



SQUAXIN ISLAND TRIBE

Route 1, Box 257 Shelton, Washington 98584
Phone 426-9781

RESOLUTION NO. 81-01 of the SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the authority of the Constitution and By-laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and,

WHEREAS, the clam resources of Squaxin and Hartstene Island Reservation tidelands which are owned in trust for the Squaxin Island Tribe are endangered, and require strict protection from abuse; and,

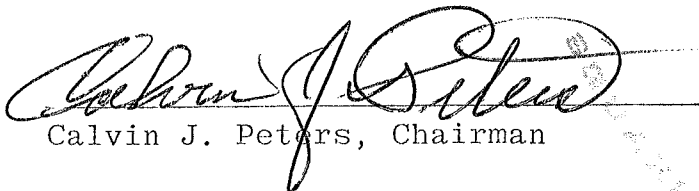
WHEREAS, the Squaxin Island Tribal Council has the responsibility to manage, use and protect tribal resources and trust property, Constitution Article III §1; and,

WHEREAS, an immediate need exists to protect the clam resource pending the preparation of a full Shellfish Ordinance by the Natural Resource Advisory Committee, and its adoption by the Tribal Council,

NOW THEREFORE BE IT RESOLVED, that the Tribal Council hereby adopts the attached Interim Clam Ordinance, to take effect February 1, 1981 and to continue in effect until a complete Shellfish Ordinance is adopted by the Tribal Council.

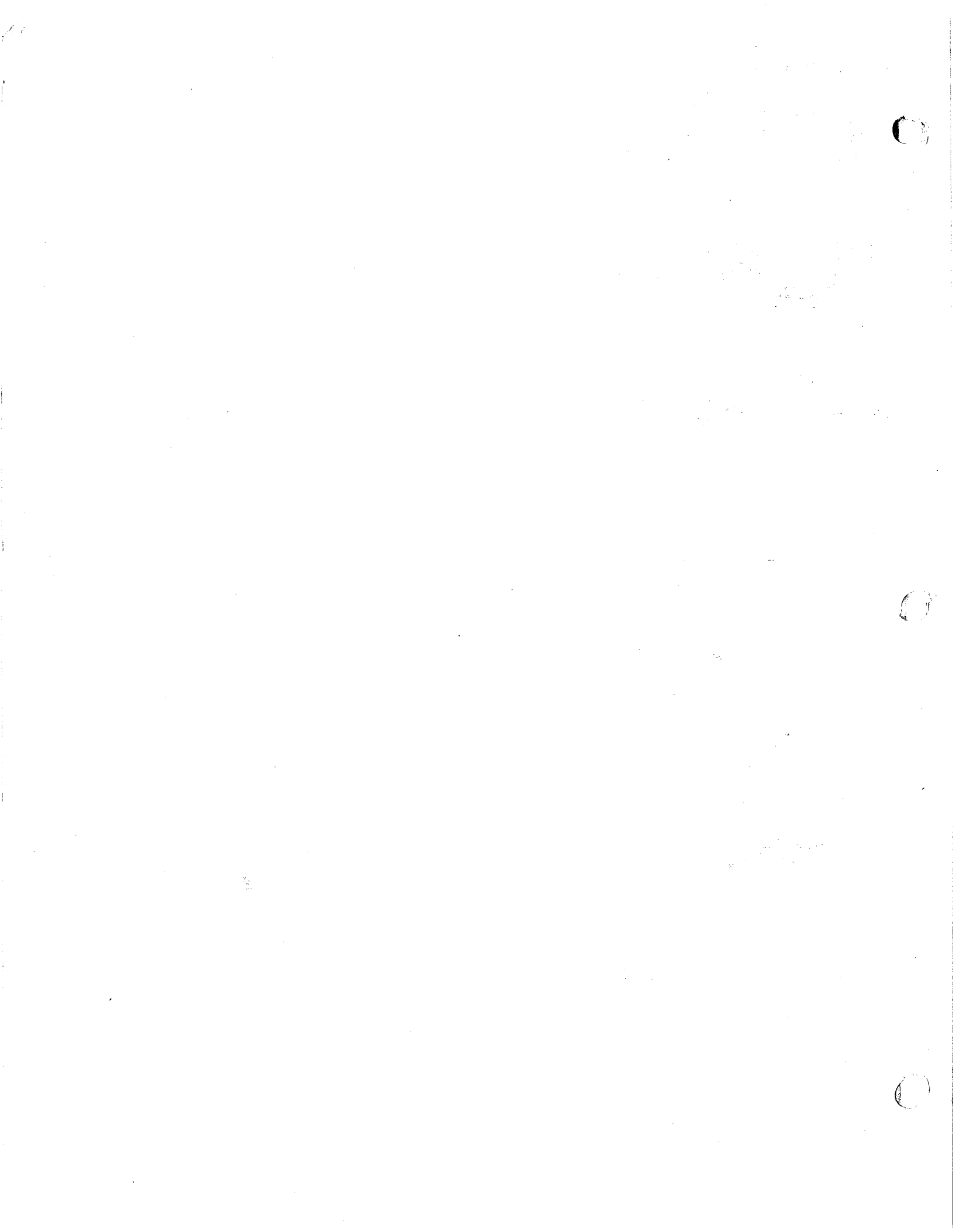
CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the above Resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this ^{8th} day of ^{January}, 1981, at which time a quorum was present and passed by a vote of 3 for, 0 against.


Calvin J. Peters, Chairman


ATTESTED BY: Mike Peters, Secretary

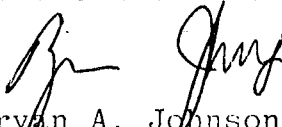

Bryan A. Johnson, Vice-Chairman



Due to the increased interest by Tribal members to dig clams on the Tribal tidelands, we see the necessity to coordinate these activities. Therefore, the Tribal Council will enact the attached interim clam ordinance effective February 1, 1981.

We feel that this ordinance will assist us in providing for both individual Tribal member uses and Tribal program uses (i.e. Oyster Company, Fisheries clam feasibility study).

A final ordinance is being developed, so if you would like to comment please contact the Tribal Council office at your convenience.



Bryan A. Johnson
Tribal Chairman

INTERIM CLAM ORDINANCE - DRAFT

1. Effective Date. This ordinance shall take effect February 1, 1981, and continue in effect until superseded by a Shellfish Ordinance as adopted by the Tribal Council.

2. Application. This ordinance governs the taking of clams from the Squaxin Island Reservation, including the Hartstene Island Reservation area. (Clams are defined as any bivalve mollusk including but not limited to manila or steamers, butter, geoduck and horse-clams and mussels.)

3. Tribal Members only. Only tribal members may take clams from the Reservation, except for a spouse and children when the member is present. No others may assist in any way in the taking of clams. Tribal members are prohibited from using the help of any others in the taking of clams.

4. Subsistence. Each tribal member may take and/or possess for subsistence purposes no more than one five gallon bucket, or about 40 pounds, of clams when on Reservation. Clams taken by non-member spouses and children shall count as part of the member's possession for purposes of this limit.

5. Commercial. Commercial clamming is prohibited except pursuant to this section.

5.1 Definition of commercial clamming. A person is clamming commercially if he has in his possession or takes more than two (2) five gallon buckets, or about 80 pounds of clams, or sells or offers for sale any amount of clams taken from the Reservatio

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7. Penalties.

7.1 Confiscation. Violation of any term of this ordinance, shall result in the confiscation of all clams in possession of the violator. Confiscated clams will be sold, and the proceeds turned over to the Tribal Council fund.

7.2 Violations. In addition to confiscation, violations of any part of section 5, including failure to follow the terms of a permit; that part of section 3 prohibiting Tribal member from using others to help them clam; or section 6, shall subject the violator upon conviction in civil trial in Tribal Court to a civil penalty of \$250.00, and cancellation of all commercial permits held by the violator.