



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

AIR & RADIATION  
DIVISION

May 24, 2022

The Honorable Tom Wooten  
Chairman  
Samish Indian Nation  
P.O. Box 217  
Anacortes, Washington 98221-0217

Dear Chairman Wooten:

The purpose of this letter is to offer consultation and coordination on the U.S. Environmental Protection Agency's upcoming review of, and action on, the State of Washington's proposed revisions to the State's Smoke Management Plan. This consultation and coordination process will be conducted in accordance with the EPA Policy on Consultation and Coordination with Indian Tribes and the EPA Region 10 Tribal Consultation and Coordination Procedures, available at <https://www.epa.gov/tribal/forms/consultation-and-coordination-tribes>.

Although neither Washington's current Smoke Management Plan nor the proposed revisions to it apply for Clean Air Act purposes on any Indian reservation land or any other area where an Indian tribe or the EPA has demonstrated that a tribe has jurisdiction; we are offering the opportunity to consult because the proposed revisions have the potential to affect tribal interests.

While Washington Department of Ecology is the primary delegated air quality agency for the state and will submit the Washington Smoke Management Plan to EPA for approval, the plan will primarily be implemented by the Washington Department of Natural Resources with necessary assistance from the Department of Ecology. Washington recently revised the Smoke Management Plan to allow earlier notification of burn decisions; better align burn decision criteria with state laws and rules; remove the prohibition against summer weekend burning; and allow previously prohibited burning in urban growth areas with additional protections in place. Washington will soon conduct a state public comment process on the revisions to the Smoke Management Plan and then submit the revised Smoke Management Plan to the EPA for approval into the State Implementation Plan. Once the Smoke Management Plan is submitted, the EPA intends to review and take action on Washington's Smoke Management Plan revisions through the federal public rulemaking process. This includes publishing our proposal in the *Federal Register* and providing an opportunity for public comment.

The EPA is offering consultation and coordination with your tribal government as Washington State begins the state public comment period and before Washington State submits the revised Smoke Management Plan to ensure early and meaningful consultation. We anticipate Washington State will begin the state public comment period on or around May 25, 2022. Once the state public comment period begins, the revised Smoke Management Plan and supporting documents will be available in the public comment section of Washington Department of Ecology's website at: <https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-plans/Infrastructure-SIPs>. We also understand that Washington scheduled a public hearing on the proposed revisions via

We welcome any input you might have for us. If you would like to consult on the upcoming EPA action on the Washington Smoke Management Plan SIP revisions or would like additional information about the revisions, please have your staff contact Randall Ruddick at (206) 553-1999 or ruddick.randall@epa.gov by August 5, 2022, and provide us with a point of contact for arranging any upcoming consultations. You are welcome to contact me directly at (206) 553-0218.

*[Signature]*  
Krishna Viswanathan

Director

cc: Mr. Todd Woodard  
Director of Natural Resources