



FOR IMMEDIATE RELEASE

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Suquamish Tribe's Treaty Fishing Rights Protected at Proposed Point No Point Boat Ramp

The U.S. Army Corps of Engineers has announced that it will not issue a permit for the Washington State Department of Fish and Wildlife's proposed (WDFW) Point No Point boat ramp which was to be built in Hansville, Washington. The decision comes at the conclusion of a 12-year review process, during which the Suquamish Tribe maintained that the proposed ramp would impair access to the Tribe's treaty-reserved fishing rights.

The July 28, 2021, decision, issued by Colonel Alexander Bullock, denies the WDFW's permit application without prejudice for the proposed boat ramp. Colonel Bullock noted in his denial that "the Suquamish Tribe has raised and substantiated an objection to the permit issuance on the basis that the Tribe's access to its usual and accustomed fishing places would be impeded in contravention of its reserved rights under the Treaty of Point Elliott, ratified in 1859."

The denial follows Colonel Bullock's determination that WDFW's proposed activity would impermissibly and significantly impair access to the Suquamish Tribe's treaty-reserved fishing grounds at the proposed boat ramp in ways contrary to the Treaty of Point Elliott and federal law. The Army Corps relied on evidence associated with tribal fishery harvest methods using beach seine, set net, drift net, purse seine, and crabbing. The ceremonial and cultural aspects of the Tribe's fishing rights were also taken into consideration in reaching the conclusion of significant impairment of access to treaty fishing grounds.

"The Army Corps decision denying WDFW's boat ramp protects not only the Suquamish Tribe's treaty rights but also the other tribes with fishing rights in the area," said Suquamish Tribe Chair Leonard Forsman.

WDFW filed the permit application with the U.S. Army Corps of Engineers in 2009, seeking approval to construct a new pile-supported, elevated 30x120-foot concrete boat ramp at Point No Point County Park. Since time immemorial, the Suquamish Tribe has fished at Point No Point and in the surrounding waters. In 1974, Judge Boldt recognized the Tribe's treaty right to fish these waters as the Tribe's ancestors had for ceremonial, subsistence, and commercial purposes.

Point No Point was also a Suquamish village site and home to Suquamish Chief Challicum. According to Chairman Leonard Forsman, the Hudson Bay Company traders described Chief Challicum's trading activities at that location until the 1840s.

“The Tribe occupied the area at Point No Point through the 1850s, including after the signing of the 1855 Treaty of Point Elliott,” he said.

Since the application was filed in 2009, the Tribe has been steadfast in its opposition to the proposed boat ramp because of the cultural importance of this area and to protect the Tribe’s treaty-reserved fishing rights for the next seven generations. The Tribe has and will continue to fish for crab and salmon in the area of the proposed boat ramp.

The Tribe attempted over the years to engage WDFW on solutions that would limit the impacts of the proposed project, such as allowing only the hand launch of smaller vessels, which would reduce the number of motorized vessels transiting a treaty fishing ground. The Tribe also urged WDFW to redirect funding to another location, such as Salisbury Point County Park, where impacts to treaty fishing activities would be minimal, and where both tribal and non-tribal fishers could have improved access.

Over the last 12 years, the Tribe offered numerous solutions and alternatives to WDFW. In spite of those efforts, “the impacts from the proposed boat ramp to the Tribe’s treaty-reserved right to access our fishing grounds were never addressed, so we remained in opposition to the project,” Forsman said.

The Port Gamble S’Klallam Tribe, the Jamestown S’Klallam Tribe, the Swinomish Indian Tribal Community, and the Tulalip Tribes also objected to WDFW’s application under Section 10 of the Rivers and Harbors Act based on impacts to each tribe’s treaty-reserved fishing rights at that location.

“The Suquamish Tribe worked hard over the last 12 years to reach a middle ground with WDFW,” said Forsman. “It’s the Tribe’s responsibility to protect our people’s rights, which arise from the 1855 Treaty of Point Elliott, and our fishing and cultural practices, which date back to time immemorial.”

“As our federal trustee, the Army Corps upheld its trust obligation and legal obligation to the Suquamish Tribe and other similarly situated tribes when it denied this permit application.” Forsman said.

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Media Contact

Sarah van Gelder
Communications Manager
Suquamish Tribe
Cell: (206) 491 0196

Email: svangelder@suquamish.nsn.us