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Suquamish Tribe files intent to sue U.S. Navy for repeated sewage spills

'The People of the Clear Salt Water' say Puget Sound community deserves better

The Suquamish Tribe today announced its intention to sue the U.S. Navy for repeatedly releasing raw sewage into the Puget Sound.

In a letter dated June 10, the Tribe gives military officials 60-days' notice of the Tribe's intent to file a lawsuit under the Clean Water Act, which prohibits discharging pollutants without a permit.

According to public records currently available to the Tribe, the Navy discharged hundreds of thousands of gallons of untreated sewage from Naval Base Kitsap in repeated incidents over the past five years and beyond.

Some of these spills continued unchecked for weeks and even months. One lasted for more than four years. Some of these spills had been previously announced by the Navy. Others had not.

"The waters of the Sinclair Inlet and the entire Salish Sea are the Tribe's most treasured resource. We are obliged to protect these waters, not only for us but for all who rely on them for work, recreation, and identity," said Suquamish Tribe Chairman Leonard Forsman. "We ask the Navy to uphold the highest standards of protection for Liberty Bay, Dyes Inlet, Sinclair Inlet, Port Orchard Passage, and all the water ways that support both human and marine life. We call on the Navy to invest in the infrastructure necessary to support their operations."

The 60-day notice is addressed to Acting Defense Secretary Patrick Shanahan, Navy Secretary Richard Spencer, Naval Base Kitsap Commander Capt. Edward Schrader, and Puget Sound Naval Shipyard Commander Capt. Howard Markle.

"We value and respect the service of our local Sailors and Marines, and we treasure the relationship we enjoy with the wider U.S. Military and veteran communities," said Forsman. "However, the dumping of sewage waste into Puget Sound must stop."

The Tribe notified the Navy that it is responsible for at least eleven significant illegal discharges of untreated sewage into Tribe's treaty-protected fishing areas, including several discharges that occurred over multiple weeks or years.

For example, Puget Sound Naval Shipyard illegally discharged 80,000 gallons of untreated sewage between July 30, 2018 and August 13, 2018 when a sanitary sewer line clogged and flowed into a stormwater line and then directly to Sinclair Inlet.

Another example: A sewer line leak caused about 1,500 gallons of untreated sewage to dump into Liberty Bay daily from around December 18, 2017 extending well into 2018.

“These discharges have resulted from long-standing, system-wide problems with aging infrastructure at these naval installations, improper and inadequate training, improper and inadequate maintenance, repair, and replacement of this infrastructure, and other reasons known to you,” states the Tribe in its letter to Navy officials.

The Suquamish Tribe – known as “The People of the Clear Salt Water” in their Southern Lushootseed language – have fished and gathered shellfish in and near Puget Sound from time immemorial. The waters around Naval Base Kitsap make up much of the Tribe’s treaty-protected fishing and shellfish harvesting areas.

The Navy’s ongoing sewage discharges often result in the posting of health advisories and the closure of beaches where Suquamish tribal members harvest shellfish. Some sewage spills have prompted recalls of commercially sold shellfish. Other spills have interfered with the harvest and sale of salmon.

“This lawsuit is not just about how these dangerous spills affect the Suquamish Tribe,” said Forsman. “The entire Puget Sound community deserves clean water. The shellfish, the orca, and all sea life rely on clean water, and all of our children – and children’s children – deserve clean water.”

“This is why the Clean Water Act was created. It’s time for the Navy to obey the law and start protecting our waters right here at home,” said Forsman.

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