



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
PO Box 47890 | Olympia, Washington 98504-7890
360-236-4030 | 711 Washington State Relay

June 23, 2026

Re: Informative- Conclusion of the Gov-to-Gov on the Tribal Shellfish Consent Decree and attachments of minimum position requirements

Greetings Honorable Tribal Leaders, Partners, and Professionals:

In accordance with chapter [43.376 RCW](#), the [Washington State Centennial Accord of 1989](#), and [DOH Consultation and Collaboration Procedure](#), we are writing to provide an update on the conclusion of our Government-to-Government on the 1994 Consent Decree Regarding Shellfish Sanitation, that took place over the course of last year and continued into this year, see the previous DTLLs [here](#) and [here](#).

The basis of this collaboration was determining if and how to update the Shellfish Consent Decree based on the implementation of Substitute House Bill 2216 (SHB2216) enacted during the 2024 Washington State Legislative Session.

Throughout our Washington State Department of Health (WA-DOH) Tribal listening session and follow-up with the 19 signatories to the Consent Decree, we had participation and comments from 8 of the 19 Tribes. After careful review, we have determined that mutual agreement to update the attachments to the 1994 Consent Decree Regarding Shellfish Sanitation *has not been reached*, and that updating the attachments is not legally necessary to comply with federal law. Therefore, the requirements for the attached positions of the consent decree *will not change*.

WA-DOH is committed to our relationship with WA Tribes and honoring your treaty-reserved shellfish rights. We humbly thank you for your Government-to-Government Collaboration with us throughout this process.

For additional information, and if you have any further questions or comments, please contact Scott Berbells, Manager of the Shellfish Growing Area Section, Office of Environmental Health and Safety at scott.berbells@doh.wa.gov or Candice Wilson, Executive Director, Office of Tribal Public Health and Relations (OTPHR), at OTPHR@doh.wa.gov.

Respectfully,

Todd Phillips R.S.,
Director, Office of Environmental Health and Safety

cc: Dennis E. Worsham, Secretary of Health, WA-DOH
Jessica Todorovich, Chief of Staff, Office of the Secretary, WA-DOH
Kristin Peterson, Chief, Office of Government and Community Affairs, WA-DOH
Candice Wilson-Quatz'tenaut (Lummi), Executive Director, OTPHR, WA-DOH
Lauren Jenks, Environmental Public Health, WA-DOH