

# Tribe gets \$1.1 million for '03 oil spill

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More than three years after nearly 5,000 gallons of oil fouled pristine beaches and a salt marsh, the Suquamish Tribe has accepted a \$1.1 million settlement from Foss Maritime as payment for the environmental and spiritual damage wrought by the spill.

Tribal Chairman Leonard Forsman still remembers watching heavy black oil coat the beach and reservation marsh at Doe-Kag-Wats, near Point Jefferson on the Kitsap Peninsula, a sacred place for traditional healing, worship and shellfish gathering for his tribe.

"It was just painful, to know that you have a place that is part of you, part of your childhood, part of your heritage, to see it black and oiled. It was painful and frightening," Forsman said.

"It was a sanctuary for people. It was one of the few places we could still go to ... feel some freedom to be Indian. You can kind of feel at times you have been able to escape the 21st century. And then when it comes washing up on the beaches it definitely affected us, and it still does."

The settlement, reached Feb. 9 with Foss Maritime, was announced Monday by the Suquamish Tribe. It intends to put the money toward a \$20 million cultural and economic revitalization project on the reservation, including construction of a dock and a museum; a story pole; renovations to Chief Seattle's grave; and a traditional community house for gatherings and ceremonial use.

The spill started at Point Wells on Dec. 30, 2003, when nearly 5,000 gallons of heavy bunker oil poured into Puget Sound. The oil overflowed from a Foss barge being loaded at the former Chevron/Texaco terminal near Richmond Beach.

Winds and tides pushed the oil across the Sound, where it washed up on the beach and marsh owned by the tribe near Indianola. The spill polluted near-shore habitat, including eel grass beds used by herring and salmon; oiled birds; and temporarily closed down shellfish harvests.

Foss took responsibility for the accident, which led to new rules adopted last October by the state and the hiring of six additional inspection workers to help prevent spills during fuel transfers to commercial vessels.

If those rules had been in place at the time of the spill, containment booms would have been required to have been in place before the fuel transfer.

The tribe negotiated with Foss for three years to obtain the settlement for damages to its land. The company had previously paid the tribe \$126,000, and \$265,000 to a federal fund for environmental cleanup projects.

Foss also was fined \$577,000 by the state Department of Ecology after the agency determined a barge worker had underestimated how fast the fuel tanks were filling.

An alarm that was meant to signal when the tank was almost full had been shut off, and a second alarm also wasn't working, investigators found.

By the time the barge operator discovered the problem, about 4,700 gallons of heavy fuel oil had gushed into the water, soiling one of the last pristine salt-water marshes in Puget Sound and requiring a \$4.5 million cleanup.

Forsman said the tribe plans a traditional healing ceremony for the area in the spring because money alone can't soothe the wound.

"Feelings are mixed," he said. "There is definitely a sense of relief that we managed to stay out of court. But it's hard to put a dollar figure on this kind of injury."

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