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MEMORANDUM OF UNDERSTANDING

ESTABLISHING A JOINT LAND USE REGULATORY PROGRAM
 AND MINIMUM DEVELOPMENT GUIDELINES

BETWEEN

THE QUINULT INDIAN NATION

AND
JEFFERSON AND GRAYS HARBOR COUNTIES

11 January 1993

This Memorandum of Understanding, hereinafter "MOU" or "Agreement," is made by and between the Quinault Indian Nation, the federally recognized governing tribe of the Quinault Indian Reservation, hereinafter the "Nation," Jefferson County, and Grays Harbor County, political subdivisions of the State of Washington, hereinafter the "Counties," collectively referred to as the "Parties."

This Memorandum of Understanding represents good faith commitments which are being made by each of the Parties in a spirit of cooperation and accommodation. The Parties are motivated by the belief that these commitments will benefit both the Parties and the residents and landowners of the Quinault Indian Reservation.

WHEREAS, the area now known as the Quinault Indian Reservation has been the homeland of the Quinault people for thousands of years; and,

WHEREAS, the Quinault Indian Reservation was set apart by the Treaty with the Quinault and subsequent Presidential Executive Order for Indian use prior to Washington's statehood; and,

WHEREAS, between 1905 and 1934 most of the lands of the Quinault Indian Reservation were allotted in trust status by the United States to individual Indians; and,

WHEREAS, over the subsequent years some of the Quinault Indian Reservation's land passed out of individual Indian trust ownership and was acquired in fee by non-Indians through purchase and inheritance; and,

WHEREAS, presently approximately 16% of the Quinault Reservation's land is held in fee status by non-Indians and non-Indian entities, most of which is commercial forest land held by timber companies; and,

WHEREAS, the population of the Quinault Indian Reservation according to the 1990 U.S. Census is 78% Indian and 22% non-Indian; and,

WHEREAS, the Quinault Indian Reservation has consistently retained a unique and separate identity, distinct from that of the surrounding non-Indian community; and,

WHEREAS, in recent years non-Indian ownership and population on the Quinault Reservation have been declining; and,

WHEREAS, the Quinault Indian Nation possesses exclusive land use regulatory authority over individual Indian trust lands and tribal lands within the Quinault Indian Reservation; and,

WHEREAS, the Quinault Indian Nation and the respective Counties each claim land use regulatory authority over non-Indian owned fee lands within the Quinault Indian Reservation; and,

WHEREAS, in recent years the Counties have not adopted or implemented land use or development controls applicable to the Quinault Indian Reservation; and,

WHEREAS, all of the Parties are in the process of amending their Comprehensive Plans and land use and development controls; and,

WHEREAS, the Nation and the Counties share an interest in ensuring compatible land use on fee and trust land within and adjacent to the Quinault Reservation; and,

WHEREAS, the Nation and the Counties share a desire to promote and preserve the unique character and identity of the Quinault Indian Reservation and its natural resource based economy; and,

WHEREAS, the Parties share the desire to direct new residential development to existing activity centers with available public services; and,

WHEREAS, residential development utilizing on-site sewage disposal systems on small lots located outside of the existing activity centers has resulted in public health hazards and poses a potential threat to the Reservation's shellfish resources; and,

WHEREAS, the Parties desire to reduce the potential for conflict between new residential development and the resource based economy of the Quinault Indian Reservation; and,

WHEREAS, the Nation and the Counties share a desire to provide for the orderly use of the Reservation's lands while recognizing the rights of the Reservation's residents and landowners; and,

WHEREAS, the Nation and the Counties believe that the development of consistent standards for Reservation land use activities will benefit the Parties, as well as, all of the Reservation's residents and landowners, by reducing the potential for conflict between the Parties, and by providing certainty and stability in land use decision-making;

NOW THEREFORE, THE NATION AND THE COUNTIES AGREE AS FOLLOWS:

I. Land Use Advisory Board

A Land Use Advisory Board (hereafter, "Advisory Board") is established to oversee the implementation of this Agreement, make recommendations for its improvement, coordinate the Parties' land use actions, assist the Parties in resolving disagreements, and to hear complaints by persons aggrieved by actions of the Parties within the scope of this Agreement. The Advisory Board will be comprised of 4 members, with 2 members appointed by the Nation, 1 member appointed by Jefferson County, and 1 member appointed by Grays Harbor County. The Advisory Board shall operate by consensus, provided that, recommendations affecting lands within a single county may be made with the agreement of the members representing the Nation and the affected County. All decisions of the Advisory Board shall be made in the form of recommendations to the Parties for consideration and implementation by their respective governing bodies.

II. Geographic Area subject to Agreement

The lands subject to this agreement are those within the exterior boundaries of the Quinault Indian Reservation, and the adjacent portions of Jefferson County and Grays Harbor Counties.

III. Comprehensive Plans and Development Guidelines

It is the intent of the Parties that their Comprehensive Plans, zoning Ordinances, and other land use and development controls be consistent and compatible. Each Party agrees that it will consult with and seek the input of the other Parties prior to the adoption of any Comprehensive Plan revisions or the enactment of any Zoning Ordinance amendments or other land use and development controls affecting land within the geographic scope of this Agreement. Where a Party objects to another Party's proposed Comprehensive Plan revision, Zoning amendment or other land use and development control, the Parties agree to submit the matter to the Advisory Board for a recommendation prior to taking any further action.

Development on the Quinault Indian Reservation is currently concentrated in three activity centers, the villages of Taholah, Queets, and Amanda Park. Uncoordinated and unplanned growth outside of these activity centers poses a threat to the environment, sustainable economic development, and the health, safety, welfare, and quality of life enjoyed by residents of the Reservation. In particular, strip residential development along the Reservation coastline on small lots with soils not suitable for on-site sanitation systems or in areas with inadequate access, water, utilities, and public services poses a serious threat to public health, coastal resources, the Reservation's resource based economy, and to maintenance of the Reservation's existing character.

The Parties agree that to the extent feasible the following minimum development guidelines will be applied to all applications for land use approval on fee land within the Quinault Indian Reservation to insure consistency and compatibility in land use decision making pending the adoption of Comprehensive Plan revisions, Zoning amendments, and other controls. Where existing land use controls are inconsistent with or otherwise do not provide for the application of the guidelines established in this Agreement, the parties agree to undertake the adoption of appropriate implementing measures in a manner consistent with applicable law.

COASTAL DISTRICT -- LAND WEST OF HIGHWAY 101 (NORTH OF THE QUEETS RIVER), THE CAPE ELIZABETH ROAD, AND HIGHWAY 109

The following minimum development guidelines shall apply for land uses in the area west of Highway 101 (North of the Queets River), the Cape Elizabeth Road, and Highway 109, and outside of the developed portions, or when established the village growth boundaries of the villages of Queets and Taholah.

Timber Production and Harvest, and fishery related activities will be permitted subject to appropriate environmental restrictions to protect fish and wildlife habitat, Sensitive Areas, and coastal resource values.

Recreational use not requiring extensive clearing or the construction of permanent structures will be permitted, including non-commercial camping and use by a single self-contained recreational vehicle for a no more than 120 days per year per parcel.

Single Family Residences on existing lots of record 10 acres or larger will be permitted subject to the site development guidelines contained herein. Single family residences on existing lots of record smaller than 10 acres shall be considered on a case by case basis as provided in the

section on Residential Uses on Substandard Lots.

No gravel or mineral extraction, commercial, or industrial development, waste disposal, or other uses not expressly identified above shall be permitted.

Residential development on parcels within this area which contain an existing gravel pit shall be permitted to the extent consistent with the guidelines contained in this Agreement and as part of an approved reclamation plan.

The following site development standards shall apply to all clearing, grading, and construction activities in the Coastal District described in this section:

Setback Requirement - No clearing, grading, or construction shall be permitted within 200 feet of the ordinary high water mark of the Pacific Ocean. No clearing, grading, or construction shall be permitted within 50 feet of the top of any bank, bluff, or seacliff fronting the Pacific Ocean, or within a horizontal distance from the top of such bank, bluff, or seacliff equal to the vertical elevation of the bank, bluff or seacliff as measured from the toe to the top, whichever is greater.

Height Limit - No structure shall be built with more than a single story built above ground level and roof pitch exceeding 12-12.

Sensitive Areas - Preparation of an environmental assessment shall be required for all proposed clearing, grading, or construction affecting lands designated as Sensitive Areas. The proponent shall be required to provide additional information where necessary to determine the scope and nature of potential impacts. No clearing, grading, or construction shall be permitted with respect to lands in the geographic area covered by this section which are designated as a Sensitive Area under this Agreement, unless all adverse impacts to public health, safety, or the environment have been appropriately addressed pursuant to the environmental laws of the parties.

NATURAL RESOURCE MANAGEMENT DISTRICT -- LAND EAST OF HIGHWAY 101 (NORTH OF THE QUEETS RIVER), THE CAPE ELIZABETH ROAD, AND HIGHWAY 109

The following minimum development standards shall apply for land uses in the area east of Highway 101 (North of the Queets River), the Cape Elizabeth Road, and Highway 109, and outside of the developed portions or, when established, the village growth boundaries of the villages of Queets, Taholah, and Amanda Park which is not included in any other land use district.

Natural Resource Management including timber and minor forest product production, fisheries management and enhancement, forest product related industrial development, public facilities, watershed management, groundwater protection, recreation, and fish and wildlife conservation is permitted.

Sand and gravel extraction is a conditional use subject to appropriate environmental restrictions to protect fish and wildlife habitat, critical areas and coastal resource values.

Single Family Residences on existing lots of record 20 acres or larger will be permitted subject to the site development guidelines contained herein. Single family residences on

existing lots of record smaller than 20 acres shall be considered on a case by case basis as provided in the section on Residential Uses on Substandard Lots.

Recreational use and temporary residential use in connection with natural resource activities not requiring extensive clearing or the construction of permanent structures will be permitted, including non-commercial camping and use by a single self-contained recreational vehicle for no more than 120 days per year per parcel.

Sensitive Areas - Preparation of an environmental assessment shall be required for all proposed clearing, grading, or construction affecting lands designated as Sensitive Areas. The proponent shall be required to provide additional information where necessary to determine the scope and nature of potential impacts. No clearing, grading, or construction shall be permitted with respect to lands in the geographic area covered by this section which are designated as a Sensitive Area under this Agreement, unless adverse impacts to public health, safety, or the environment have been appropriately addressed pursuant to the environmental laws of the parties.

VILLAGE LAND USE DISTRICT -- QUEETS, AMANDA PARK AND TAHOLAH

Mixed uses including private and public housing, tribal administrative facilities, police and fire stations, schools, playgrounds, churches, community centers, and a variety of commercial and industrial business serving the residential and employment needs of each village community will be permitted subject to requirements set forth in separate village plans for the areas within a village growth boundary to be established for each of the three villages by the Nation in consultation with the Counties.

COMMERCIAL/INDUSTRIAL DISTRICTS

The Parties agree that during the term of this Agreement, the Quinault Indian Nation may, after consultation with the Counties, establish one or more Commercial/Industrial Districts within the Reservation which may include lands held in fee status.

OPEN SPACE/RECREATIONAL DISTRICT

The Parties agree that during the term of this Agreement the Quinault Indian Nation may, after consultation with the Counties, establish one or more Open Space/Recreational Districts within the Reservation which may include lands held in fee status.

SENSITIVE AREAS

The following lands are designated as Sensitive Areas:

- 1) Areas with a critical recharging effect on aquifers used for potable water which are vulnerable to contamination that would affect the potability of the water.
- 2) Areas subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like.
- 3) Areas that because of their susceptibility to erosion, slides, or other geological events, are not suited to siting commercial, residential, or industrial

development consistent with public health or safety concerns.

- 4) Primary association areas utilized by a federally listed threatened or endangered species, and which, if altered, may harm the species.
- 5) Areas that are critical to the protection of tribal fisheries, wildlife, beaches, and water resources.
- 6) Area subject to risk of mass movement due to a combination of geologic, topographic, and hydrologic factors.
- 7) Areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Such areas include swamps, marshes, bogs, and similar areas. They do not include those artificial wetlands intentionally created from nonwetland sites, detention facilities, wastewater, treatment facilities, farm ponds, and landscape amenities.
- 8) Beaches and dunes.
- 9) Areas outside of the Village Districts subject to coastal flooding hazards.

The parties agree to prepare maps delineating the Sensitive Areas described above.

RESIDENTIAL DEVELOPMENT OF EXISTING SUBSTANDARD LOTS FIVE ACRES OR GREATER IN SIZE

Where on or before the effective date of this Agreement, a single owner or ownership group held one or more contiguous existing lots of record (including lots separated by a right-of-way) each of which is individually smaller than 10 acres, if located in the Coastal District, or smaller than 20 acres, if located in the Natural Resources Management District, but which collectively are 5 acres or greater in size, one dwelling unit shall be permitted per 5 acres where soil conditions allow on-site sewage disposal without long term damage to ground and surface water, coastal resources or public health, and where suitable water supply and reasonable fire access are available, and provided further that, the owner shall be required to the extent feasible to combine lots through a binding site plan so as to meet the 5 acre minimum area requirement herein prior to the issuance of a building permit.

RESIDENTIAL DEVELOPMENT OF EXISTING SUBSTANDARD LOTS SMALLER THAN FIVE ACRES IN SIZE

Where on or before the effective date of this Agreement, a single owner or ownership group holds one or more contiguous existing lots of record (including lots separated by a right-of-way) located in the Coastal District or Natural Resources Management District which total less than 5 acres in area, one dwelling unit may be permitted on the lot or lots where a binding site plan is submitted consolidating the lots into a single building site, where soil conditions allow on-site sewage disposal without long term damage to ground and surface water, coastal resources or public health, and where suitable water supply and adequate fire access are available, and provided further that where the water supply in such cases uses an on-site well, the well

shall not be located less than 100 feet from the external boundaries of the property included in the site plan.

IV. DEVELOPMENT AND LAND USE PERMITS

In order to achieve consistency and to provide a more efficient and cost effective review process, the Parties agree that the Quinault Indian Nation will process all building and sanitation permit applications for development of fee lands on the Quinault Reservation and the Counties hereby authorize the Nation to process and issue such building and sanitation permits on their behalf.

BUILDING PERMITS

Applicants for building and grading permits meeting the minimum development standards established in this Agreement shall file a building permit application in duplicate with the Quinault Indian Nation and pay to the Nation the greater of the fee required by appropriate County or the Nation. Building permit applications for structures requiring sanitation permit approval must be accompanied by a Sanitation Permit issued by the Quinault Nation, proof of available drinking water supply meeting applicable standards, and evidence that the proposed building site meets the fire access standards of the Uniform Building Code.

The Nation shall forward one copy of the building permit application to the appropriate County for its review and comment, and shall review the application and plans for compliance with County and Tribal building requirements.

When after consultation with the applicable County, the Nation determines that the application and plans meet all applicable County and Tribal requirements and the minimum standards established by this Agreement, the Nation will issue a building permit. The Nation shall be responsible for insuring that all construction complies with applicable requirements and the terms of the permit.

SANITATION PERMITS

All applications for sanitation permits to construct on-site sewage disposal systems shall be made to the Quinault Indian Nation which shall review such applications and issue sanitation permits for systems meeting all applicable County and Tribal requirements. No sanitation permit shall be processed or issued for any new system to serve a use that does not meet the minimum standards established in this Agreement.

When after consultation with the applicable County, the Nation determines that the application and plans meet all applicable County and Tribal requirements and the minimum standards established by this Agreement, the Nation will issue a sanitation permit. The Nation shall be responsible for insuring that all construction complies with applicable requirements and the terms of the permit.

The parties agree to review existing tribal and county sanitation requirements and to adopt amendments where necessary to insure that on-site sewage disposal standards insure protection of the public health and Reservation resources, including but not limited to shellfish resources.

SUBDIVISION GUIDELINES

The parties recognize that subdivision and development of

Reservation lands may have significant adverse impacts on the political integrity, economic security, health, and welfare of the Quinault Indian Nation. The parties agree that in light of the purposes for which the Quinault Reservation was established, the Reservation's existing rural character, its resource based economy, the physical limitations of the Reservation's lands, and the lack of public services outside of the existing village communities, the public interest requires that proposals to further subdivide reservation land meet the minimum development guidelines established under this Agreement.

JOINT STATEMENT OF GOALS AND POLICIES

As a further guide to the implementation of this Agreement and a framework for the adoption and implementation of comprehensive land use plans and development controls affecting lands on the Quinault Reservation, the parties jointly adopt the interim statement of goals and policies set forth in Appendix A hereto.

V. REVIEW PROCESS

The Advisory Board shall meet at least once each quarter to review the status of this Agreement and shall conduct an annual review.

VI. AMENDMENTS

The provisions of this Agreement may be amended by the adoption of parallel resolutions of the governing bodies of the Parties.

VII. JURISDICTION AND REVIEW PROCESS

This Agreement is intended to the extent feasible to avoid the necessity of resolving potential jurisdictional disputes over the regulation of fee land located on the Quinault Reservation. It is not intended, nor should it be construed, as a concession by the Quinault Nation or the Counties, that the other Party or Parties to this Agreement possess regulatory jurisdiction over fee land, or as a waiver of any argument with respect to jurisdiction in the event of a dispute among the parties. Nothing in this Agreement shall limit or waive the regulatory authority or jurisdiction of any Party.

This Agreement is not intended to provide any remedy not already provided by law. However, the parties agree that any person aggrieved by a decision made within the scope of this Agreement shall be required to present their claim for consideration and action by the Advisory Board established herein, as a condition precedent to the consideration of such claim in their respective administrative and judicial review processes.

VIII. COUNTY OWNED LANDS LOCATED ON THE RESERVATION

The Parties agree that County owned lands within the boundaries of the Quinault Indian Reservation shall be subject to the development and land use guidelines contained in this Agreement. The Counties further agree that the Quinault Indian Nation shall be granted a right of first refusal with respect to the acquisition of County owned real property located within the Quinault Indian Reservation which is determined by the Counties to be surplus to the Counties' needs.

IX. TECHNICAL ASSISTANCE

The Counties agree to provide the Quinault Indian Nation with technical assistance with respect to the processing and review of permit applications and other matters within the scope of this Agreement upon the request of the Nation.

X. EFFECTIVE DATE

This Agreement shall become effective and binding upon the Parties upon adoption by each of the Parties of a Resolution approving the Agreement.

Approved by Quinault Business Committee January 11, 1993.

APPENDIX A

JOINT STATEMENT OF GOALS AND POLICIES TO GUIDE THE PARTIES

RESERVATION CHARACTER AND IDENTITY

GOAL: Preservation of the Reservation's resource based economy and character of the Reservation as predominantly an "Indian community. A fundamental goal of this Agreement is to ensure that Reservation land use remains consistent with the Reservation's purpose and character while recognizing the rights of all Reservation landowners and residents.

POLICIES:

The Quinault Reservation should continue to be largely an "Indian community" and homeland.

Tribal land consolidation should be encouraged to provide continuity for Indian traditions and to maintain an evolving Indian society rooted in the Quinault people's historic ties to their land.

The rights of individual landowners and residents should be recognized and respected within the goals, policies, and objectives set forth in this Agreement.

The goals, policies, and objectives of this Agreement and implementing regulations adopted by the Nation should be applied equally to all Reservation lands regardless of ownership.

Land use should be compatible with the maximum fulfillment of traditional tribal cultural values and the continuance of a heritage of balanced dependence by community members on the renewable resources of the Reservation.

Reservation land use activities should be compatible with the preservation and enhancement of the Reservation's fish, wildlife, and other traditionally utilized natural resources.

The rural character of the Reservation should be preserved and enhanced.

Areas of historic, archaeological, and cultural significance should be protected.

THE NATURAL-ENVIRONMENT

GOAL: Reservation land use activities should be compatible with the carrying capacity of the Reservation's lands and

waters and the long term productivity of the Reservation's natural environment.

POLICIES:

GENERAL

Land use patterns should recognize the Quinault people's obligation to present and future generations to ensure the comprehensive, sustainable management of the natural resources, environment, and amenities of the Reservation.

GEOLOGY

Encroachment on geohydraulic processes should be discouraged or prohibited. Land clearing, grading, and development on steep slopes, on and immediately adjacent to the Reservation's beaches and tidelands, and along the sea cliffs should be prohibited or strictly regulated.

MINERAL RESOURCE EXTRACTION

Mineral resource extraction and disposal practices should be regulated.

Mineral resource removal and disposal within and on environmentally sensitive areas and along the coastline should be prohibited.

Rehabilitation and reclamation should be required for all extraction and disposal sites.

Extraction and disposal on sites of archaeological historic or cultural value should be prohibited except for purposes of site examination and preservation.

COASTLINE

The unspoiled natural character of the Reservation's tribal beaches and tidelands should be preserved and be maintained for traditional tribal uses, including shellfish gathering, fishing, aquaculture, and cultural and religious practices.

AIR QUALITY

Permitted land uses should be consistent with maintenance of the Reservation's existing excellent air quality.

WATER

The quantity and quality of the Reservation's waters should be protected and preserved for this generation and future generations.

Essential groundwater recharge areas should be designated as environmentally sensitive areas. Development of groundwater recharge areas should be restricted and a buffer established between any such recharge area and development activities.

Water and riparian management standards should be established to enhance the traditional fishery and shellfish resources utilized by the Quinault people.

Upland development standards should be designed to protect ground, surface and marine waters.

Habitat, water quality and stream flow of the Reservation's wetlands should be maintained. Wetlands should be buffered from development to prevent encroachment and loss.

Surface water runoff and drainage facilities should be designed and utilized in a manner which protects against the destruction of property, the disruption of natural drainage ways and the degradation of water quality.

BEACHES

Beaches should be protected from degradation and contamination.

Kelp and eelgrass beds and other marine plants surrounding the Reservation should be protected and enhanced.

Driftwood logs should be not be removed since they provide stability and protection.

Development along the coast and beaches should be restricted in areas subject to flooding hazards.

VEGETATION AND WILDLIFE

Biotic productivity and species diversity of the Reservation should be maintained and enhanced.

Habitat of plant and game species upon which the Quinault people have traditionally relied and other traditional resources should be protected to the greatest extent possible from development and other degradation.

Subsistence hunting and gathering of renewable resources by the Quinault People should be provided within limits established by management plans.

TIDELANDS AND FISHERIES

The fishery and shellfish resources of the Reservation should be protected and enhanced, to insure the Quinault people's ability to maintain a traditional livelihood based upon these resources.

Shellfish and fishery resources should be protected from the secondary impacts of upland development. Pollution abatement practices should be implemented. Land and water use activities which may result in harm to these resources should be prohibited or strictly regulated. Forest practices should be strictly regulated to minimize impacts to habitat.

Access to Tribally owned fish and shellfish resources areas should be restricted to members of the Quinault Indian Nation unless specifically authorized.

Whenever habitat or fish losses occur as a result of development, accident, or other human activity, full compensation shall be provided, based upon loss of habitat, production potential and fishing opportunity.

AQUACULTURE

Techniques of artificial enhancement should be implemented within a framework that provides for protection of fisheries resources.

Aquaculture should be promoted consistent with protection of the Reservation natural resources.

SCENIC RESOURCES

The scenic visual amenities of the Reservation land base

should be protected, maintained, and enhanced.

Modification of unique physical features should be prohibited.

Development including utility or road construction which disrupts significant views or unique features should be avoided.

FORESTRY AND TIMBER MANAGEMENT

The Reservation's forests should be protected from incompatible uses and preserved, enhanced, and managed to produce long-term, sustainable yields on a Reservation-wide basis.

Logging and land clearing practices should be prohibited unless accompanied by appropriate revegetation plans.

Subdivision and conversion of forest lands to other uses should be discouraged.

Logging and ground cover removal on designated archaeological and historic sites should be prohibited except for purposes of site examination and archaeological excavation.

Forestry practices should be regulated to insure the long-term productivity of the Reservation's forest lands.

Forestry practices and road construction in and affecting riparian zones, wetlands, and wildlife habitat should be consistent with watershed management practices and conservation of the Reservation's fishery and wildlife resources.

An inventory of riparian zones, wetland, and wildlife habitat critical to the protection of the Reservation's fish and wildlife resources should be conducted and to the extent feasible the Nation should seek to acquire such lands.

THE HUMAN ENVIRONMENT

GOAL: Encourage development in the three existing village activity centers where adequate public facilities and services exist or can be provided in an efficient manner. Reduce the inappropriate conversion of undeveloped Reservation land into sprawling development.

POLICIES:

GROWTH MANAGEMENT

Village growth boundaries should be established for the three existing Reservation village activity centers providing sufficient area to accommodate the Reservation's housing and commercial needs for the next 20 years.

Separate village plans for each of the villages should be prepared by the Nation working with the residents of each of the villages to guide village development.

Land outside of village growth boundaries should be retained in large tracts suitable for efficient long-term natural resource management.

Transportation and utility improvements should be directed toward providing adequate services to permit growth of the existing village communities. Improvements to serve

residential development outside of the village communities should be discouraged.

Residential development on land outside of village growth boundaries should be limited to densities compatible with long-term utilization of on-site sewage disposal systems, availability of adequate water supplies, and existing access, utilities, and public services.

Noncommercial recreational use which does not require the construction of permanent structures or extensive clearing should be permitted on small existing parcels outside village growth boundaries which are not suitable for residential development because of lack of adequate access, water, utilities, or public services, or the presence of soils unsuitable for on-site sewage disposal.

Where practical, the Nation should seek to acquire lots designated unsuitable for residential development and consolidate them into larger parcels for reconversion to timber production, for possible open space/recreational designation, or to hold as a future growth reserve.

HOUSING

Codes and standards which promote quality residential development and protect the environment should be established.

Residential development should be designed to enhance traditional activities of the occupants.

Archaeological and historic sites should be protected by tribal laws and regulations.

Incompatible use activities should be isolated from areas planned or developed for residential use.

Adequate roads, bicycle paths, and walkways should accompany housing development.

Areas designated for high density residential development should be developed only when all urban services are available.

Low residential densities should be assigned to areas where sewer and water systems are not planned. Lot sizes should be large enough to safely accommodate on-site sewage disposal and water supply and should be related to availability of services, need, and natural constraints.

Affordable housing opportunities for low and moderate income families, with emphasis on the elderly and young families, should be actively promoted.

CULTURAL RESOURCES

Sites that have historical significance or are used for tribal cultural activities should be designated. Every effort should be made to preserve the history and traditional culture of the Quinault Nation. Sites of cultural or historical value should be protected, maintained and enhanced.

RECREATION

Recreational development should emphasize and respect the heritage of the Nation.

Traditional forms of Indian recreation, such as sla-hal, canoe racing, and dancing, should be promoted where appropriate.

Every attempt should be made to preserve the aesthetic value and natural systems of the Reservation's beaches, coastline, rivers, and lakes.

Access to tribally owned lands, beaches, lakes, and rivers and their resources should be limited to tribal members unless authorized by the Nation.

TRANSPORTATION

A transportation network should be provided that will adequately satisfy the requirements for everyday access, tourism, and emergency vehicle access and evacuation in a safe and effective manner.

Coordinated road and utility networks should be planned to avoid encroachment onto critical aquifer recharge and watershed areas.

Road and utility construction should be prohibited from areas subject to excessive erosion and/or accretion.

Transportation routes should provide adequate rights-of-way to accommodate anticipated traffic volumes.

Disruption of established communities and residential areas by new transportation facilities should be avoided.

ECONOMIC DEVELOPMENT

An effective long range economic development strategy should be formulated and implemented for the promotion of a diversified local economy and improved local conditions. The strategy should be designed to alleviate the substantial and persistent unemployment and underemployment within the Quinault Indian Reservation, while generating revenues for the support of essential tribal government services and programs within a framework of tribal self-governance.

COMMERCIAL DEVELOPMENT

Commercial development should be carefully planned, designed and located to ensure optimal service to the Reservation's residents and visitors.

Strip commercial development should be prohibited.

To the extent feasible commercial areas and activities should be adequately buffered and landscaped to avoid potential conflict with adjacent land uses.

To the extent feasible commercial areas should be aggregated in cluster form with specific design standards.

"Home" or "Cottage" occupations that do not change or impact the character of the neighborhood should be encouraged.

INDUSTRIAL DEVELOPMENT

Natural resource based industries utilizing the Reservation's renewable resources should be encouraged and promoted.

To the extent feasible industrial areas should be adequately buffered and landscaped to avoid potential conflict with

adjacent land uses.

Industrial areas should be restricted to designated areas, located adjacent to or near major transportation systems such as highways and railroads.

Industries which give rise to air or water pollution or which generate hazardous or toxic waste, or large amounts of solid waste should be prohibited.

PUBLIC WATER SUPPLIES

Drinking water supplies throughout the Reservation should be required to meet or exceed the drinking water quality standards as set forth in the Federal Safe Drinking Water Act. Public Utilities

Reservation wide utility systems should be planned and developed in order to direct the quality and location of development. g

Development which would lack needed utilities should be prohibited.

The extension of urban services and utilities should be confined to areas of high residential density and designated commercial and industrial uses.

Plans for new utilities should be coordinated where possible to attain more efficient, equitable, and economical levels of service throughout the region.

Public facilities and utilities should be designed, located, and constructed in a manner which will preserve the integrity of the existing landforms, drainage ways, and natural systems.

Wherever possible, new utility systems should be incorporated into existing easements and rights of way.

NOISE

Uses of the Quinault Reservation should not present incompatible noise nuisances to adjacent land uses.

TOXIC OR HAZARDOUS MATERIALS

Activities that involve the use, handling, or disposition of toxic or hazardous materials should be strictly controlled or prohibited.

SOLID WASTE

Activities generating excessive solid waste should not be permitted. Solid waste should be disposed of at off-Reservation facilities meeting federal and state disposal standards.

PROPERTY RIGHTS

Private property should not be taken for public use without just compensation. The property rights of all landowners should be protected from arbitrary and discriminatory actions.

PERMITS

Applications for development approval should be processed in a timely and fair manner to ensure predictability.

CITIZEN PARTICIPATION AND COORDINATION

Reservation residents and landowners should be encouraged to participate in the planning process. Special efforts should be made to ensure coordination between neighboring communities and jurisdictions to reconcile conflicts.

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