



# SQUAXIN ISLAND TRIBE

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

RESOLUTION NO. 81-49  
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 Squaxin Island Tribe has treaty fishing rights to the salmon and steelhead resources originating in Southern Puget Sound watersheds, which rights are dependent upon and include the right to environmental protection of the habitat that supports the life of these fishery resources; and

WHEREAS, the development of hydroelectric power projects in Western Washington rivers has severely injured these fishery resources because of their blockage of fish access to spawning and rearing habitat, the reduction and manipulation of flows, the kill of fish past hydroelectric turbines and other parts of such projects, and other interferences with fish habitat, and this injury has severely hurt the Tribe in the achievement of its treaty fishing rights; and

WHEREAS, the United States Congress at the request of the Administration has before it two pieces of legislation which would permit "small hydroelectric projects" to be exempt from the Federal Power Act which provides for protections for fishery resources, thus encouraging such hydroelectric injury to our treaty fishery resources; and

WHEREAS, the first legislation likely to be acted upon by the Congress is the Republican Reconciliation Package (the Administration and Republican Budget Package) which recently slipped into the package the small hydro exemption for hydroelectric projects of 25 megawatts and under, and which could be acted upon as early as the week of June 22, 1981; and

WHEREAS, the second legislation providing for the small hydro exemption is S. 1299, introduced on June 2, 1981 by Senator McClure, by request of the Administration, which legislation would exempt small hydroelectric projects of an unknown and undefined size from the Federal Power Act; and



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WHEREAS, such legislation threatens the treaty fishing rights of the Squaxin Island Tribe because of the high potential for hydroelectric development that would not be regulated to assure protections for the fishery resources; and

WHEREAS, the Squaxin Island Tribal Council has a responsibility to its members and to the future of the Tribe to act so as to fully protect the Tribe's treaty fishing rights; now

THEREFORE BE IT RESOLVED, that the Squaxin Island Tribe strongly opposes both the Republican Reconciliation Package so long as it has the "small hydro" exemption in it, and S. 1299, as well as any other such legislation which might be introduced in the Congress, and further

BE IT RESOLVED, the Squaxin Island Tribe calls upon the Congress to exercise its Constitutional duty to (1) uphold Indian treaties as the Supreme Law of the Land and (2) to fulfill its obligation to the American people by hearing and considering public views when contemplating substantive legislation; and further

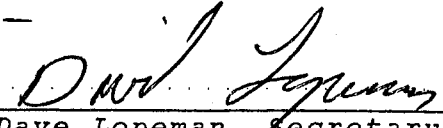
BE IT RESOLVED, that the Squaxin Island Tribe hereby requests the Congress to defeat both the Republican Reconciliation Package so long as it has the "small hydro" exemption, and S. 1299, and any other such legislation which would encourage uses of Pacific Northwest river systems in contravention of the treaty fishing rights of the Squaxin Island Tribe and other Pacific Northwest Tribes.

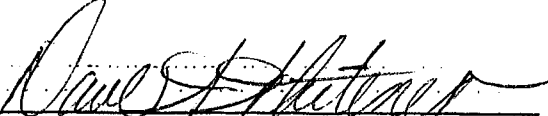
C E R T I F I C A T I O N

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 18 day of July, 1981, at which time a quorum was present and passed by a vote of 4 for and 0 against.

  
Bryan A. Johnson, Chairman

Attested By:

  
Dave Lopeman, Secretary

  
Dave Whitener, Vice Chairman