

WAC 173-340-620 Tribal engagement. (1) **Purpose.** Tribal engagement is an integral part of ecology's responsibilities under chapter 70A.305 RCW, the Model Toxics Control Act. Ecology's goal is to provide Indian tribes with timely information, effective communication, continuous opportunities for collaboration and, when necessary, government-to-government consultation, as appropriate for each site.

(2) **Applicability.** This section applies to ecology-conducted and ecology-supervised remedial actions affecting Indian tribes' rights or interests.

(3) **Tribal engagement plan.**

(a) Ecology will develop a site tribal engagement plan that identifies Indian tribes that may be adversely affected by the site, opportunities for government-to-government collaboration and consultation, and protocols for communication.

(b) Ecology will seek to initiate meaningful engagement with affected Indian tribes before initiating a remedial investigation or an interim action at a site. Ecology will maintain meaningful engagement with Indian tribes throughout the cleanup process.

(4) **Relationship with public participation.** Engagement of Indian tribes under this section must be in addition to and independent of any public participation process under this chapter or applicable laws.

[Statutory Authority: Chapters 70A.305 and 70A.355 RCW. WSR 23-17-159 (Order 18-09), § 173-340-620, filed 8/23/23, effective 1/1/24.]