



SNOHOMISH COUNTY PLANNING COMMISSION

July 21, 2016

The Honorable Dave Somers, County Executive
County Administration Building
M/S 407, 3000 Rockefeller Avenue
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on GPP9 – Tulalip Tribes

Dear Executive Somers:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding a proposal 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 Comprehensive Plan Amendment Project.

The proposal, titled GPP9 – Tulalip Tribes (“GPP9”) would add a new tribal chapter to the County’s Growth Management Act Comprehensive Plan (“GMACP”) General Policy Plan (“GPP”) as an outcome of coordinated long-range planning established by the 2013 Memorandum of Understanding (“MOU”) between Tulalip Tribes and Snohomish County.

The Planning Commission staff briefing on this matter was delivered in two parts:

- Part I – April 26, 2016 – Planning and Development Services (“PDS”) staff 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 on 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.
- Part II – June 28, 2016 – PDS staff summarized what was presented at the April 26th briefing, described the current structure of the County’s GPP, explained existing GPP policies related to Tribes, and walked commissioners through the proposed GPP9 policies (Attachment 1) related to tribal culture, communication, coordination and land use issues on the Tulalip Indian Reservation.

Following Part II of the briefing on June 28, 2016, the Planning Commission conducted a public hearing receiving oral testimony from 16 stakeholders on the GPP9 proposal. The Planning Commission closed public testimony and concluded deliberations on June 28, 2016. Minutes for these meetings are provided in Attachments 2 and 3.

The Planning Commission makes the following recommendation to the County Council after considering information presented during the public hearing process:

1. **Motion #1** was made by Commissioner Stanford and seconded by Commissioner McLaughlin to recommend approval of the proposal as written and presented.

Vote on Motion #1:

2 in favor (McLaughlin, Stanford)

7 opposed (Ash, Hannam, Kaufman, Larsen, Norcott, Strandy, Taft)

0 abstentions

Motion #1 failed

2. **Motion #2** was made by Commissioner Ash and seconded by Commissioner Hannam to approve the proposal with the modification that the wording of the Objective TE 5.D and all of the policies included under it be revised to be less directive.

Amendments to Motion #2:

- 2a. 1st Motion to amend Motion #2 was made by Commissioner Larsen (there was no second) to recommend approval of the proposal with revised wording of policies TE 5.D.2, TE 5.D.3 ad TE 5.D.4 as follows, and subject to legal review:

- Change TE 5.D.2 to: Explore opportunities for tribal review.
- Change TE 5.D.3 to: Explore a joint code enforcement program with the Tulalip Indian Reservation.
- Change TE 5.D.4 to: Establish a consultation process involving non-Tulalip Tribal landowners on the Tulalip Indian Reservation.
- Change TE 5.D.5 to: Explore an inter-local agreement that enables the Tulalip Tribes to issue building permits for development activities wholly within the exterior boundaries of the Tulalip Indian Reservation.

Vote on 1st Motion to Amend Motion #2:

4 in favor (Hannam, Kaufman, Larsen, Strandy)

5 opposed (Ash, McLaughlin, Norcott, Stanford, Taft)

0 abstentions

1st Motion to Amend Motion #2 failed

- 2b. *2nd Motion to Amend Motion #2 was made by Commissioner Ash and seconded by Commissioner Norcott to recommend completely eliminating Objective TE 5.D and its associated policies 1-5.*

Vote on the 2nd Motion to Amend Motion #2:

6 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Taft)

3 opposed (McLaughlin, Stanford, Strandy)

0 abstentions

2nd Motion to Amend Motion #2 passed

- 2c. *3rd Motion to Amend Motion #2 was made by Commissioner McLaughlin and seconded by Commissioner Stanford to recommend putting back in Objective TE 5.D and Policy TE 5.D.1 as originally written.*

Vote on 3rd Motion to Amend Motion #2:

7 in favor (Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy)

2 opposed (Ash, Taft)

0 abstentions

3rd Motion to Amend Motion #2 passed

- 2d. *4th Motion to Amend Motion #2 was made by Commissioner McLaughlin and seconded by Commissioner Stanford to recommend putting back in Policy TE 5.D.5 as originally written.*

Vote on 4th Motion to Amend Motion #2:

2 in favor (McLaughlin, Stanford)

7 opposed (Ash, Hannam, Kaufman, Larsen, Norcott, Strandy, Taft)

0 abstentions

4th Motion to Amend Motion #2 failed

Main Motion (Motion #2):

Vote on Motion #2 as Amended:

9 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy, Taft)

0 opposed

0 abstentions

Motion #2 as Amended passed

The above recommendations are made after due consideration of the proposed findings and conclusions submitted by PDS (Attachment 4) and presented together with written and oral testimony received at the public hearing.

Thank you for considering our recommendations.

Respectfully submitted,



SNOHOMISH COUNTY PLANNING COMMISSION
Daniel Strandy, Chair

Copy to: Barb Mock, Director, Planning and Development Services

Attachments:

Attachment 1 Proposed GPP9 Policy Amendments

Attachment 2 Planning Commission April 26, 2016, Briefing (Part I)-Minutes

Attachment 3 Planning Commission June 28, 2016, Briefing (Part II) & Public Hearing-Draft Minutes

Attachment 4 Proposed GPP9 Findings and Conclusions

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



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

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REGULAR SESSION APRIL 26, 2016

MINUTES

A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Dan Strandy, Planning Commission Chairman, called the meeting to order at 5:35 p.m. Eight (8) of the currently appointed commissioners (11) were in attendance (a quorum being six (6) members and a majority being six (6) members).

Merle Ash
Angeline Fowler (arrived at 5:50 pm)
Doug Hannam
Ben Kaufman

Bob Larsen
Tom Norcott
Cheryl Stanford
Dan Strandy

Commissioner McLaughlin, Palumbo, and Taft had excused absences.

Josh Dugan, PDS LRP Manager, served as Planning Commission Secretary for this meeting.

B. APPROVAL OF MINUTES

Motion to approve the March 22, 2016, Planning Commission meeting minutes as written was made by Commissioner Norcott and seconded by Commissioner Larsen.

Vote:

7 in favor (*Ash, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion Passed

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Josh Dugan referred to a Memorandum listing recent Council County activities and briefly reviewed the following:

- Council approved Amended Ordinance No. 15-064 to amend SEPA exemptions. The ordinance went into effect April 11, 2016.

- Council held a public hearing on Breweries/Distilleries/Wineries Regulations, and continued that hearing to May 18, 2016. Several amendments have been introduced and will be considered at that time.
- Council was briefed on recommended code amendments to Commercial and Industrial Standards Part I. A public hearing is scheduled for May 18, 2016.
- Council was briefed on recommended 2015 code corrections. A public hearing is scheduled for May 18, 2016.

Mr. Dugan also reviewed topics currently planned to be included as part of upcoming Planning Commission agendas.

This complete presentation and resultant discussion is on file (via recording) in PDS.

D. PUBLIC COMMENT

None

E. UNFINISHED BUSINESS

1. Marijuana Amendment: Hearing

Alison Hodgkin, PDS Senior Planner, reminded commissioners that after the county council adopted (in 2013) permanent regulations for marijuana-related facilities and subsequently amended them (in 2015), the county realized that one of the amendments (#7) inadvertently and unintentionally imposed a minimum lot size on marijuana retail and medical dispensary uses. In order to ensure efficient administration of development regulations for these uses, the county determined an emergency existed and approved interim zoning regulations. Under SCC 30.73.090, these interim zoning regulations will expire on July 21, 2016, unless permanent regulations are adopted. At this meeting, the planning commission held a public hearing on the proposed permanent regulations.

Chairman Strandy opened the hearing to public comment at 5:45 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 5:46 p.m.

Motion was made by Commissioner Kaufman and seconded by Commissioner Hannam to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:

8 in favor (*Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion passed

This complete public hearing and resultant discussion is on file (via recording) in PDS.

2. 2016 County-Initiated Comprehensive Plan Amendments: Hearings

Steve Skorney, PDS Senior Planner, provided a brief review of the annual comprehensive plan amendment process, and the need to conduct separate public hearings for each hearing item on this agenda. Hearings were then held on the Batch 1 amendment items for 2016 as follows:

- **GPP4: Technical Corrections**

Steve Skorney, PDS Senior Planner, briefly reviewed information provided at the March 22, 2016, briefing on this item.

Chairman Strandy opened the hearing for public comment at 5:50 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 5:51 p.m.

Staff provided information requested at the March briefing on this item.

Motion was made by Commissioner Norcott and seconded by Commissioner Kaufman to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:

8 in favor (*Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion passed

Brief discussion took place regarding research done by staff to assure legal-related draft findings and conclusions for all topics are up-to-date and accurate.

This complete public hearing and resultant discussion is on file (via recording) in PDS.

- **GPP7: Wildlife Corridors – Map 4**

Terri Strandberg, PDS Principal Planner, briefly reviewed and answered questions about information provided at the March 22, 2016, briefing on this item. She also provided “map portfolios” that had been requested by the commissioners.

Chairman Strandy opened the hearing for public comment at 5:57 p.m. The following testimony was provided in both written and verbal form:

- Heather Nordell -Supported the proposal and provided additional recommendations related to connectivity.

There being no one else present to offer written or verbal testimony, the comment period was closed at 6:00 p.m.

Motion was made by Commissioner Stanford and seconded by Commissioner Fowler to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:

8 in favor (*Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion passed

This complete public hearing and resultant discussion is on file (via recording) in PDS.

- **GPP8: Public Lands – Map 5**

Terri Strandberg, PDS Principal Planner, indicated she had no additional information to share other than what had been provided at the March 22, 2016, briefing and in the meeting packet for this item.

Chairman Strandy opened the hearing for public comment at 6:05 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 6:06 p.m.

Motion was made by Commissioner Norcott and seconded by Commissioner Stanford to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:

8 in favor (*Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion passed

This complete public hearing and resultant discussion is on file (via recording) in PDS.

- **GPP12: Supplemental Designations of ULDR Areas – Map 6**

Steve Skorney, PDS Senior Planner, briefly reviewed information provided at the March 22, 2016, briefing on this item and also referred to the map provided in the meeting packet.

Chairman Strandy opened the hearing for public comment at 6:10 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 6:11 p.m.

Motion was made by Commissioner Norcott and seconded by Commission Ash to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:

8 in favor (*Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy*)

0 opposed

0 abstentions

Motion passed

This complete public hearing and resultant discussion is on file (via recording) in PDS.

NEW BUSINESS

1. 2016 County-initiated Comprehensive Plan Amendments (Batch 2): Briefings

Briefings were held on following topics included in Batch 2 of the 2016 county-initiated comprehensive plan amendments for 2016:

- **GPP6: Housing**

Frank Slusser, PDS Senior Planner, reviewed the background of this project, what has been done to-date, and stakeholder outreach that has been conducted. He described the project topic areas related to affordable housing, including: tracking and monitoring, transit-oriented development support; and additional provisions to encourage affordable housing, and also briefly reviewed the proposed policy amendments for each. Mr. Slusser then outlined the next steps in the project and answered commission questions.

Discussion ensued, with commissioners requesting the following information prior to the May public hearing:

- Area Median Income (AMI) for Snohomish County
- Number of housing units at 50% of the AMI
- Number of housing units at 80% of the AMI
- Number of units in production at this time
- Average monthly rents and mortgages in Snohomish County

Commissioners also offered suggestions regarding some potential revisions to the proposal language.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

A Planning Commission public hearing on this topic is scheduled for May 24, 2016.

- **GPP9: Tulalip Tribes**

Alison Hodgkin, PDS Senior Planner, stated that the intent of this “preliminary” briefing was to provide background information that would be helpful to the commissioners when receiving their more formal briefing (scheduled for May 24, 2016) on this topic. To that end, she reviewed:

- Historical context of the Tulalip Indian Reservation
- Federal Indian Policy and land ownership patterns
- Jurisdiction at Tulalip today
- History of joint planning with the Tulalip Tribes (started in 2010)
- Need for coordination
- 2013 Memorandum of Understanding (between Snohomish County and the Tulalip Tribes)
- MOU implementation
- Public outreach (open house held in March 2016)

Workgroup member Barbara Dykes Ehrlichman conveyed that her open house experience included hearing a lot of positive feedback on the efforts being made by the county and the Tribes to work positively and collaboratively.

Ms. Hodgkin stated that it is hoped that policy and map amendments will be advanced at the next briefing on this topic, which is currently scheduled for May 24, 2016.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

Chairman Strandy recessed the meeting at 7:20 p.m. The meeting was reconvened at 7:30 p.m.

- **GPP10: Growth Target Reconciliation**

Steve Toy, PDS Principal Demographer, briefed commissioners on this county-initiated proposal to amend Appendix D, Growth Targets, and Map 3, Municipal Urban Growth Area (MUGA) boundaries, of the Snohomish County GMA Comprehensive Plan General Policy Plan (GPP), as a result of the population, housing and employment target reconciliation process through Snohomish County Tomorrow (SCT). He described the process for development of the proposed reconciliation amendments, explained the adjustments, and reviewed the SCT Planning Advisory Committee's rationale for recommending each of them.

Mr. Toy specifically addressed the proposed reconciled 2035 growth targets for Brier, Gold Bar, Granite Falls, Snohomish, Stanwood, Mill Creek, Monroe, Arlington, and the Meadowdale Gap.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

- **GPP11: Innovative Water Supply**

Steve Skorney, PDS Senior Planner, explained that this county-initiated comprehensive plan amendment promotes innovative water supplies including individual rainwater catchment systems for drinking and other household purposes. The purpose of GPP11 is to include policy language under Objective NE 9.A (included in the Natural Environment chapter of the county's General Policy Plan) in which the county would encourage innovative water supplies such as rainwater catchment as a sole source of domestic potable water for new residential development. Potable is defined as meeting the quality and treatment requirements as drinking water. The GPP11 proposal provides county policy support for efforts by Snohomish Health District to consider rainwater catchment systems as a potable water supply source for residential use.

Discussion ensued with the following information requested prior to the May public hearing on this issue:

- Copy of a Department of Ecology memorandum changing that agency's view that running water belongs to the public and that no one has the right to catch it.
- Information on the area in north county where there is no water available and the "scope and scale" of that situation.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

- **GPP14: Rural Urban Transition Area (RUTA)**

Alison Hodgkin, PDS Senior Planner, explained that the county council specifically asked PDS to develop alternative amendments to either eliminate the RUTA or amend the RUTA policies to resolve previously identified issues. Ms. Hodgkin provided background information and a RUTA explanation (including what it is not), discussed RUTA issues and options for change, and described recent public outreach efforts.

The RUTA is an overlay on the county's Future Land Use map, comprised of approximately 17,500 acres of land designated for rural residential use. Properties within the RUTA are within one-half mile of an urban growth area. The RUTA was adopted to comply with the Central Puget Sound Growth Management Hearings Board

(Board) decision and remand of the county's 1995 Growth Management Act Comprehensive Plan, in which the county was required to:

- Reduce rural residential densities,
- Retain flexibility in rural areas adjacent to the UGA to permit the potential future expansion of the urban growth area, and
- Assure that any future residential clustered development in rural areas adjacent to the UGA constitute compact rural development rather than "a pattern or urban growth."

Current issues with the RUTA include:

- RUTA policies are unclear.
- RUTA outreach will be substantial.
- RUTA implementation is minimal.
- UGA expansion criteria has evolved.

Based on the following, PDS currently recommends elimination of the RUTA:

- Elimination best represents direction expressed in multiple, previous attempts to resolve this issue,
- It is the most cost-effective solution given resources available, and
- It can be accomplished within the August 2016 timeline.

Individual commissioners had the following comments/questions:

- Consideration should be given to an additional option that includes possible expansion of the RUTA.
- Criteria for urban growth area expansions.
 - (NOTE: this information was included as Attachment 1 to April 11, 2016, memo).
- Status of the open space tract in Quail Ridge and Roosevelt Ridge.
 - (NOTE:
 - Quail Ridge was annexed to the City of Arlington in 2007.
 - Subdivision application has been submitted for the open space tract of Roosevelt Ridge [Monroe Woodlands])

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

G. ADJOURN REGULAR MEETING

This regular meeting adjourned at 9:00 p.m.



Snohomish County

PLANNING COMMISSION

PLANNING & DEVELOPMENT SERVICES

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REGULAR SESSION JUNE 28, 2016

MINUTES

A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Dan Strandy, Planning Commission Chairman, called the meeting to order at 5:30 p.m. Nine (9) of the currently appointed commissioners (11) were in attendance (a quorum being six (6) members and a majority being six (6) members).

Merle Ash

Doug Hannam

Ben Kaufman (*arrived 5:34 pm*)

Bob Larsen

Darrel McLaughlin

Tom Norcott

Cheryl Stanford (*arrived 5:54 pm*)

Dan Strandy

Ed Taft

Commissioners Fowler and Palumbo each had an excused absence.

Josh Dugan, PDS LRP Manager, served as Planning Commission Secretary for this meeting.

B. APPROVAL OF MINUTES

Motion to approve the May 24, 2016, Planning Commission meeting minutes as written was made by Commissioner Norcott and seconded by Commissioner McLaughlin.

Vote:

8 in favor (*Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Strandy, Taft*)

0 opposed

0 abstentions

Motion passed

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Josh Dugan introduced Katy Barbey, Acting Commission Clerk; thanked the commissioners for approving a briefing and hearing on the same topic; and announced that a break would be taken between the briefing and hearing for item GPP9 – Tulalip Tribes. He also reviewed the agenda for this meeting, and announced that a special meeting would be held if needed in order to continue public comment and/or conduct commission deliberations.

Mr. Dugan then referred to a Memorandum listing recent Council County activities and briefly reviewed the following:

- Council voted (June 15, 2016) to approve Revising Regulations for Marijuana Businesses.
- Council voted (June 22, 2016) to approve an ordinance that adds a new reference note 131 to the use matrices prohibiting marijuana-related facilities in urban zones within the exterior boundaries of the Tulalip Indian Reservation.
- Council scheduled an August 10th hearing regarding an Emergency Ordinance that bans new marijuana retail locations in all zones (urban and rural) where they were previously allowed.
- Council scheduled a July 6th public hearing on Adjust Duplex Lot Area in UGAs. One amendment sheet has been drafted to align the proposed duplex code amendments with the Transfer of Development Rights program.
- Council continued its public hearing on Breweries/Distilleries/Wineries Regulations to August 10th.
- Council continued its public hearing on Commercial and Industrial Standards Part 1 to August 31th, and written testimony remains open.

This complete presentation and resultant discussion is on file (via recording) in PDS.

D. PUBLIC COMMENT

None

E. TRAINING

To comply with the public records training requirement established by RCW 42.56.150, Sara Di Vittorio, Deputy Prosecuting Attorney, provided commissioners with relevant information about their responsibility with respect to the Public Records Act (PRA). Her presentation included application of the PRA to the Planning Commission's records and commissioners' emails, as well as the retention and production of those records under the law.

Any requests for public records received by county planning commissioners must be immediately forwarded to the PDS Public Records Officer.

This complete training and the resultant discussion is on file (via recording) in PDS.

F. UNFINISHED BUSINESS

Prior to beginning the following hearings, the chairman provided general information to the public regarding the public hearing process.

Steve Skorney, PDS Senior Planner, briefly reviewed the county-initiated comprehensive plan amendment process.

2016 County-initiated Comprehensive Plan Amendments (Batch II): Hearing and Briefing/Hearing

- GPP10 – Growth Target Reconciliation: Hearing

Steve Toy, PDS Principal Demographer, explained that this county-initiated amendment to the Snohomish County GMA Comprehensive Plan General Policy Plan (GPP) would amend

Appendix D – Growth Targets, Map 3 – Municipal Urban Growth Area (MUGA) boundaries, and the Snohomish County UGA Land Capacity Analysis Technical Report (June 10, 2015) as a result of the population, housing, and employment target reconciliation process through Snohomish County Tomorrow (SCT). Following adoption of updated GMA plans, Countywide Planning Policy (CPP) GF-5 requires SCT to engage in a growth target reconciliation process to review discrepancies between city and county adopted targets contained in the local GMA plans, and to recommend a set of reconciled population, housing and employment targets to the County Council for adoption into Appendix B of the CPPs.

The SCT Planning Advisory Committee recommended several relatively minor amendments to the 2035 population, housing and employment targets to the SCT Steering Committee. These recommendations also included amendments to the MUGA growth target tables and maps to reflect updated city boundary reference information and the recent Meadowdale Gap agreement between the cities of Lynnwood and Mukilteo. The SCT Steering Committee transmitted the PAC's recommendation to the County Council for consideration and adoption into the CPPs. The GPP10 reconciled growth target amendments to the county's GMA comprehensive plan are intended to reflect within the GPP, the SCT-recommended reconciled target amendments in the CPPs.

Mr. Toy then described the specific growth target reconciliation amendments recommended by the PAC, giving the rationale for each of them. This explanation included information regarding the Meadowdale Gap Resolution and the City of Arlington's ARL3 Docket Proposal. He also reviewed the criteria used to evaluate each of the proposed amendments.

Chairman Strandy opened the hearing to public comment at 6:05 p.m. There being none, public comment was closed at 6:06 p.m.

Motion was made by Commissioner McLaughlin and seconded by Commissioner Norcott to recommend approval of the amendments as proposed by PDS.

Vote:

9 in favor (*Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy, Taft*)

0 opposed

0 abstentions

Motion passed

Mr. Toy's presentation, this complete hearing, and the resultant deliberations and action are on file (via recording) in PDS.

- GPP9 – Tulalip Tribes: Continued Briefing

Alison Hodgkin, PDS Senior Planner, gave a follow-up briefing to the one originally provided on April 26, 2016. She once again briefly explained the background of the May 30, 2013, Memorandum of Understanding (MOU) between the Tulalip Tribes and Snohomish County. The MOU establishes an information and data sharing program, as well as allows the Tribes and the county to engage in a multi-year coordinated long-range planning process. The primary aim of that process is to achieve consistency between the Tribes' Comprehensive Land Use Plan and the County's Growth Management Act Comprehensive Plan to the extent possible within the requirements of federal, state and local law for non-tribally owned fee lands on the Tulalip Indian Reservation.

Ms. Hodgkin indicated that the GPP9 proposal recommends that a new Tribal Element be added to the General Policy Plan introducing goals, objectives, and policies related to tribal

culture, communication and coordination (and which would be relevant to all three Snohomish County tribes: Sauk-Suiattle Indian Tribe, Stillaguamish Tribe of Indians, and Tulalip Tribes). All of the policies included in the GPP9 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. No map changes to the GPP Future Land Use Map are included as part of the GPP9 proposal; rather, there are text changes only. The proposal does not include any rezones, would not change county code, nor does any aspect of it affect private property rights or county land use jurisdiction of non-tribally owned fee lands on the Tulalip Indian Reservation.

Ms. Hodgkin reviewed the proposal policy amendments and provided the evaluation criteria for each. She also explained the public outreach that had been conducted to notify properties within the exterior boundary of the Tulalip Indian Reservation about the partnership between Snohomish County and the Tulalip Tribes to address land use issues on the Tulalip Indian Reservation.

Patty Gobin, Tulalip Tribes, provided summary comments from the perspective of the Tulalip Tribes. She said that the proposed Tribal Element will tell the story of all of the tribes within Snohomish County, as well as talk about the unique relationship and partnership between tribal and county leadership. The Tulalip Tribes, she said, are looking out seven generations with respect to land use planning on the reservation and in the county, as the members of the Tulalip Tribes are citizens of both.

Chairman Strandy requested and received confirmation that the proposals for coordinated planning would impact neither county code nor the existing zoning of the governing jurisdiction over the privately held lands on the reservation.

Commissioner Ash requested and received confirmation that the proposals for coordinated planning would impact neither property rights nor the process for obtaining a land use permit.

At the request of Commissioner Ash, the General Allotment Act was explained.

This complete briefing and resultant discussion is on file (via recording) in PDS.

- GPP9 – Tulalip Tribes: Hearing

Chairman Strandy opened the hearing to public comment at 6:35 p.m. Testimony was received as follows:

- John Lewis Orr -Spoke in opposition to the proposal. Indicated improvement is needed with respect to meeting notification. Expressed concern that the rules may not be the same for both parties.
- Donald Schandel -Spoke in opposition to the proposal. Expressed concern about being able to retain his private property, which is on leased property.
- Steve Ahmann -Spoke in opposition to the proposal. Stated the proposals are not fair and are inconsistent with state and county laws governing land use.

- Sue Reddeman -Spoke in opposition to the proposal. Pays taxes to Snohomish County and wants to retain county representation.
- Ross Miller -Spoke in opposition to the proposal.
- Ralph Plumber -Spoke in opposition to the proposal. Particularly concerned with areas of land use permitting and code enforcement.
- Mytyl Hernandez -Spoke in favor of the proposal, on behalf of the Tulalip Planning Commission. Stated coordinated land use planning is critical to all reservation property owners.
- Rodney Windhorst -Spoke in opposition to the proposal. Data sharing is not equitable between the county and the Tribes and does not always protect privacy rights.
- Jane Morris -MOU could be good only if implemented fairly for all property owners. Data sharing is not equitable between the county and the Tribes.
- Irma Erickson -Stated the proposals have been confusing. Believes protection of environment needs to be addressed, as well as culturally sensitive issues. Supports an MOU for the purpose of open communication.
- Cindy Pancerczewski -Spoke in opposition to the proposal. Expressed concern regarding land use permitting and code enforcement.
- Marsha Ellingsen -Expressed dissatisfaction with utility and road services being provided on the reservation.
- Bruce Keithly -Gave no recommendation as he did not feel sufficiently informed about the issues. Suggested the hearing be continued for more public comment.
- Ken Dammand -Stated he does not want to be regulated and taxed by a government (Tulalip Tribes) he has no say in and that has no mandate to be consistent in the way it issues regulatory rules to all residents.
- Betty Welsh -Spoke in opposition to the proposal. Felt the process is being rushed and more in-depth information is needed.

- Ray Sheldon -Spoke as a tribal planning commissioner and stated the MOU is a start toward better and more open communication. There will be no changes in code; however, the Tribes and the county need to communicate. Suggested a meeting between tribal and county planning commissioners.

There being no one else wishing to comment, the chairman closed public testimony at 7:18 p.m. The meeting was temporarily recessed at that time.

The meeting was reconvened at 7:32 p.m.

The Planning Commissioners began deliberating by asking for clarification on several issues, including permitting and code enforcement (neither of which is part of the GPP9 proposal, but could be explored in the future). Questions were addressed by either Alison Hodgkin-PDS, Steve Skorney-PDS, Josh Dugan-PDS, or Julia Gold-Tulalip Tribes. These questions and answers are part of the recording of this meeting, which is on file in PDS.

There were also suggestions made regarding revising some of the wording in the proposal to make it more specific and clear. In addition, the pros and cons of delaying action on this item in order to obtain more information were considered. Concerns about a perceived lack of trust on both “sides” and the lack of comparability with respect to data sharing were also expressed. These discussions are on file (via recording) in PDS.

Motion #1 was made by Commissioner Stanford and seconded by Commissioner McLaughlin to recommend approval of the proposal as written and presented.

Vote on Motion #1:

2 in favor (*McLaughlin, Stanford*)

7 opposed (*Ash, Hannam, Kaufman, Larsen, Norcott, Strandy, Taft*)

0 abstentions

Motion #1 failed

Motion #2 was made by Commissioner Ash and seconded by Commissioner Hannam to approve the proposal with the modification that the wording of Objective TE 5.D and all of the policies included under it be revised to be less directive.

1st Motion to amend Motion #2 was made by Commissioner Larsen (there was no second) to recommend approval of the proposal with revised wording of policies TE 5.D.2, TE 5.D.3 and TE 5.D.4 as follows, and subject to legal review:

- Change TE 5.D.2 to: *Explore opportunities for tribal review.*
- Change TE 5.D.3 to: *Explore a joint code enforcement program with the Tulalip Indian Reservation.*
- Change TE 5.D.4 to: *Establish a consultation process involving non-Tulalip Tribal landowners on the Tulalip Indian Reservation.*
- Change TE 5.D.5 to: *Explore an inter-local agreement that enables the Tulalip Tribes to issue building permits for development activities wholly within the exterior boundaries of the Tulalip Indian Reservation.*

Vote on 1st Motion to Amend Motion #2:

4 in favor (*Hannam, Kaufman, Larsen, Strandy*)

5 opposed (*Ash, McLaughlin, Norcott, Stanford, Taft*)

0 abstentions

1st Motion to Amend Motion #2 failed

Commissioner Ash stated that his Motion #2 stands, and that PDS, rather than the Commission, should revise the TE 5.D wording to be less directive. Commissioner Hannam, who had made the second to Motion #2, agreed.

Ms. Hodgkin suggested that Commissioner Ash's recommendation might more appropriately be included as a commission finding, since the wording of TE 5.D was the result of collaborative work by two government agencies and, as such, is not within the purview of PDS to revise. In addition, any revised wording would need to be submitted once again for legal review. There was also some question regarding whether or not all of these steps could be accomplished in time to meet the 2016 county-initiated comprehensive plan update timeline.

The range of typical planning commission duties with respect to responding to recommended proposals during a public hearing process was reviewed. This included a discussion of the benefits of adding findings to a planning commission recommendation.

Commissioners Taft and Norcott expressed concern about responding to this proposal too quickly and without further information. Commissioner Strandy expressed the same concern, but indicated that approving the proposal would be at least a start to moving the process forward.

2nd Motion to Amend Motion #2 was made by Commissioner Ash and seconded by Commissioner Norcott to recommend completely eliminating Objective TE 5.D and its associated policies 1-5.

Vote on the 2nd Motion to Amend Motion #2:

6 in favor (*Ash, Hannam, Kaufman, Larsen, Norcott, Taft*)

3 opposed (*McLaughlin, Stanford, Strandy*)

0 abstentions

2nd Motion to Amend Motion #2 passed

3rd Motion to Amend Motion #2 was made by Commissioner McLaughlin and seconded by Commissioner Stanford to recommend putting back in Objective TE 5.D and Policy TE 5.D.1 as originally written.

Discussion regarding the term "administrative process" ensued, after which the vote was taken as follows:

Vote on 3rd Motion to Amend Motion #2:

7 in favor (*Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy*)

2 opposed (*Ash, Taft*)

0 abstentions

3rd Motion to Amend Motion #2 passed

4th Motion to Amend Motion #2 was made by Commissioner McLaughlin and seconded by Commissioner Stanford to recommend putting back in Policy TE 5.D.5 as originally written.

Vote on 4th Motion to Amend Motion #2:

2 in favor (*McLaughlin, Stanford*)

7 opposed (*Ash, Hannam, Kaufman, Larsen, Norcott, Strandy, Taft*)

0 abstentions

4th Motion to Amend Motion #2 failed

Vote on Motion #2 as Amended:

9 in favor (*Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy, Taft*)

0 opposed

0 abstentions

Motion #2 as Amended passed

Chairman Strandy thanked the audience for their participation, encouraged them to remain engaged in the process, and advised them that written comment on this issue remained open until 5:00 p.m. on Friday, July 1, 2016. Audience members were also informed they should contact Alison Hodgkin if they would like to be included as a party of record for this issue.

G. NEW BUSINESS

No New Business at this time.

H. ADJOURN REGULAR MEETING

This regular meeting was adjourned at 9:05 p.m.

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.