



State of Washington  
DEPARTMENT OF FISH AND WILDLIFE

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January 13, 2015

The Honorable Frances G. Charles  
Tribal Chairwoman  
Lower Elwha Klallam Tribe  
2851 Lower Elwha Road  
Port Angeles, WA 98363

**RE: Review of Information Relating to Traditional Hunting by Lower Elwha Klallam Tribe in the WDFW Dickey and Sol Duc GMUs**

Dear Chairwoman Charles:

The Washington Department of Fish and Wildlife (WDFW) sincerely appreciates the co-management relationship we have developed with the Lower Elwha Klallam Tribe on hunting matters and the cooperation of the Tribe's representatives in working with WDFW staff as we worked through our process to review and consider information in support of the Tribe's asserted traditional hunting area.

Historical Research Associates (HRA) has completed its independent review of information submitted by the Lower Elwha Klallam Tribe, in conjunction with the information provided separately by the Port Gamble S'Klallam and Jamestown S'Klallam Tribes, with regard to assertions of traditional hunting in portions of the Dickey and Sol Duc Game Management Units (GMUs) outside the Tribe's ceded area. Enclosed please find a copy of the report by Dr. Gail Thompson with HRA. I am also sharing a copy of this report with the other interested Tribes.

As part of our process, WDFW shared the information provided by the Klallam Tribes with the other Tribes whose ceded areas overlap with the Dickey and Sol Duc GMUs and solicited their comments as well. WDFW received comments from the Makah, Quileute, and Hoh Tribes on this matter, which were also provided to the Lower Elwha Klallam Tribe, and we shared those with Dr. Thompson as well.

We carefully considered all of the information submitted by the Tribes, as documented in the enclosed report. Based upon the results of this review, WDFW has concluded that there is insufficient information to justify exercise of our enforcement discretion to not apply State law to Lower Elwha Klallam Tribal members hunting outside of the Tribe's ceded areas within the Dickey and Sol Duc GMUs.

The Honorable Frances Charles  
January 13, 2015  
Page 2

We would very much like to continue and build upon the co-management relationship we have developed with the Lower Elwha Klallam Tribe on hunting matters, and would like to enter into a hunting co-management agreement with the Tribe that includes those portions of the Dickey and Sol Duc GMUs within the Tribe's ceded area. We believe that such an agreement would strengthen our co-management relationship, and benefit the resource and the parties by providing for coordination on hunting regulations, harvest reporting, population monitoring, addressing landowner damage issues, and enforcement efforts. In addition, our co-management hunting agreement helps facilitate tribal and nontribal hunting access to private commercial timberlands with landowner permission and cooperative enforcement efforts, including referrals of hunting safety law violations, while preserving the rights and arguments of both parties with respect to the scope of the Tribe's treaty rights. In light of these benefits, I hope that Tribe will give careful consideration to signing the enclosed co-management agreement with WDFW (once we develop revised Appendices A and B, consistent with this letter).

As you know, we are scheduled to meet with the Lower Elwha Klallam Tribe at 1:00 pm on Tuesday, January 20 in Port Townsend. We look forward to that meeting, and hope we may focus our efforts on finalizing a co-management agreement consistent with the geographic limits described above.

Sincerely,



Philip Anderson  
Director

Enclosures

cc: Timothy Greene, Chair, Makah Tribe  
Maria Lopez, Chair, Hoh Tribe  
Fawn Sharp, President, Quinault Indian Nation  
Charles Woodruff, Chair, Quileute Tribe  
Mark Nichols, Clallam County Prosecutor  
Joseph Shorin III, AG's Office  
Neil Wise, AG's Office  
Steve Crown, WDFW Enforcement Chief  
Michele Culver, WDFW  
Nate Pamplin, WDFW