

A Resolution against Non-Shooting Zone Proposals “Drayton Harbor” and “Dearborn”- addressing to Whatcom County Council (Sheriff, Planning, Shorelines) and the State Dept of Fish & Wildlife and the Ceded 9 Treaty Tribes of Point Elliot

Whereas: Updated knowledge of facts related to two different proposed non-shooting zones known as “Drayton Harbor” & “Dearborn” has come to the Whatcom County citizens for comment.

Whereas: Both non-shooting zones have similar characteristics and are in Whatcom County designation & State of Washington designation & and designation as defined by the ceded 9 Treaty Tribes of Point Elliot inclusive of lands, tidelands, and waters.

Whereas: Non-Shooting zone “Drayton Harbor” mostly concerns fresh & salt waters & tidelands (as shown on the Council proposal map) all owned by the State of Washington under legislated mandated laws through the Washington State Dept of Fish & Wildlife plus US Fish & Wildlife and is also under the jurisdiction of the **ceded 9 Treaty Tribes of Point Elliot**.

Whereas: Non-shooting zone proposal known as “**Dearborn**” concerns mostly private lands (as shown on the Council proposal map) and is under Whatcom County rules and is southward and bordering the south & east sides of the “**Drayton harbor**” proposal area. Both proposals come under allowed shooting laws enforced by Whatcom County Sheriff jurisdiction and under Washington State Dept of Fish and Wildlife plus US fish & Wildlife.

Whereas: Both non-shooting proposals have existing restricted controlled hunting by Washington State Dept of Fish & Wildlife as defined in the WDFW yearly hunting pamphlet. The WDFW pamphlet rule **limits shotguns only shooting shot pellets** on all water areas and also by classification in the WDFW hunting pamphlet of being **westward** of interstate highway (known as **I-5**) running northerly/southerly and is whereto classified as a “**weapons restricted area**”. Weapons restricted areas allow **short range harvest firearms for hunting deer, bear, cougar- which is defined in the hunting pamphlet limiting use only to shotguns, muzzle loading arms, archery, crossbows, revolver type handguns, and semi-auto handguns of 40 caliber or larger. The hunting seasons in these two areas run approximately Oct towards end of Dec for big game and towards end of January for waterfowl. They are Not all year around seasons** as proclaimed by proponent petitioners to get landowner signatures on their “for” petitions.

Whereas: Both non-shooting proposals are under Whatcom County Sheriff laws and US federal laws as pertaining to the United States Constitution which was also adopted by Washington state & Whatcom County- all as defined by the **2nd amendment of these United States of America for citizens self & property protection –including predators both animal & human.**

Whereas: Management of Fish & Wildlife – particularly to damage and/or danger complaints associated with migratory birds, raccoons, possum, deer, coyotes & cougars that are all present in these proposals areas.

Whereas: Non-shooting proposal known as the “Dearborn” – which is a bunch of parcels of private lands (primarily of 2 to 5 acre+ sizes not city type lots) located southward of the “Drayton Harbor” (as depicted on the Council proposal map) and are under same WDFW game & waterfowl hunting rules including protection from damage to private property and the managing of plants, pets, and the like.

Whereas: Prerequisites for a non-shooting zone decision has to be legally petitioned & signed by minimum of 60% of Whatcom County landowners within the proposed zone and are USA citizens. The petitioning reasons for no-shooting needs cannot be **associated by noise** characterization but by safety reasons of unsafe shooting due to overcrowding home densities (basically usually small city type lots not **acreages**) and/or by **violations charges** related to negligent repeated patterns of illegal negligent shooting. Negligent shooting violations have to be **reported on record** by Whatcom County Sherriff department and/or by Wash Dept of Fish & Wildlife. A non-shooting ordinance proposal can also be petitioned by the acting authority of the County Council upon **it's own initiative** but still has to **govern** under the same restrictions as private landowners and has to be guided by safety reasons and not a "**noise problem**". A theoretical maybe by chance unsafe happening situation or enforcement reports reflecting the petitioners "**heard a shot**" does not automatically attribute a hazardous safety issue or violation.

Whereas: Enforcement reports have shown no responses of safety problems in nature, but mostly to "**I or We heard gun shots**" which is normal in Whatcom County and many of same responses have been reported from City of Everson, City of Sumas, City of Bellingham, and City of Lynden all abutting County jurisdiction lands. The most complained about noises in the City of Blaine, has been the railroad, and people are still complaining to this day. Did city dwellers know this – yes of course – are you going to make it a no train allowed area – we think not. Same with chainsaws, radios, lawnmowers, and the handy weed blowers.

Whereas: No-shooting proposals known as "Drayton Harbor" & "Dearborn", state as written in the last portion of each proposal the words expressing "**Be It FINALLY ORDAINED that Tribal members exercising treaty rights to hunt on traditional hunting grounds that are open and unclaimed are not subject to this ordinance**". This statement is not only **discriminating** towards the **Tribal rights**, but also **discriminates** towards non-tribal hunting especially associated within the lands and waters that are managed within the "**ceded area of the 9 Treaty Tribes of Point Elliot**". These jurisdictional rights are enforced by Wash State Dept of Fish & Wildlife, not the City of Blaine nor Whatcom County.

Whereas: The Borderline Bassin Contenders is a fishing & hunting club founded since 1973 – and has promoted fishing & hunting recreational resources and the right to own & bear arms according to the 2nd amendment. We also have promoted protecting future habitat and conserving our outdoors for future generations. We have watched many thousands of acres of hunting & fishing access and recreational use restricted and/or closed because of **urban growth densities** in Whatcom County. For a governmental entity to cause closures of those recreational areas because "**they may become annexed**" by the "City of Blaine" or **may not** – is **not a safety reason** where violations show not. A more realistic reason of an entity wanting to push more density would be for economical gain including real estate sales. If such annexing does occur, the annexed area automatically becomes a non-shooting zone by City ordinance. That might happen **in 5 to 10 years** from now or **not at all** – this would not be wise to make decisions hurting again our access & recreational uses towards these wildlife resources on a rush to change **right now basis for a hopeful conclusion reason**.

Whereas: There are currently state laws to prevent **trespass** on any private property for any hunting without consent from those private landholders and is enforced by County Sheriff and by Washington State Dept of Fish & Wildlife.

Whereas: The City of Blaine is claiming that the public and primarily the hunting segment of the public and the Tribal hunting segment, has problems distinguishing between incorporated and unincorporated areas (basically between City property and County property lines). The City's reason is because the line is in open water and therefore the county should settle this proposal here & now and make it a non-shooting zone. Those of us that are fishers and hunters are sure glad that type of thinking is not used on all open waters. For example if that type of thinking was used between Canada & USA country borders over open waters, we all might as well be in Canada or make Canada into USA. The better solution should render that the **disclaiming & complaining** City and/or County should put up floating or permanent markers, and not blame the people trying to lawfully recreate including Treat Tribe usage.

And Finally Whereas: the Future of no shooting zones should not be based on because there are already **twenty-three other no shooting zones that have been established**, but on future cooperation from Cities & Counties & Treaty Tribal to **prevent** more no shooting zones per **Whatcom County Planning**. The Borderline Bassin Contenders sat on the no shooting ordinance committee many years ago & helped establish "**historical hunted areas**" to prevent this very problem. At that time, the no shooting ordinance committee only considered fresh water areas and it was an oversight of not including Drayton Harbor, Birch bay, Samish Island, and Sandy Point, etc. Hopefully these other "**historical hunted saltwater areas**" can be added in the near future by citizens of Whatcom County and as already defined by the Ceded 9 Treaty Tribes of Point Elliot.

Now Therefore be it Resolved that the Borderline Bassin Contenders are **against** these two no shooting zones known as "Drayton Harbor" and "Dearborn" as voted on this **7th** day of **April, 2021**" based on **not a safety issue** and hereby informs & request the Whatcom County Council to **"vote no"** on these two proposals.

And be it Finally Resolved that copies of this resolution be sent to the Washington State Dept of Fish & Wildlife, Whatcom County Sherriff, the Point Elliot Treaty Tribes, and Congressional representatives of the Washington State house and senate Natural Resources Committee.

President of BBC	Club legislative Liaison	Club board of Directors
<u>David Parnicky</u>	<u>Bob Harriman</u>	<u>Rich Pratt,treas</u> <u>Brandon Thomas, v pres</u>
		<u>Leonard Egerdal</u> <u>Matt Krumdiack</u>

Dana Brown-Davis

From: Council
Sent: Thursday, April 08, 2021 11:28 AM
To: Dana Brown-Davis; Lisa Bruner; Cathy Halka
Subject: FW: No Shooting Zones - Drayton Harbor & Dearborn - BBC resolution against
Attachments: bbc-drayton harbor no shooting zone - resolution against Mar 2021.pdf

From: Robert Harriman <bob.harriman@icloud.com>
Sent: Thursday, April 8, 2021 11:27:12 AM (UTC-08:00) Pacific Time (US & Canada)
To: Council <Council@co.whatcom.wa.us>
Cc: Vvillaluz@swinomish.nsn.us <Vvillaluz@swinomish.nsn.us>; Jennifer Maurstad - Enforcement Leader Wdfw <jennifer.maurstad@dfw.wa.gov>; Wildthing (DFW) <WILDTHING@dfw.wa.gov>; Sheriff <Sheriff@co.whatcom.wa.us>; sharon.shewmake@leg.wa.gov <sharon.shewmake@leg.wa.gov>; Alicia.Rule@leg.wa.gov <Alicia.Rule@leg.wa.gov>; doug.ericksen@leg.wa.gov <doug.ericksen@leg.wa.gov>
Subject: No Shooting Zones - Drayton Harbor & Dearborn - BBC resolution against

Attn: Dana county Clerk, Whatcom County Council Chmn & Members

Please see attached "BBC Resolution Against" proposed no shooting zones "Dearborn" and "Drayton Harbor"
Both proposals to be introduced to Council approx April 9 and public hearings May 4, 2021. Please distribute to all members of assigned public safety committee members during the introduction and to all members of the Council during the hearing as our record of testimony, in case our attendance on Virtual is missed.

Please contact us with any questions and or clarifications needed.

Thanks for your dedication towards our County resources.

sincerely,

Bob Harriman, legis Liaison
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