



SQUAXIN ISLAND TRIBE

SQUAXIN ISLAND TRIBE 2023-2024 ANNUAL HUNTING REGULATIONS BIG GAME, SMALL GAME, & MIGRATORY BIRD/UPLAND

This annual regulation regulates the hunting activities of those hunting under authority of the Squaxin Island Tribe and extends to all open and unclaimed lands, consistent with the reserved hunting and gathering rights of the Treaty of Medicine Creek, 10 Stat. 1132, and, on claimed lands by agreement with the affected parties, pursuant to the Squaxin Island Tribe's Natural Resource Management Code ("the Code").

The purpose of this annual regulation is to implement various tribal-state and tribal-county agreements, ensure effective management, maximize enforcement capability, hunter safety, minimize conflict, and provide meaningful access and opportunity to treaty resources. This regulation and its contents are not premised upon conservation or perpetuation of the hunting resource. To the extent that *United States v. Williams*, 898 F.2d 727 (9th Cir. 1990) or *State v. McCormack*, 117 Wn.2d 141, 812 P.2d 483 (1991), hold that these tribal regulations were promulgated for conservation purposes, the Squaxin Island Tribe specifically rebuts that presumption.

The requirements and prohibitions included in this Regulation are in addition to those included in the Code. Where there is a specific conflict between the provisions of the Code and this Regulation, this Regulation shall control. However, no conflict shall exist where the Code includes provisions in addition to or more extensive than those included in this Regulation.

The Tribe authorizes hunting on all open and unclaimed lands within the state of Washington. The Tribe opens various the Game Management Units (GMUs) by in-season regulation. GMUs are used solely for convenience and the ease of sharing management data with the state.

The Washington Department of Fish and Wildlife (WDFW) asserts that the Medicine Creek Treaty tribes can exercise its hunting right only within its ceded area, and any additional areas demonstrated to it to be traditional use areas. *State v. Buchanan*, 138 Wn.2d 186, 978 P.2d 1070 (1999).

Generally stated, the cession line in WAC 232-12-253 (the "Bjorgen-Uebelacher line") (Exhibit A) defines the extent of hunting to the east and to the south. Thus, only that portion of the GMU inside the Bjorgen-Uebelacher line will be opened by in-season regulation.

To the north and the west, the entire GMUs listed below are open (except as noted).

SPECIFIC GMUS ARE CLOSED UNTIL OPEN BY EMERGENCY REGULATION ONLY!

Authorized Game Management Units (GMUs)¹:

ENTIRE GMUs:

503 Randle	510 Stormking	513 South Rainier
654 Mashel		

PARTIAL GMUs:

53 Mt. Rainier Nat'l Park ²	356 Bumping	505 Mossyrock
516 Packwood	627 Kitsap ³	633 Mason Lake ⁴
651 Satsop	652 Puyallup ⁵	663 Capitol Peak
666 Deschutes	667 Skookumchuck	

In addition, WDFW asserts that the Squaxin Island Tribe cannot exercise its hunting right on private lands that are fenced or signed and threatens enforcement action against members hunting on private lands. WDFW has taken enforcement actions against members on private lands.

Until the differences with the WDFW are satisfactorily resolved, all private lands, except for those specifically described in these regulations, are closed. Hunting on private lands or using private lands to access hunting on public lands, other than those specifically described in these regulations, is prohibited.

In 2017 Squaxin Island Tribe and WDFW signed a renewed co-management agreement.

PRIVATE LAND OPEN BY WRITTEN PERMISSION

- I. **Green Diamond Resources Company:** On October 16, 2015 Squaxin Island Tribe entered a written agreement with Green Diamond Resources to access Green Diamond Resources land in "Kennedy Creek Area," permits year-round access and on January 26, 2016 Squaxin Island Tribe signed a written agreement to access Green Diamond Resources land in the "Elson Road Area," permits access following Washington State Late Buck season in November through the end of Squaxin Island Tribe big game season February 29 to hunt and gather.

The Agreement Area and any existing improvements in the Agreement Area may be used by the Tribe solely for motorized access on existing roads, as well as walk-in access on existing roads and trails, and for hunting, game management, fishing, limited non-commercial firewood collection when permitted by Green Diamond, and gathering of forest plant resources other than: (a) live trees, (b) commercially harvestable logs or wood products or (c) any forest products or resources Offered for sale by the Tribe or its members (the "Activities"). The Tribe's hunting and game management Activities shall be consistent with and covered by that certain Hunting Co-Management Agreement (Co-Management Agreement), between the Tribe and the WDFW, as amended, extended or superseded by any

¹ Authorized GMUs listed are GMUs within the Medicine Creek Treaty Ceded Lands as Defined by Washington Department of Fish & Wildlife

² In-season regulation closes Mt. Rainier National Park GMU 53.

³ In-season regulation opens only south of a northeasterly line from Cranberry Lake, south of Mason Lake, to Devereaux Lake & continuing.

⁴ In-season regulation opens only south of a northeasterly line from Cranberry Lake, south of Mason Lake, to Devereaux Lake.

⁵ In-season regulation opens only south of the Puyallup River.

future Co-Management Agreement with WDFW. These agreements have been renewed and will continue for the 2023/2024 season.

a. Kennedy Creek Area Green Diamond private timber lands:

- i. **LANDS OPEN:** Walk in access is limited to the areas outlined in the **Kennedy Creek Green Diamond Permission Area** map provided at the end of these annual regulations. **Vehicle access is limited to the gates outlined in the map - Please note that there is NO ACCESS and NO HUNTING with in the riparian areas of Kennedy Creek at this time.**
- ii. **DATES OPEN:** The agreement with Green Diamond permits year-round access. For specific species open dates, see Squaxin Island Tribe species specific regulations.

b. Elson Road Area Green Diamond private timber lands:

- i. **LANDS OPEN:** Walk in access is limited to the areas outlined in the Elson Road Green Diamond Permission Area map provided at the end of these annual regulations. Vehicle access is limited to the gates outlined in the map.
- ii. **DATES OPEN:** November 20, 2023 following the closure of Washington State Late General Buck season through the end of Squaxin Island Tribe big game season, February 29th, 2024.

c. REGULATIONS: All applicable Squaxin Island Tribe hunting regulations and code provisions. All applicable requirements of the Squaxin Island Tribe/WDFW co-management agreement.

d. VEHICLE USE: Access is limited to currently maintained roadways. No off-road travel is permitted. All vehicles must be state licensed and street legal. Vehicle operators must have a valid Washington State driver's license and provide proof of liability insurance. All vehicles will be operated with headlights on and in a safe manner at all times in the Agreement Area. Authorized vehicle operators will yield to all Green Diamond vehicles conducting forest operations in the Agreement Area. During periods of extreme dry weather, vehicles operated in the Agreement Area will carry 5 gallons of water and fire tools. Loaded firearms are not permitted in motor vehicles. Tribal members are not permitted to shoot from a motor vehicle in the Agreement Area. Vehicles may not be operated or parked in a manner that impedes access to gates and/or roads.

II. Port Blakely Tree Farms: The Squaxin Island Tribe has entered in a written agreement with Port Blakely Tree Farms for the 2023/2024 hunting season to access a number of Port Blakely properties in Mason, Lewis, Thurston and Grays Harbor Counties. Specific access areas are outlined in the Port Blakely Access Areas maps provided at the end of these annual regulations.

The Agreement Area and any existing improvements in the **Agreement Area may be used by the Tribe solely for non-motorized access (including by horseback and electric bicycle)** on existing roads and trails, and for hunting and gathering of forest plant resources other than: (a) live trees, (b) commercially harvestable logs or forest products, (c) firewood, or (d) any forest products or resources offered for sale by the Tribe or its members (the "Activities"). The Tribe's hunting and game management Activities shall be consistent with

and covered by that certain Co-Management Agreement, as amended between the Tribe and the WDFW.

a. Port Blakely Tree Farms private timber lands Access Area:

- i. **LANDS OPEN: Non-motorized Access-Walk-in Only** access is limited to the areas outlined in the Port Blakely Tree Farms Access Areas maps provided at the end of these annual regulations.
- ii. **Motorized access is Not Permitted!!**

b. DATES OPEN: Permitted to hunt and gather in the Port Blakely Agreement Area during the Squaxin Island Tribe hunting seasons described within these 2023/2024 annual regulations and issued emergency regulations; provided, **however, that hunting pursuant to this Agreement is not permitted during the Washington State bow hunting season. For the calendar year 2023, the Washington State bow hunting season is September 1 through September 29 (State Early Archery) and November 23 through December 31 (State Late Archery Season.)**

c. Other Port Blakely Tree Farms Access Requirements:

- i. **Closed during Washington State Bow Hunting Season:**
 - September 1 through September 29 (State Early Archery)
 - November 23 through December 31 (State Late Archery)

- ii. **Hunter Orange Required:** Safety is paramount at all times and this agreement requires that all tribal members wear exterior fluorescent hunter orange clothing at all times when using the Agreement Area. Fluorescent hunter orange clothing shall be worn above the waist and Visible from all sides. Clothing may include a hat, but a hat by itself will not satisfy the member's clothing requirement.

iii. Motorized access is Not Permitted!!

- iv. All vehicles used by the Tribe and its members to provide access to the Agreement Area must be parked outside of the Agreement Area, in a manner that does not impede access to or over gates and/or roads.
- v. All activities shall be confined to daylight hours
- vi. The Tribe shall provide each of its members authorized to engage in Activities under this Agreement with a written pass, permit, or other identification that provides proof of an individual's tribal membership and authority to engage in Activities under this Agreement (a "Written Authorization") and require such persons to carry such Written Authorization when present in the Agreement Area. The Tribe shall provide Owner with an example of the Written Authorization that Port Blakely Tree Farms may rely on to confirm that persons engaged in Activities within the Agreement Area are doing so pursuant to this Agreement. Upon request of Port Blakely Tree Farms, the Tribe will confirm whether a person using the Agreement Area is an authorized member of the Tribe.

1. 2023/2024 Squaxin Island Tribe Annual Hunting Regulation serves as Written Authorization for Squaxin Island Tribal members to access the agreed to Port Blakely Tree Farms areas. To ensure compliance of the Tribes agreement please carry a copy of these regulations with you when accessing Port Blakely Tree Farms Access areas.
- vii. **Note:** Use of the Agreement Area is not exclusive to the Tribe and is open to the public. Non-tribal members of the public may enter the Agreement Area to pursue recreational activities including, but not limited to; hunting, fishing, gathering, hiking, etc.

MANAGEMENT SEASONS BY SPECIES:

Migratory Birds:	September 1, 2023 - January 15, 2024 Ducks, Coot, Common Snipe, Geese, Bryant & Band-tailed Pigeon
Birds:	August 1, 2023 - December 31, 2024 Grouse, Quail & Pheasant
Turkey:	April 1, 2024– May 31, 2024
Big Game:	August 1, 2023– February 29, 2024 Elk, Deer & Mt. Goat
Small Game:	August 1, 2023 – July 31, 2024 Black Bear, Bobcat, Cougar & Coyote

DAY/TIMES: Seven days a week. Daily times: 30 minutes before sunrise until 30 minutes after sunset.

DESIGNATED HUNTERS: Designated hunters are not allowed for: elk, deer, black bear, bobcat, coyote, cougar and/or mountain goat.

METHOD OF HUNTING: Unless modified, the authorization for a predator hunt of black bear, bobcat, coyote, and/or cougar may be hunted using bait and/or dogs August 1, 2023 – July 31, 2024.

PERMITS: Squaxin Island Tribal hunters must obtain a tribal hunting tag from the Tribal Natural Resources Department, and shall carry such hunting tag together with their treaty enrollment and/or treaty hunting activities card. Tags must be filled out and securely attached to the animal before transporting. A hunter shall not be issued a tag for the 2023-2024 hunting season until the 2019-2023 harvest reports and/or tags have been returned.

ELECTRIC-ASSISTED BICYCLES (E-BIKES): Squaxin Island Tribal hunters are permitted to use Electric-Assisted Bicycles (E-Bikes: Classes 1-3) in Washington State managed lands on existing motorized forest roads and motorized trails open to the public, this includes gated DNR managed lands that the Tribe has agreement to access by motorized vehicles. Use of E-Bikes are allowed as well on all non-motorized trails and roads where bicycles are allowed.

E-Bikes are permitted on National Forest Service lands as long as use is limited to motorized roads and motorized trails.

When using E-Bikes on roads/trails be respectful by not going off roads or trails and be aware of other user groups. Note if tribal hunters are accessing and parking a vehicle on state-managed public lands please display the tribal issued Discover Pass in your window. Although, tribal

members are not required to have a pass to be on state lands, having a pass displayed will help avoid individual tribal members from being issued parking tickets by enforcement.

The following Classes of E-Bikes are permitted for use:

- **E-Bike Class 1-** A bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 mph.
- **E-Bike Class 2-** A bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mph
- **E-Bike Class 3-** A bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 mph, and is equipped with a speedometer.

NOTICE: It is unlawful under tribal law to:

1. Hunt on private lands, including agricultural, timber and open fields, except otherwise specifically permitted above.
2. Remove, possess or damage any printed material (a sign for example) placed by authority of the Tribal Governments and/or the Washington State Wildlife Department or Commission; or
3. Place or leave litter on any land not owned by the hunter; or
4. Hunt while under the influence of any alcoholic beverages or a controlled substance; or
5. Transport any loaded firearms in their vehicles; or
6. Shoot at anything at or on an utility line or pole, it's cross-arm or insulator; or
7. Shoot a firearm within 1000 feet of dwelling or populated area; or
8. Shoot any firearm across, from or along the maintained part of any public highway.

FIREARMS: It is unlawful under this hunting regulation to use or possess any firearms while hunting unless described below:

1. **Rifles:** Big game except cougar must be hunted with a minimum of 24 caliber (6mm) center-fire rifle. Cougar may be hunted with 22 caliber center-fire rifle. Rim-fire rifles are not legal for big game.
2. **Handguns:** Big game, except cougar, may be hunted with handguns with a minimum barrel length of 4 inches per manufacturer's specification, and fire a minimum 24 caliber center-fire cartridge. Cougar may be hunted with 22 caliber center-fire rifle. Rim-fire rifles are not legal for big game.
3. **Shotguns:** Deer, bear, and cougar may be hunted with 20 gauge to 10 gauge shotguns shooting slugs or #1 or larger buckshot. Other big game may be hunted with a 10 or 12 gauge shotgun using slugs. Hunters must use #4 shot or smaller (e.g. #6 shot is legal) to hunt turkey.
4. **Air Rifles:** Birds (excluding Turkey) may be hunted with air rifles powered by compressed air or gas and may only be taken with a pellet that is at least 0.177 calibers. Velocity of at least 950 feet per second.
5. **Archery:** A bow that possesses less than 40 lbs. of pull – as measured at 28 inches or less, the arrow shall have a broad head tip that is no less than 7/8 inches wide. The broadhead must be un-barbed and completely closed at the back-ends of the blade or blades by a smooth, unbroken surface – starting a maximum blade width, and forming a smooth line toward the feather end of the shaft; and such line shall not angle toward the point of the

blade. Arrows may have lighted nocks installed. Mechanical broadheads are legal to use for all archery hunting.

6. **Crossbows:** It is unlawful to hunt with a crossbow with a draw weight less than 125 pounds and a trigger safety that doesn't work properly. It is unlawful to hunt with any arrow or bolt weighing less than 350 grains. It is unlawful to hunt with any arrow or bolt that does not have a sharp broadhead. Barbed broadheads are illegal. Broadheads shall be at least seven-eighths (7/8) inch wide. Retractable/Mechanical broadheads are allowed. Arrows may have lighted nocks installed.
7. **Muzzleloaders:**
 - a. A muzzleloader is loaded from the muzzle and uses black powder or a black powder substitute as recommended by the manufacturer for use in muzzle-loading firearms. Has a single or double barrel of at least 20 inches, rifled or smoothbore. Ignition is to be wheel-lock, matchlock, flintlock, or percussion using original style percussion caps that fit on the nipple and are exposed to the elements.
 - b. A muzzle-loading firearm used for deer must fire a single, non-jacketed lead projectile of nominal 40 caliber or larger except that buckshot size #1 or larger, may be used in a smoothbore of 60 caliber or larger.
 - c. A muzzle-loading firearm used for all other big game must fire a single, non-jacketed lead projectile of nominal 50 caliber or larger, or at least 170 grains.
 - d. Muzzleloader hunters may lawfully hunt game birds with a muzzleloader shotgun.
 - e. Only one barrel of a double barrel muzzleloader may be charged with a load at any one time while hunting in a muzzle-loading season. Muzzleloaders hunting in a firearm restriction area, outside of a muzzleloader season, may have both barrels charged.
8. **In-line Muzzleloader:** In-line muzzleloaders are legal only if ignition uses original style percussion caps that fit on the nipple and are exposed to the elements.

Violations of this regulation shall be subject to penalties no less than those provided in the Squaxin Island Hunting Code. In the absence of a penalty, the violation shall be deemed a Class C violation.

MODIFICATION: This regulation may be modified by the Squaxin Island Tribe in-season for conservation and/or management purposes. These modifications will take the form of an in-season or emergency regulation and will be filed with the appropriate agencies and affected parties at least 24 hours prior to any enacted change.



Kristopher K. Peters
Kristopher K. Peters (Jul 10, 2023 08:05 PDT)

Squaxin Island Tribal Council

Date

Andy Whitener
Andy Whitener (Jul 11, 2023 20:49 PDT)

Squaxin Island Tribe Natural Resources

Date

Exhibit A

Southern and Eastern Cession Boundary. The lands are bounded on the south and east as follows:

“...to the summit of the Cascade Mountains; thence southerly, along the summit of said range, to a point opposite the main source of the Skookum Chuck Creek; thence to and down said creek, ...” Article 1 Treaty of 1854 interpreted as follows:

1) From the main stem of the Skookumchuck River up a drainage divide to the central point of the drainage divide between Skookumchuck and the North Fork of the Tilton River (el. 3568). From this point south along the drainage divide to the point where Skookumchuck, Newaukum, and the North Fork of the Tilton rivers meet just north of Newaukum Lake; then southerly along the drainage divide to Rooster Rock (el. 3587); then along the top of Bremer Mountain to the confluence of the North Fork of the Tilton River with the Tilton River.

1-A) From the confluence of the North Fork of the Tilton River with the Tilton River south to the top of Peak (el. 2960). This call includes all the waters upstream of this confluence within the boundary of the Medicine Creek Treaty.

1-B) Then south along the drainage divide between the Cowlitz and the Tilton rivers and along the summit of the ridge known as Cotteral Rock and staying on the drainage divide to encompass all of Sand Creek. This point is exactly where the north line of TN 11 intersects the east line of Range 4.

1-C) From this point the boundary proceeds across the valley and up the northern drainage boundary of Landers Creek to Vanson Peak (el. 4935).

1-D) Vanson Peak lies on the drainage divide between the Cowlitz and the Green rivers and this divide forms the Medicine Creek boundary southerly along the eastern shore of Deadman Lake and the summit of Goat Mountain; then dropping through the pass along the drainage divide at Ryan Lake.

1-E) From Ryan Lake along the drainage divide between the Cispus and Green rivers, and Clearwater Creek of the Lewis River through point opposite; then along the drainage divide between the Cispus and Lewis river basins to Badger Peak.

1-F) From Badger Peak along the Cispus-Lewis drainage divide to the unnamed peak (el. 5295) located north of Dark Mountain at the divide between McKoy and Dark creeks in the Cispus River basin, and the headwaters of Quartz Creek (French Creek) in the Lewis River Basin.

1-G) From this unnamed peak (el. 5295) along the drainage divide between McKoy Creek and Dark Creek to Sunrise Peak.

1-H) From Sunrise Peak along the drainage divide to the top of Spud Hill. Down and across the Cispus River and up the face of Blue Lake Ridge to the drainage divide between Mouse Creek and Blue Lake tributaries; then along the divide between Timonium Creek and Cut Creek to Hamilton Buttes.

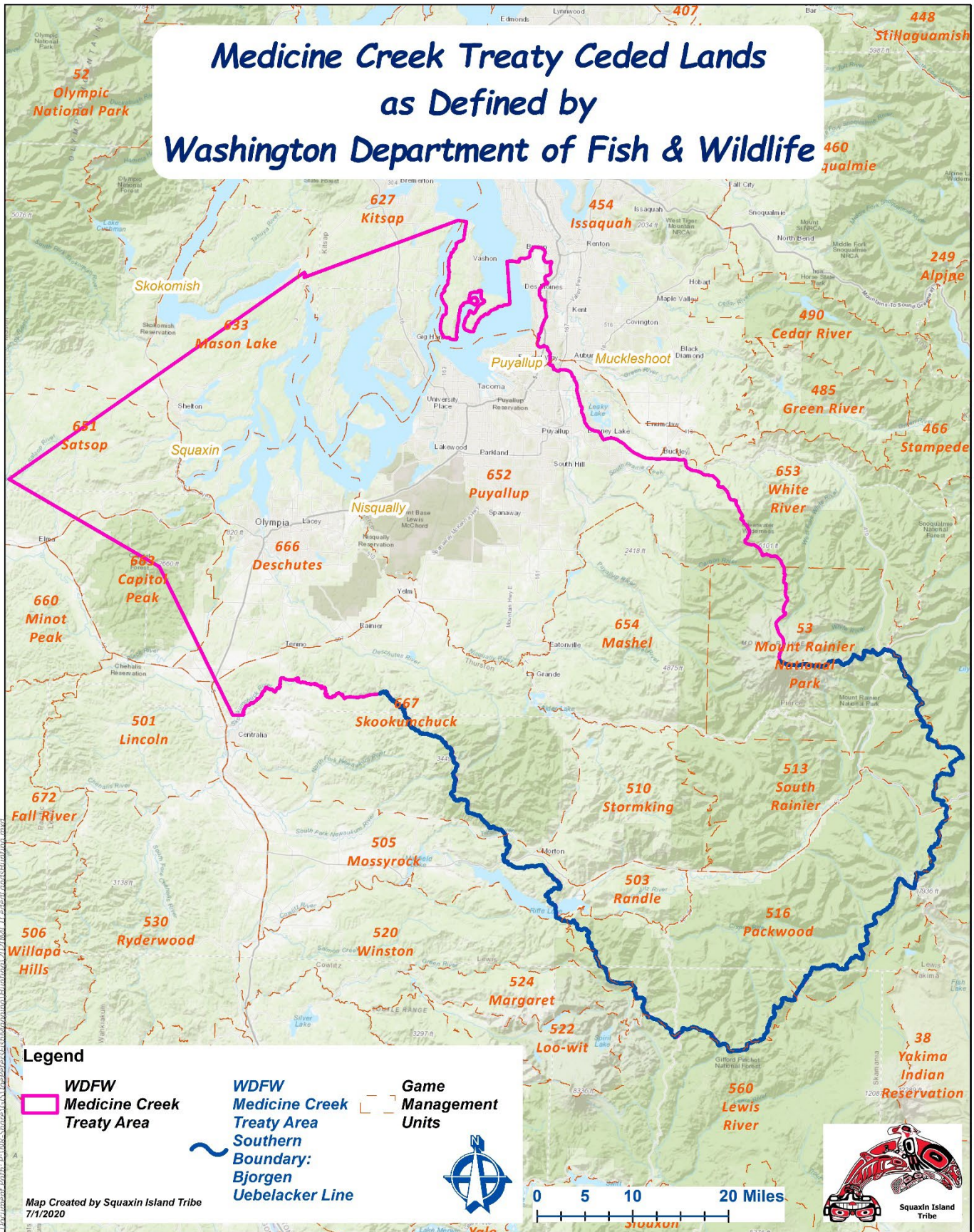
1-I) From Hamilton Buttes to Elk Peak along the drainage divide of the North Fork of the Cispus River from the Cispus River.

1-J) From Elk Peak the boundary continues along the drainage divide of the North Fork of the Cispus River from the Cispus River; then along the drainage divide of Johnson Creek and the Cispus River passing through Buckhorn Camp (el. 6240) and honoring the drainage divide between the Cowlitz River and the Cispus River basins to the summit of Old Snowy Mountain on the Cascade Crest.

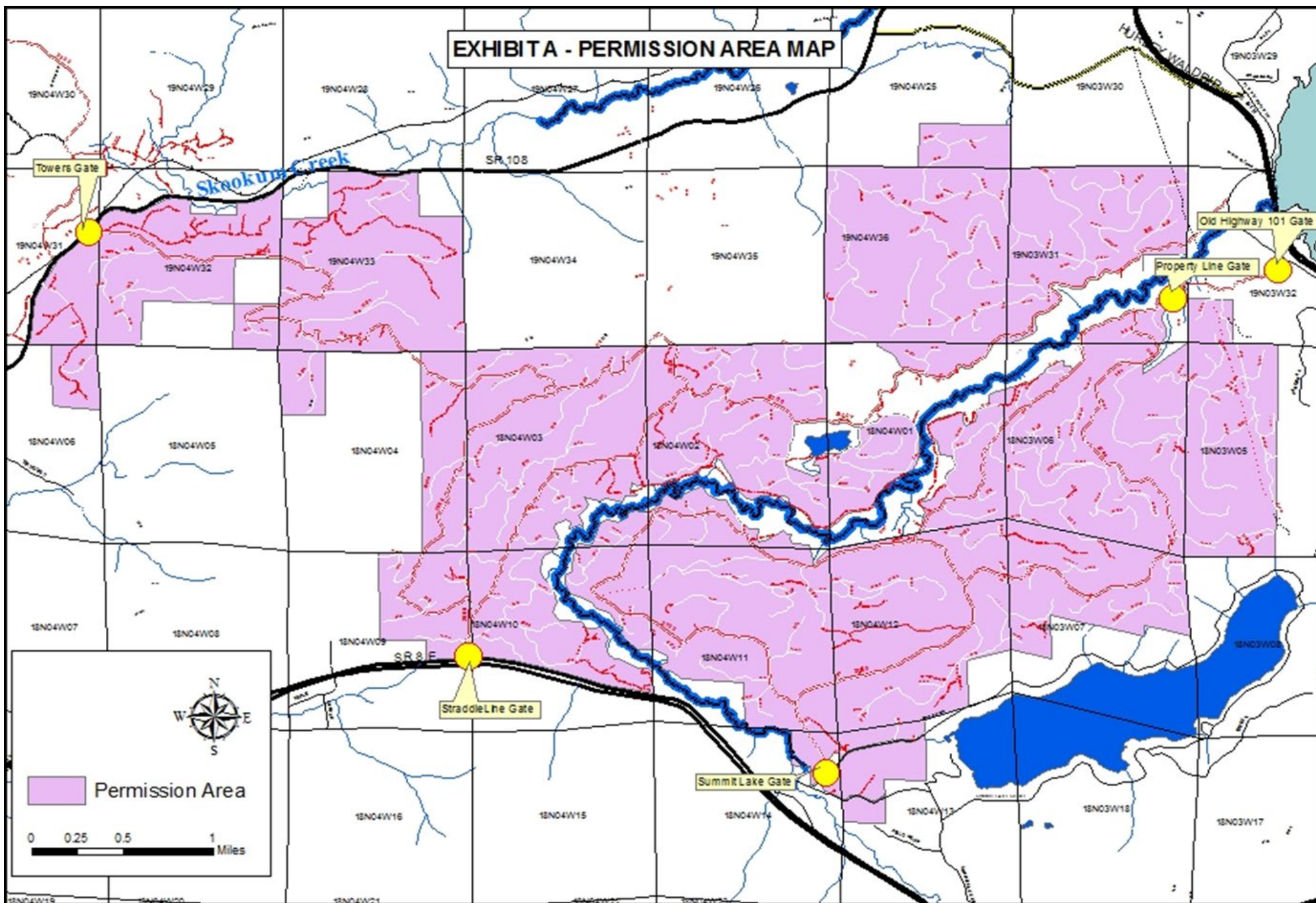
1-K) From Old Snowy Mountain north along the Crest of the Cascades along the drainage divide of the Cowlitz River and the Yakima River basins to Naches Peak.

1-L) From Naches Peak west through Chinook Pass along the drainage divide of the Cowlitz River and the White River basins to the summit of Mount Rainier. Through Chinook Pass north of Tipsoo Lake; then along the drainage divide proximate to Cayuse pass and Sheepskull Gap; then along the divide to Governors Ridge and south to Barrier Peak; then west to the logical intersection with the Cowlitz Chimneys; then along the drainage divide on the top of the headwall of the Sarvant Glacier; then along the drainage divide to Little Tahoma; then west up the logical drainage divide to the summit of Mount Rainier.

Medicine Creek Treaty Ceded Lands as Defined by Washington Department of Fish & Wildlife

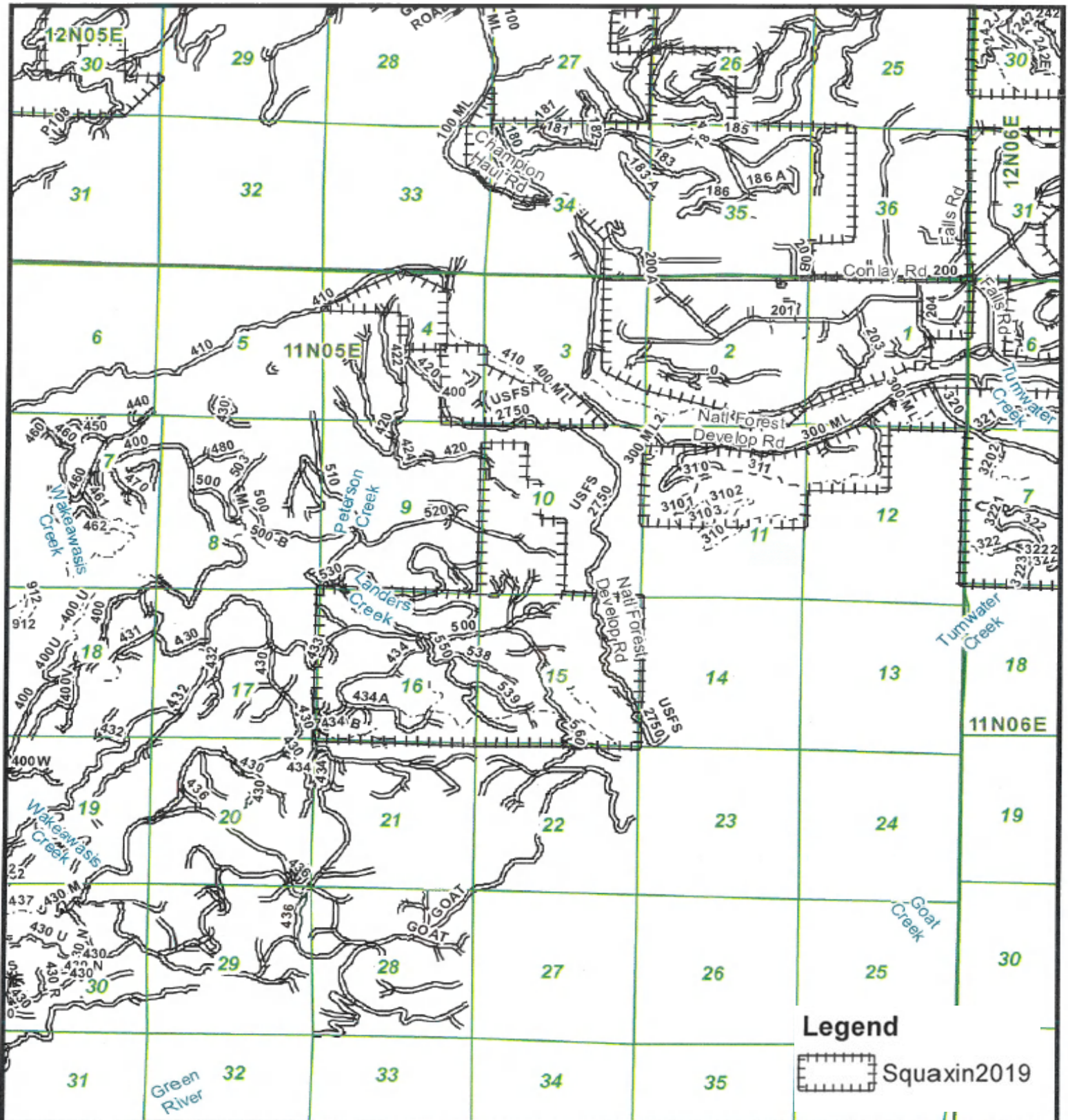


“Kennedy Creek Area” - Green Diamond Resources Permission Area Map



[illegible]

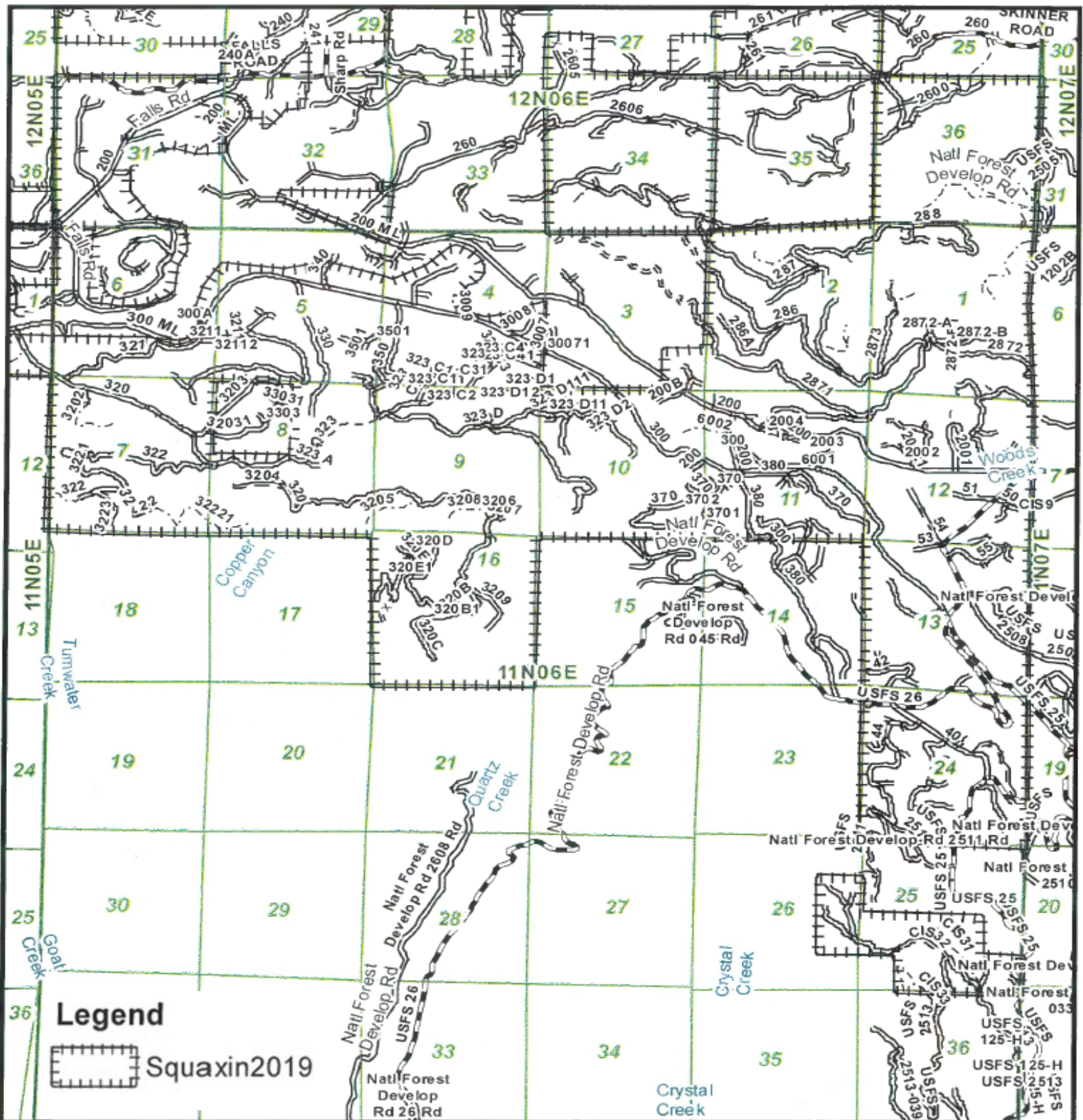
Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

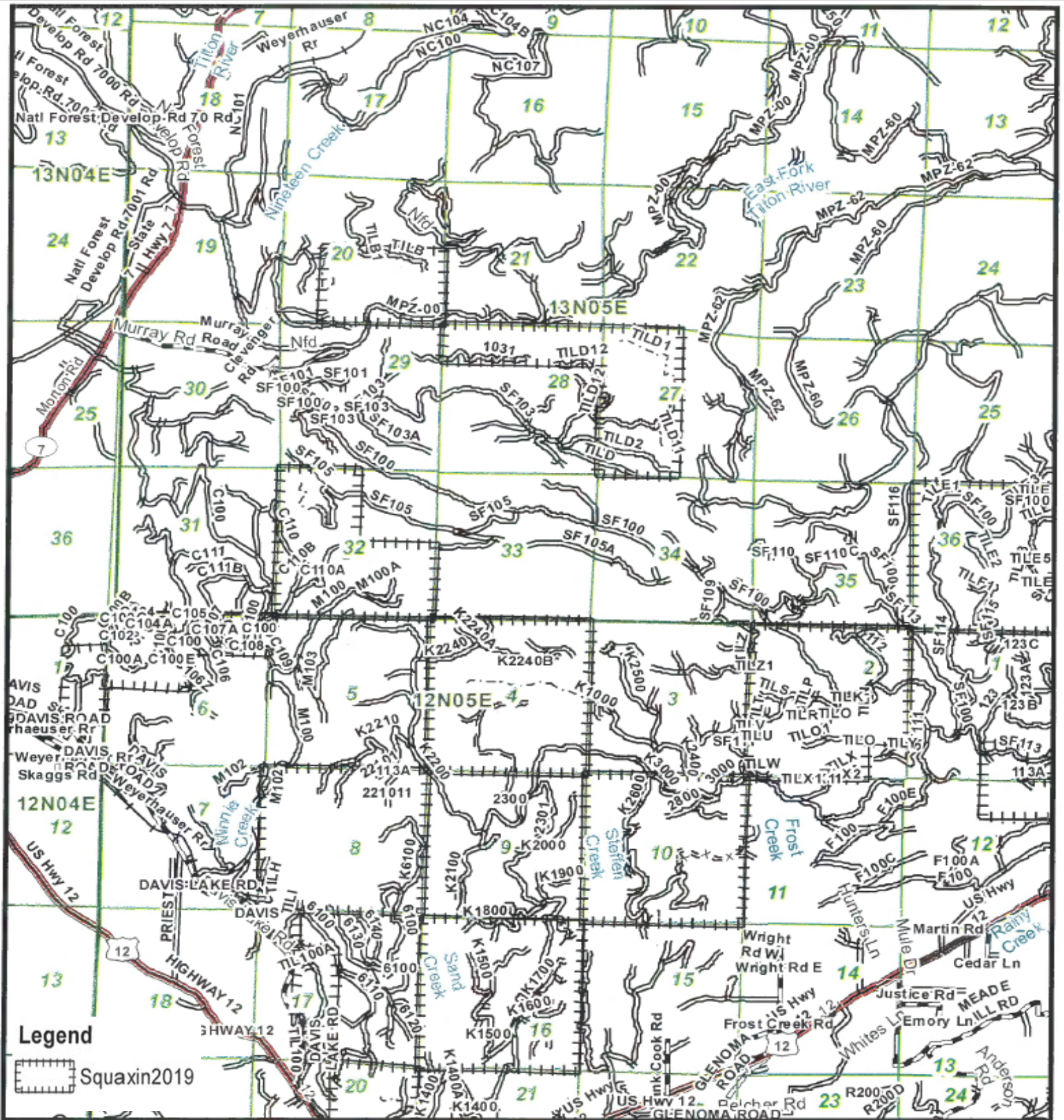
Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

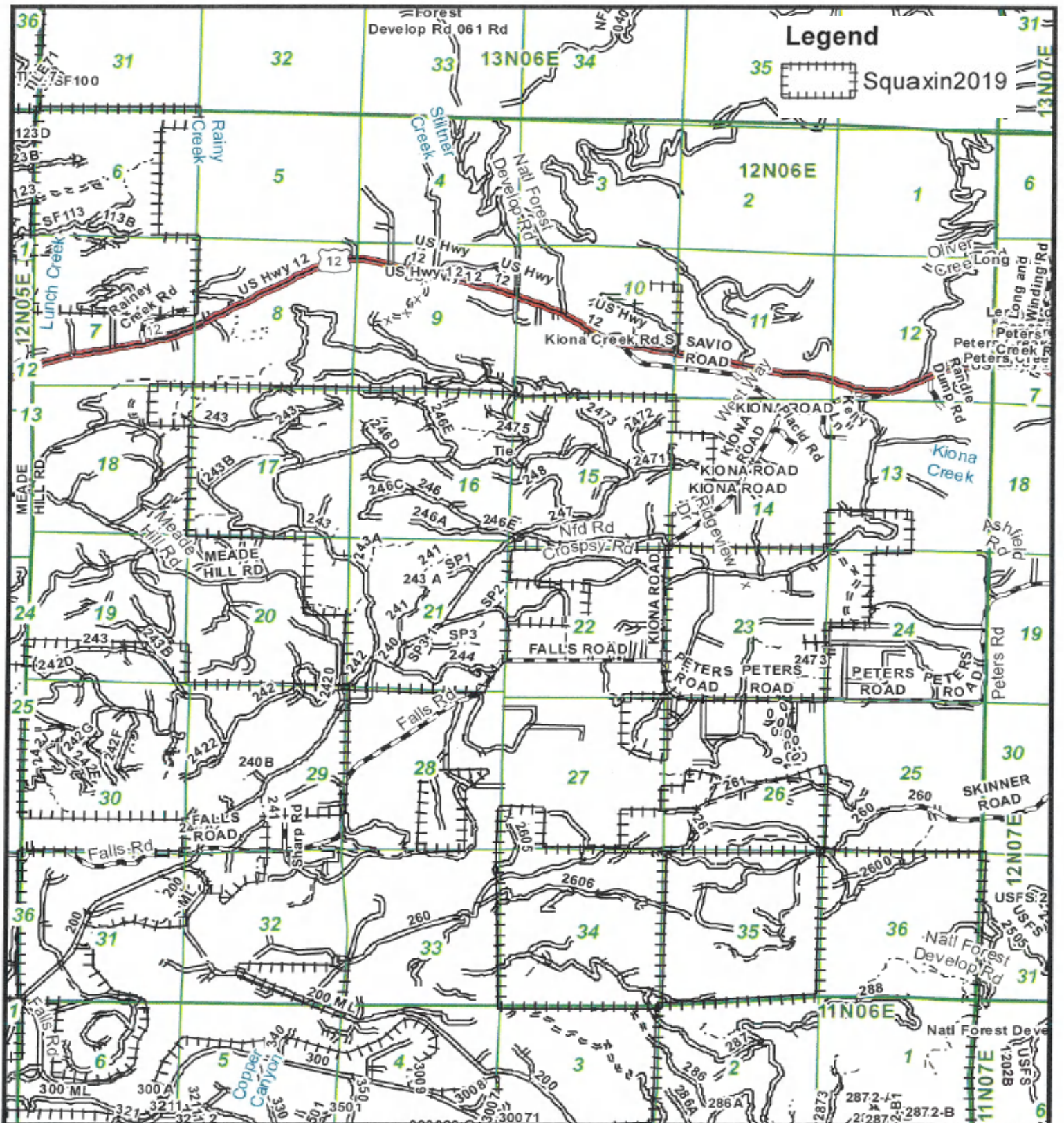
Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

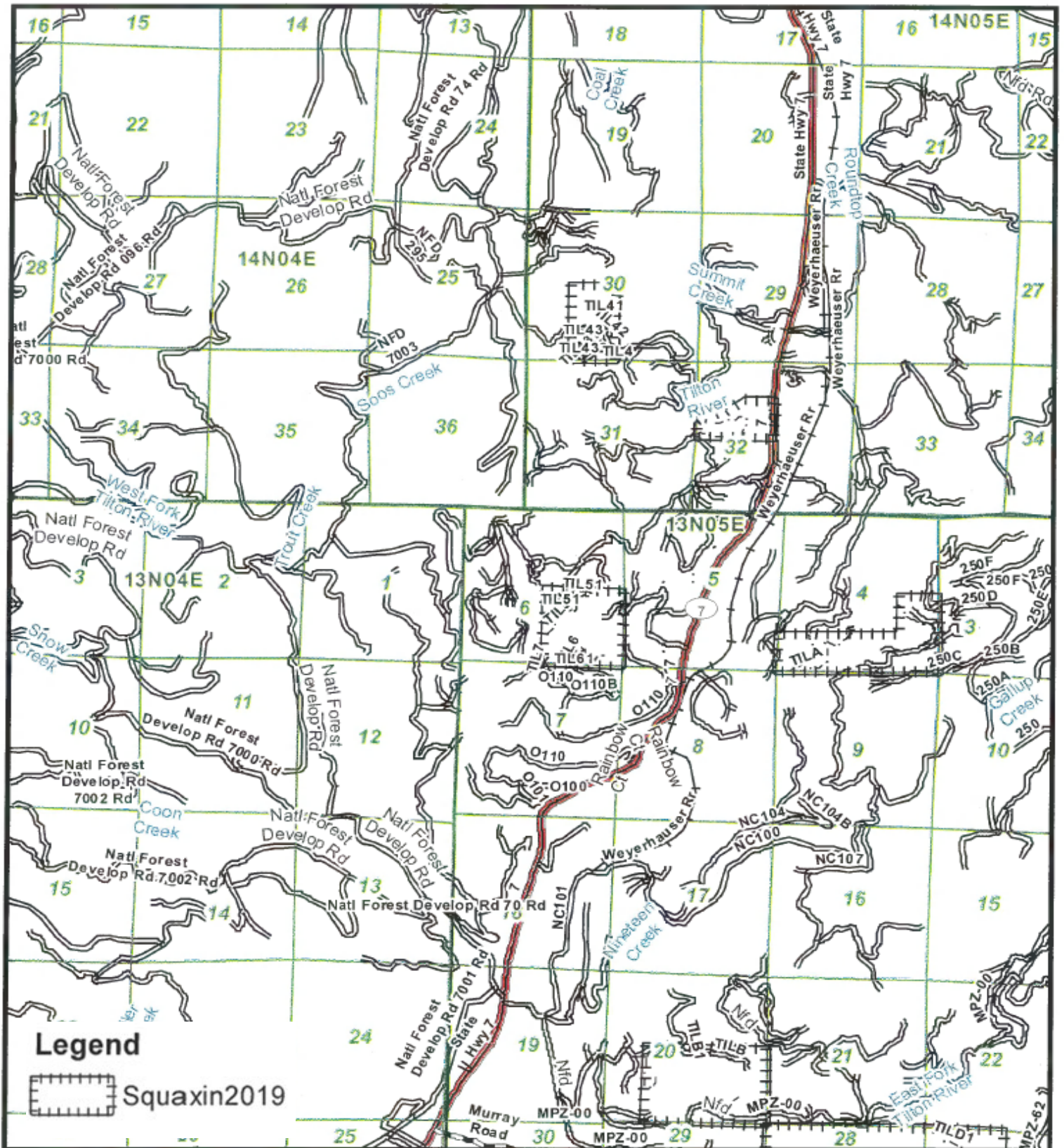
Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

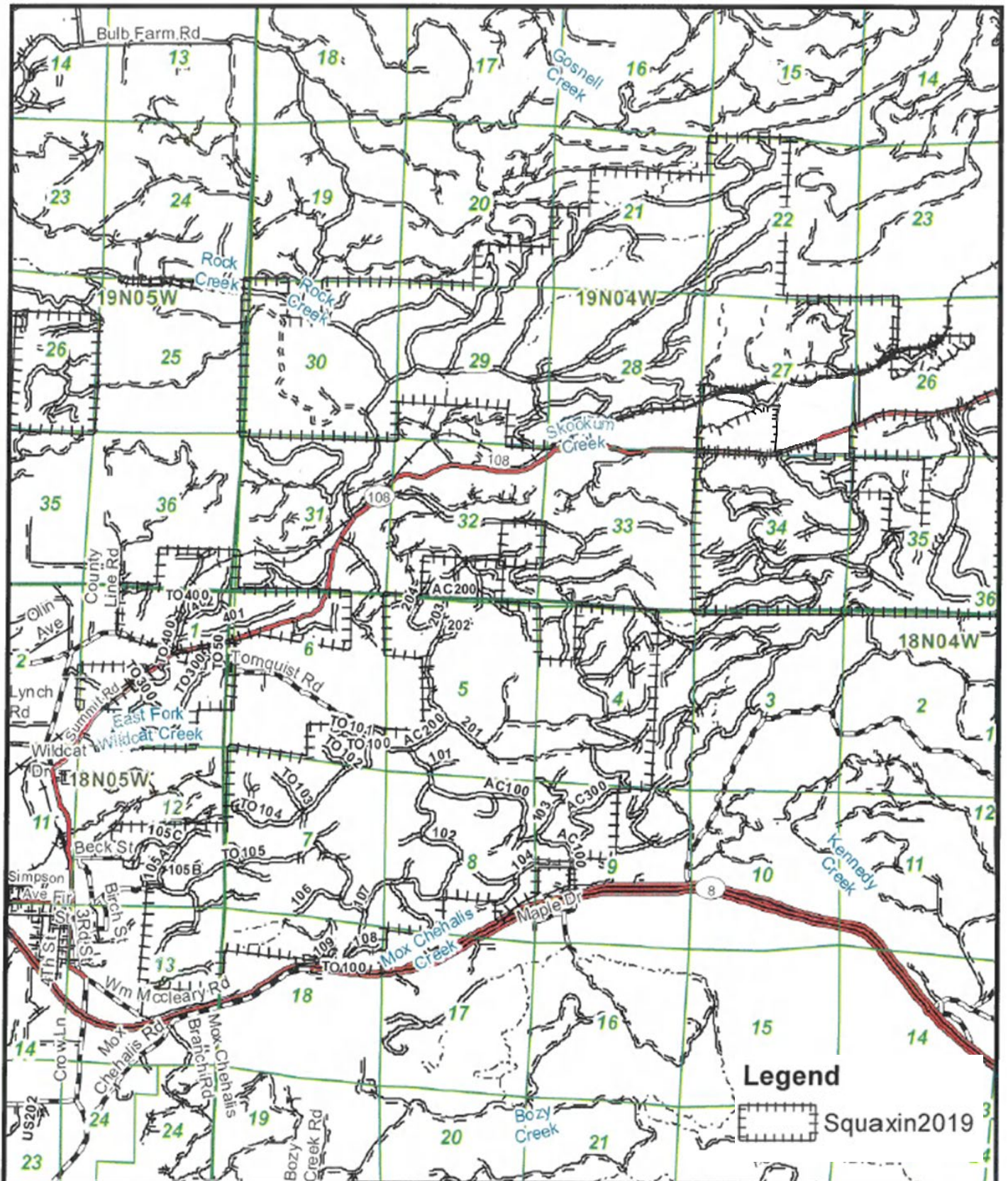
Port Blakely Tree Farms Access Areas



User Name: MWarjone

Date: 7/11/2019

Port Blakely Tree Farms Access Area



User Name: MWarjone

Date: 7/11/2019











2023-2024 Annual Hunting Regulations

Final Audit Report

2023-07-12

Created:	2023-06-23
By:	Melissa Puhn (mpuhn@squaxin.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAACzQdluBQV1mrH2elwt4rAlkYdZ9Aqg3c

"2023-2024 Annual Hunting Regulations" History

-  Document created by Melissa Puhn (mpuhn@squaxin.us)
2023-06-23 - 5:29:27 PM GMT- IP address: 216.235.106.129
-  Document emailed to kpeters@squaxin.us for signature
2023-06-23 - 5:30:15 PM GMT
-  Email viewed by kpeters@squaxin.us
2023-07-10 - 3:05:20 PM GMT- IP address: 172.56.105.38
-  Signer kpeters@squaxin.us entered name at signing as Kristopher K Peters
2023-07-10 - 3:05:35 PM GMT- IP address: 172.56.105.38
-  Document e-signed by Kristopher K Peters (kpeters@squaxin.us)
Signature Date: 2023-07-10 - 3:05:37 PM GMT - Time Source: server- IP address: 172.56.105.38
-  Document emailed to awhitener@squaxin.us for signature
2023-07-10 - 3:05:40 PM GMT
-  Email viewed by awhitener@squaxin.us
2023-07-11 - 3:45:44 PM GMT- IP address: 50.204.243.178
-  Signer awhitener@squaxin.us entered name at signing as Andy Whitener
2023-07-12 - 3:49:11 AM GMT- IP address: 73.225.35.174
-  Document e-signed by Andy Whitener (awhitener@squaxin.us)
Signature Date: 2023-07-12 - 3:49:13 AM GMT - Time Source: server- IP address: 73.225.35.174
-  Agreement completed.
2023-07-12 - 3:49:13 AM GMT