



Port Gamble S'Klallam Tribe



Jamestown S'Klallam Tribe

September 8, 2022

Representative Derek Kilmer
2059 Rayburn House Office Bldg.
Washington, DC 20515

Senator Maria Cantwell
717 Senate Hart Bldg
Washington, DC 20510

Email: Heather.Painter@mail.house.gov
Megan.Thompson@cantwell.senate.gov

Re: S'Klallam Position On The Transfer of Lands to the Lower Elwha Klallam Tribe And Expansion of the Elwha Reservation Lands

Dear Representative Kilmer:

As the Chairmen of the Jamestown S'Klallam Tribe and the Port Gamble S'Klallam Tribe, we appreciate the opportunity to meet and discuss HR 8286 on September 6, 2022. At the meeting, it became apparent that the impact of the proposed legislation could irreparably modify the joint use by all three S'Klallam/Klallam of the Elwha River and surrounding territory.

We understand that the Lower Elwha's has a resent their proposal of a "Savings Clause" similar to that adopted by the *Elwha River Ecosystem and Fisheries Restoration Act of 1992*, Sec. 8(b). Their simple non-specific statement of lack of treaty rights impact does not address the legal requirement for explicit recognition in the legislation reserving the right of access for the Port Gamble S'Klallam and Jamestown S'Klallam Tribe to all lands and waters within the map for the purpose of hunting, fishing, and gathering. This is needed because the land is being placed into reservation status. Otherwise, our concern is that the transfer to reservation status could eliminate or impair access to the historical lands of the three S'Klallam/Klallam bands.

We need be clear we must obtain a reservation of those rights and the reservation must be explicitly recognized as an area of Joint Use for all three bands. To that end, we require the following language or we do not wish the Bill to be voted on at the committee:

Nothing in this Act shall be interpreted as affecting Treaty rights or access to the historical lands of the Jamestown S'Klallam or Port Gamble S'Klallam Tribes described in the Treaty of Point No Point. 12 Stat. 933. These Treaty Rights of the other bands of S'Klallam requires access to these lands to hunt, gather, and fish in the lands described as 1082.63 acres in the map numbered 149/178020, and are explicitly reserved for the Jamestown S'Klallam and Port Gamble S'Klallam Tribes and are not extinguished or impacted in any way by this legislation.

Without the above language or similar language which explicitly accomplishes this stated goal, we object to the legislation as drafted and will continue to work with our sister Tribe on obtaining a mutually acceptable resolution.

Sincerely,

Handwritten signature of W. Ron Allen.

W. Ron Allen, Chairman
Jamestown S'Klallam Tribe

Handwritten signature of Jeromy Sullivan.

Jeromy Sullivan, Chairman
Port Gamble S'Klallam Tribe