



ANACORTES EXECUTIVE DEPARTMENT

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AGENDA

Swinomish Indian Tribal Community Constitutional Amendments Meeting
Deputy Secretary James Cason and City of Anacortes
July 6, 2017, 11:00 am
Main Interior Building, 1849 C Street NW, Room 6120

1. **Summary:** The City of Anacortes is concerned that the Constitutional amendments proposed by the Swinomish Indian Tribal Community ("SITC") create uncertainty and conflict in the community and open the door to future SITC assertions of expanded territory and jurisdiction. The City therefore respectfully requests language be included with the approval of the proposed amendments clarifying that the approval does not expand SITC territory or jurisdiction.
2. **Proposed SITC Amendments are not an internal matter; they impact the community**
 - a. Proposed amendments have a significant impact on the City and other external third parties
 - b. The proposed language has created uncertainty, impacted businesses, caused conflicts, and depressed property values. Citizens throughout the County are anxious and concerned about the future of their property and businesses.
 - c. Any change to SITC territory would significantly impact local tax base, including property taxes, sales tax revenues, hospital district revenues, and school district revenues.
 - d. The area SITC wants to add to their Reservation is worth over \$10 billion and accounts for approximately one-third of County tax base.
 - e. Any expansion of SITC jurisdiction would create conflict with local agencies over permitting, law enforcement, and other vital governmental services.
3. **Affected third parties were not afforded adequate procedural due process rights**
 - a. No other Tribe has ever used the Section 16 constitutional amendment process to expand territory and jurisdiction in a way that affects outside

jurisdictions. Allowing this process to proceed as requested without limitations would set troubling precedent.

- b. Third parties were not afforded adequate procedural due process to respond to the proposed changes. There was no notice or formal opportunity to be heard, despite the fact that these changes could significantly impact third parties.
- c. City only became aware of changes because of a FOIA request submitted by Samish Tribe.

4. The City's respectfully requests the following:

- a. Clarifying language be included with any approval of SITC constitutional amendments that approval does not expand SITC territory beyond the 1873 Executive Order and that the amendments do not expand SITC's off-reservation jurisdiction.
- b. A copy of the decision once issued to allow an opportunity for review.

From the City of Anacortes:

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