

RESOLUTION OF THE SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, The Squaxin Island Tribal Council is the recognized governing body of the Squaxin Island Indian Reservation, and

WHEREAS, The Squaxin Island Tribal Council has the power to govern all tribal real property consistent with all applicable state and federal law under Article III, sections 1 (b) and 1 (c) of the Constitution and Bylaws of the Squaxin Island Tribe, approved by the Secretary of the Interior July 8, 1965, and

WHEREAS, the land known as Squaxin Island, Washington, was given in Federal Trust to the Squaxin Island Tribe of Indians under the specific provisions of the Treaty of Medicine Creek (December 12, 1854; 10 Stat. 1132) and thereafter became Squaxin Island Indian Reservation, and

WHEREAS, The Tidelands of said Squaxin Island Indian Reservation, being those lands affected by the normal tides of the waters surrounding said Squaxin Island, between the ordinary high water line and the ordinary low water line, have been since the creation of the Squaxin Island Indian Reservation and are now the real property of the Squaxin Island Tribe and constitute a portion of the Squaxin Island Indian Reservation, and

WHEREAS, no person, company, organization, State, or any other entity, excepting the Squaxin Island Tribe and its Trustee, the Federal Government of the United States of America; has any right, title, or interest in the Tidelands of Squaxin Island,

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council, pursuant to its Constitutional power to regulate tribal real property proclaims and adopts the following ordinance to apply to all lands hereinafter defined and designated Squaxin Island Tidelands.

SECTION I. Definition. a) Squaxin Island Tidelands shall be defined as those lands within the natural and legal boundaries of the Squaxin Island Indian Reservation which are affected and touched by the normal and natural flow of the tide waters surrounding the Squaxin Island Indian Reservation; and shall be further defined as all that land area of the Squaxin Island Indian Reservation lying between the ordinary high water or high tidal flow line and the ordinary low water or low tidal flow line.

Squaxin Island Inlands shall be all other areas within the natural and legal boundaries of the Squaxin Island Indian Reservation.

SECTION II. Use of the Squaxin Island Tidelands.

No person, company, organization, or state shall walk upon, ride any animal upon, drive any vehicle upon, build any structure or facility upon or across, disturb, change, or make any use of in any way for any business or recreational purpose or for access to the Squaxin Island Inlands, the Squaxin Island Tidelands area without a license or permit issued by the Squaxin Island Tribal Council.

The provisions of this section shall not apply to members of the Squaxin Island Tribe and their bona fide and occasional guests.

SECTION III. Application for Use of The Squaxin Island Tidelands: Permits and Licenses.

(a) Applications for permits and licenses for use of the Squaxin Island Tidelands may be made by any person at a regular or special meeting of the Squaxin Island Tribal Council. All applications must be in writing and must include the specific use and time for which the permit or license is to be granted.

(b) A permit for use may be granted for any period less than one year for recreational purposes only.

(c) A license may be granted for any period up to three years.

(d) All permits or licenses must state the specific use or uses of the Squaxin Island Tidelands allowed to the holder; and must contain the dates during which the permit or license is valid; and must contain the signature of the holder and of the Secretary of the Squaxin Island Tribal Council.

(e) Permits or licenses granted may only be withdrawn by the Squaxin Island Tribal Council if the permit or license holder makes use of the Squaxin Island Tidelands in a manner not specifically allowed in his permit or license.

(g) Permits and licenses are not transferable.

SECTION IV. Fees.

(a) Fees for permits and licenses for the use of Squaxin Island Tidelands shall be set by the Squaxin Island Tribal Council according to the time, frequency, magnitude, and purpose of use stated by each license applicant.

(b) All fees for permits and licenses must be paid in advance and are renegotiable at the end of the term of the permit or license.

SECTION V. Penalties for the improper use of the Squaxin Island Tidelands.

(a) Any person, company, organization or State violating Section II of this ordinance shall be fined not more than \$500 for each violation.

(b) Any person, company, organization or State violating Section II of this ordinance by building any structure on or across or disturbing in any way the Squaxin Island Tidelands without license or permit shall be guilty of a single violation of this ordinance upon discovery of the improper use and shall be given 30 days after proper notification of the improper use to return the Squaxin Island Tidelands to their natural state. For each day of improper use after the 30 day period has elapsed, a single violation will be charged against the violator.

(c) Proper notification as used in this section shall be defined as personal service of this ordinance on the violator or service of this ordinance plus a detailed description of the violation for which he is being charged by registered mail on the violator.

SECTION VI. Date upon which this ordinance takes effect.

This ordinance will take effect;

(a) when it has been displayed in full for 30 days in at least 20 prominent places within the boundaries of the Squaxin Island Indian Reservation.

(b) when it has been served by mail on all owners of land within the boundaries of the Squaxin Island Indian Reservation who are not members of the Squaxin Island Indian Tribe and who were owners of record on the final day of publication mentioned in part (a) of this section.

J. Lorenco Nigro

Chairman, Squaxin Island Tribal Council

CERTIFICATION

As Secretary of the Squaxin Island Tribal Council, I hereby certify that the above Resolution was duly adopted at a meeting of the Squaxin Island Tribal Council on the 11 day of JUNE 1970, held at Winnemuche, Washington, a quorum being present, by a vote of 3 for, and 0 against, said Resolution.

Robert J. [Signature]
Secretary