



Puget Sound Regional Council

VISION 2050 Planning Resources

Coordination with Tribes in Comprehensive Planning



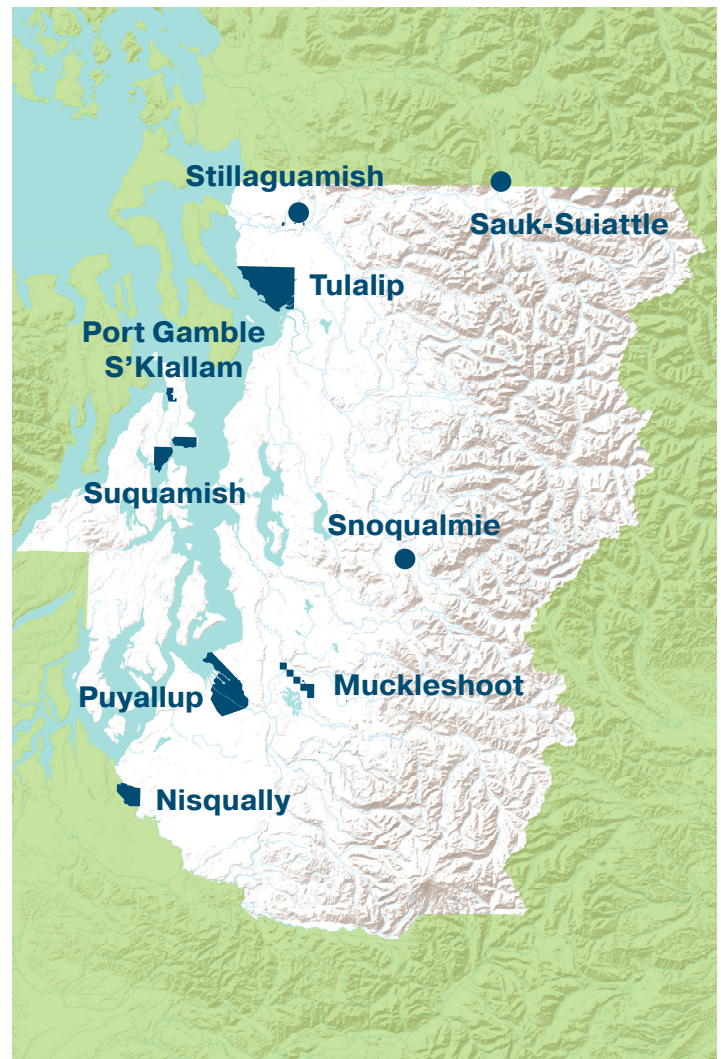
Photo by Tulalip Tribes

Tribes of the Salish Sea

The central Puget Sound region is a part of a larger area that has been the traditional aboriginal territory of the Coast Salish peoples. The Coast Salish Tribes have lived here since time immemorial and while each Tribe is unique, all share in having a deep historical connection and legacy of respect for the land and natural resources. These sovereign Tribal Nations enrich the region through environmental stewardship, cultural heritage, and economic development, and collaborate with local governments to shape the region’s future.

In the 1850s, many Tribes in the region signed treaties with the United States under duress. These treaties resulted in Tribes ceding most of the region and state in exchange for certain reserved rights, including off-reservation rights to fish in all usual and accustomed fishing grounds and the right to hunt and gather on open and unclaimed lands.

PSRC recognizes and respects the full sovereignty of each Tribe and their traditional lands located within the jurisdictional boundaries of PSRC members. Treaties are the highest law of the land and were made between sovereign Tribes and the United States. By law, Tribal sovereignty must be observed and protected. As sovereign nations, each Tribe has its own form of government, constitution or charter, laws, and planning processes.



¹ VISION 2050 aligns with the principles of government-to-government relationships stated in the Washington Centennial Accord of 1989, and in the Washington State administrative rule (May 2019) governing prior and informed consent and consultation for any policy, plans, projects, programs, or actions that directly and tangibly affect Indian Tribes’ sovereignty and treaty rights.

Tribal Planning

Like all governments, Tribes engage in land use planning and economic development to provide jobs, housing, and services, as well as the infrastructure to support and plan for growth. As sovereign nations, Tribes are not required to plan under the Growth Management Act but recognize the importance of coordination with all governments and often actively participate in countywide planning forums.

VISION 2050 Guidance for Local Plans

Coordination with Tribes

State law requires comprehensive plans developed by cities and counties to be consistent with the region's multicounty planning policies, known as VISION 2050, and directs PSRC to review and certify local plans for consistency. VISION 2050 supports meaningful, regular, and ongoing exchange of information between the Tribes as sovereign nations and PSRC member jurisdictions on all policies and actions that have Tribal implications. It directs PSRC to coordinate planning efforts among jurisdictions, agencies, federally recognized Tribes, ports, and adjacent regions where there are common borders or related regional issues (MPP-RC-1).

Coordinate with tribes in regional and local planning, recognizing the mutual benefits and potential for impacts between growth occurring within and outside tribal boundaries. (MPP-RC-4)

Passed during the 2022 legislative session, [HB 1717](#), concerning Tribal participation in planning under the Growth Management Act, facilitates collaboration between Tribes and local governments in comprehensive plan updates. HB 1717 creates a procedure for Tribes to communicate their intention to participate in comprehensive plan updates and provides a way to formalize the agreement to collaborate. Included in the new law is provision for mediation services, through which parties can resolve conflict. These services are coordinated by the [Department of Commerce](#).

Meaningful consultation with Tribes helps advance land use, environmental, and other goals. Because each Tribe has its own perspective on what constitutes "consultation," developing a relationship and shared expectations for consultation between each Tribe and jurisdiction is crucial.² With many treaty-protected natural resources lost or severely impacted, protecting water quality and restoring the habitat of Puget Sound is of shared critical significance.³ Supporting Tribes and Tribal treaty rights is also an important part of advancing racial equity in the region.

Local comprehensive plans are required by the Growth Management Act to be updated by June 2024. The plan update process provides the opportunity to consult with Tribes directly adjacent to reservation lands, as well as areas where Tribal governments may have interests, consistent with MPP-RC-4. The Department of Archaeology and Historic Preservation has an [Interactive Map of Tribal Areas of Interest](#).

Counties and cities should contact Tribes to establish opportunities and expectations for Tribal communication prior to plan scoping. Tribes may want to be consulted in the major phases of comprehensive plan updates: scoping, draft plan development, and State Environmental Policy Act (SEPA) review. Planning commissioners, elected officials, and staff should be informed of the coordination expectations and interests of the Tribes. After plan adoption, partnering opportunities to implement shared policy goals can be explored.

²Washington Indian Transportation Policy Advisory Committee. Tribal Consultation Best Practices. 2015. <https://www.psrc.org/sites/default/files/Tribalconsultationbestpractices.pdf>

³NW Indian Fisheries Commission. Understanding Tribal treaty rights. <http://nwifc.org/w/wp-content/uploads/downloads/2014/10/understanding-treaty-rights-final.pdf>

Coordination with Tribes is addressed throughout VISION 2050. Topic areas that are particularly important for coordination with Tribes include the environment, cultural resources, economic development, transportation, and land use. Tribes have emphasized during the development of this guidance that building relationships early (before scoping) is important for the comprehensive plan and other planning processes.

Puget Sound Recovery and Environment

Coast Salish Tribes have long developed practices to sustainably manage and protect land and natural resources. To protect the environment and uphold Tribal treaty rights, jurisdictions are using more sustainable development practices and restoring habitat impaired by earlier practices. This includes protecting forests from development, restoring riparian corridors, reconnecting floodplains, adding stormwater retrofits to areas without stormwater controls, and replacing facilities that create fish passage barriers. Climate change exacerbates impacts to salmon and other natural resources, and Tribes support local climate change mitigation and resilience efforts like the [Puget Sound Climate Preparedness Collaborative](#). VISION 2050 includes several policies related to Tribes, Puget Sound recovery, and the environment.

MPP-RC-15 Promote regional and national efforts to restore Puget Sound and its watersheds, in coordination with cities, counties, federally recognized tribes, federal and state agencies, utilities, and other partners.

MPP-En-1 Develop and implement regionwide environmental strategies, coordinating among local jurisdictions, tribes, and countywide planning groups.

MPP-T-32 Reduce stormwater pollution from transportation facilities and improve fish passage, through retrofits and updated design standards. Where feasible, integrate with other improvements to achieve multiple benefits and cost efficiencies.

VISION 2050 implementation actions also identify working with Tribes on watershed planning, open space conservation, resilience, and climate preparedness. PSRC has compiled resources specific to [Puget Sound recovery](#) and [open space conservation](#).

Cultural Resources

The region benefits from the rich cultures of the region's Tribes. Although state and federal laws protect cultural and archaeological resources, local comprehensive plans should direct coordination with Tribes to proactively protect and manage these resources. Examples of archaeological resources important to Tribes include shell middens, campsites, pictographs, and burial sites.⁴ The Washington State [Department of Archaeological and Historic Preservation](#) can provide technical resources and assistance in the preservation of cultural resources. VISION 2050 includes policies related to Tribes and cultural resources.

MPP-DP-6 Preserve significant regional historic, visual, and cultural resources, including public views, landmarks, archaeological sites, historic and cultural landscapes, and areas of special character.

MPP-DP-7 Consider the potential impacts of development to culturally significant sites and tribal treaty fishing, hunting, and gathering grounds.

⁴Department of Archaeology and Historic Preservation. Archaeology. <https://dahp.wa.gov/archaeology>

Economic Development

The region's Tribes and Native peoples provide a foundation for the region's culture. Tribes contribute to economic prosperity in many ways beyond cultural enrichment, including direct employment, government revenue generation, land and resource management, and placemaking. Future economic success will require that the region continue to support and promote the strength of the region's diverse people and the economic value that they bring. VISION 2050 includes a policy on Tribes and economic development.

MPP-EC-15 Support and recognize the contributions of the region's culturally and ethnically diverse communities and Native Tribes, including helping the region continue to expand its international economy.

Land Use

Federally recognized Indian reservations, as well as off-reservation lands held in trust for Tribes and Tribal members, are permanent homelands of sovereign Tribal Nations designated through treaty, Executive, or Congressional Acts, and are home to many people and jobs. VISION 2050 recognizes their important roles in the region and their influence on regional growth patterns.

MPP-DP-51 Protect tribal reservation lands from encroachment by incompatible land uses and development both within reservation boundaries and on adjacent land.

Characteristics of Indian reservation lands vary widely across the region. While some Tribal lands are rural or forested, others have concentrated residential and employment uses and may be located within or adjacent to cities. Tribal land use can be complex, as Tribal governments own land outside of reservations, and some reservation land is under fee-simple private ownership. In certain circumstances, reservations have overlapping land use jurisdiction with local governments. Close coordination between Tribes and local governments is important to avoid land use conflicts. In addition, Tribes retain interests in off-reservation lands that were ceded in treaties. These interests include water rights, access to natural resources, and cultural resources protection.

Counties and cities should coordinate with Tribal Nations on planning policies and to plan for systems that cross boundaries such as river and transportation systems. Counties should seek to be consistent with the overall goals for rural growth in VISION 2050 when permitting new development on fee-simple reservation lands outside the urban growth area.



Tulalip Resort Casino by PSRC Staff

Transportation

Tribes are important partners to work with on transportation projects such as transit, roads, and trails. Transportation projects can both provide benefits and create impacts, and Tribes have important perspectives on solutions to achieve the best results. Coordinating with Tribes in transportation planning can also add value through increasing access to alternative funding and providing access across Tribal lands. Given that transportation facilities are among the largest contributors to water pollution, planning for transportation stormwater retrofits are crucial to Puget Sound recovery. Removing fish passage barriers from transportation facilities is a high priority for both state and local roads. The comprehensive plan update provides an opportunity to coordinate with Tribes on identifying stormwater, fish passage, and other projects. The state Tribal Transportation Planning Organization, supported by WSDOT, also provides a forum for Tribes to coordinate on transportation issues.

Best Practices for Coordination with Tribes

The region has many examples of Tribes partnering on projects and plans with jurisdictions.

- The City of Tacoma's surplus property policy gives the Puyallup Tribe the right of first refusal to purchase or exchange property in its historic, pre-treaty boundaries. In addition, the Puyallup Tribe is party to a five-member interlocal agreement governing development of the [Tacoma Tideflats Subarea Plan](#). The Tribe also participates on the Steering Committee for the plan.
- The Tulalip and Stillaguamish Tribes partnered with Snohomish County and other groups to develop the [Sustainable Lands Strategy](#) to coordinate fish, farm, and flood management efforts.
- The Suquamish Tribe is partnering with Kitsap County to develop a regional stormwater retrofit facility on the Suquamish Reservation.
- The Puyallup Tribe partnered with Tacoma and other organizations in planning the [Tacoma to Puyallup Regional Trail](#).
- The [Kitsap County Countywide Planning Policies](#) include a chapter dedicated to working with Tribal governments.
- PSRC sends tailored letters and emails to the Tribal Council Chair and staff of each Tribe in the region at the beginning of a planning process to understand the interests of each Tribe. Sending emails and including a staff member helps to facilitate communication.

Jenn Squally Photography, Puyallup Tribe



Visit PSRC's [Tribes webpage](#) for more information and resources.