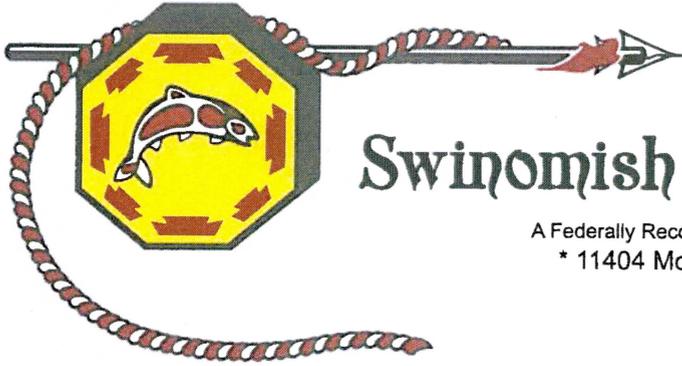


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# Swinomish Indian Tribal Community

A Federally Recognized Indian Tribe Organized Pursuant to 25 U.S.C. § 476  
\* 11404 Moorage Way \* La Conner, Washington 98257 \*

August 4, 2020

Ms. Erika Shook  
San Juan County Planning Director  
Via email: [dcd@sanjuanco.com](mailto:dcd@sanjuanco.com)

Re: Proposed amendment to SJ County Code 18.50.100

Dear Director Shook:

The Swinomish Indian Tribal Community is a federally recognized Tribe and signatory to the 1855 Treaty of Point Elliott. The Swinomish Tribe is a sovereign nation with a Treaty protected Usual & Accustomed Area that includes the Skagit River, its many tributaries, and most of northern Puget Sound including the San Juan Islands. We appreciate the opportunity to make the following comments on San Juan County's proposed amendment to San Juan County Code section 18.50.100.

This recently proposed amendment to the Shoreline Master Program is aimed at clarifying shoreline stabilization measures that can be taken to protect verified archeological resources. This amendment is described in a memo "Shoreline Master Program Update – Proposed Amendment to SJCC 18.50.100.D" and prepared for a hearing date of 7/28/2020.

The Swinomish Tribe appreciates San Juan County's efforts to find the right balance for the protection of archeological resources, and supports the County's proposal to tighten loopholes that could allow new bulkheads along shoreline habitats. The inclusion of a provision requiring tribal support of a new bulkheads that are designed to protect archeological resources is a good measure aimed at ensuring that the archeological resource protection meets the wishes of affected tribes.

However, we recognize the historic territories of local tribes included overlapping areas in time and space. Following the wishes of a single "affected Native American tribe" may exclude other potentially affected tribes from an opportunity to weigh in on archeological resources and affected shoreline habitats. The Swinomish Tribe would like to see the amendment include text to ensure that *all* affected tribes are afforded sufficient notice and an opportunity to provide comment on any proposed new bulkhead under this revised section.

Thank you for raising this important issue, and for your attention to these comments. We genuinely appreciate your effort in seeking to improve the way San Juan County codes are developed and implemented to respect and honor the rights of Treaty Tribes. If you have any questions about our comments, please don't hesitate to call the Tribe's Environmental Policy Director, Amy Trainer, at 360-399-5804 or email her at [atrain@swinomish.nsn.us](mailto:atrain@swinomish.nsn.us).

Sincerely,

A handwritten signature in black ink that reads "Steve Edwards".

Chairman Steve Edwards  
Swinomish Indian Tribal Community