

4 Tribal Assets

TRIBAL ASSETS GUIDING PRINCIPLES

GUIDING PRINCIPLE 6: Reservation and tribal lands are protected from encroachment, preserving the unique cultural characteristics that support the Puyallup Tribe of Indians' traditional way of life.

GUIDING PRINCIPLE 7: Cultural and historic resources are protected, elevating the subarea as a site of cultural practices for the Puyallup Tribe of Indians.

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4

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- 1 Introduction
- 2 Policies
- 3 Priority Actions and Regulatory Recommendations

4.1 INTRODUCTION

The purpose of this chapter is to provide policy guidance and priority implementation actions and regulatory recommendations, in order to protect and celebrate tribal assets in the Tacoma Tideflats Subarea.

4.2 POLICIES

GUIDING PRINCIPLE 20: Reservation and tribal lands are protected from encroachment, preserving the unique cultural characteristics that support the Puyallup Tribe of Indians' traditional way of life.

Policy TA-28: Coordinate with the Puyallup Tribe of Indians to identify and implement encroachment prevention strategies to protect reservation and tribal lands, such as design standards and allowable uses for adjacent properties.

Policy TA-29: Consult with the Puyallup Tribe of Indians on land use decisions that may impact tribal assets within the subarea as per the Puyallup Land Claims Settlement.

Policy TA-30: Analyze zoning and land use with an environmental justice lens to determine compatibility with tribal lands given the subarea's unique designation as a federally designated Indian Reservation.

Policy TA-31: Protect the Treaty-oriented, traditional, and ceremonial activities of the Puyallup Tribe of Indians from development related impacts.

Policy TA-32: To best promote the need for the Puyallup Tribe to have a consolidated land base to serve its members and meet the intent of Federal Indian policy to avoid further fractionation of the Puyallup Reservation, regional partners should identify surplus land strategies to restore ownership of land within the Puyallup Reservation to the Puyallup Tribe of Indians. (Ex. First right of refusal policies, mitigation project transfers, transfer of unimproved right-of-way that does not serve a public benefit, transfer of sites with severe development constraints due to known cultural resources).

GUIDING PRINCIPLE 21: Cultural and historic resources are protected, elevating the subarea as a site of cultural practices for the Puyallup Tribe of Indians.

Policy TA-33: Conduct best practices to prioritize protection of cultural resources within the subarea such as requiring studies where there is high or medium

likelihood for impacting cultural resources and take preventative measures to promote avoidance and disturbance of known cultural resources.

Policy TA-34: Develop measures to protect cultural and historic resources that are exposed due to landslide, erosion, sea level rise, and other climate related impacts.

4.3 PRIORITY ACTIONS AND REGULATORY RECOMMENDATIONS

Action A-55: For archaeological resources, conduct a thorough review under the existing regulatory framework to avoid, minimize, or mitigate impacts on these resources within the study area.

Action A-56: Support cultural resources review by undertaking a comprehensive assessment of the Tideflats area to establish a framework for future cultural resources studies. This comprehensive assessment could include:

- > Establishing the cultural and environmental context of the study area.
- > Reviewing the previously recorded cultural resources within the study area.
- > Incorporating information gathered through tribal consultation.
- > Developing expectations for the presence of archaeological resources.
- > Providing standard procedures for the inadvertent discovery of cultural resources within the study area.
- > A review of the Tacoma Municipal Code (TMC) to identify chapters or sections that could be amended to address cultural resources review of projects or permits. Specifically, language in the TMC should be reviewed or amended to specifically identify the study area as an MIC center (TMC 13.12.570.A), and Title 19 Shoreline Master Program should be reviewed.
- > Updating cultural resource data and mapping on a regular basis as new information is provided from cultural resource findings.

Action A-57: Continue historic property inventory surveys, eligibility assessments, and completion of inventory forms to avoid or mitigate any impacts of future development.

Action A-58: Develop a Planned Action permit review process with the Puyallup Tribe of Indians. For example, in the Planned Action Ordinance, the City could identify a decision tree regarding cultural resources review requirements at a project level. This could include:

- > Require inadvertent discovery language on all related permits (compliance with RCW 27.53, 27.44).
- > Develop a “decision tree” for both above-ground and below-ground resources could be developed to determine the appropriate level of investigation and, if necessary, mitigation. The City could consider the Puyallup Tribe of Indians Cultural Resources Probability Map (see Exhibit 59 below). Less review could be required on sites already previously surveyed in the last 10 years, or on culturally sterile fill, or where no ground disturbance is proposed. If cultural resources are present and ground disturbance is proposed, then a risk assessment and consultation with DAHP and Tribes would be applied. Conditions for monitoring could be developed. Permits could be conditioned with a mitigation strategy.

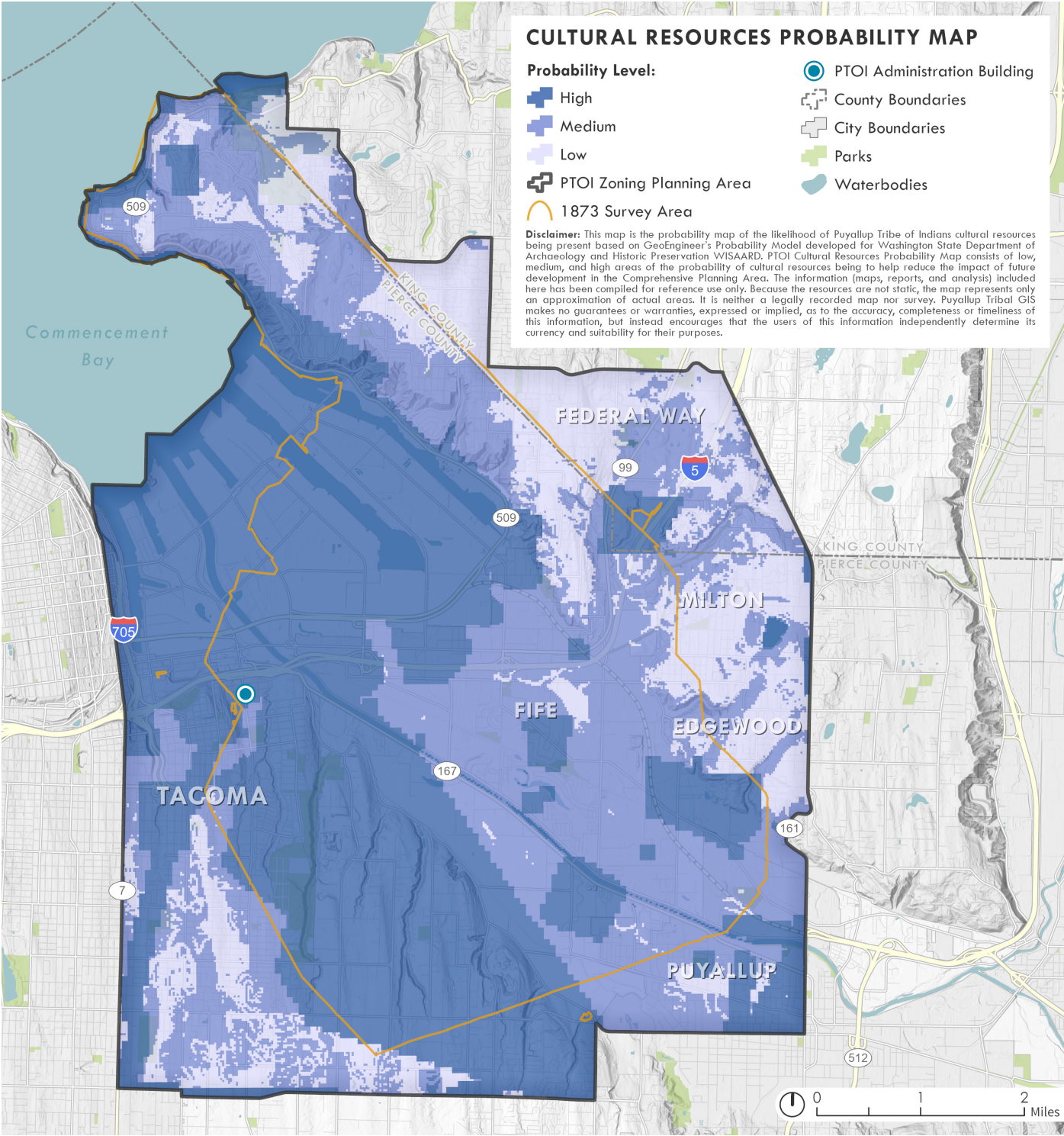


Figure 69. Puyallup Tribe of Indians Cultural Resources Probability Map
Source: Puyallup Tribe of Indians, Comprehensive Plan, 2023; BERK 2021

Action A-59: Protect cultural resources at risk due to exposure to sea level rise.

- > Protect, enhance, and restore ecosystems to meet tribal treaty rights and conserve culturally important consumptive and nonconsumptive resources including foods, medicinal plants, and materials that could be adversely impacted by climate change.
- > As part of government-to-government efforts with the City and Puyallup Tribe of Indians consider climate impacts on archaeological sites and collaborate on strategies to preserve such sites.
- > Protect significant historic sites prone to floods or other hazards worsened by climate change by raising, retrofitting, or relocating buildings that are designated as historic.

Action A-60: Support cultural and natural resources, and treaty rights, including but not limited to:

- > Invite the Puyallup Tribe of Indians to contribute to the design of public development or infrastructure in the subarea.
- > Develop joint shoreline restoration plans within the Tideflats with the Puyallup Tribe of Indians as part of the Shoreline Master Program to encourage collaborative decision-making and shared governance.
- > Develop native landscape standards for public gathering, rights of way, and other green spaces.

Action A-61: Identify parcels for strategic acquisition that are not developable, locations that would provide a buffer or transition adjacent to sensitive uses (habitat or cultural sites), locations that have restoration potential or create contiguous sites, locations such as geo hazards, etc. that would help avoid risks to life and property to avoid property speculation.