

**APPENDIX A: THE TREATY OF POINT ELLIOTT,  
1855; TULALIP EXECUTIVE ORDER OF 1873;  
TULALIP CONSTITUTION OF 1934**

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, headmen and delegates of the Dwamish, Suquamish, Sk-kahl-mish, Sam-ahmish, Smal-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Mee-see-qua-guilch, Chobah-ah-bish, and othe allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

**ARTICLE 1.**

The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence around the foot of Vashon's Island eastwardly and southeastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

**ARTICLE 2.**

There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island, called Shais-quihl, and the

island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

### **ARTICLE 3.**

There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, That the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

### **ARTICLE 4.**

The said tribes and bands agree to remove to and settle upon the said first above-mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the pe-mission of the owner.

### **ARTICLE 5.**

The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, That they shall not take shell-fish from any beds staked or cultivated by citizens.

### **ARTICLE 6.**

In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner - - that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two year, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each years; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may, from time to time, determine at his discretion upon what

beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

## **ARTICLE 7.**

The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations hereinbefore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

## **ARTICLE 8.**

The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

## **ARTICLE 9.**

The said tribes and bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, of if injured or destroyed, compensation may be made by the Government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

## **ARTICLE 10.**

The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is

provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

#### **ARTICLE 11.**

The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

#### **ARTICLE 12.**

The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

#### **ARTICLE 13.**

To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

#### **ARTICLE 14.**

The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

#### **ARTICLE 15.**

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

Issac I. Stevens, Governor and Superintendent. (L.S.)

Seattle, Chief of the Dwamish and Suquamish tribes, his x mark. (L. S.)

Pat-ka-nam, Chief of the Snoqualmoo, Snohomish and other tribes, his x mark. (L.S.)

Chow-its-hoot, Chief of the Lummi and other tribes, his x mark. (L. S.)

Goliah, Chief of the Skagits and other allied tribes, his x mark. (L.S.)

Kwallattum, or General Pierce, Sub-chief of the Skagit tribe, his x mark. (L.S.)

S'hootst-hoot, Sub-chief of Snohomish, his x mark. (L.S.)

Snah-talc, or Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Squush-um, or The Smoke, Sub-chief of the Snoqualmoo, his x mark. (L.S.)

See-alla-pa-han, or The Priest, Sub-chief of Sk-tah-le-jum, his x mark. (L.S.)

He-uch-ka-nam, or George Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Tse-nah-talc, or Joseph Bonaparte, Sub-chief of Snohomish, his x mark. (L.S.)

Ns'ski-oos, or Jackson, Sub-chief of Snohomish, his x mark. (L.S.)

Wats-ka-lah-tchie, or John Hobtsthoot, Sub-chief of Snohomish, his x mark. (L.S.)

Smeh-mai-hu, Sub-chief of Skai-wha-mish, his x mark. (L.S.)

Slat-eah-ka-nam, Sub-chief of Snoqualmoo, his x mark. (L.S.)

St'hau-ai, Sub-chief of Snoqualmoo, his x mark. (L.S.)

Lugs-ken, Sub-chief of Skai-wha-mish, his x mark. (L.S.)

S'heht-soolt, or Peter, Sub-chief of Snohomish, his x mark. (L.S.)

Do-queh-oo-satl, Snoqualmoo tribe, his x mark. (L.S.)

John Kanam, Snoqualmoo sub-chief, his x mark. (L.S.)

Klemsh-ka-nam, Snoqualmoo, his x mark. (L.S.)

Ts'huahntl, Dwa-mish sub-chief, his x mark. (L.S.)

Kwuss-ka-nam, or George Snatelum, Sen., Skagit tribe, his x mark. (L.S.)

Hel-mits, or George Snatelum, Skagit sub-chief, his x mark. (L.S.)

S'kwai-kwi, Skagit tribe, sub-chief, his x mark. (L.S.)

Seh-lek-qu, Sub-chief Lummi tribe, his x mark. (L.S.)

S'h'-cheh-oos, or General Washington, Sub-chief of Lummi tribe, his x mark. (L.S.)

Whai-lan-hu, or Davy Crockett, Sub-chief of Lummi tribe, his x mark. (L.S.)

She-ah-delt-hu, Sub-chief of Lummi tribe, his x mark. (L.S.)

Kwult-seh, Sub-chief of Lummi tribe, his x mark. (L.S.)

Kwull-et-hu, Lummi tribe, his x mark. (L.S.)

Kleh-kent-soot, Skagit tribe, his x mark. (L.S.)

Sohn-heh-ovs, Skagit tribe, his x mark. (L.S.)

S'deh-ap-kan, or General Warren, Skagit tribe, his x mark. (L.S.)

Chul-whil-tan, Sub-chief of Suquamish tribe, his x mark. (L.S.)

Ske-eh-tum, Skagit tribe, his x mark. (L.S.)

Patchkanam, or Dome, Skagit tribe, his x mark. (L.S.)

Sats-Kanam, Squin-ah-nush tribe, his x mark. (L.S.)

Sd-zo-mahtl, Kik-ial-lus band, his x mark. (L.S.)

Dahtl-de-min, Sub-chief of Sah-ku-meh-hu, his x mark. (L.S.)

Sd'zek-du-num, Me-sek-wi-guilse sub-chief, his x mark. (L.S.)

Now-a-chais, Sub-chief of Dwamish, his x mark. (L.S.)

Mis-lo-tche, or Wah-hehl-tchoo, Sub-chief of Suquamish, his x mark. (L.S.)

Sloo-noksh-tan, or Jim, Suquamish tribe, his x mark. (L.S.)

Moo-whah-lad-hu, or Jack, Suquamish tribe, his x mark. (L.S.)

Too-leh-plan, Suquamish tribe, his x mark. (L.S.)

Ha-seh-doo-an, or Keo-kuck, Dwamish tribe, his x mark. (L.S.)

Hoovilt-meh-tum, Sub-chief of Suquamish, his x mark. (L.S.)

We-ai-pah, Skaiwhamish tribe, his x mark. (L.S.)

S'ah-an-hu, or Hallam, Snohomish tribe, his x mark. (L.S.)

She-hope, or General Pierce, Skagit tribe, his x mark. (L.S.)

Hwn-lah-lakq, or Thomas Jefferson, Lummi tribe, his x mark. (L.S.)

Cht-simpt, Lummi tribe, his x mark. (L.S.)

Tse-sum-ten, Lummi tribe, his x mark. (L.S.)

Klt-hahl-ten, Lummi tribe, his x mark. (L.S.)

Kut-ta-kanam, or John, Lummi tribe, his x mark. (L.S.)

Ch-lah-ben, Noo-qua-cha-mish band, his x mark. (L.S.)

Noo-heh-oos, Snoqualmoo tribe, his x mark. (L.S.)

Hweh-uk, Snoqualmoo tribe, his x mark. (L.S.)

Peh-nus, Skai-whamish tribe, his x mark. (L.S.)

Yim-ka-dam, Snoqualmoo tribe, his x mark. (L.S.)

Twooi-as-kut, Skaiwhamish tribe, his x mark. (L.S.)

Luch-al-kanam, Snoqualmoo tribe, his x mark. (L.S.)

S'hoot-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sme-a-kanam, Snoqualmoo tribe, his x mark. (L.S.)

Sad-zis-keh, Snoqualmoo, his x mark. (L.S.)

Heh-mahl, Skaiwhamish band, his x mark. (L.S.)

Charley, Skagit tribe, his x mark. (L.S.)

Sampson, Skagit tribe, his x mark. (L.S.)

John Taylor, Snohomish tribe, his x mark. (L.S.)

Hatch-kwentum, Skagit tribe, his x mark. (L.S.)

Yo-i-kum, Skagit tribe, his x mark. (L.S.)

T'kwa-ma-han, Skagit tribe, his x mark. (L.S.)

Sto-dum-kan, Swinamish band, his x mark. (L.S.)

Be-lole, Swinamish band, his x mark. (L.S.)

D'zo-lole-gwam-hu, Skagit tribe, his x mark. (L.S.)

Steh-shail, William, Skaiwhamish band, his x mark. (L.S.)

Kel-kahl-tsoot, Swinamish tribe, his x mark. (L.S.)

Pat-sen, Skagit tribe, his x mark. (L.S.)

Pat-teh-us, Noo-wha-ah sub-chief, his x mark. (L.S.)

S'hoolk-ka-nam, Lummi sub-chief, his x mark. (L.S.)

Ch-lok-suts, Lummi sub-chief, his x mark. (L.S.)

Executed in the presence of us - -

M. T. Simmons, Indian agent.

C. H. Mason, Secretary of Washington Territory.

Benj. F. Shaw, Interpreter.

Chas. M. Hitchcock.

H. a. Goldsborough.

George Gibbs.

John H. Scranton.

Henry D. Cock.

S. S. Ford, jr.

Orrington Cushman.

Ellis Barnes.

R. S. Bailey.

S. M. Collins.

Lafayette Balch.

E. S. Fowler.

J. H. Hall.

Rob't Davis.

S. Doc. 319, 58-2, vol 2: 43. Ratified Mar. 8, 1859. Proclaimed Apr. 11, 1859.

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## SWINOMISH RESERVATION (PERRYS ISLAND).

EXECUTIVE MANSION, *September 9, 1873.*

Agreeable to the within request of the Acting Secretary of the Interior, it is hereby ordered that the northern boundary of the Swinomish Reservation, in the Territory of Washington, shall be as follows, to wit: Beginning at low-water mark on the shore of Similk Bay at a point where the same is intersected by the first and south line bounding the east side of the surveyed fraction of 9.30 acres, or lot No. 1, in the northwest corner of section 10 in township 34 north, range 2 east; thence north on said line to a point where the same intersects the section line between sections 3 and 10 in said township and range; thence east on said section line to the southeast corner of said section 3; thence north on east line of said section 3 to a point where the same intersects low-water mark on the western shore of Padilla Bay.

U. S. GRANT.

## TULALIP OR SNOHOMISH RESERVATION.

EXECUTIVE MANSION, *December 23, 1873.*

It is hereby ordered that the boundaries of the Snohomish or Tulalip Indian Reservation, in the Territory of Washington, provided for in the third article of the treaty with the Dwamish and other allied tribes of Indians, concluded at Point Elliott, January 22, 1855 (Stats. at Large, vol. 12, p. 928), shall be as follows, to wit: Beginning at low-water mark on the north shore of Steamboat Slough at a point where the section line between sections 32 and 33 of township 30 north, range 5 east, intersects the same; thence north on the line between sections 32 and 33, 28 and 29, 20 and 21, 16 and 17, 8 and 9, 4 and 5, to the township line between townships 30 and 31; thence west on said township line to low-water mark on the shore of Port Susan; thence southeasterly with the line of low-water mark along said shore and the shores of Tulalip Bay and Port Gardner, with all the meanders thereof, and across the mouth of Ebey's Slough to the place of beginning.

U. S. GRANT.

## YAKAMA RESERVATION (FISHERY).

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

*Washington, November 12, 1892.*

SIR: On the 19th of July last Jay Smith, agent for the Yakama Indians, called attention to the tenth article of the treaty of June 9, 1855 (12 Stats., p. 954), which provides

"That there is also reserved and set apart from the lands ceded by this treaty, for the use and benefit of the aforesaid confederated tribes and bands, a tract of land not exceeding in quantity one township or 6 miles square, situated at the forks of the Piquouse or Wenatshapam River, and known as the 'Wenatshapam fishery,' which said res-

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**CONSTITUTION & BYLAWS  
FOR THE TULALIP TRIBES  
OF WASHINGTON**

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## PREAMBLE

We, the Indians of the Tulalip Tribes, in order to establish a more perfect tribal organization, promote the general welfare, encourage educational progress, conserve and develop our lands and resources, and secure to ourselves and our posterity the power to exercise certain rights of home rule not inconsistent with the Federal, State, and local laws, do ordain and establish this Constitution for the Tulalip Indians.

## ARTICLE I - TERRITORY

The jurisdiction of the Tulalip Tribes shall extend to the territory within the original confines of the Tulalip Reservation as set forth by Executive order of December 23, 1873, in pursuance of Article III of the Treaty of Point Elliott, January 22, 1855 (12 Stat. 927), and to such other lands as may be hereafter added thereto under any law of the United States, except as otherwise provided by law.

## ARTICLE II - MEMBERSHIP

**Section 1.** The membership of the Tulalip Tribes shall consist as follows:

- A.** All persons of Indian blood whose names appear on the census roll of Tulalip Indians as of January 1, 1935; provided, that such roll may be corrected within twenty-five years and three months after approval of this Constitution and Bylaws by the Board of Directors with the approval of the Secretary of the Interior.[2]
- B.** All children born to any member of the Tulalip Tribes who is a resident of the reservation at the time of the birth of said children.

**Section 2.** The Board of Directors shall have the power to promulgate ordinances, subject to review by the Secretary of the Interior, covering future membership and the adoption of new members, making any necessary adjustments of property rights.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

## **ARTICLE III - GOVERNING BODY**

**Section 1.** The governing body of the Tulalip Indians shall consist of a council, known as the Tulalip Board of Directors.

**Section 2.** This Board shall consist of seven (7) members duly elected to serve three (3) years, two (2) being elected each year, except that every third year three (3) shall be elected.

**Section 3.** The General Council shall after each regular election select from the members of the Board: (1) a chairman, (2) a vice-chairman, (3) a secretary, (4) a treasurer; and the Board may appoint or employ such other officers and committees as may be deemed necessary.

**Section 4.** The first election of the Board of Directors hereunder shall be called and supervised by the present tribal council at least thirty (30) days after the ratification and approval of this Constitution. There shall be elected three (3) Board members who shall hold office for three (3) years, two (2) Board members who shall serve two (2) years, and two (2) Board members who shall serve one (1) year; and they shall hold office until their successors are duly elected and qualified. After the first election, elections for the Board of Directors shall be called not more than sixty (60) days prior to the expiration of the terms of office of the members of the Board of Directors.

## **ARTICLE IV - ELECTION AND NOMINATION FOR THE BOARD OF DIRECTORS**

**Section 1.** All enrolled members of the Tulalip Tribes eighteen (18) years of age or over and registered to vote, shall have the right to vote.  
[4] [8]

**Section 2.** The time and places of voting shall be designated by the Board of Directors.

**Section 3.** All elections shall be by secret ballot.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

**Section 4.** Nominations of candidates for office under this Constitution shall be by petition signed by not less than five (5) legal voters. A voter may sign only one (1) petition. Petitions for nomination shall be filed with the Secretary of the Board of Directors at least thirty (30) days prior to the election for which the candidate makes such petition. The list of qualified candidates shall be posted by the Secretary of the Board of Directors in a public place not less than two (2) weeks prior to the election.

**Section 5.** All elections shall be held in accordance with the rules and regulations laid down by the Board.

## **ARTICLE V - VACANCIES AND REMOVAL FROM OFFICE**

**Section 1.** If a director or official shall die, resign, permanently leave the reservation, or shall be found guilty of a crime or misdemeanor involving dishonesty in any Indian, State, or Federal court, the Board shall declare the position vacant and elect to fill the vacancy until the next general election.[1]

**Section 2.** The Board of Directors may be a two-thirds affirmative vote expel any member for neglect of duty or gross misconduct. Before any vote for expulsion is taken on the matter, such member shall be given an opportunity to answer any and all charges at a designated council meeting; the decision of the tribal council shall be final.

## **ARTICLE VI - POWERS OF THE BOARD OF DIRECTORS**

**Section 1. Enumerated Powers.** The Board of Directors of the Tulalip Indian Reservation shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States of America, and subject further to all express restrictions upon such powers contained in this constitution and the attached bylaws and subject to review by the General Council:

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

- A.** To negotiate with the Federal, State, and local governments on behalf of the Tribe and to advise and consult with the representatives of the Interior Department on all activities of the Department that may affect the Tulalip Reservation.
- B.** To employ legal counsel for the protection and advancement of the rights of the Tulalip Indians, the choice of counsel and fixing of fees to be subject to the approval of the Tribe and of the Secretary of the Interior.
- C.** To approve or veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets which may be authorized or executed by the Secretary of the Interior, the Commissioner of Indian Affairs or any other official or agency of government, provided that tribal lands may be mortgaged or sold as now or hereafter provided by law, with the consent of the Secretary of the Interior on such terms or conditions as the Tulalip Board of Directors may prescribe. [3]
- D.** To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Tulalip Reservation prior to the submission of such estimates to the Bureau of the Budget and to Congress.
- E.** To make assignments of reservation land to members of the Tulalip Tribe in conformity with Article VIII of this Constitution.
- F.** To manage all economic affairs and enterprises of the Tulalip Reservation in accordance with the terms of a charter to be issued to the Tulalip Indians by the Secretary of the Interior.
- G.** To appropriate for salaries of tribal officials or for public purposes of the reservation any available tribal funds, provided that any such appropriation made prior to July 1, 1940, shall be subject to review by the Secretary of the Interior.
- H.** To levy taxes upon members of the Tulalip Tribe and to require to performance of community labor in lieu thereof, and to levy taxes or license fees, subject to review by the Secretary of the Interior, upon non-members doing business within the reservation.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

- I.** To exclude from the restricted land of the Tulalip Reservation persons not legally entitled to reside therein, under ordinances which shall be subject to review by the Secretary of the Interior.
- J.** To enact resolutions or ordinances not inconsistent with Article II of this Constitution governing adoption and abandonment of membership.
- K.** To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Tulalip Tribes, and providing for the maintenance of law and order and the administration of the justice by establishing a reservation court and defining its duties and powers.
- L.** To safeguard and promote the peace, safety, morals, and general welfare of the Tulalip Reservation by regulating the conduct of trade and the use and disposition of property upon the reservation, provided that any ordinance directly affecting non-members of the Tulalip Tribes shall be subject to review by the Secretary of the Interior.
- M.** To charter subordinate organizations for economic purposes and to regulate the activities of all cooperative associations of members of the Tulalip Tribes.
- N.** To regulate the inheritance of property, real and personal, other than allotted lands within the territory of the Tulalip Reservation, subject to review by the Secretary of the Interior.
- O.** To regulate the domestic relations of members of the tribes, subject to review by the Secretary of the Interior.
- P.** To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution, subject to review by the Secretary of the Interior.
- Q.** To cultivate and preserve native arts, crafts, culture and Indian ceremonials.
- R.** To adopt resolutions regulating the procedure of the Board itself and of other tribal agencies and tribal officials of the reservation.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

- S. To delegate to subordinate boards or to cooperative associations which are open to all members of the tribes any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.
- T. To make grants of tribal funds per capita to elderly members of the Tribe and to also distribute tribal funds per capita to all enrolled members of the Tribe from the net income of the Tribe over and above the amount necessary to timely defray tribal obligations, which obligations shall include reserve funds and savings accounts. [5] [7]
- U. To regulate by ordinance the exercise of the right to hunt and fish, gather berries, roots, shellfish and other traditional rights and areas, including those heretofore secured to the tribes and bands of the Tulalip Reservation by Article V of the Treaty of Point Elliott (January 22, 1855, 12 Stat. 927) and to enforce the same. [6] [7]
- V. To promulgate ordinances, subject to review by the Secretary of the Interior, providing for the exercise of the power of eminent domain for public uses. No property shall be taken without due process of law without just compensation having been made.[7]

**Section 2. Manner of Review.** Any resolution or ordinance, which by the terms of this Constitution is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the reservation no later than ten (10) days from its enactment. Within ten (10) days from receipt thereof, the Superintendent shall approve or disapprove the same. [5]

If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within ninety (90) days from the date of its receipt by him rescind the said ordinance or resolution for any cause by notifying the Board of Directors of such decision, Article V of the Treaty of Point Elliott (January 22, 1855, 12 Stat. 927), and to enforce the same.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

If the Superintendent shall refuse to approve any resolution or ordinance duly submitted to him, he shall within ten (10) days after its receipt by him advise the Board of Directors of his reasons therefore. If these reasons appear to the Board insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety (90) days from the date of its receipt by him, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

**Section 3. Future Powers.** The Board of Directors of the Tulalip Reservation may exercise such further powers as may in the future be delegated to the Board by the Secretary of the Interior, or by any other duly authorized official or agency of government.

**Section 4. Reserved Powers.** Any rights and powers heretofore vested in the tribes or bands of the Tulalip Reservation but not expressly referred to in this Constitution shall not be abridged by this article, but may be exercised by the people of the Tulalip Reservation through the adoption of appropriate bylaws and constitutional amendments.

**Section 5. Manner of Review by the General Council.** The Chairman of the Board of Directors shall call a General Council annually on Election Day, at which time he shall report in detail to the Council what has been done during the past year and set forth the plans of the Board for the coming years. This shall be freely discussed by the General Council, and the wishes of the General Council may be expressed by resolution or ordinance which shall govern the future action of the Board of Directors, or repeal or amend any past action of such Board, as of the date of such repeal or amendment.[7] [8]

The Chairman of the Board of Directors shall also call a Semi-Annual General Council no sooner than one hundred eighty (180) days, nor more than two hundred ten (210) days, following Election Day. The quorum shall be the same as the annual General Council.

The Chairman shall call special meetings of the General Council upon written request of five (5) percent of tribal members eligible to vote on the first day of each calendar year. [9]

The Tulalip Enrollment Department shall, on the first working day of each calendar year, make all calculations necessary to establish the number representing the five (5) percent of tribal members eligible to vote on the first day of each calendar year and immediately publish both the numbers and the method of calculation. [9]

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

## ARTICLE VII - BILL OF RIGHTS

**Section 1. Suffrage.** All members of the Tribes over the age of eighteen (18) shall have the right to vote in all tribal reservation elections. The residence qualifications established by Article IV of this Constitution shall apply to all elections except elections for the amendment of this Constitution and the attached Bylaws. [4]

**Section 2. Economic Rights.** All members of the Tribes shall be accorded equal opportunities to participate in the economic resources and activities of the reservation.

**Section 3. Civil Liberties.** All members of the Tribes may enjoy without hindrance freedom of worship, conscience, speech, press, assembly, and association.

**Section 4. Rights of Accused.** Any member of the Tulalip Tribes accused of any offense shall have the right to a prompt, open, and public hearing, with due notice of the offense charged, and shall be permitted to summon witnesses on his own behalf. Trial by jury may be demanded by any prisoner accused of any offense punishable by more than thirty (30) days' imprisonment. Excessive bail shall not be required and cruel punishment shall not be imposed.

## ARTICLE VIII - LAND

**Section 1. Allotted Lands.** Allotted lands, including heirship lands, within the Tulalip Reservation shall continue to be held as heretofore by their present owners. It is recognized that under existing law such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation, by any agency of the State of Washington, or of the Federal Government, or by the Tribe itself. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Tulalip Tribes. Likewise it is recognized that under existing law the Secretary of the interior may, in his discretion, remove restrictions upon such lands, upon application by the Indian owner, whereupon the land will become subject to State taxes and may then be mortgaged or sold. The right of the individual Indian to hold or to part with his land, as under existing law, shall not be abrogated by anything contained in this Constitution, but the owner of restricted land may, with the approval of the

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

Secretary of the Interior, voluntarily convey his land to the Tulalip Tribes either in exchange for a money payment or in exchange for an assignment covering the same land or other land, as hereinafter provided.

**Section 2. Tribal Lands.**

- A. The unallotted lands of the Tulalip Reservation and all lands heretofore acquired or which may be hereafter acquired by the Tulalip Tribes of Washington, or by the United States in trust for the Tulalip Tribes of Washington, shall be held as tribal lands. Such lands may be mortgaged or sold as now or hereafter provided by law, with the consent of the Secretary of the Interior on such terms and conditions as the Tulalip Board of Directors may prescribe.
  
- B. Subject to any limitations imposed by this Constitution and Bylaws, or by any applicable Federal statute, the Tulalip Board of Directors may:
  - 1. Purchase, or receive by gift or relinquishment, land or any interest therein.
  
  - 2. Sell, mortgage, trade or exchange with or without the giving of receipt or other considerations, tribal lands or interest therein heretofore or hereafter acquired.
  
- C. Tribal lands shall not be allotted to individual Indians, but may be assigned to members of the Tulalip Tribes, or leased, or otherwise used by the Tulalip Tribes for the common benefit of the members thereof.

**Section 3. Leasing of Tribal Lands.** Tribal lands may be leased by the Board of Directors, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law.

In leasing of tribal lands preference shall be given, first, to Indian cooperative associations, and, secondly, to individual Indians who are members of the Tulalip Tribes.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

**Section 4. Grant of “Standard” Assignments.** In any assignment of tribal lands which now are owned by the Tribes or which hereafter may be acquired for the Tribes by the United States or purchased by the Tribes out of tribal funds, preference shall be given, first, to heads of families which have no allotted lands or interests in allotted lands.

No allotted member of the Tulalip Tribes who may hereafter have the restrictions upon his land removed and whose land may thereafter be alienated shall be entitled to receive an assignment of land as a landless Indian.

The Board of Directors may, if it sees fit, charge a fee not to exceed \$5 on approval of an assignment made under this section.

Assignments made under this section shall be for the primary purpose of establishing homes for landless Indians, and shall be known as “Standard Assignments.”

**Section 5. Tenure of Standard Assignments.** If any member of the Tribes holding a standard assignment of land, shall, for a period of two (2) years, fail to use the land so assigned or use such land for any unlawful purposes, his assignment may be cancelled by the Board of Directors after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of Section 4 of this Article.

Upon the death of any Indian holding a “standard assignment,” his heirs or other individuals designated by him by will or by written request shall have a preference in the reassignment of the land, provided such persons are members of the Tulalip Tribes who would be eligible to receive a “standard assignment.”

**Section 6. Grant of “Exchange” Assignments.** Any member of the Tribes who owns any restricted or unrestricted land or any interest therein may, with the approval of the Secretary of the Interior, voluntarily transfer his interest in such land to the Tribes in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit.

Assignments made under this section shall be known as “Exchange” assignments.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

**Section 7. Leasing of Exchange Assignments.** Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations, to individual members of the Tribes, or, if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians, in the same manner as allotted lands.

**Section 8. Inheritance of Exchange Assignments.** Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Board of Directors to his heirs or devisees, subject to the following conditions:

- A. Such lands may not be reassigned to any heir or devisee who is not a member of the Tulalip Tribes, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.
- B. Such lands may not be reassigned to any heir or devisee who already holds more than forty (40) acres of uncleared lands or other land or interest in land of equal value, either under allotment or under assignment.
- C. Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of uncleared land shall be subdivided into units smaller than twenty (20) acres, and no area of agricultural land shall be subdivided into units smaller than two and one-half (2 ½) acres, except that land used for building or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Board of Directors shall issue to such heirs or devisees interest in tribal land or property of the same value as the assignment of the decedent.
- D. If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of Section 4 of this Article.

**Section 9. Inheritance of Improvements.** Improvements of any character made upon assigned land may be bequeathed to and inherited by members of the Tulalip Indians or otherwise disposed of under such regulations as the Board of Directors shall provide. No permanent improvements shall be removed from the land without the consent of the Board of Directors.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

**Section 10. Exchange of Assignments.** Assignments may be exchanged between members of the Tulalip Tribes by common consent in such manner as the Board of Directors shall designate.

**Section 11. Use of Unassigned Community Land.** Community land which is not assigned, including community timber reserves, shall be managed by the Board of Directors for the benefit of the members of the entire community, and any cash income derived from such land shall accrue to the benefit of the community as a whole. All action of the Board of Directors with respect to such lands shall be in conformity with departmental regulations for protection of Indian range and timber resources authorized by Section 6 of the Act of June 18, 1934.

**Section 12. Purchase of Land by Tribes.** Tribal funds may be used, with the consent of the Secretary of the Interior, to acquire land, under the following conditions:

- A. Land within the Tulalip Reservation or adjacent to the boundaries thereof which is not now in Indian ownership may be purchased by or for the Tulalip Indians.
- B. Restricted land which is in heirship status at the time of the adoption and approval of this Constitution may be purchased by or for the Tribes, with the consent of all the adult heirs, and the legal guardians of minor heirs, payment therefore to be made as may be agreed upon.
- C. Land owned by any member of the Tribes who is over the age of sixty (60) years, or who is physically incapacitated, may be transferred by its owner to the Tribes in exchange for a pension of not more than twice the annual rental value of the land for the life of the pensioner, to be paid out of available tribal funds.
- D. Land owned by any member of the community in excess of his needs for domestic purposes may be purchased by the community, with the consent of the owner, payments to be made under such terms as may be agreed upon by the Board and owner.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

- E. Land owned by any member of the Tribes who desires to leave the reservation permanently may be purchased by the Tribes, under such terms as may be agreed upon.

**Section 13. Method of Making Assignments.** Applications for assignments shall be filed with the Secretary of the Board and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the agency office and in at least three (3) conspicuous places on the reservation for not less than twenty (20) days before action is taken by the Board. Any member of the Tribes wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the Board, and may if he so desires appear before the Board to present evidence. The Secretary of the Board shall furnish the Superintendent or other officers in charge of the agency a complete record of all action taken by the Board on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the Tribes.

The Board shall draw up one or more forms for standard and exchange assignments, which shall be subject to the approval of the Secretary of the Interior.

## **ARTICLE IX - AMENDMENTS**

Amendments to the Constitution and Bylaws may be ratified and approved in the same manner as this Constitution and Bylaws.

Whenever five members of the council shall consider an amendment necessary such amendment shall be duly approved by five or more members of the council and sent to the Secretary of the Interior. It shall then be the duty of the Secretary of the Interior to call an election. If at such election the amendment is adopted by a majority of the qualified voters of the Tribes voting therein and if at least thirty percent (30%) of those entitled to vote shall vote in such election, such amendment shall be submitted to the Secretary of the Interior and, if approved by him, shall thereupon take effect.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

## ARTICLE I - DUTIES OF OFFICERS

**Section 1. Chairman of the Board.** The Chairman of the Board shall preside over all meetings of the Board, shall perform all duties of a chairman and exercise any authority delegated to him by the Board. He shall vote only in the case of a tie.

**Section 2. Vice-Chairman of the Board.** The Vice-Chairman shall assist the Chairman when called upon so to do and in the absence of the Chairman he shall preside. When so presiding he shall have all the rights, privileges, and duties as well as the responsibilities of the Chairman.

**Section 3. Secretary of the Board.** The Secretary of the Board of Directors shall conduct all tribal correspondence and shall keep an accurate record of all matters transacted at Board meetings. It shall be his duty to submit promptly to the Superintendent of the jurisdiction and Commissioner of Indian Affairs copies of all minutes of regular and special meetings of the Board of Directors.

**Section 4. Treasurer of the Board.** The Treasurer of the Board of Directors shall accept, receive, receipt for, preserve, and safeguard all funds in the custody of the Board, whether same be tribal funds or special funds for which the Board is acting as trustee or custodian. He shall deposit all such funds in such bank or elsewhere as directed by the Board and shall make and preserve a faithful record of such funds and shall report on all receipts and expenditures and the amount and nature of all funds in his possession or custody, such report being made in writing to the Board at regular meetings and at such other times as requested by the Board.

He shall not pay out or otherwise disburse any funds in his possession or custody, or in the possession or custody of the tribal Board when properly authorized so to do by resolution duly passed by the Board.

The books and records of the Treasurer shall be audited at least once each year by a competent auditor employed by the Board and at such other times as the Board or the Commissioner of Indian Affairs may direct.

The Treasurer shall be required to give a bond satisfactory to the Board and to the Commissioner of Indian Affairs.

The Treasurer shall be present at all special or regular meetings of the council.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

**Section 5. Appointive Officers.** The duties of all appointive committees or officers of the Tulalip Indians shall be clearly defined by resolution of the Board at the time of their creation or appointment. Such committees and officers shall report, from time to time as required, to the Board, and their activities and decision shall be subject to review by the Board upon the petition of any person aggrieved.

## **ARTICLE II - QUALIFICATIONS OF DIRECTORS**

No person shall be a candidate for membership in the Board of Directors unless he or she shall be a member of the Tulalip Tribes and shall have resided upon the reservation for any continuous period of one (1) year prior to the election, and shall be at least twenty-one (21) years of age. No person may be a candidate for membership on the Board of Directors if he or she shall have been found guilty of any felony, or a misdemeanor involving controlled substances or dishonesty, in any Indian, State, or Federal Court within three (3) years prior to the election. [7] [8]

## **ARTICLE III - CERTIFICATION OF ELECTION**

It shall be the duty of the members of the Board of Directors to certify to the election of the duly elected Board members. This shall be done immediately, and the certificate filed with the Secretary.

## **ARTICLE IV - INSTALLATION OF DIRECTORS**

Newly elected members who have been duly certified shall be installed at the first regular meeting of the Board of Directors following the election upon subscribing to the following oath:

“I, \_\_\_\_\_, do hereby solemnly swear (or affirm) that I shall preserve, support, and protect the Constitution of the United States and the Constitution and Bylaws of the Tulalip Indians to the best of my ability, so help me God.”

## **ARTICLE V - TIME AND PLACE OF REGULAR MEETINGS AND PROCEDURE**

**Section 1. Meetings.** Regular meetings of the Board of Directors shall be held on the first Saturday of each month at Tulalip, Washington, at a designated building or hall where official records will be kept. Special meetings may be called by a written notice signed by the Chairman or by a majority of the Board of Directors and when so called the Board of Directors shall have power to transact business as in regular meetings. [3]

**Section 2. Quorum.** No business shall be transacted unless a quorum is present. A quorum of the Board of Directors shall consist of five (5) Directors. A quorum of the General Council shall consist of five (5) percent of the tribal members eligible to vote on the first day of each calendar year. [7] [10]

The Tulalip Enrollment Department shall, on the first working day of each calendar year, make all calculations necessary to establish the number representing the five (5) percent of tribal members eligible to vote on the first day of each calendar year and immediately publish both the number and the method of calculation. [10]

**Section 3. Order of Business.** The following order of business is established for all meetings:

- A. Call to order by the Chairman
- B. Roll call
- C. Ascertainment of a quorum
- D. Reading of the minutes of the last meeting
- E. Adoption of the minutes by vote or common consent
- F. Unfinished business
- G. New business
- H. Adjournment

**Section 4. Ordinances and Resolutions.** All final decisions of the Board or of the General Council on matters of general and permanent interest to the members of the Tribes shall be embodied in ordinances. Such ordinances shall be collected and published from time to time for the information and education of the members of the Tribes.

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

All final decisions of the Board or of the General Council on matters of temporary interest (such as action on the reservation budget for a single year, or petitions to Congress or to the Secretary of the Interior) or relating especially to particular individuals or officials (such as adoption of members, instructions for tribal employees or rules of order for the Board) shall be embodied in resolutions. Such resolutions shall be recorded in a special book, which shall be open to public inspection.

All questions of procedure (such as acceptance of committee reports or invitations to outsiders to speak) shall be decided by motion duly passed or by ruling of the Chairman if no objection is heard.

In all ordinances, resolutions, or motions the Board may act by majority vote, but all matters of importance shall be fully discussed and a reasonable attempt shall be made to secure unanimous agreement, and parliamentary procedure shall otherwise be governed by Robert's Rules of Order.

**Section 5. Legislative Forms.** Every ordinance shall begin with the words: "Be it enacted by the Board of Directors (or the General Council) of the Tulalip Tribes . . . ."

Every resolution shall begin with the words: "Be it resolved by the Board of Directors (or the General Council) of the Tulalip Tribes . . . ."

Every ordinance or resolution shall contain a citation of the laws of the United States and the provisions of the Tulalip Constitution under which authority for the said ordinance or resolution is found.

## **ARTICLE VI - CENTRAL GENERAL COUNCIL**

**Section 1.** The Board of Directors shall have the power to select delegates to sit in a Central General Council of the Northwest Indian.

## ARTICLE VII - ADOPTION

This Constitution and Bylaws attached hereto shall be in full force and effect whenever a majority of the adult voters of the Tulalip Tribes voting at an election called by the Secretary of the Interior in which at least thirty percent (30%) of the eligible voters shall vote, shall have ratified such Constitution and Bylaws, and the Secretary of the Interior shall have approved same, as provided in the Act of June 18, 1934, as amended by the Act of June 15, 1935.

### CERTIFICATION OF ADOPTION

Pursuant to an order, approved October 29, 1935, by the Secretary of the Interior, the attached Constitution and Bylaws were submitted for ratification to the Indians of the Tulalip Tribes and were on November 23,

1935, duly adopted by a vote of 98 for and 9 against, in an election in which over thirty percent (30%) of those entitled to vote cast their ballots, in accordance with Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 18, 1935 (Pub. No. 147, 74<sup>th</sup> Cong.)

(Sgd.) Joseph James  
Chairman of Election Board

(Sgd.) Wilfred Steve  
Chairman, Tulalip Tribal Council  
(Sgd.) Sebastian Williams  
Secretary, Tulalip Tribal Council

(Sgd.) O. C. Upchurch  
Superintendent

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

## APPROVAL

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and Bylaws of the Indians of the Tulalip Reservation.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or Bylaws are hereby declared inapplicable to the Indians of the Tulalip Reservation.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and Bylaws.

Approval recommended January 18, 1936.

(Sgd.) William Zimmerman, Jr.  
Assistant Commissioner of Indian Affairs

(Sgd.) Charles West  
Acting Secretary of the Interior

(SEAL)

Washington, D.C.  
Date: January 24, 1936

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

- [1] Adopted March 8, 1941; Approved May 9, 1941
- [2] Adopted March 14, 1959; Approved April 24, 1959
- [3] Adopted May 11, 1968; Approved June 19, 1968
- [4] Adopted February 10, 1972; Approved April 27, 1972
- [5] Adopted April 6, 1974; Approved April 27, 1974
- [6] Adopted November 1, 1974; Approved January 17, 1975
- [7] Adopted April 13, 1988; Approved June 22, 1988
- [8] Adopted March 12, 1991; Approved March 14, 1991
- [9] Amendment Adopted September 17, 2004; Approved September 10, 2004
- [10] Amendment Adopted February 18, 2005; Approved February 7, 2005

*(Note: Numbers in Brackets [ ] at the end of paragraphs refer to Amendments listed on the last page.)*

## **APPENDIX B: REFERENCED PLANS, REPORTS, AND STUDIES**

### **Tulalip Tribes – Existing**

- Tulalip Comprehensive Plan, 1972
- Tulalip Comprehensive Plan, 1994
- Traffic Impact Analysis for Tulalip Reservation Access and Circulation, 2006
- Tribal Housing Needs Analysis Survey, 2006
- Tulalip Tribes Tribal-/State-level Hazard Mitigation Plan, 2006
- Tulalip Utilities Water Supply Planning Report, 2007
- Indian Reservation Roads (IRR) Inventory and Project list, 2008
- Tulalip Tribes Long Range Transportation Plan, 2009

### **Tulalip Tribes – Pending**

- Tulalip Tribes Water System Improvement Plan
- Tulalip Tribes General Sewer Plan
- Tulalip Tribes Shoreline Management Plan
- Tulalip Bay Vision Plan
- Tulalip Bay Vision Plan II (AKA Tulalip Master Plan)

### **The Consolidated Borough of Quil Ceda Village – Existing**

- Design Manual for Quil Ceda Village, 2005
- Quil Ceda Village Master Plan, 2003

### **The Consolidated Borough of Quil Ceda Village – Pending**

- Quil Ceda Village Master Plan (update)

### **Other Jurisdictions – Existing**

- Highway Capacity Manual, Transportation Research Board, 2000
- Destination 2030: Metropolitan Transportation Plan, Puget Sound Regional Council, 2001
- Snohomish County Comprehensive Plan, Snohomish County, 2006
- Maintenance Manual for Roadways and Bridges, American Association of State Highway Transportation Officials, 2007
- Washington State's Strategic Highway Safety Plan: Target Zero, Washington State Department of Transportation, 2007
- Transit Development Plan, Community Transit, 2008

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## **APPENDIX C: LAND SUITABILITY ANALYSIS**

A land suitability analysis was completed as part of the Tulalip Tribes Comprehensive Land Use Plan. This analysis figures in opportunities for development, constraints to development, and areas unsuitable for development. Opportunities are attractors of development that have been identified in the Comp. Plan such as existing infrastructure and development. Constraints to development are also noted throughout the Comp. Plan and limit development to varying degrees. Unsuitable areas for development are identified where streams, lakes, and soils unsuited to development exist.

Each opportunity and constraint is given point values to designate whether they are positive (+1) or negative (-1) influences to development. Unsuitable areas are given extreme values (-999) so as to “drop out” of the analysis using GIS, which was the software used to conduct the land suitability analysis.

Opportunities and constraints are given weights, which were developed by Community Development staff and the Planning Commission, to gauge how relatively-important each feature is. The highest weight (3) indicates the greatest impact on development while the lowest weight (1) indicates the least impact on development.

The development weights, opportunities, constraints, and unsuitable areas are identified as follows:

Weights		
<b>3 - Highest</b>	<b>2 - Medium</b>	<b>1 - Lowest</b>

**Table C-1: Land Suitability Opportunities**

Opportunities	Measure	Within 1/4 mile (1 point)	Weight	Total	Opportunity Descriptions
Sewer Line (existing)	Proximity	1	3	3	Areas within 1/4 mile of existing sewer lines
Water Line (existing and future)	Proximity	1	3	3	Areas within 1/4 mile of existing and future water lines
Roadways (existing)	Proximity	1	3	3	Areas within 1/4 mile of existing roadways
Developed Areas (existing)	Proximity	1	2	2	Areas within 1/4 mile of development
			<b>Total</b>	<b>11</b>	

**Table C-2: Land Suitability Constraints**

<b>Constraints</b>	<b>Measure</b>	<b>Within (-1 point)</b>	<b>Weight</b>	<b>Total</b>	<b>Constraint Descriptions</b>
Steep Slopes (> 45%)	In/Out	-1	3	-3	Slopes equal to or exceeding 45%
Steep Slopes (15-45%)	In/Out	-1	2	-2	Slopes between 15% and 45%
Landslide Areas	In/Out	-1	3	-3	Landslide areas that are either active, dormant, dormant/active, or relict.
Inside Wetland Buffer (I)	In/Out	-1	3	-3	Critical value wetlands with a 200 foot buffer
Inside Wetland Buffer (II)	In/Out	-1	2	-2	High value wetlands with a 100 foot buffer
Inside Wetland Buffer (III)	In/Out	-1	1	-1	Moderate value wetlands with a 50 foot buffer
Streams Buffer (I)	In/Out	-1	3	-3	Class 1 streams with a 200 foot buffer
Streams Buffer (II)	In/Out	-1	2	-2	Class 2 streams with a 100 foot buffer
Aquifer Recharge Area	In/Out	-1	3	-3	The aquifer recharge area for the utilities wells on Waterworks Road
Wildlife Corridors	In/Out	-1	1	-1	Areas that facilitate the movement of wildlife

Constraints	Measure	Within (-1 point)	Weight	Total	Constraint Descriptions
Hunting Areas	In/Out	-1	1	-1	Areas used as Tribal hunting lands on the Reservation
Forestry Area	In/Out	-1	1	-1	Areas of Tribally-owned timber stands
Essential Upland Habitat Area	In/Out	-1	1	-1	Habitat crucial to the survival of sensitive species
Wildlife Areas	In/Out	-1	1	-1	General wildlife habitat
Culturally Sustainable Areas	In/Out	-1	3	-3	Areas, usually around waterways, that have been identified by the Cultural Resources Department as being culturally sustainable
Unsuitable for Septic	In/Out	-1	3	-3	Soil types that are unsuitable for septic systems of any kind
Waste Water Treatment Plant	500' Proximity	-1	3	-3	A 500 foot buffer around the wastewater treatment plant on Tulalip Bay
Marine Shoreline Areas	In/Out	-1	3	-3	Upland areas near saltwater
			<b>Total</b>	<b>-39</b>	

**Table C-3: Unsuitable Areas for Development**

<b>Unsuitable Areas</b>	<b>Measure</b>	<b>Within (-999 points)</b>	<b>Description</b>
Streams	In/Out	-999	Both Class 1 and Class 2 streams are unsuited to development
Lakes	In/Out	-999	Lakes are unsuited to development
Unsuitable Soils	In/Out	-999	Mukilteo Muck (34) and Tidal Fluvaquents (20) soils are unsuited to development

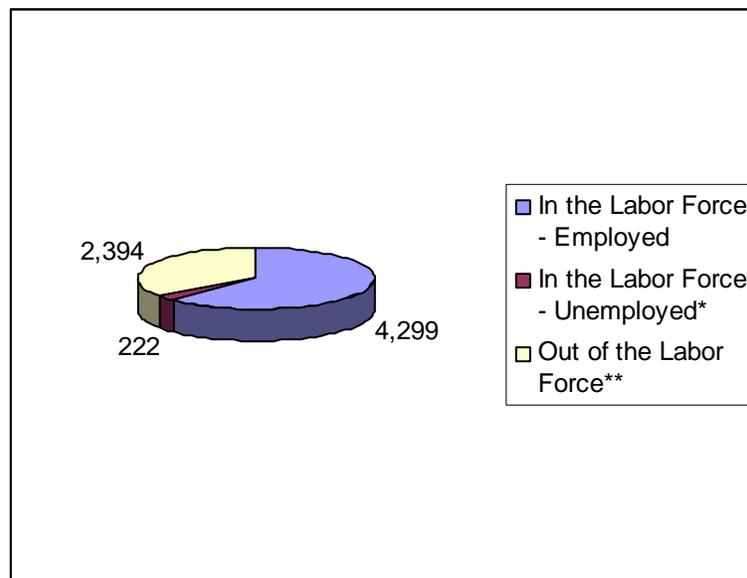
## APPENDIX D : EMPLOYMENT RATES AND OCCUPATIONS

Although the 2000 U.S. Census continued to have problems with undercounting of minorities and other data inaccuracies that apply to Indian Country, it is used here because of the level of detail it provides for employment. The Census provides a snapshot of the economic situation at the time the Census was taken, showing both Tribal and non-Tribal populations living within the exterior boundaries of the Reservation.

### **2000 U.S. Census – Employment Rates and Occupations**

The 2000 U.S. Census indicates that there were 6,915 people of working age (16-years and older) living on the Reservation. Of those people, 4,521 were considered in the labor force and 2,394 were considered out of the labor force (Figure 5-1). The unemployment rate is only tabulated based on who is in the labor force, and the Census indicated a 4.9% unemployment rate being slightly higher among men (5.1%) than women (4.6%).

**Figure D-1: Tulalip Reservation Residents in Labor Force**



Source: 2000 U.S. Census

\*Only those looking for work that are not employed are considered in calculating the unemployment rate. Those counted as unemployed were not working at the time, but had sought employment within the previous four weeks or had been laid-off but were expecting recall.

\*\*For any persons on the Reservation that are of working age, but that did not meet these criteria, they were classified as being out of the labor force. This percentage is near the Washington state average of 33.5% considered not in the labor force.

For the 4,156 Reservation residents that were employed at the time the Census was taken, there employment occupation was recorded. The following table shows Census occupation types and employment within each of these sectors:

**Table D-1: Reservation Occupational Categories**

<b>Occupation Category</b>	<b>Both Sexes</b>	<b>Male</b>	<b>Female</b>
Management, professional, and related occupations	1,073	487	586
Sales and office occupations	971	289	682
Production, transportation, and material moving occupations	716	509	207
Service occupations	705	320	385
Farming, fishing, and forestry occupations	73	66	7
<b>TOTAL</b>	<b>4,156</b>	<b>2,247</b>	<b>1,909</b>

Source: 2000 U.S. Census

It is important to note that occupations are identified for residents of the Reservation. These jobs are not necessarily on the Reservation, although many of them are likely to be.

A more detailed breakdown of Reservation residents' occupation types is in the following table:

**Table D-2: Reservation Occupation Percentages**

<b>Occupation</b>	<b>Percentage of Total Reservation Employed Labor Force</b>
Manufacturing	20.3
Educational, health, and social services	16.1
Arts, entertainment, recreation, accommodation, and food services	10.6
Construction	10.5
Retail trade	10.4
Professional, scientific, management, administrative, and waste management services	6.5
Other services (except public administration)	5.6
Public administration	5.2
Transportation and warehousing, and utilities	4.8
Finance, insurance, real estate, and rental and leasing	3.7
Wholesale trade	2.7
Agriculture, forestry, fishing and hunting, and mining	1.9
Information	1.7
<b>TOTAL</b>	<b>100</b>

Source: 2000 U.S. Census

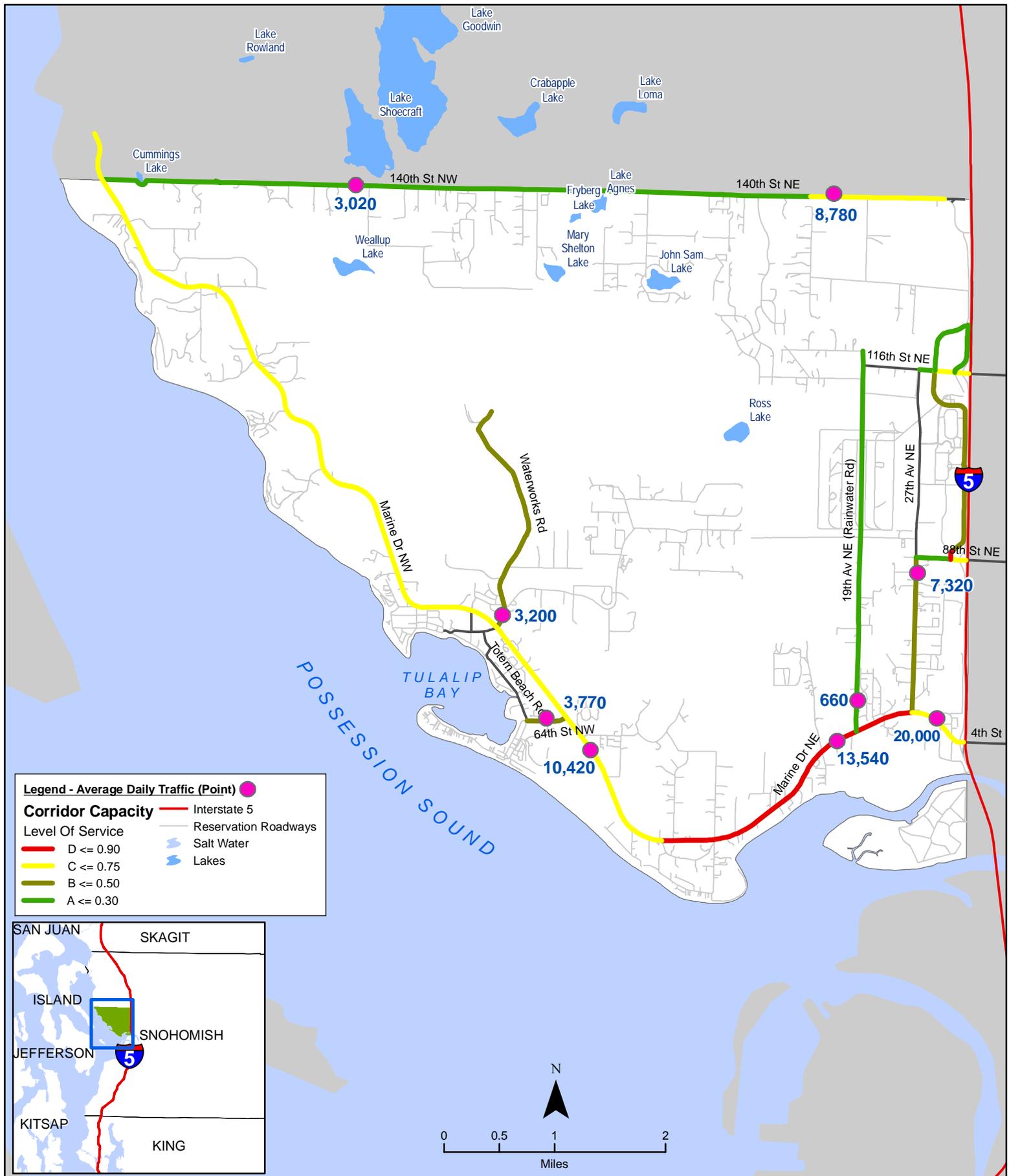
**Income**

The 2000 Census reported that in 1999, there was a significant disparity amongst earnings between men and women in the labor force living on the Reservation. The average income for male, year-round workers, was \$47,054 while the average for female, year-round workers, was \$32,521.

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## **APPENDIX E: TRAFFIC COUNT MAPS**

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### 2008 Average Daily Traffic (ADT) Volumes and Level of Service (LOS) - Average Weekday



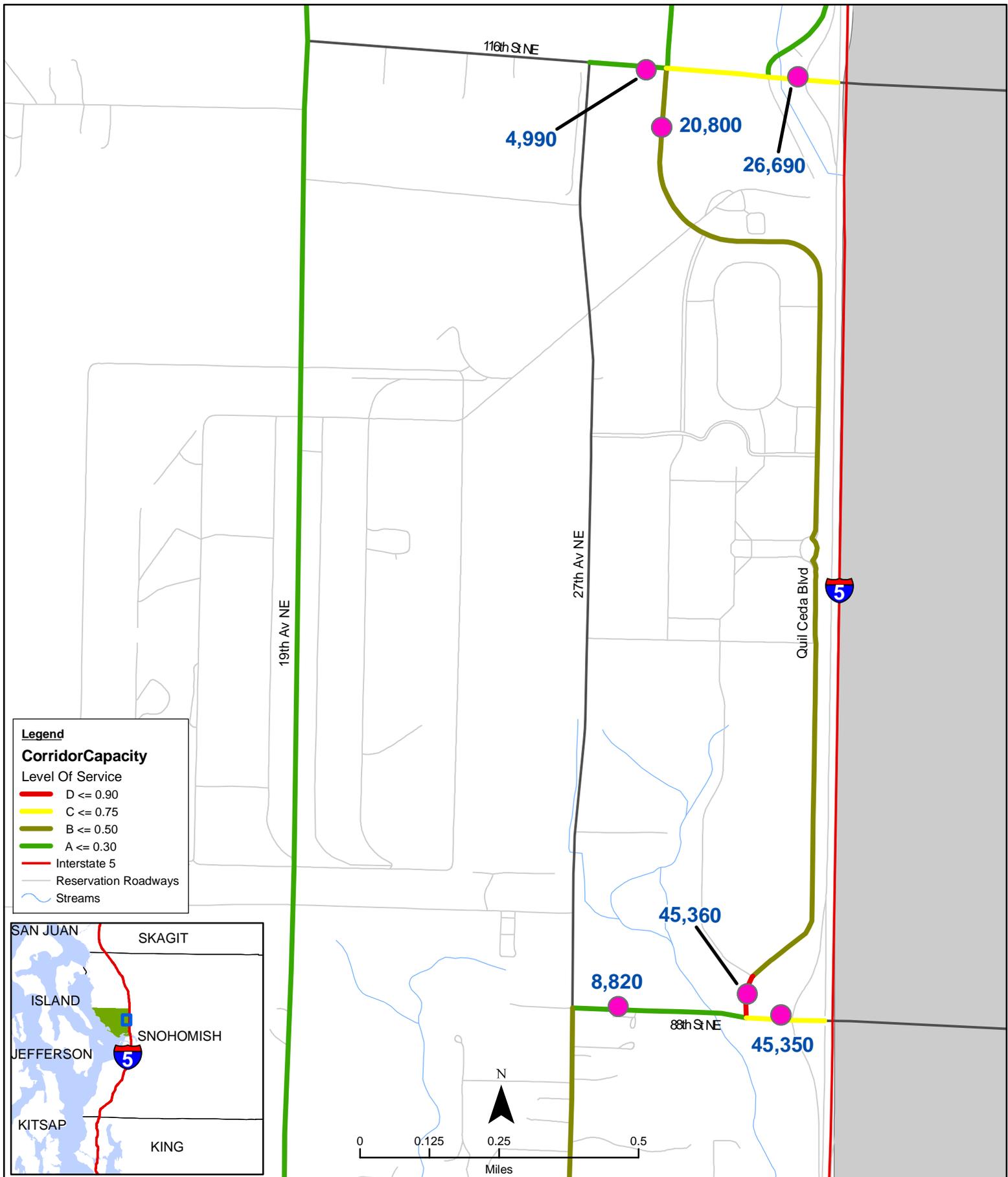
Tulalip Data Services  
 (360)716-5157  
 gis@tulaliptribes-nsn.gov  
 Oct 17, 2008

Disclaimer:  
 Tulalip Data Services (TDS) provides this data "as is."  
 TDS does not make any guarantees or warranties concerning  
 the accuracy of the information contained in the geographic data.  
 TDS assumes no liability or responsibility for errors or inaccuracies.

Data Source:  
 Quil Ceda Village,  
 Gibson Traffic Consultants

Map Path: M:\GISDataMaps\Tulalip\Project\CompPlan\2008\10-17-08\2-4\_PD\_Ground-disturbed-Residential.mxd

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## 2008 Average Daily Traffic (ADT) Volumes and Level of Service (LOS) - Average Weekday in Quil Ceda Area



Tulalip Data Services  
 (360) 716-5157  
 gis@tulaliptribes-nsn.gov  
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