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M E M O R A N D U M

TO: Snohomish County Planning Commission

FROM: Alison Hodgkin, Senior Planner
Planning and Development Services

DATE: June 16, 2016

SUBJECT: 2016 County-Initiated Comprehensive Plan Amendments
GPP9 Tulalip Tribes

Introduction

PDS is providing this staff report and recommendation to the planning commission in advance of the June 28, 2016, combined briefing and public hearing on the GPP9 project. This proposal is included in the list of county-initiated comprehensive plan amendments approved by the Snohomish County Council for further processing as part of the larger 2016 County- Initiated Comprehensive Plan Amendment Project.

Amended Motion No. 15-226, adopted on July 15, 2015, identifies GPP 9 as providing potential policy and text amendments to the Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP) as outcomes of coordinated long range planning established by the 2013 Memorandum of Understanding (MOU) between the Tulalip Tribes and Snohomish County.

On April 26, 2016, PDS walked commissioners through background information about the Tulalip Tribes, the 1855 Treaty of Point Elliott and the federal policies that led to the current checkerboard pattern of land ownership on the Tulalip Indian Reservation. Commissioners also received an overview of the need for greater intergovernmental coordination and the 2013 MOU adopted between both agencies which established a coordinated long-range planning process.

2016 County-Initiated Comprehensive Plan Amendment Process

Under the GMA, amendments to the county's comprehensive plan can be considered and adopted no more frequently than once per year with limited exceptions. County-initiated amendments to the comprehensive plan and implementing development regulations are processed annually pursuant to the requirements of chapter 30.73 SCC. PDS is processing nine proposals for planning commission review and recommendation and subsequent transmittal to the county council for final action in 2016.

At the conclusion of the June 28, 2016, public hearing, the planning commission will be asked to make a recommendation on the GPP 9 proposal which will be packaged with other recommended 2016 county-initiated comprehensive plan proposals and transmitted to the county council for review and final action later this year.

MOU Background

In December 2010, the Tribes' Board of Directors, the County Executive and the County Council formally authorized staff from the Tulalip Tribes Community Development Department and Snohomish County PDS to begin developing a draft MOU for consideration and approval by the Tribes and the county at a later date (Joint Resolution No. 10-010).

Joint Resolution No. 10-010 allowed Tribal and county staff to form an MOU Workgroup early in January 2011. The MOU Workgroup met regularly in 2011 and 2012 and in 2013, finalized an MOU for consideration. The MOU was seen as the first step in what would be a series of actions to implement the 2010 Joint Resolution. The 2013 MOU was authorized by the County Council and signed by the Tribes Chairman and General Manager, as well as the County Executive on May 30, 2013.

In addition to establishing an information and data sharing program, the 2013 MOU allows the Tribes and the county to engage in a multi-year coordinated long-range planning process. The primary aim of the coordinated long-range planning process is to achieve consistency between the Tribes Comprehensive Land Use Plan and the County's Growth Management Act Comprehensive Plan (GMACP) to the extent possible within the requirements of federal, state and local law for non-tribally owned fee lands on the Tulalip Indian Reservation.

To carry out the long-range planning work, the MOU directs a workgroup to be established with the responsibility of developing and implementing a work plan and recommendations for comprehensive plan alignment. MOU Workgroup recommendations are intended to provide the foundation for a consistent, coherent and transparent system of land use planning for the entire Reservation.

The proposal described below is the outcome of efforts by the MOU Workgroup to execute the work plan and forward policy recommendations to council for consideration as part of the 2016 County-Initiated Comprehensive Plan Amendment cycle.

GPP 9 Proposal

The MOU Workgroup recommends that a new Tribal Element be added to the GPP introducing goals, objectives, and policies related to tribal culture, communication and coordination. All of the policies included in the GPP 9 proposal are within the Tribes and the county's mutual authorities to initiate and do not conflict with federal, state or local law, including regional planning guidance.

The new Tribal Element provides broad policy direction for tribal cooperation and includes a section devoted to addressing the unique land use issues on the Tualip Indian Reservation. The GPP 9 proposal includes recommended text changes to the GPP only. No map changes to the GPP Future Land Use (FLU) Map are included as part of the GPP 9 proposal.

Attachment 1 includes a full list of all the policy amendments included in the GPP 9 proposal.

GPP 9 Evaluation

The following evaluation criteria are taken from SCC 30.74.060(2), which are applicable to comprehensive plan amendment proposals submitted by individuals during the docket process, as guidance to determine how this county-initiated proposal is consistent with relevant state, regional, and county goals, objectives, policies, and other planning and code elements. Although county-initiated comprehensive plan amendments are not required to be evaluated according to these specified criteria in chapter 30.74 SCC, this analysis can be instructive.

Consistent with SCC 30.74.060(2)					
(a)	(b)	(c)	(d)	(e)	(f)
Yes	Yes	Yes	Yes	Yes	Yes

Criterion “a”: The proposed amendment and any related proposals on the current final docket maintain consistency with other plan elements or development regulations.

Yes. The GPP 9 proposal includes policy amendments to the GMACP GPP that are not inconsistent with other plan elements or development regulations. The language included in the GPP 9 proposal is consistent with existing policies and codes.

Criterion “b”: All applicable elements of the comprehensive plan, including but not limited to the capital plan and the transportation element, support the proposed amendment.

Yes. Both the GMACP Capital Facilities Plan and Transportation Element include existing references to the utility and transportation services available within the Tualip Indian Reservation.

Existing policy language related to the Tulalip Indian Reservation in each element of the GMACP is listed below and would benefit from the addition of GPP 9 proposed policies:

2015 GMACP Capital Facilities Plan:

- Utilities – Public Water Supply and Wastewater Collection and Treatment
- Section II – Capital Facilities of External Public Agencies Necessary to Support Development
- Appendix C - North Snohomish County Coordinated Water System Plan

2015 GMACP Transportation Element:

- Introduction – Tulalip Transit overview
- Appendix C – Supportive City Street Improvements

Criterion “c”: The proposed amendment more closely meets the goals, objectives and policies of the comprehensive plan than the relevant existing plan or code provision.

Yes. The existing GMACP GPP includes limited policy language mostly as it relates to land use on the Tulalip Indian Reservation but occasionally in reference to general coordination with all tribes. The GPP 9 proposal would build off existing policy language in an effort to increase coordination with all tribes in Snohomish County.

Existing GMACP Policies related to tribes are listed in the following chapters of the GPP:

Land Use

Small Area and Neighborhood Structure: Narrative, Objective LU 5.C and LU Policy 5.C.1 related to Tulalip Reservation Commercial designation

Rural Lands: LU Policy 6.C.6 and 6.C.7 related to the Tulalip Rural-Residential 10 (Resource Transition) designation

Agricultural Lands: Narrative language related to tribal involvement in the Sustainable Lands Strategy

Forest Lands: Narrative language related to Local Forest designation on the Tulalip Indian Reservation

Mineral Lands: LU Policy 9.A.2, 9.A.13 and 9.E.1 related to the mineral resource land designation and mining proposals

Cultural Resources: Narrative language related to the protection of archaeological and cultural sites, Policy 11.A.6 and 11.B.9 related to the protection of cultural resources and lands within the Reservation Commercial designation

Future Land Use Map: Narrative descriptions of land use designations on the Tulalip Indian Reservation

Interjurisdictional Coordination

Short narrative recognizing the benefits of coordinated planning and Goal IC related to programs with tribal governments

Capital Facilities

Policy 3D.3 related to working with tribal governments on habitat restoration projects

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPP).

Yes, the GPP 9 proposal is consistent with the CPPs. The purpose of the CPPs, under state law, is to provide a framework for cities and counties to adopt comprehensive plans. While Tribes are not subject to this state law, the CPPs do encourage collaboration with tribal governments in Snohomish County.

From the perspective of Snohomish County Tomorrow (SCT), the body that recommends the CPPs to the County Council, the goal of the CPPs is to more clearly distinguish between the roles and responsibilities of the county, cities, Tribes, state and other governmental agencies in managing Snohomish County's future growth, and to ensure greater interjurisdictional cooperation and coordination in the provision of services.

Criterion “e”: The proposed amendment complies with the GMA.

Yes. The GPP 9 proposal complies with the following GMA requirements related to coordination and consistency:

- 1) RCW 36.70A.100, which requires the proposed amendments be coordinated and consistent with the comprehensive plans of other jurisdictions with which the county has common borders or related regional issues;
- 2) RCW 36.70A.020, which sets forth Planning Goal 11 encouraging community coordination in the development of comprehensive plans;
- 3) RCW 36.70A.130(2)(a), which requires that proposed amendments to a county's comprehensive plan be considered no more frequently than once every year;
- 4) RCW 36.70A.210, which requires that a comprehensive plan be consistent with the CPPs.

Criterion “f”: New information is available that was not considered at the time the relevant comprehensive plan or development regulation was adopted that changes the underlying assumptions and supports the proposed amendment.

Yes. Greater coordination with the Tulalip Tribes was established as a priority for Snohomish County in 2010 with adoption of Joint Resolution No. 10-010. The 2010 Joint Resolution authorized development of a MOU which was adopted in 2013.

In addition to an information and data sharing program, the 2013 MOU established a coordinated long-range planning program. The goal of the coordinated long-range planning program is to reduce conflicts and facilitate more effective and consistent land use planning on the Tulalip Indian Reservation for the benefit of all Tulalip Reservation residents.

Central to this process are recommendations for coordinated land use policies intended to improve communication and consultation with all three Tribes in Snohomish County. The GPP 9 proposal also includes policies recognizing tribal history, culture and government, as well as policies that acknowledge the importance of coordination and cooperation.

GPP 9 - Public Outreach

In February 2016, all properties within the exterior boundary of the Tulalip Indian Reservation were sent a postcard in the U.S. Mail with an invitation to attend an open house on March 9, 2016. Over 150 people attended the event to learn about the partnership between Snohomish County and the Tulalip Tribes to address land use issues on the Tulalip Indian Reservation.

While public comment was not taken during the March 9, 2016, open house, staff from the Tulalip Tribes and Snohomish County PDS were available following the presentation to answer questions. Comments heard included:

- Residents expressing confusion about where they are supposed to go to obtain building permits;
- Residents pleased to see the Tulalip Tribes and Snohomish County taking a cooperative approach to land use planning; and
- Concerns about the perceived relinquishment of county responsibility for non-tribally owned fee lands.

Adoption Process

Under Chapter 30.73 SCC, any text or map change to the GMACP is considered a Type 3 proposal requiring notice of the Planning Commission public hearing and a recommendation by the Planning Commission. Following the public hearing, commissioners will develop a recommendation and the recommendation will be transmitted to the County Council for final action.

State Environmental Policy Act (SEPA) Action

All SEPA requirements with respect to this non-project action will be satisfied by the issuance of an addendum to the Final Environmental Impact Statement (FEIS) for the Snohomish County GMACP 8-Year Update. This addendum will add information pertaining to the proposed GPP9 map and text amendments. However, the evaluation of this non-project action is consistent with the analysis of previously identified significant impacts of alternatives analyzed in the county's GMACP 8-Year Update EIS dated September 8, 2014, (Draft EIS) and June 3, 2015, (Final EIS). No new significant environmental impacts from this proposal have been identified.

Notification of State Agencies

Pursuant to RCW 36.70A.106, a 60-day notice of intent to adopt the proposed GMACP map amendments was transmitted to the Washington State Department of Commerce on February 25, 2016, for distribution to state agencies.

Findings and Conclusions

PDS has identified recommended substantive findings and conclusions in Attachment 2 to this staff report that support the GPP 9 proposal and which should be included in the adopting ordinance.

Recommendation

Based on the recommended findings and conclusions contained in this staff report, PDS recommends that the GPP 9 proposal be **APPROVED** as part of the 2016 county-initiated GMA comprehensive plan amendments. The Planning Commission may make a recommendation to adopt or to not adopt the PDS-recommended proposal and the recommended findings and conclusions. The Planning Commission may also propose amendments to the PDS recommendation and the recommended findings and conclusions.

Attachments:

Attachment 1 – Proposed Policy Amendments

Attachment 2 – Draft Findings and Conclusions

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Tribal Element

Three federally-recognized Indian Tribes, the Sauk-Suiattle Tribe, the Stillaguamish Tribe, and the Tulalip Tribes, occupy areas of present-day Snohomish County. These Tribes and their ancestors are a land and water based people, part of a larger group of aboriginal Tribes and First Nations known as the Coast Salish peoples, who live around the Salish Sea in what is now Washington State and the Canadian Province of British Columbia. The Coast Salish Tribes and First Nations have lived here since time immemorial, enjoying a landscape rich in natural resources. Coast Salish lifeways are tied to the natural environment of the Pacific Northwest, especially the Salish Sea.

Today the Sauk-Suiattle, Stillaguamish, and the Tulalip Tribes are sovereign nations recognized by the United States government. Each Tribe has its own government with its own governing charter or constitution and set of general laws. These Tribes reserved lands in what is now Snohomish County as Indian reservation homelands. The Tribes have important historic and cultural sites both on and off their reservations. Each Tribe continues to exercise off-reservation rights reserved under treaty with the United States, including the right to fish in usual and accustomed fishing grounds and the right to hunt and gather on open and unclaimed lands.

Snohomish County acknowledges the historic and present-day connection between tribal people and the land base, and recognizes each Tribe's sovereignty. Snohomish County is committed to partnering with the Tribes to protect and preserve Tribal cultural and treaty resources, the natural environment, and sacred cultural areas.

The relationship between these Tribes and Snohomish County is especially important when activities of county government, particularly land use regulation, have implications for one or more Tribes. This chapter is an important foundation to ensure an enduring relationship between the county and the Tribes based on mutual respect, open communication, and transparency.

Snohomish County recognizes that a strong government-to-government relationship with the Tribes is essential to address issues of mutual concern and to move forward in an atmosphere of mutual respect and cooperation to meet the challenges of the 21st century. Snohomish County is committed to supporting tribal efforts to build ever more resilient and connected communities.

Tribal Element

CULTURE

Goal TE 1 Recognize and support Tribal cultures.

Obj TE 1.A Promote education programs that emphasize tribal history, culture, and government.

Pol TE 1.A.1 Include Tribal cultural centers, events, and activities open to the public in county tourism and cultural activities information for Snohomish County.

Pol TE 1.A.2 Include educational materials on local Tribes in employee training materials.

Pol TE 1.A.3 Recognize Native American Heritage Month and Native American Heritage Day in County-sponsored events and explore opportunities to provide educational resources regarding Tribes to the public.

Obj TE 1.B Partner with local Tribes to identify, preserve, and protect local cultural resources of importance to Tribes.

Pol TE 1.B.1 Work with Tribes to identify opportunities to protect, preserve, and interpret natural resources of cultural importance through restoration projects, conservation easements or land purchases, public education, and regulation.

Goal TE 2 Collaborate with Tribes to avoid or minimize adverse impacts to Tribal archaeological and cultural resources.

Obj TE 2.A Avoid or minimize adverse impacts to Tribal archaeological and cultural resources in Snohomish County operational activities and through development regulations.

Pol TE 2.A.1 Provide training to Snohomish County planning, public works and parks staff regarding legal requirements related to the protection of tribal, cultural, sacred, archaeological, and burial areas.

Pol TE 2.A.2 Develop protocols and procedures with each Tribe designed to identify, and avoid or minimize impacts to, Tribal archeological and cultural resources in sensitive cultural areas during the performance of land disturbing activities either by the County or authorized by the County, such as opportunities for Tribal monitoring of land disturbing activities that may affect archeological resources.

Obj TE 2.B Acknowledge the unique relationship of shorelines to Tribal culture and treaty resources.

Pol TE 2.B.1 Design development regulations to avoid or minimize impacts to the ecological functions and values of fish and wildlife conservation areas, including marine waters.

Tribal Element

Pol TE 2.B.2 Work with Tribes to recognize and address impacts to treaty resources in shoreline environments.

Obj TE 2.C Recognize that water is integral to Tribal culture.

Pol TE 2.C.1 Work with Tribes to identify methods of protecting groundwater, surface water, and aquifer recharge areas that support tribal reservations.

COMMUNICATION

Goal TE 3 The County shall engage in regular and meaningful consultation with Tribal officials in policy decisions that have Tribal implications.

Obj TE 3.A Establish a process for regular and meaningful consultation and collaboration with Tribal officials in the development of regulations, proposed legislation and other policy statements or actions that have tribal implications.

Pol TE 3.A.1 Consider whether Tribal interests may be affected when drafting legislation.

Pol TE 3.A.2 When the county identifies Tribal interests that may be affected by legislation, the county shall attempt to consult early with Tribes to identify issues and concerns.

Obj TE 3.B Recognize that effective consultation with Tribal governments requires engagement beyond general public comment processes for County actions affecting Tribal interests or Reservation lands.

Pol TE 3.B.1 Continue to work with Tribes to develop effective and meaningful streamlined channels of communication to meet the needs of each Tribe.

Pol TE 3.B.2 The County shall make its best effort to address Tribal comments and concerns in land use permitting decisions consistent with local, state and federal requirements.

Pol TE 3.B.3 The County shall make its best effort to provide Tribes with accurate and complete information when responding to Tribal requests for information.

COORDINATION

Goal TE 4 Coordinate with Tribes to establish a framework for cooperative discussion and consultation on issues of mutual concern.

Obj TE 4.A Assure that issues of mutual concern are considered in actions and decisions that may have Tribal implications.

Tribal Element

- Pol TE 4.A.1 The County shall promote timely and effective resolution of issues of mutual concern.
- Pol TE 4.A.2 The County shall work with Tribes toward establishing Tribal liaisons as a single point of contact on issues of mutual concern.

The Tribes of this Area and Specific Tribal Goals, Objectives and Policies

Sauk-Suiattle Indian Tribe

The Sauk-Suiattle Indian Tribe owns trust land in both Skagit and Snohomish Counties. The Sauk-Suiattle Indian Reservation is located primarily in Skagit County, although a section of the reservation is located in Snohomish County. The Tribe has significant landholdings near the City of Darrington in northeastern Snohomish County.

Stillaguamish Tribe of Indians

The Stillaguamish Tribe of Indians has significant land holdings near the City of Arlington. In 2014, the United States Bureau of Indian Affairs proclaimed a reservation as the permanent homeland for the Stillaguamish Tribe. The Stillaguamish Indian Reservation is comprised entirely of trust land and is located near the Angel of the Winds Casino off 236th Street Northeast in Arlington.

The Tulalip Tribes

The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie, Skykomish, and other tribes and bands and were party to the 1855 Treaty of Point Elliott. The Tulalip Indian Reservation is approximately 22,500 acres, about 36 square miles, and lies on Port Susan, Port Gardner and Possession Sound in western Snohomish County. It shares its eastern border with the City of Marysville.

The Tulalip Indian Reservation boundaries were established by the 1855 Treaty of Point Elliot and by an 1873 Executive Order of President U.S. Grant. It was created to provide a permanent homeland for the Tulalip Tribes. Under the Treaty, signatory tribes ceded millions of acres of land in western Washington, reserving certain fundamental rights and four areas of reservation land in exchange for promises of governmental protection, goods and services. Tribal leaders who attended the Mukilteo gathering to sign the treaty asked the government to locate one of the reservations established by the Treaty on land near the Snohomish River, to include Tulalip Bay, where freshwater streams converged, and where the fish were plentiful. The Treaty also reserved to the Tulalip Tribes fishing rights in all of their “usual and accustomed” areas, and hunting and gathering rights on all “open and unclaimed” lands. Reserving these treaty rights was an essential component of the treaty, and Tribes have worked diligently to ensure these reserved treaty rights continue to be honored and enforced.

Tribal Element

These tribal treaty rights have been confirmed by the federal courts in *United States v. Washington* (the Boldt Decision) and are protected by Article VI of the United States Constitution.

The Tulalip Tribes is organized under a constitution and government possessing both criminal and civil jurisdiction over the Reservation. Under the Tulalip Constitution, the Tulalip Tribes' elected governing body is the Tulalip Board of Directors, who exercise legislative powers and also make business, and other important decisions on behalf of the Tulalip Tribes. The Tulalip Tribes has a full range of governmental departments that provide public services to the Reservation community, including a police force, a tribal court system, a housing program, health care facilities, social services and child welfare programs, a natural and cultural resources department, environmental regulation, a community development department, and other services.

In 1998, the Tulalip Tribes enacted Tulalip Ordinance No. 111 (now Tulalip Tribal Code 15.05), under which Tulalip established a tribal municipal corporation known as the Consolidated Borough of Quil Ceda Village (QCV) located on the eastern boundary of the Reservation.

Land Use on the Tulalip Indian Reservation

In the late nineteenth century, Congress enacted a series of laws known as the Allotment Acts. In accordance with these laws, Reservation lands on the Tulalip Indian Reservation were divided and allotted among Tulalip Tribes families. As a result many parcels gradually passed from Tribal to non-Tribal ownership.

Tulalip became a "checkerboard" reservation, meaning that lands owned by non-tribal members (referred to as fee simple lands or just fee lands) were interspersed with lands owned by the Tulalip Tribes and Tulalip Tribes members (referred to as trust lands or restricted fee lands). This pattern of ownership continues today. Despite changes in ownership of individual parcels, the Tulalip Reservation boundaries have not been changed or diminished.

To maintain a permanent homeland for the Tulalip people, the Tulalip Tribes is working to reacquire land on the Reservation lost as a result of the Allotment Era. However, the impact of the Allotment Era continues to affect life and jurisdiction over property on the Tulalip Reservation and, therefore, affects land use and permitting on the Reservation today.

Land use permitting on the Tulalip Reservation is challenging because the Tulalip Tribes and the County do not agree on jurisdictional issues with respect to land use. The Tulalip Tribes asserts land use regulatory jurisdiction over all lands within the exterior boundaries of the Tulalip Indian Reservation, regardless of ownership type. Snohomish County recognizes that within the Tulalip Indian Reservation, trust lands and lands owned by Tulalip Tribes members are subject to tribal land use plans, permit processes, and procedures administered by tribal officials. However, Snohomish County asserts land use regulatory jurisdiction over fee simple lands within the exterior boundaries

Tribal Element

of the Tulalip Indian Reservation that are not owned by Tulalip Tribes members, and regulates these lands according to both State and County requirements.

Recognizing the benefit of coordinated planning efforts, the Tulalip Tribes and Snohomish County passed Joint Resolution No. 10-010 in 2010, authorizing staff from both planning departments to develop a Memorandum of Understanding (MOU) aimed at improving coordination and cooperative problem-solving. In 2013, the Tulalip Tribes and Snohomish County adopted an MOU establishing a process for coordinated comprehensive long-range planning and for information and resource sharing.

LAND USE on the TULALIP INDIAN RESERVATION

Goal TE 5 Continue to develop and implement cooperative land use planning with the Tulalip Tribes for lands within the exterior boundaries of the Tulalip Indian Reservation.

Obj TE 5.A Seek innovative approaches to address jurisdictional conflict that provides community benefits, including exploring future cooperative agreements.

Pol TE 5.A.1 Maintain an ongoing collaborative workgroup to promote effective communication and meaningful involvement in land use issues.

Obj TE 5.B Work with the Tulalip Tribes to seek solutions for resolving inconsistencies between the Snohomish County Comprehensive Plan and the Tulalip Comprehensive Land Use Plan, within the requirements of federal, state, and local laws.

Obj TE 5.C Establish a process whereby Snohomish County and the Tulalip Tribes will share information, data and resources to facilitate coordinated land use planning on the Tulalip Indian Reservation.

Pol TE 5.C.1 Consult with the Tulalip Tribes regarding population and employment growth targets allocated and assigned to lands within the exterior boundaries of the Tulalip Indian Reservation by the Washington State Office of Financial Management.

Pol TE 5.C.2 Work cooperatively with the Tulalip Tribes in exchanging geographic information systems (GIS), land use, and code enforcement data for lands within the exterior boundaries of the Tulalip Indian Reservation.

Obj TE 5.D Explore coordinated land use permitting and code enforcement with the Tulalip Tribes on fee lands on the Tulalip Indian Reservation owned by non-Tulalip Tribes members.

Tribal Element

- Pol TE 5.D.1 Work with the Tulalip Tribes to develop ongoing administrative processes to jointly discuss and comment on any permit application which has Tribal implications, including development activities on the Tulalip Indian Reservation.
- Pol TE 5.D.2 Explore opportunities for Tribal administration of various permitting programs through interlocal agreements.
- Pol TE 5.D.3 Explore a joint code enforcement program on the Tulalip Indian Reservation through agreements with the Tulalip Tribes.
- Pol TE 5.D.4 Establish a consultation process to discuss jurisdictional disputes involving non-Tulalip Tribal landowners on the Tulalip Indian Reservation.
- Pol TE 5.D.5 Explore an inter-local agreement that enables the Tulalip Tribes to administer a permitting program for building permits for development activities wholly within the exterior boundaries of the Tulalip Indian Reservation.

DRAFT

GPP 9 Planning Commission Proposed Findings and Conclusions

The Department of Planning and Development Services (PDS) has identified the following recommended substantive findings and conclusions that support the GPP 9 – Tulalip Tribes proposal.

Findings:

1. On July 15, 2015, in Motion No. 15-226, the Snohomish County Council identified GPP 9 as providing potential policy and text amendments to the Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP).
2. Motion No. 15-226 anticipates GPP amendments as outcomes of coordinated long range planning established by the 2013 Memorandum of Understanding (MOU) between Tulalip Tribes and Snohomish County.
3. The GPP 9 proposal would add a new Tribal Element to the GPP containing goals, objectives and policies intended to recognize tribal culture and acknowledge the importance of coordination and cooperation.
4. Policies that are included in the GPP 9 proposal would serve as a foundation for improved land management on the Tulalip Indian Reservation and greater alignment between the GMACP GPP and the Tribes Comprehensive Land Use Plan.
5. The GPP 9 proposal is consistent with the Growth Management Act (GMA) Planning Goal 11 encouraging community coordination in the development of comprehensive plans.
6. The GPP 9 proposal would better achieve, comply with, and implement Multicounty Planning Policy (MPP) G-1 to coordinate planning efforts among jurisdictions, agencies, and federally recognized Indian tribes where there are common borders or related regional issues, to facilitate a common vision.
7. The GPP 9 proposal is consistent with the goals of the Snohomish County Countywide Planning Policies (CPPs) to ensure greater interjurisdictional cooperation and coordination.
8. The GPP 9 proposal is consistent with the spirit of cooperation referenced in the 1998 MOU, the 2004 MOU, the 2010 Joint Resolution and the 2013 MOU with the Tulalip Tribes.

Conclusions:

1. The amendments are consistent with and comply with the procedural and substantive requirements of the GMA.
2. The amendments are consistent with and comply with the MPPs, the CPPs and the goals, objectives and policies of the GMACP GPP.