Department serves as the Tribe's police department. All JST Reservation and Trust are protected by the Public Safety & Natural Resource Enforcement Department. This department works cooperatively with local, state, tribal and federal law enforcement agencies to ensure joint natural management and law enforcement goals are met.

3) Source of the JST Governmental Authority

Consistent with 40 C.F.R. § 131.8(b)(6), the JST Application identifies the JST Constitution and the laws the Tribe has promulgated pursuant to its Constitution as the sources of the Tribe's governmental authority to develop and implement the CWA water quality standards and certification programs. In particular, the enumerated authorities granted to the Tribal Council by Article VII of the JST Constitution provide the authority to implement the CWA programs at issue. As noted above, Article VII of the JST Constitution expressly empowers the Tribal Council to "develop, manage, protect and regulate the use of air, light, water, fish, animals, wildlife, minerals, timber and all other resources within the Tribe's jurisdiction." The JST first adopted the Constitution in 1975 and received Federal Recognition on February 10, 1981.

4) Substantial Governmental Duties and Powers Conclusions

The above description of the bases of authority and of the functions carried by the JST to regulate the conduct of its members, protect and maintain tribal resources and health, and control the disposition of the tribal property demonstrate that the JST has met the requirements of 40 C.F.R. §§ 131.8(a)(2) and (b)(2).

C. Jurisdiction over Waters within the Borders of the JST Reservation and Trust Lands

Under 40 C.F.R. § 131.8(b)(3), a tribe is required to submit a statement of authority to regulate water quality. The statement should include: (i) a map or legal description of the area over which the Indian tribe asserts authority to regulate surface water quality; (ii) a statement by the tribe's legal counsel (or equivalent official) that describes the basis for the tribe's assertion of authority and which may include a copy of documents such as tribal constitutions, by-laws, charters, executive orders, codes, ordinances, and/or resolutions which support the tribe's assertion of authority; and (iii) an identification of the surface waters for which the tribe proposes to establish water quality standards.

1) Map or Legal Description

The JST Application includes maps that show the location of the JST Reservation and Trust Lands, the JST's usual and accustomed fishing areas, and its ceded lands.¹¹ In addition, the JST Application includes a series of maps that show the location of each parcel of Reservation and Trust Lands including the locations of surface waters on each parcel.¹² The JST Application covers all waters within the boundaries of the JST's Reservation and Trust Lands.

¹¹ See, Appendix E of the JST Application at pp. 2 and 5

¹² See, *Id.* at pp. 6-15

The JST Application includes deeds or title documents that provide legal descriptions for each parcel of Reservation and Trust Lands subject to the JST Application.¹³ The deed and title descriptions describe the boundaries of each parcel of JST Reservation and Trust Lands. The following list of parcels include portions of adjacent surface waters as a boundary of the parcel. The boundary for each of these parcels is described below:

- The McLean parcel, BIA Tract Number 129-T1000, located within the Jamestown tribal campus includes tidelands located in Sequim Bay, and a portion of these tidelands extend to the mean high tide land and another portion includes tidelands of the second class as described in Warranty Deed transferring title to parcel.¹⁴
- The Johnston Parcel, BIA Tract Number 156-T1163, located within the Jamestown tribal campus includes tidelands located in Sequim Bay, and a portion of these tidelands extend to the mean high tide land and another portion includes tidelands of the second class as described in Statutory Warranty Deed transferring title to parcel.¹⁵
- Parcel 19 and Parcel 23 of the Blyn Basin III Parcels, BIA Tract Number 157-T1244 which include tidelands extending to the mean high tide land as described in the Warranty Deed transferring title to the parcel.¹⁶
- Parcel 6 of the Blyn Basin III Parcels, BIA Tract Number 157-T1244, borders on the bank of a creek as described in the Warranty Deed transferring title to the Parcel.¹⁷
- Parcel 8 of the Blyn Basin III Parcels, BIA Tract Number 157-T1244, borders on Dry Creek and extends to the centerline of Curry Creek as described in the Warranty Deed transferring title of the parcel.¹⁸
- Parcels H and I of the Golf Course, BIA Tract Number 129-T1015, Parcel H extends to the centerline of an un-named stream and Parcel I extends to the centerline of main channel of an un-named stream as described in the Warranty Deed transferring title to the property.¹⁹

Additionally, the JST Application includes information that identifies when JST Reservation and Trust Lands were placed into trust by the United States on behalf of the JST.²⁰ This information also includes the United States Bureau of Indian Affairs (“BIA”) realty record identification number for each transaction that placed property into trust as well as the surface water bodies located on the property.²¹ As previously noted, 276.74 acres subject to the JST Application are located within the Tribe’s formal reservation, and the remaining 368.86 acres are located on lands held entirely in trust by the United States for the benefit of the JST. Tribal trust lands, such as the JST Trust Lands located outside the boundaries of the JST Reservation, have the same status as formal reservations for purposes of EPA’s programs.²² Therefore, all of the JST Reservation and Trust Lands are eligible for inclusion in the JST Application.

¹³ See, Appendix D of the JST Application.

¹⁴ See Appendix D of the JST Application at 2.

¹⁵ *Id.* at 47.

¹⁶ *Id.* at 64 & 65.

¹⁷ *Id.* at 61.

¹⁸ *Id.* at 61 & 62.

¹⁹ *Id.* at 37 & 38.

²⁰ JST Application at 7-14.

²¹ *Id.*

²² For CWA purposes, Indian reservations include trust lands validly set aside for Indian tribes even if such lands have not formally been designated as an Indian Reservation. *See* 56 *Fed. Reg.* 64876, 64881 (December 12, 1991); *see also*, *Arizona Public Service Company v. EPA*, 211 F.3d 1280, 1292-94 (D.C. Cir. 2000); 81 *Fed. Reg.* 30183, 30192 (May 16, 2016), *Oklahoma Tax Commission v. Citizen Band Potawatomi Indian Tribe of Oklahoma*, 498 U.S. 505, 511 (1991).

As discussed above, EPA provided the appropriate governmental entity and the public notice of the opportunity to comment on the substance and basis of the Tribe's assertion of authority as part of the review process for the JST Application. The JST Application identifies the land and surface waters covered by the JST Application. No competing or conflicting jurisdictional claim regarding the identified Reservation boundaries or the area within the boundaries was made.

EPA concludes that the JST has satisfied 40 C.F.R. § 131.8(b)(3)(i) by providing maps and legal descriptions of the area over which the Tribe asserts authority to regulate surface water quality under the CWA.

2) Statement Describing the Basis for the Tribe's Authority

The JST relies on both its inherent authority and the express congressional delegation of civil authority that section 518 of the CWA provides as the basis for its authority to administer the CWA sections 303(c) and 401 programs.²³

EPA interprets section 518 as an express congressional delegation of authority to eligible tribes.²⁴ The JST asserts that there are no limitations or impediments to its ability to accept and effectuate the congressional delegation of authority under the CWA over its Reservation. Moreover, EPA received no comments challenging this assertion of the Tribe's authority and EPA is not otherwise aware of any impediment limiting the Tribe's ability to effectuate the congressionally delegated authority. EPA therefore concludes that the Tribe can rely on the congressional delegation of authority to regulate surface water quality over their formal and informal Reservation lands, as described above, and that the Tribe has satisfied the application requirement at 40 C.F.R. § 131.8(b)(3)(ii).

3) Identification of the Surface Waters for which the Tribe Proposes to Establish Water Quality Standards

The JST Application asserts authority over all surface waters within the areas identified as the JST Reservation and Trust Lands. These waters are identified on pages 9-15 of the JST Application.²⁵ The identified waterbodies include freshwater bodies, tidelands, and wetlands.

The locations of surface waters within the boundaries of the parcels that constitute the JST Reservation and Trust Lands are described in the legal descriptions provided in Exhibit D of the JST Application. In addition, Exhibit E includes maps identifying the location of waterbodies on the JST Reservation and Trust lands. These maps also identify waterbodies or portions of waterbodies that serve as boundaries to such lands (e.g., tidelands, wetlands, and rivers or streams that flow into, over and through such lands).

EPA concludes that the property descriptions and maps the JST submitted to identify the location of surface waters for which the JST asserts jurisdiction satisfy 40 C.F.R. § 131.8(b)(3)(iii).

²³ See, the JST Application at 14.

²⁴ EPA's *Revised Interpretation of Clean Water Act Tribal Provision*, 81 Fed. Reg. 30183 (May 16, 2016) ("Interpretive Rule").

²⁵ This decision approves the Tribe's water quality standards and certification programs for all jurisdictional waters within the boundaries of the JST Reservation and Trust Lands, including any waters not identified in the JST Application.

4) Conclusion Regarding Jurisdiction

Based on the above discussion, EPA concludes that the JST meets the requirements in 40 C.F.R. §§ 131.8(a)(3) and (b)(3).²⁶

D. Capability

To demonstrate that a tribe is reasonably expected to be capable of administering an effective water quality standards program, 40 C.F.R. § 131.8(b)(4) requires that a tribe's application include a narrative statement of the tribe's capability. The narrative statement should include: (i) a description of the Indian tribe's previous management experience, which may include the administration of programs and services authorized by the Indian Self-Determination and Education Assistance Act, the Indian Mineral Development Act or the Indian Sanitation Facility Construction Activity Act; (ii) a list of existing environmental and public health programs administered by the tribal governing body and copies of related tribal laws, policies, and regulations; (iii) a description of the entity (or entities) which exercise the executive, legislative, and judicial functions of the tribal government; (iv) a description of the existing, or proposed, agency of the Indian tribe which will assume primary responsibility for establishing, reviewing, implementing and revising water quality standards; and, (v) a description of the technical and administrative capabilities of the staff to administer and manage an effective water quality standards program or a plan which proposes how the tribe will acquire additional administrative and technical expertise. The plan must address how the tribe will obtain the funds to acquire the administrative and technical expertise.

1) Description of JST's Prior Management Experience

The JST has developed numerous administrative, environmental, natural resource, finance, public health, administrative, and social and community service programs, and through the Tribe's implementation of these programs, has demonstrated management experience. The JST Application includes a Tribal Government Organization Chart that identifies the Tribe's governmental structure. The organization chart identifies eight departments that implement a wide range of governmental programs. In addition, the JST Application includes copies of the Tribe's judicial and regulatory codes as well as documents and links to websites that illustrate the breadth of the Tribe's management experience.²⁷

2) List of Tribally Administered Environmental Programs

The JST Application includes a list of administrative departments at page 19 of the JST Application. These departments include several that serve public health or environmental services. For example, the JST Natural Resources (NR) Department provides environmental services, and both the Health Service Department and the Family Support and Behavioral Service Department provide public

²⁶ This portion of the analysis primarily relies on the EPA Memorandum entitled *Review of the Jamestown S'Klallam Tribe Application for Treatment in a Similar Manner as a State for Purposes of Administering the Water Quality Standards Program: Demonstration of Capabilities* by Andrea Ramirez, Water Quality Standards Coordinator, through Hanh Shaw, Manager, Standards and Assessment Section, to Ted Yackulic, Office of Regional Counsel (March 25, 2022) as well as the materials contained in the JST Application and other referenced materials.

²⁷ See exhibits F, G, J, L, N and O of the JST Application; and <https://jamestowntribe.org/tribal-council/tribal-documents/> which include links to the Tribe's entire Tribal Code as well as the annual reports the JST government issues to its tribal citizens.

health services.²⁸ Each of these departments manage programs that provide significant benefits to the JST, members of the JST, members of other tribes or non-members that live within or near the JST Reservation and Trust Lands. The JST has also demonstrated its ability to effectively track and manage the cost of funding programs. As noted in the Tribe's January 26, 2000, CWA section 319 TAS application, the JST has successfully administered a variety of federal grants since it received Federal Recognition in 1981. Lastly, Exhibits J and L of the JST Application provide documentation or source links to demonstrate the NR Department's ability to successfully develop and implement environmental projects/products.

3) Description of Entities which Exercise Executive, Legislative, and Judicial Functions

As described in section B above, the JST's government exercises executive, legislative and judicial authority. These functions are exercised by the Tribal Council and Tribal Court.

The Tribal Council is an elected body of five Council Members. The Tribal Council exercises the Tribe's executive and legislative powers.²⁹ The Tribal Council delegates the responsibility for day-to-day management of tribal affairs to the Tribe's CEO. The CEO, with the assistance of a COO and Executive Committee, oversees the management of the governmental departments identified in the Tribal Government Organizational Chart.

The Tribal Court carries out the judicial functions of the JST Tribal Constitution and Tribal Code. The Tribal Court exercises jurisdiction over the civil and criminal matters arising within all Indian Country within the jurisdiction of the Tribe.

4) Description of the Agency of the Tribal Government which will Assume the Primary Responsibility for Establishing, Reviewing, Implementing, and Revising Water Quality Standards

The NR Department will be responsible for establishing, reviewing, implementing and revising water quality standards. The JST Application identifies the NR Department's mission statement, primary functions, organizational structure, and staff. The JST Application also discusses several projects the NR Department has undertaken or is undertaking.

The NR Department's mission 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."³⁰

The primary functions of the NR Department are divided between three programs: resource management, environmental planning, and habitat protection and restoration. The JST Application identifies three primary approaches the programs share. First, each relies on the use of scientific and

²⁸ The full JST Tribal Code is available at <https://JST.org/tribalcode/>

²⁹ As noted at pages 5 above, the Tribal Council is elected by the Tribe's General Council which is made up of all enrolled JST members who are at least 18 years old.

³⁰ See, JST Application at p. 19

sustainable management of fish, shellfish, and wildlife resources. Second, each program emphasizes the necessity of improving water quality and habitat that supports fish, shellfish, and wildlife. Third, implementation of these three programs includes the use of a robust range of restoration, education, enforcement, and management techniques.

The NR Department is managed by the NR director who oversees the activities of the department and its three programs. The director is also the Tribe's representative on a Dungeness River Management Team, described below, and is responsible for managing the Tribe's fishery. Three managers assist the director. The managers include a Shellfish Program Manager, an Environmental Program Manager, and a Habitat Program manager. The NR Department also has ten staff members with various titles who provide program related expertise to the NR Department. The JST Application describes these responsibilities of the staff scientists on pages 21 and 22 of the JST Application. The NR Department manages funds to implement several program activities. These include water quality and quantity management, stormwater management, wetland protection, estuary restoration, salmon habitat restoration, and shellfish area restoration, management and harvesting. Exhibits J and L of the JST Application include documents and links to documents that demonstrate the capacity of the NR Department to successfully design and implement water quality management programs.

The NR Department maintains several key partnerships. These include:

- The Point no Point Treaty Council, a consortium comprised of the JST and Port Gamble S'Klallam Tribe, which focuses on the management of tribal protected finfish, shellfish and wildlife resources and ensures that treaty rights are preserved and treaty fisheries are managed in a coordinated, sustainable, and biologically sound manner.
- Dungeness River Management Team (DRMT), a partnership of individuals and stakeholders who are working together to develop and pursue implementation of locally based, long-term solution to Dungeness Watershed Management issues. In addition to the JST, its members include representatives of federal, state, county, and municipal governments; environmental non-profits, property owners, and commercial entities.³¹ The DRMT began operations in 1988 and is co-lead by the JST and Clallam County representatives.
- Dungeness River Audubon Center at Railroad Bridge Park (River Center), a property owned by the JST and cooperatively managed by the River Center Foundation, the Olympic Peninsula Audubon society, and Audubon Washington. The River Center includes a public park with river access, a historic bridge over the Dungeness River, a half-mile long 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.
- Northwest Indian Fisheries Commission (NWIFC), a consortium of 20 western Washington tribes. The NWIFC provides natural resource support services to the member tribes and a forum for tribes to jointly address other natural resource management issues such as wildlife and habitat.

The JST applied for TAS under CWA section 106 to receive grant funding for water quality monitoring in 1995, received approval from EPA on March 25, 1996, and has been

³¹ See, <http://dungenesswc.s3-website-us-west-2.amazonaws.com/>

monitoring surface water quality for over 20 years. The Tribe's monitoring strategy is focused on the Dungeness and Sequim Bay Watersheds³² and, according to the Tribe's 2020 Tribal Assessment Report, active water quality monitoring is taking place for the nine parameters described by CWA section 106.³³ The Tribe's monitoring objectives and design, water quality indicators, data management methods, and analysis and assessment reports are further described in the *Water Monitoring Strategy for the JST*.³⁴

The Tribe has prepared several quality assurance project plans (QAPPs) and partnered with multiple external groups as they develop and carry out the QAPPs. Exhibit L consists of a total of eleven QAPPs prepared by the JST and the Tribe's project partners. The list of QAPPs include topics such as temperature, dissolved oxygen, and nutrient monitoring, watershed restoration, shellfish toxins and harmful algal blooms.³⁵

5) Description of the Technical and Administrative Capabilities of the Staff to Administer and Manage an Effective Water Quality Standards Program.

As noted above, the NR Department is divided into three programs. The JST Application identifies the Environmental Planning Program as the entity within the NR Department with the primary responsibility for administering the Tribe's water quality standards and certification programs. The Environmental Planning Program staff currently employed by the JST will be responsible for carrying out the duties to establish, review, implement, and revise water quality standards include:

- **Environmental Planning Program Manager:** The Environmental Planning Program Manager works on the protection and restoration of habitat for salmon, shellfish, and other wildlife in the Tribe's fishing area, and is responsible for public outreach related to habitat restoration.
- **Environmental Biologist:** The Environmental Biologist works on water and land resources management projects that focus on Tribal and public environmental resource protection. Among other responsibilities, the Environmental Biologist conducts research on harmful algal blooms and nutrients in Sequim Bay as well as assisting where needed on other natural resource projects. This biologist also reviews plans, reports and scientific studies relevant to Tribal watershed issues.
- **Natural Resources Technicians:** The Natural Resource Technicians 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. They also work with the Department of Health collecting water quality samples in Sequim, Dungeness, and Discovery Bay for shellfish certification. Their responsibilities also include monitoring activities during Tribal Shellfish Harvests and working on the smolt trapping project.

³² August, 2020. *Tribal Assessment Report, CWA 106*. Exhibit J. Pp. 42-78.

³³ <https://www.epa.gov/water-pollution-control-section-106-grants/tribal-grants-under-section-106-clean-water-act#tribaleligible>

³⁴ December 31, 2018. *Water Monitoring Strategy for the Jamestown S'Klallam Tribe 2019-2028*. Exhibit J. Pp. 3-19.

³⁵ See, EPA Memorandum entitled *Review of the Jamestown S'Klallam Tribe Application for Treatment in a Similar Manner as a State for Purposes of Administering the Water Quality Standards Program: Demonstration of Capabilities* by Andrea Ramirez, Water Quality Standards Coordinator, through Hanh Shaw, Manager, Standards and Assessment Section, to Ted Yackulic, Office of Regional Counsel (March 25, 2022).

Based on the information provided by the JST describing the Tribe's capability to administer effective water quality standards and certification programs under the CWA, the JST Application's description of work undertaken by the Tribe, and EPA's experience working with the JST NR Department, EPA concludes that the JST has met the requirements at 40 C.F.R. §§ 131.8(a)(4) and (b)(4).

III. EPA's TAS Determination is a Separate Process from an EPA Decision on a Tribe's Submittal of Water Quality Standards.

This TAS decision does not constitute an approval of any JST water quality standards. EPA's review and approval or disapproval of new or revised water quality standards is a separate Agency action under the CWA, distinct from EPA's decision on the JST Application for eligibility to administer CWA sections 303(c) and 401 programs. Under the CWA, a tribe must first be approved for TAS before submitting water quality standards under CWA section 303(c) for EPA review. If EPA approves a tribe's water quality standards, those standards then become federally applicable water quality standards for CWA purposes over those waters of the United States that are within the scope of the TAS approval.

Any water quality standards adopted by the Tribe and submitted to EPA for review and action under the CWA must satisfy all CWA and regulatory requirements, including requirements for public involvement in the adoption process. For example, before adopting final standards, the Tribe must hold a well-publicized public hearing on a draft proposal, notify the public and affected parties, and provide copies of relevant materials in advance of the hearing. As part of the final rulemaking procedure, the Tribe will provide a responsiveness summary to the Tribal decision-maker and the public. See 40 C.F.R. § 131.20(b) and 40 C.F.R. part 25. These requirements will ensure an appropriate opportunity for interested entities to provide input on the Tribe's proposed water quality standards, and any concerns regarding the standards proposed by the Tribe would be appropriately raised and addressed as part of the public participation process.

EPA also notes that section 518(e) of the CWA addresses the possibility that disputes may arise between a state and an eligible Indian tribe as a result of differing federally approved water quality standards on shared water bodies. This provision directs EPA to promulgate regulations that provide a mechanism for resolving any unreasonable consequences that may arise from different state and tribal water quality standards. The dispute resolution mechanism regulations at 40 C.F.R. § 131.7 authorize the Regional Administrator to attempt to resolve (and provide a detailed process for resolving) such disputes between a state and a tribe with TAS approval in certain circumstances.³⁶

IV. Conclusion

EPA has reviewed the JST Application for TAS for CWA sections 303(c) and 401. EPA has assessed whether the JST Application meets the eligibility criteria established by CWA section

³⁶ Where disputes between states and Indian tribes arise as a result of differing water quality standards on common bodies of water, the Regional Administrator shall attempt to resolve such disputes where: (1) the difference in water quality standards results in unreasonable consequences; (2) the dispute is between a state and a tribe which EPA has determined is eligible to the same extent as a state for purposes of water quality standards; (3) a reasonable effort to resolve the dispute without EPA involvement has been made; (4) the requested relief is consistent with the provisions of the CWA and other relevant law; (5) the differing state and tribal water quality standards have been adopted pursuant to state and tribal law and approved by EPA; and (6) a valid written request has been submitted by either the tribe or the state. 40 C.F.R. § 131.7.

518(e) and the applicable regulations. Based upon this review, EPA concludes that the JST has made the required demonstration to meet the eligibility and application requirements at 40 C.F.R. §§ 131.8(a)(1)-(4) and (b)(1)-(6) to administer the water quality standards program for surface waters of the Reservation and Trust Lands. Pursuant to 40 C.F.R. § 131.4(c), the JST is also eligible to the same extent as a state for purposes of the water quality certification program under CWA section 401. Additionally, by virtue of this decision, the JST will be an “affected state” within the meaning of CWA section 402(b)(3) and (5) and its implementing regulation at 40 C.F.R. § 122.4(d).

/s/ 03-30-2022

Daniel D. Opalski
Director
Water Division
EPA Region 10

Date

Appendix A: Supporting Information

The following documents constitute a portion of the full docket for this decision. All relevant materials in the docket associated with the Jamestown S’Klallam Tribe’s application for treatment in a similar manner as a state (TAS), and EPA’s review and decision are in the official record for this action.

Application and Supporting Materials	
<p>Electronic correspondence dated October 7, 2021, from Sissi P. Bruch, Environmental Planning Biologist, Jamestown S’Klallam Tribe (JST) to Rachael Renkens, Water Quality Standards Coordinator, US EPA Region 10, transmitting Final TAS Application for Jamestown S’Klallam Tribe and supporting appendices (five transmittal emails)</p> <ul style="list-style-type: none"> • JST Application for Treatment as a State to Administer a Water Quality Standards Program <ul style="list-style-type: none"> ○ Exhibit A: Approved JST CWA 319 TAS Application submitted to EPA on January 26, 2000 ○ Exhibit B: Federal Register - Federal Recognized Tribes List dated January 29, 2021 ○ Exhibit C: JST Constitution ○ Exhibit D: Legal Descriptions ○ Exhibit E: Maps ○ Exhibit F: Tribal Code – Title 13 – Tribal Court ○ Exhibit G: Tribal Code – Title 20 – Civil Actions ○ Exhibit H: Federal Register and Proclamations Trust to Reservation Documentation ○ Exhibit I: Track History Reports ○ Exhibit J: Water Monitoring Strategy for the JST (2018), JST Discovery Plan (2018), State of our Watersheds Report (2020), Tribal Assessment Report: CWA 106 (2020), and Tribal Environmental Plan FY21, and supporting links ○ Exhibit K: Descriptions and definitions of Waterbodies ○ Exhibit L: JST Natural Resources Quality Assurance Project Plans (QAPPs) ○ Exhibit M: Tribal Recognition Documents dated May 30, 1980 ○ Exhibit N: Tribal Code – Title 6 – Fishing ○ Exhibit O: Tribal Code – Title 9 – Hunting ○ Exhibit P: Tribal Resolution – Application for Treatment as a State under section 518 of the CWA adopted on October 1, 2021 	<p>October 7, 2021</p>
Letters and Related Documents from EPA	
<p>Letter from Michelle L. Pirzadeh, Acting Regional Administrator, EPA Region 10, to the Honorable Jay Inslee, Office of the Governor, Olympia Washington providing notice of an opportunity to comment on the substance and basis of JST’s assertion of authority in the TAS application (Comment opportunity from October 22, 2021 to December 3, 2021).</p>	<p>October 22, 2021</p>

<p>Email from Dan Opalski, Director Water Division, US EPA Region 10 transmitting the letter from Michelle L. Pirzadeh, Acting Regional Administrator, EPA Region 10 regarding the notice and opportunity for comment, addressed to the following recipients:</p> <ul style="list-style-type: none"> • JT Austin, Washington State Office of the Governor • Bob Ferguson, Washington State Office of the Attorney General • Andy Fitz, Washington State Office of the Attorney General • Laura Watson, Washington State Department of Ecology • Vince McGowan, Washington State Department of Ecology • Tyson Oreiro, Washington State Department of Ecology • Ron Allen, Jamestown S’Klallam Tribe 	<p>October 22, 2021</p>
<p>Public notice providing an opportunity to comment on the substance and basis of the JST’s assertion of authority, published in:</p> <ul style="list-style-type: none"> • <i>The Seattle Times</i> <ul style="list-style-type: none"> ○ The legal notice was posted on the print version on October 25, 2021, and on <i>The Seattle Times</i> online on October 19, 2021 ○ Receipt of payment for the legal notice • <i>Peninsula Daily News</i> (regional newspaper) <ul style="list-style-type: none"> ○ The legal notice was posted on the print and online version on October 27, 2021 ○ Receipt of payment for the legal notice 	<p>Published on October 25, 2021 October 27, 2021</p>
<p>The opportunity to comment was posted on EPA’s Public Notice Webpage https://www.epa.gov/publicnotices/application-treatment-similar-manner-state-jamestown-sklallam-tribe</p>	<p>Posted on October 22, 2021</p>
<p>Email dated December 7, 2021 from Ted Yackulic, Assistant Regional Counsel, US EPA Region 10, to Sissi Bruch, Environmental Planning Biologist, JST, stating the closure of the comment period and following stages in the application process.</p>	<p>December 7, 2021</p>
<p>Email dated December 8, 2021 from Teri North, Executive Assistant to the Director, Washington Department of Ecology, to Hanh Shaw, Water Quality Standards Manager, US EPA Region 10, confirming no written comments were received during the public comment period (open October 22, 2021 to December 3, 2021).</p>	<p>December 8, 2021</p>
<p>EPA Memorandums referenced in the Decision Document</p>	
<ul style="list-style-type: none"> • <i>EPA Policy for the Administration of Environmental Programs on Indian Reservations</i> (November 8, 1984) • EPA Memorandum titled <i>EPA/State/Tribal Relations</i>, by EPA Administrator Reilly (July 10, 1991) • Memorandum titled <i>Adoption of the Recommendations from the EPA Workgroup on Tribal Eligibility Determinations</i>, by EPA Assistant Administrator Robert Perciasepe and General Counsel Jonathan Cannon (March 19, 1998) • Memorandum titled <i>Strategy for Reviewing Tribal Eligibility Applications to Administer EPA Regulatory Programs</i>, by EPA Deputy Administrator Marcus Peacock (January 23, 2008) 	



MAPS

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POINT NO POINT TREATY MEMBER TRIBES USUAL & ACCUSTOMED GROUND & STATIONS



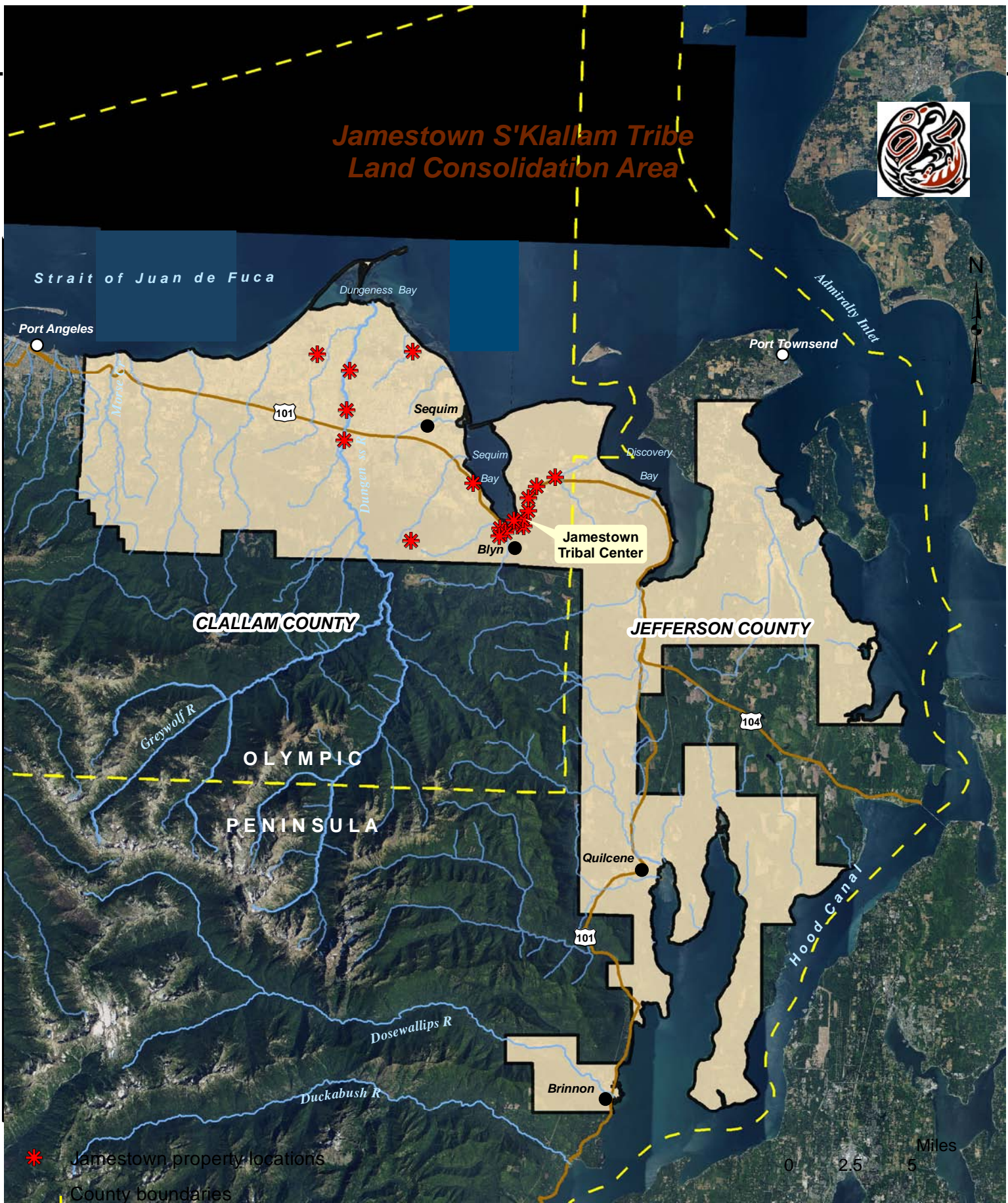
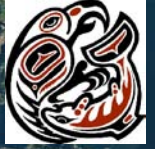
Source: US National Park Service


This map is for illustrative purposes only and should not be relied on for any purpose other than to ascertain the general area where the PNPTC member Tribes currently authorize fishing activities under the Boldt decision and the Treaty of Point No Point. Authorized areas of fishing can be subject to change and in no way should be considered to limit the treaty rights of the member Tribes.

Pg	Map Title	Parcel Common Name	Prior BIA Tract No.	BIA Tract No.	Reservation/ Trust	Associated Waterbodies
6	Cedars at Dungeness Golf Course	Golf Course	157-T1191	129-T1015	Reservation	Type 2 Stream, Wetlands Class II
7	Craft Property	Craft	130-T1169	129-T1005	Reservation	Adjacent to Dungeness River
8	Tribal Cemetery	Cemetery	156-T1157	129-T1006	Reservation	
9	Dungeness River Center	River Center I	130-T1178	129-T1012	Reservation	Dungeness River
		River Center II		129-T1018	Trust	
10	Slater – Dungeness River	Slater		129-T1003	Reservation	Dungeness River and associated wetland
11	Log Cabin Training Center	Gadamus		129-T1004	Reservation	
12	East Clallam County	PAC Five I		129-T1017	Trust	Wetlands
		Blyn Basin III		157-T1244	Trust	Type 5 Stream with associated wetlands, Type 3 Stream with associated wetlands, wetlands, and tidelands
13	East Blyn Basin	Blyn Basin III		157-T1244	Trust	Type 5 Stream with associated wetlands, Type 3 Stream with associated wetlands, wetlands, and tidelands
14	Jamestown Tribal Campus	McLean	130-T1145	129-T1000	Reservation	Sequim Bay Tidelands
		Johnston	130-T1163	156-T1163	Trust	Sequim Bay and adjacent tidelands

		Blank	130-T1161	129-T1007	Reservation	
		Carlson	130-T1175	129-T1008	Reservation	
		Blyn Basin III		157-T1244	Trust	Type 5 Stream with associated wetlands, Type 3 Stream with associated wetlands, wetlands, and tidelands
		Blyn Basin II		157-T1239	Trust	Type 3 Stream
15	Resort Properties	Tozzer		156-T1152	Reservation	
		Clevenger	130-T1162	129-T1009	Reservation	
		Curry	130-T1165	129-T1010	Reservation	
		Parsons	130-T1164	129-T1011	Reservation	Wetlands associated with Jimmycomelately Creek
		Sophus Rd. I	130-T1207	129-T1013	Reservation	Jimmycomelately Creek and associated wetlands
		Sophus Rd. II	157-T1202	129-T1014	Reservation	Jimmycomelately Creek and associated wetlands
		Rambo	130-T1158	156-T1158	Trust	
		Blyn Basin I		157-T1240	Trust	

Jamestown S'Klallam Tribe Land Consolidation Area



 Jamestown Tribe Land Consolidation area

BIA No.
129-T1015

Class II

Class II

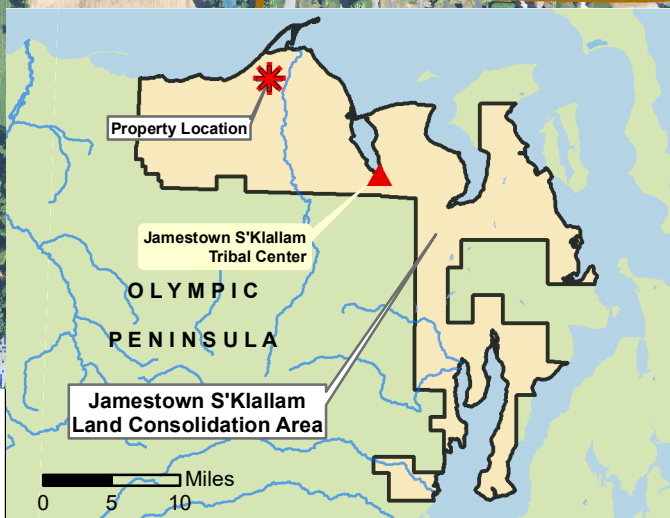
Class II

VISTA VIEW DR

Type 2

WOODCOCK RD

CAYS RD



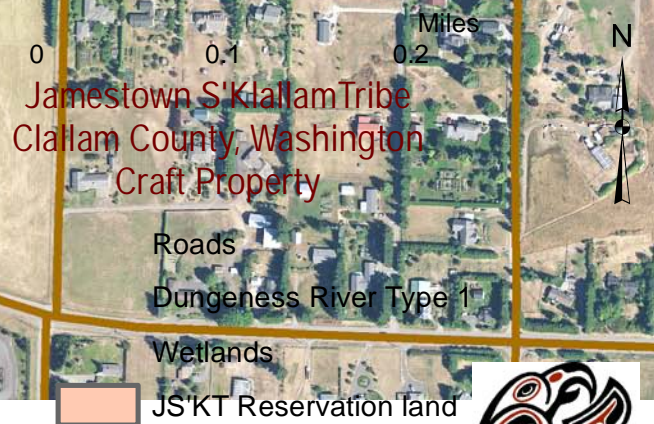
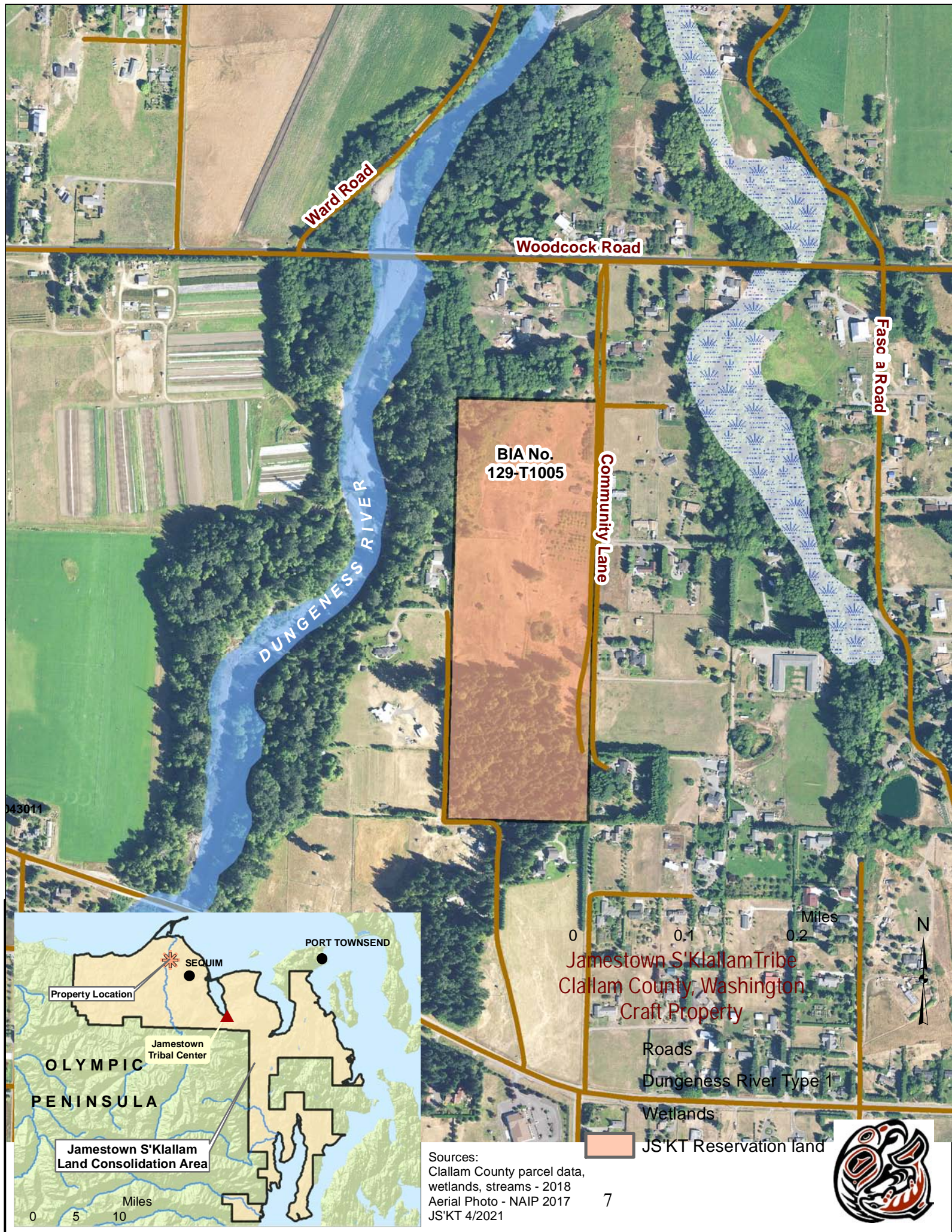
**Jamestown S'Klallam Tribe
Clallam County, Washington
Cedars at Dungeness Golf Course**

0 500 1,000 Feet

-  Roads
-  Type 2
-  Wetlands
-  JS'KT Reservation land

Sources:
Clallam County parcel data,
wetlands, streams - 2018
Aerial Photo - NAIP 2017
JS'KT 4/2021



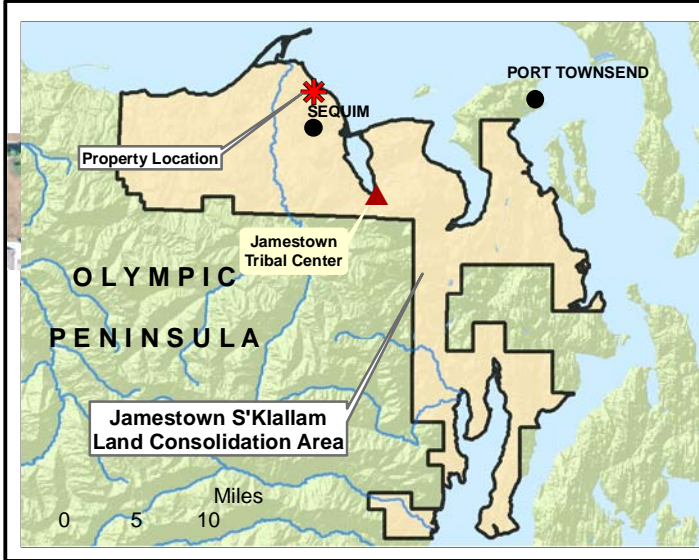


**BIA No.
129-T1005**

**Jamestown S'Klallam Tribe
Clallam County, Washington
Craft Property**

Sources:
Clallam County parcel data,
wetlands, streams - 2018
Aerial Photo - NAIP 2017
JS'KT 4/2021





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Jamestown S'Klallam Tribe
Clallam County, Washington
Tribal Cemetery

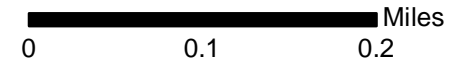
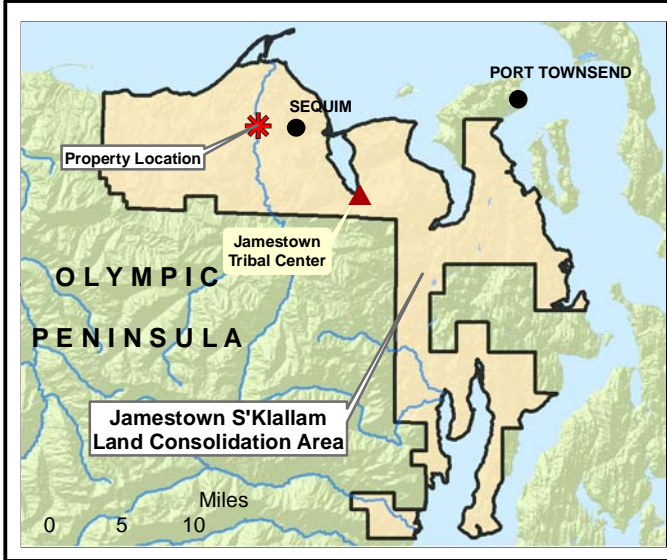
Roads

Wetlands

JS'KT Reservation land

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 Aerial Photo - NAIP 2017
 JS'KT 4/2021

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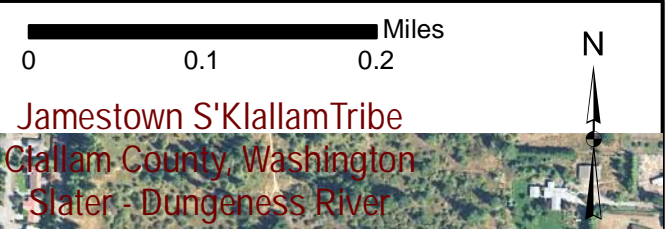
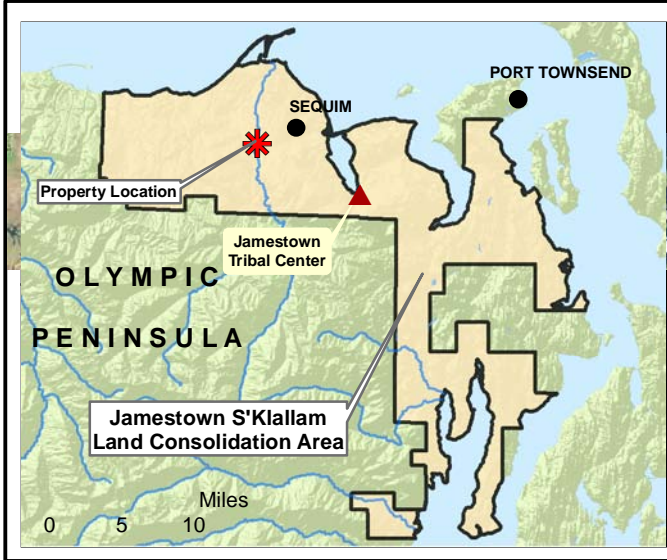


Jamestown S'Klallam Tribe
 Clallam County, Washington
 Dungeness River Center

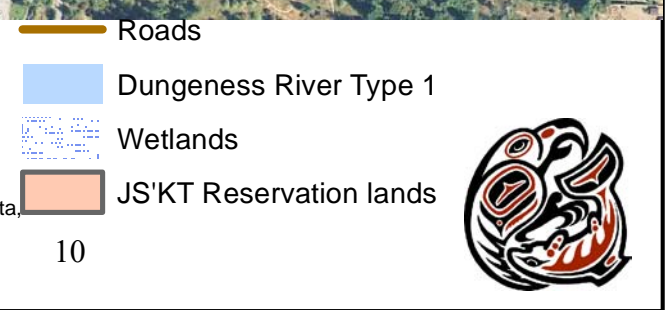
- Roads
- Dungeness River Type 1
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- JS'KT Trust lands

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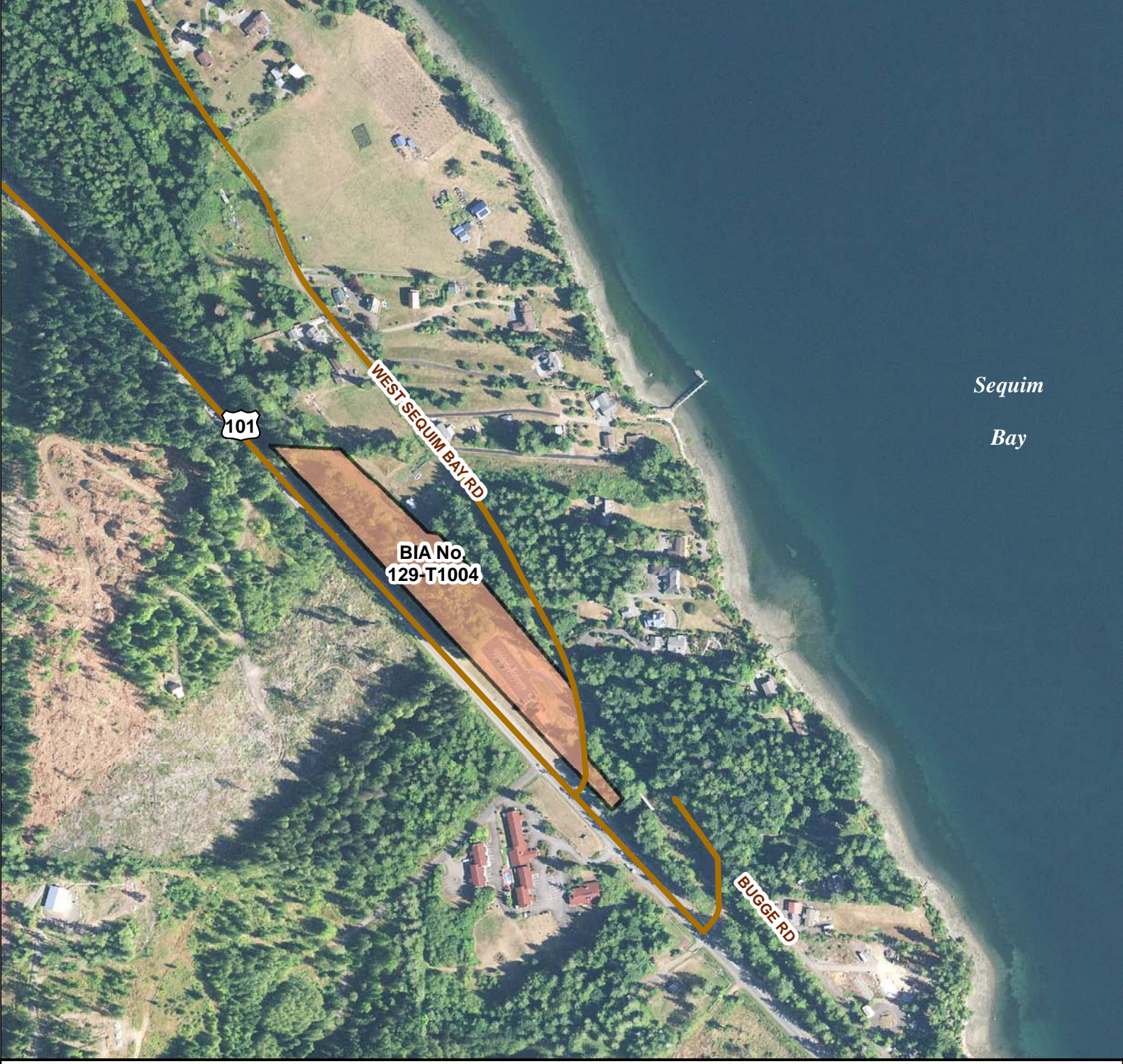


Jamestown S'Klallam Tribe
 Clallam County, Washington
 Slater - Dungeness River

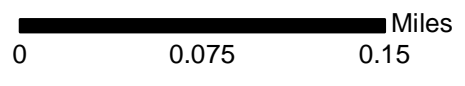
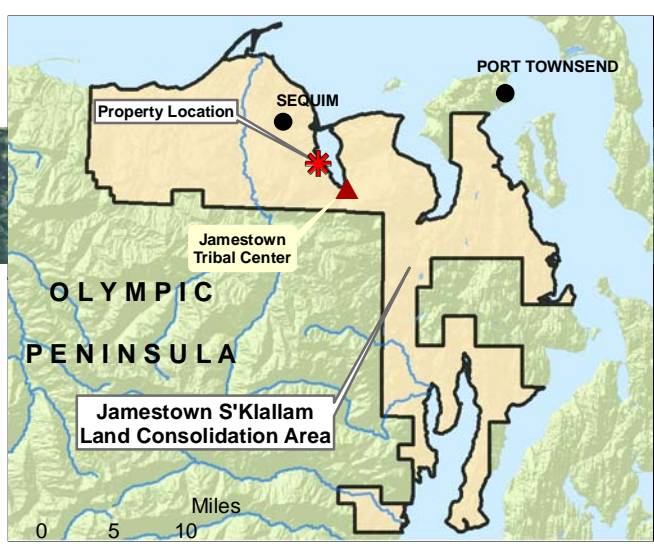


Sources:
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 JS'KT 4/2021





Sequim
Bay

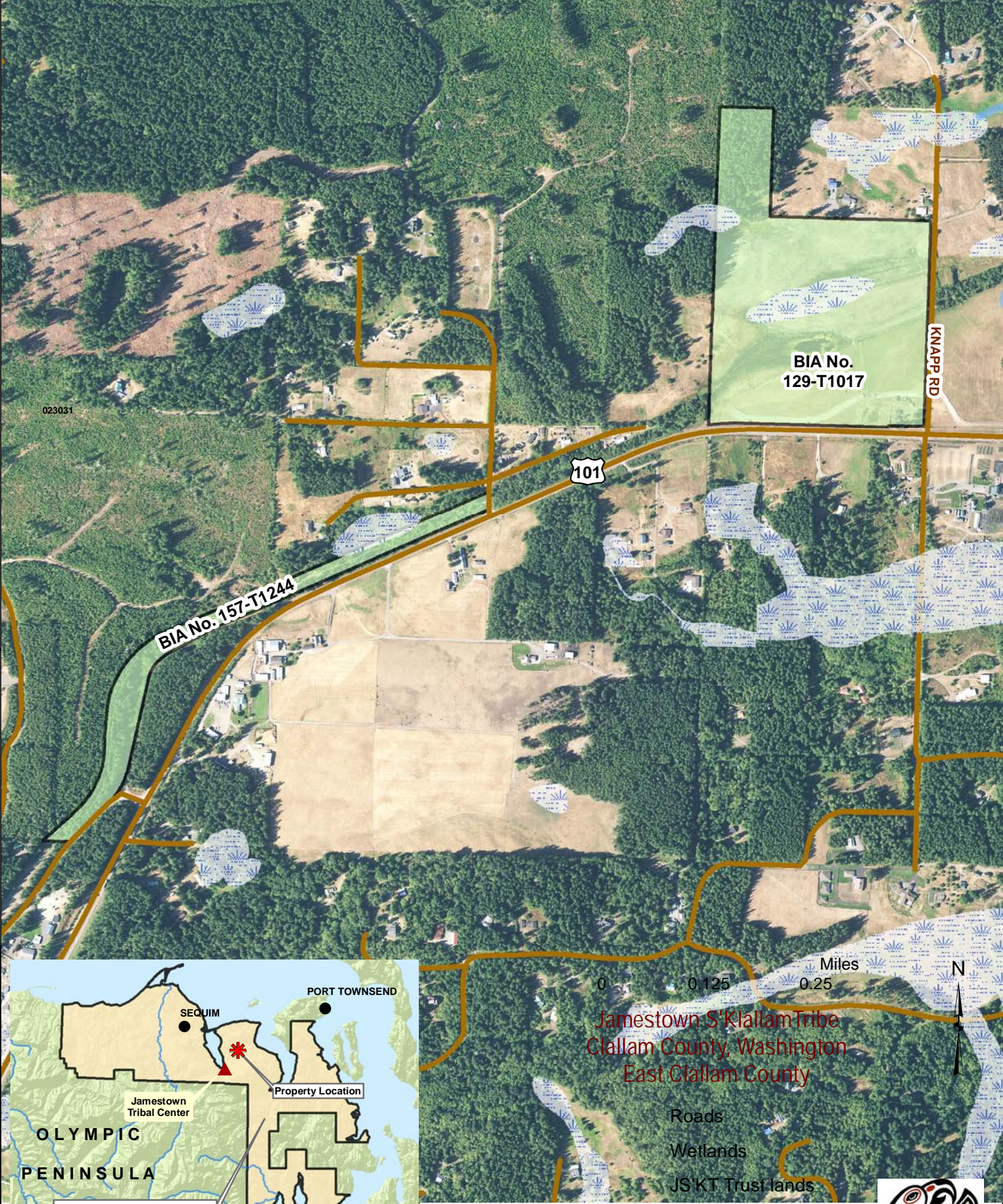


Jamestown S'Klallam Tribe
Clallam County, Washington
Log Cabin Training Center

- Roads
- JS'KT Reservation lands

Sources:
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Aerial Photo - NAIP 2017
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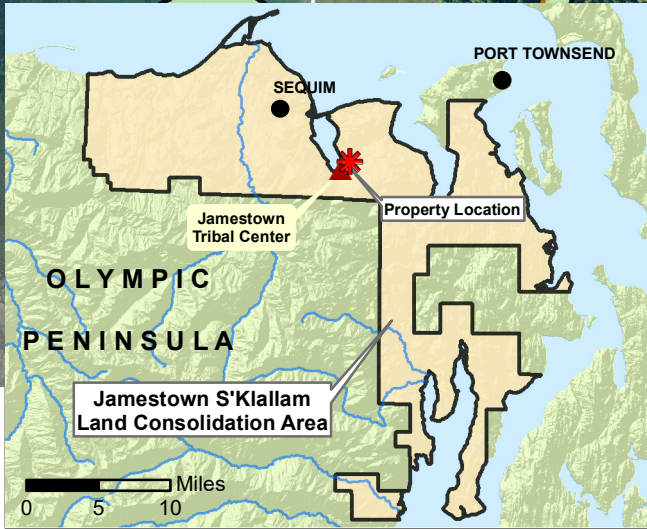


Jamestown S'Klallam Tribe
 Clallam County, Washington
 East Clallam County

Roads
 Wetlands
 JS'KT Trust lands

Sources:
 Clallam County parcel data,
 wetlands, streams - 2018
 Aerial Photo - NAIP 2017
 JS'KT 4/2021





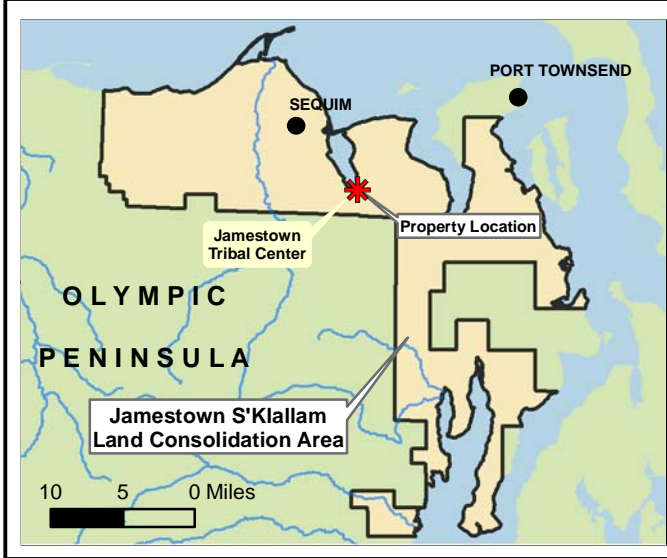
Jamestown S'Klallam Tribe
Clallam County, Washington
East Blyn Basin

Roads
 Chicken Coop Creek System
 Wetlands

 JS'KT Trust lands

Sources:
 Clallam County parcel data,
 wetlands, streams - 2018
 Aerial Photo - NAIP 2017
 JS'KT 4/2021





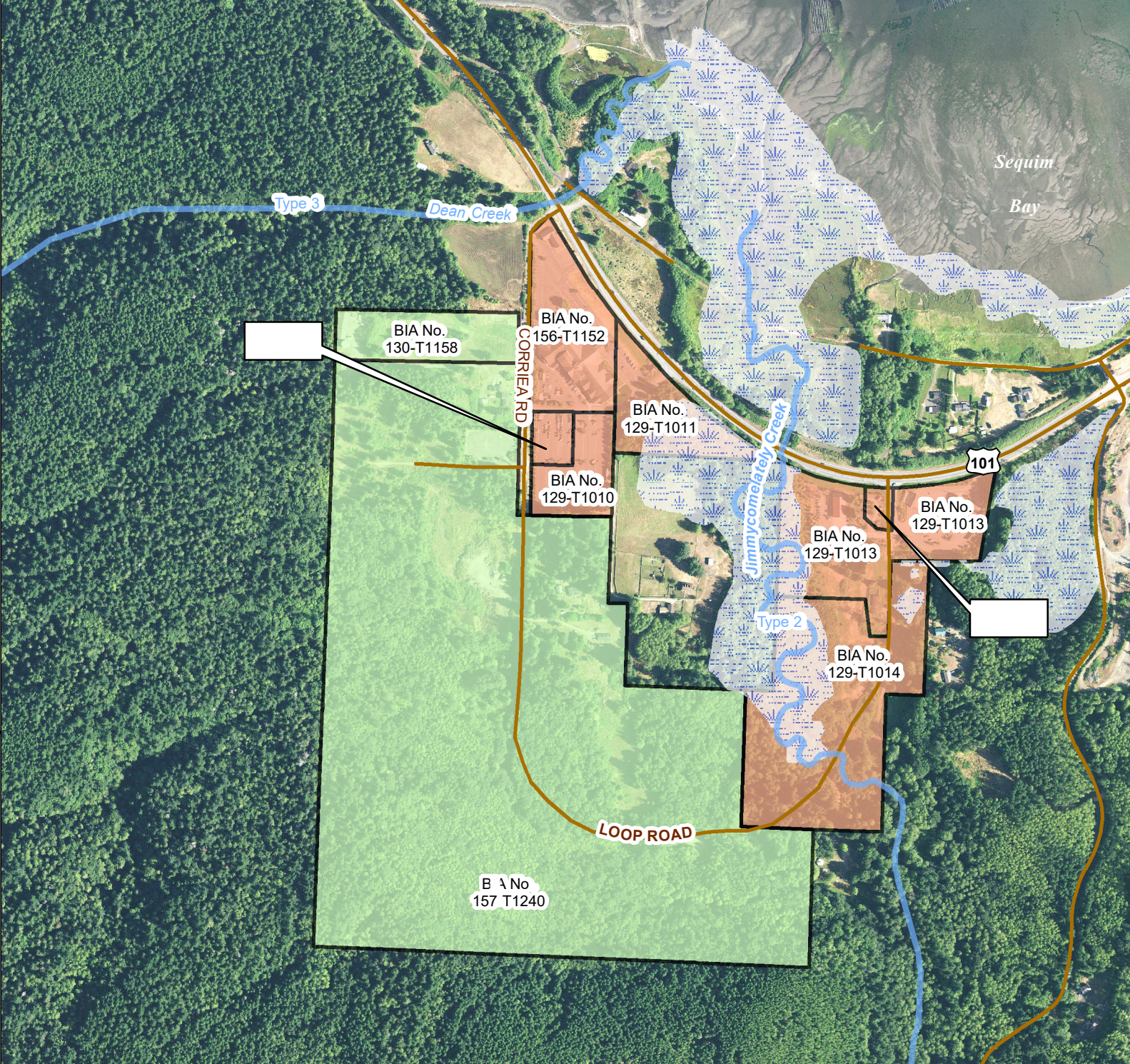
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Jamestown S'Klallam Tribe
Clallam County, Washington
Jamestown Tribal Campus

— Roads
 — Streams
 Wetlands
 JS'KT Reservation lands
 JS'KT Trust lands






Sources:
 Clallam County parcel data,
 wetlands, streams - 2018
 Aerial Photo - NAIP 2017
 JS'KT 4/2021

14



0 0.1 0.2 Miles

Jamestown S'Klallam Tribe
Clallam County, Washington
Resort Properties

-  Streams
-  Roads
-  Wetlands
-  JS'KT Reservation lands
-  JS'KT Trust lands

Sources:
 Clallam County parcel data,
 wetlands, streams - 2018
 Aerial Photo - NAIP 2017
 JS'KT 4/2021

