

CULTURAL RESOURCE PROTECTION ORDINANCE
TABLE OF CONTENTS

PART I - SHORT TITLE, AUTHORITY.....	2
Section 1. Short Title.....	2
Section 2. Authority.....	2
 PART II - FINDINGS AND POLICY.....	 2
Section 1. Findings.....	2
Section 2. Policy.....	4
 PART III - GENERAL PROVISIONS.....	 4
Section 1. Definitions.....	4
Section 2. Tribal Cultural Preservation Office.....	6
Section 3. Preservation Board.....	8
Section 4. Evaluation Process.....	10
 PART IV - PERMITS.....	 11
Section 1. Permit Required.....	11
Section 2. Permit.....	11
Section 3. Application for Permit.....	11
Section 4. Review of Proposed Projects.....	12
Section 5. Emergencies.....	13
Section 6. Modification or Revocation of Permit.....	14
Section 7. Monitor and Fees.....	14
 PART V - NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT.....	 14
Section 1. Implementation.....	14
Section 2. Inadvertent Discovery of Cultural Items.....	15
Section 3. Intentional Excavation.....	15
Section 4. Enforcement.....	16
 PART VI - DISCLOSURE.....	 16
 PART VII - ENFORCEMENT.....	 16
Section 1. Inspection.....	16
Section 2. Civil Penalties.....	17
Section 3. Other Remedies.....	18
 PART VIII - REVIEW, SEVERABILITY, EFFECTIVE DATE.....	 18
Section 1. Administrative Appeal of Board Action.....	18
Section 2. Judicial Review.....	18
Section 3. Severability.....	18
Section 4. Effective Date.....	18
 CERTIFICATION.....	 19

**SNOQUALMIE TRIBE
CULTURAL RESOURCE PROTECTION ORDINANCE**

BE IT ENACTED BY THE COUNCIL OF THE SNOQUALMIE TRIBE:

**PART I
SHORT TITLE, AUTHORITY**

Section 1. Short Title.

This Act may be referred to as the Cultural Resource Protection Ordinance or "CRPO."

Section 2. Authority.

This Act is enacted pursuant to the Article VIII of the Constitution of the Snoqualmie Tribe, This Act also implements the provisions of the following Federal laws, which acknowledge and affirm certain Tribal authority over cultural resources: (a) Archaeological Resources Protection Act, 16 U.S.C. §§ 470cc (g) (2) and 470dd; (b) National Historic Preservation Act, as amended, 16 U.S.C. § 470; (c) Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3001; (d) National Indian Forest resource Management Act 25 U.S.C. § 3108; and (e) the American Indian Religious Freedom Act, 42 U.S.C. § 1996.

**PART II
FINDINGS AND POLICY**

Section 1. Findings.

The Tribal Council finds that:

- (a) the spirit and direction of the Snoqualmie Tribe is founded upon and reflected in its cultural heritage;
- (b) the cultural foundation of the Tribe should be preserved as a living part of our community life and development in order to give a sense of orientation to the Snoqualmie people;

- (c) cultural resources of the Tribe are being lost, substantially altered or destroyed, with increasing frequency;
- (d) in the face of ever increasing energy, economic, residential, highway, sanitation and public health developments, the present Tribal governmental and non-Tribal governmental programs to preserve the Tribal cultural resources are inadequate to ensure future generations a genuine opportunity to appreciate and enjoy the rich heritage of the Tribe.
- (e) measures are necessary to foster conditions under which our modern society and our prehistoric, historic and cultural resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;
- (f) the self-governing capabilities, political integrity, health and welfare, and economic security of the Tribe will be enhanced and protected by the Tribal governmental control, regulation and preservation of irreplaceable cultural resources which are essential to the continued well being of the Snoqualmie People and will be maintained and enriched for the Tribe's future generations;

Section 2. Policy.

It is the policy of the Tribal Council to protect traditional cultural resources by establishment of a preservation program to identify, evaluate, and protect cultural, historic, and

archaeological resources and by regulating undertakings upon protected lands when they may result in changes in the character or use of such cultural resources.

PART III GENERAL PROVISIONS

Section 1. Definitions.

For the purpose of this Ordinance the following definitions will apply:

- (a) "Archaeological Resources" means any material remains of past human life or activities which are of archaeological interest to the Snoqualmie people. Such material remains shall include, but not be limited to: pottery, basketry, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, or any portion or piece thereof found in an archaeological context. No item shall be treated as an archaeological resource unless such item is at least 50 years old.
- (b) "Preservation Board" means the Cultural Preservation Board of the Snoqualmie Tribe.
- (c) "Culture" means the traditions, beliefs, practices, life ways, arts, and social institutions of the Snoqualmie people.
- (d) "Burial Material" means any item found at the burial site including the human skeletal remains and items directly associated with the burial or burial site.
- (e) "Burial Site" means, except for marked cemeteries and graveyards protected under existing state law, any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which human remains were deposited as a part of the death rites or ceremonies of a culture.
- (f) "Cultural Items" means human remains, associated funerary objects, unassociated funerary objects, sacred objects and cultural patrimony as defined by the Native American Graves Protection and Repatriation Act.
- (g) "Cultural Resource" means native plant material, objects, or cultural or religious sites which are nominated or determined eligible for the Snoqualmie Register as having

cultural significance. Cultural materials may include, but are not limited to, such things as roots, berries, barks, and Indian medicines.

- (h) "District" means any discrete area comprising buildings, sites or structures or traditional cultural properties that forms a recognizable, unified whole.
- (i) "Traditional Cultural Property" means a place that is associated with cultural and religious practices, customs, or beliefs of the Snoqualmie people that
 - (1) is rooted in Snoqualmie history or traditions; and
 - (2) is important to maintain continuity of the Snoqualmie traditional beliefs and practices, and is included in, or eligible for inclusion on the Snoqualmie register, including artifacts, records, and material remains related to such a property or resource.
- (j) "Human Skeletal Remains" means any part of the human body in any state of decomposition taken from a burial site.
- (k) "Person" means any individual, partnership, association, corporation, and any other entity composed of individuals, and federal, Tribal, and state governmental entities or agencies.
- (l) "Cultural Director" means the Snoqualmie Tribe Cultural Resource Director.
- (m) "Religious Site" means any place or area, including, but not limited to, any geophysical or geographical area or feature:
 - (1) where Snoqualmie practitioners are guided by their religion to gather, harvest, or maintain natural substances or natural products for use in religious ceremonies or for spiritual purposes, including all places or areas where such natural substances or products are located; or
 - (2) which traditionally was or currently is utilized by Snoqualmie religious practitioners for ceremonies or spiritual practices.
- (j) "Protected Lands" means all lands within the exterior boundaries of the Snoqualmie Indian Reservation, and lands owned by the Snoqualmie Tribe located off the Snoqualmie

Reservation.

- (k) "Responsible Person" means any person who has decision making authority over a particular undertaking on protected lands.
- (l) "Snoqualmie Register" means the Snoqualmie Register of Cultural properties.
- (m) "Tribal Council" means the duly elected governing body of the Snoqualmie Tribe of the Snoqualmie Reservation, Washington.
- (n) "Undertaking" means a project, activity or program funded in whole or in part under the direct or indirect jurisdiction of a federal agency or Tribal department, including
 - (1) those carried out by or on behalf of the agency or department;
 - (2) those carried out with federal or Tribal assistance;
 - (3) those requiring a federal or Tribal permit, license, or approval; and
 - (4) those subject to Tribal, State or local regulation administered pursuant to a delegation or approval of a federal agency.

Section 2. Tribal Cultural Preservation Office.

- (a) There is hereby established a Tribal Cultural Preservation Office which will be directed by a Cultural Director appointed by the Tribal Council to administer the cultural preservation program.
- (b) The Cultural Director will meet professional qualifications and have substantial experience in the administration of a preservation program and experience in at least one of the following disciplines: traditional cultural properties, archaeology, history, cultural geography, or cultural anthropology.
- (c) It shall be the responsibility of the Cultural Director to:
 - (1) Maintain the Snoqualmie Register of Cultural Places composed of religious sites, traditional cultural properties, burial sites, archaeological sites, districts, buildings,

- and structures significant to the history, life ways, and customs of the Tribe;
- (2) As funds and staff are available, and in cooperation with the Snoqualmie Cultural Committees and Tribal traditionalists, direct and conduct a comprehensive Reservation-wide survey of cultural properties and maintain an inventory of such properties documented in such a manner that the data collected can be utilized in Tribal priorities and planning decisions;
 - (3) Identify and nominate eligible properties to the Snoqualmie Register of Cultural Places and administer applications for the Tribal Register;
 - (4) Prepare and implement a comprehensive Reservation-wide cultural preservation planning process which includes the identification, evaluation, registration, and treatment of cultural properties so that effective decisions concerning preservation can be made;
 - (5) Advise and assist, as appropriate, Tribal, Federal, and State agencies in carrying out their cultural and historic preservation responsibilities;
 - (6) Consult with appropriate Tribal, Federal, State and local agencies in accordance to this Ordinance and regulations on;
 - (A) understandings that may affect cultural or historic properties; and
 - (B) content and sufficiency of any plans developed to protect, manage, avoid or mitigate harm to such properties.
 - (7) Maintain a cultural, historical, and archaeological database in a manner that takes into account Tribal customs regarding the disclosures of personal, private, or religious information.
 - (8) Cooperate with the Advisory Council on Historic Preservation, the State Historic Preservation Office, and other Tribal, Federal, State and local agencies to ensure that cultural and historic properties are taken into consideration at all levels of planning

and development.

- (9) Provide public information, education and training, and technical assistance relating to the Tribal cultural preservation program.

Section 3. Preservation Board.

- (a) There is hereby established a Cultural Preservation Board, to be composed of five members. At least three representatives nominated from the cultural committee shall be appointed to the Board. The Tribal Council shall choose the remaining two board members from a list of nominees provided by each Tribal elder advisory group. All Board members shall have demonstrated special knowledge in traditional cultural properties, historic, prehistoric, and cultural resources or related disciplines to provide for an adequate and qualified board. Members of the Board shall each hold office for a term of three years except in the initial year when two members shall be appointed for three years, two members appointed for two years and one member appointed for one year. Any vacancy on the Board shall be filled by the Tribal Council for the unexpired portion of the term. The Cultural Director shall serve as an ex-officio member of the Preservation Board.
- (b) Except as otherwise provided in this section, the Cultural Preservation Board shall be charged with administering this Ordinance including, but not limited to, the following: the issuance or denial of permits, the issuance of orders, the levying of penalties and the making of any and all decisions and determinations necessary in connection therewith. The Tribal Council, upon recommendation of the Board, is authorized to issue such rules, regulations and standards as are necessary to carry out the purpose of this Ordinance. Such regulations shall be promulgated in accordance to the procedures contained in the Constitution of the Snoqualmie Tribe of Indians.
- (c) The actions and decisions of the Cultural Preservation Board shall constitute final agency action appealable pursuant to Section 1, Part VIII of this Ordinance.

(d) The powers and duties of the Board include:

(1) Undertakings located off the Snoqualmie Indian Reservation. The Board members and staff of the CRPO are authorized to participate in the review or permitting process of an undertaking or project which might affect off-reservation cultural resources, including but not limited to religious sites, archaeological resources, human skeletal remains, historic resources, cultural items, and food and medicinal plants, and ethnographic studies involving the Snoqualmie people. The CRPO staff shall provide an annual report and summary of such consultation to the Board. The Tribe encourages the establishment of memoranda of agreement with appropriate persons to effectuate the policies in this Ordinance.

(2) Undertakings on the Snoqualmie Indian Reservation. The Board is authorized and directed to

(A) review any proposed undertaking that might affect any cultural resource, including but not limited to, religious sites, archaeological resources, burial sites, human skeletal remains, traditional cultural properties, historic resources, cultural items, food and medicinal plants located upon protected lands;

(B) review request for excavation or removal of archaeological resources on protected lands;

(C) review and request ethnographic work, studies or surveys on Snoqualmie cultures;

(D) issue permits as authorized by Part III of this Ordinance;

(E) identify and nominate traditional cultural properties to the Snoqualmie Register and otherwise administer applications for listing traditional cultural properties; and

(F) provide general advice and guidance to the Cultural Director;

(G) to accept on behalf of the Tribe, gifts, grants and fees to administer this Ordinance.

Such money may be expended to hire staff or consultants for the purpose of carrying

- out the powers and duties of the Board or for performing other appropriate functions;
- (H) to call upon Tribal staff or elders having technical and traditional expertise for guidance;
- (I) perform other duties as may be appropriate and necessary to implement this Ordinance.

Section 4. Evaluation Process.

- (a) The head of any Tribal, Federal, State or local agency having direct or indirect jurisdiction over a proposed Tribal or Federal, or Federally-assisted undertaking on protected lands shall, prior to approval of the expenditure of any Tribal or Federal funds on the undertakings or prior to the issuance of any license, as the case may be, take into account the effects of any undertaking on any religious site, traditional cultural property, human skeletal remains, district, site, building structure, or object that is included in, or eligible for inclusion on the Snoqualmie Register.
- (b) Tribal and Federal agencies shall not approve an undertaking if it will adversely affect cultural, historical or archaeological sites included on, or eligible for the Snoqualmie Register unless it has made the determination that:
 - (1) there is no prudent and feasible alternative available to avoid impacting such sites;
and
 - (2) the action includes all possible planning to minimize harm to the property resulting from such use.
- (c) Supporting information must demonstrate that there are unique problems or unusual factors involved in the use of alternatives that avoid these properties or that the cost, social, economic, and environmental impacts, or community disruptions resulting from such alternatives reach extraordinary magnitude.

PART IV PERMITS

Section 1. Permit Required.

- (a) No historical or ethnographic work or studies relating to Snoqualmie cultural resources may be conducted on protected lands without a permit.
- (b) No excavation or removal of archaeological resources or cultural items on protected lands is allowed without a permit.
- (c) No work may commence on an undertaking which may affect cultural resources on protected lands until the responsible person has been issued a permit.
- (d) All work on an undertaking shall be conducted pursuant to the terms and conditions of the permit.

Section 2. Permit Fees.

An application for a permit shall be accompanied by payment of a non-refundable fee to cover cost associated with permit issuance and administration. The amount of the fee shall be fixed from time to time by Preservation Board Policy, shall take into account the scope of the proposal, and shall be reasonable.

Section 3. Application for Permit.

- (a) Any person who intends to conduct an undertaking which may affect Cultural resources on protected lands shall submit a written application to the Cultural Preservation Office.
- (b) The application shall be on a form provided by the Preservation Office. The application shall include, but is not limited to, a
 - (1) location map, including a legal description of the proposed undertaking;
 - (2) a specific description of the proposed undertaking;
 - (3) the purpose and need for the proposed undertaking;
 - (4) practical alternative methods of implementing the undertaking;
 - (5) the project dates and length of time necessary to complete the proposed undertaking;

- (6) the name, address, and telephone number of the responsible person;
- (7) and other such information the Board deems necessary.

Section 4. Review of Proposed Projects.

- (a) The Cultural Director shall review an application for adequacy and shall determine if the proposal constitutes an undertaking. The Preservation Office Staff and the Preservation Board may make such on-site investigations as are necessary to perform these duties.
- (b) If the Cultural Director determines that the proposal is not an undertaking the Cultural Director shall so state in a written notice to the responsible person within 14 days of the application.
- (c) If the Cultural Director determines that the proposal is for an undertaking, the Cultural Director shall transmit the proposal to the Preservation Office Staff who is responsible for conducting a review.
- (d) The Preservation Office Staff will conduct a literature and oral history search and a field survey, when necessary, and will notify the Cultural Director of its findings.
- (e) Once the Cultural Director has been notified by the Preservation Office Staff of its findings and recommendations based on such investigation, the Cultural Director shall bring the application before the Preservation Board for evaluation and review.
- (f) The Preservation Board shall review all applications. The Preservation Board shall either approve, approve with modifications or alternatives, or disapprove an application and shall state its decision in writing to the responsible person.
- (g) Upon approval or upon approval with modification or alternatives, the Cultural Director shall forward to the responsible person a permit which shall relate to the plan for the undertaking approved by the Preservation Board, and which may include provisions for avoidance or mitigation of adverse impacts associated with the undertaking or require an on-site monitor.

- (h) This Section 4 process should be completed prior to the approval of the expenditure of any Federal or Tribal funds on the undertaking or prior to the issuance of any Federal or Tribal license or permit. This does not bar any expenditure of funds on any non-destructive planning activities preparatory to an undertaking before complying with this Section 4. The responsible person should ensure that the Section 4 process is initiated early in the planning stages of the undertaking, when the widest feasible range of alternatives is open for consideration.

Section 5. Emergencies.

- (a) All or part of a person's responsibilities under this Ordinance may be waived if the responsible person determines that emergency action is necessary to prevent imminent harm to preserve human life or property and that such emergency action would be impeded if the responsible person was required to concurrently meet its cultural preservation activities and if the responsible person implements such measures or procedures as are possible in the circumstances to avoid or minimize harm to cultural resources.
- (b) Waiver under Section 5(a), Part III shall not exceed the period of time during which the emergency circumstance necessitating the waiver exist.
- (c) The responsible person shall notify the Cultural Director in writing of the emergency undertaking within fourteen days of commencement of such undertaking. The notice shall include:
 - (1) the natural disaster or event necessitating emergency action; and
 - (2) a description of the measure(s) taken to avoid or minimize harm to cultural resources or reasons why such measures were not taken.

Section 6. Modification or Revocation of Permit.

The Preservation Board may, upon a finding of non-compliance or upon a finding of necessity,

either modify or revoke a permit after the responsible person has been afforded notice and an opportunity to be heard.

Section 7. On-Site Monitors and Fees

- (a) The Preservation Board may determine at its discretion that an on-site monitor is needed to insure the integrity of the undertaking and/or to protect any, Cultural items, Burial sites, Burial materials, Archaeological resources, Human skeletal remains, or Religious sites. The Board shall not be limited in its determination to require an on-site monitor and,
- (b) The amount of the fee shall be fixed from time to time by Preservation Board Policy, shall take into account the scope of the proposal, shall be reasonable and,
- (c) The fees for the monitor shall be paid by the responsible person.

**PART V
NATIVE AMERICAN GRAVES PROTECTION
AND REPATRIATION ACT**

Section 1. Implementation

- (a) The Native American Graves Protection and Repatriation Act (NAGPRA) provides for the protection of Native American graves and for the return and repatriation of human remains, associated and unassociated funerary objects, sacred objects and objects of cultural patrimony. It is the policy of the Tribe to support the enforcement and implementation of this Act.
- (b) The Snoqualmie Cultural Committees and the Preservation Board are vested with the authority to implement and administer the provisions of NAGPRA.
- (c) The Snoqualmie Committees and the Preservation Board are authorized to consult with Federal, State and local agencies and others, regarding the proper handling and

disposition of human remains, associated and unassociated funerary objects, sacred objects and objects of cultural patrimony.

- (d) The Tribal Council, upon recommendation of the Snoqualmie Committees and the Preservation Board may issue rules regarding the proper treatment and handling of human skeletal remains and cultural items, and procedures for the reinternment of human skeletal remains.

Section 2. Inadvertent Discovery of Cultural Items.

- (a) Any person who knows or has reason to know of the discovery of Native American cultural items, including human skeletal remains on Federal lands within the Tribes' aboriginal territory and all lands within the exterior boundaries of the Snoqualmie Reservation shall immediately contact the Cultural Director.
- (b) If the discovery occurred in connection with an activity, including but not limited to, construction, mining, logging, and agriculture, the person shall cease activity in the area of the discovery, and make all reasonable efforts to protect the items discovered.
- (c) The activity may resume only after consultation with the Tribal Cultural Committees and the Preservation Board and after an agreement has been reached between the Tribal Council Cultural Committees, the Preservation Board and the landowner on whether the cultural items can be preserved in situ or whether they need to be removed. This consultation must be completed within thirty days of notice of the discovery to the Cultural Director, unless the landowner agrees to a longer period.
- (d) The disposition and control of human remains and cultural items removed under this section shall be determined in accordance to the priority established in Section 3002(a) of NAGPRA.

Section 3. Intentional Excavation.

- (a) Any person who proposes an undertaking within the exterior boundaries of the

Snoqualmie Reservation which may result in the excavation of human skeletal remains or cultural items shall apply for a permit pursuant to Part III of this Ordinance.

- (b) Federal agency officials who are required to give notice and consult with the Snoqualmie Tribe regarding undertakings within the Tribes' aboriginal territory which may result in the excavation of human skeletal remains or cultural items shall provide notice to the Cultural Director.

Section 4. Enforcement.

Violations of this part may be enforced in accordance to Part VI of this Ordinance and the Tribe may also request the U.S. Attorney or the Department of Interior pursue appropriate penalties in accordance to NAGPRA.

**PART VI
CONFIDENTIALITY AND DISCLOSURE**

- (a) A determination regarding the nature and culture significance of cultural resources may involve the use of sensitive and confidential information regarding Tribal customs, beliefs, practices, and traditions. Such information is of a highly specialized and personal nature and sometimes held by only a few individuals in the Tribe. According to Tribal beliefs and customs, such information is not readily shared and is considered proprietary and confidential. Public disclosure of this type of information could cause severe harm and loss to Tribal culture and cultural resources.
- (b) In developing the required database and record system required under this Ordinance, and in identifying and documenting cultural properties, the Cultural Director and Preservation Office Staff will use methods which require only minimal disclosure of sensitive cultural and religious information necessary to meet the purpose and needs of this Ordinance. Release of sensitive data will be restricted and access to this data will be made on a case-by-case basis.

- (c) The Culture Committees and the Cultural Director shall withhold from disclosure to the public, information about the location, character, or ownership of a cultural resource if the Director of the Committee or the Cultural Director determines that disclosure may:
 - (1) cause a significant invasion of privacy;
 - (2) risk harm to the cultural resource; or
 - (3) impede the use of a religious site by practitioners.

PART VII ENFORCEMENT

Section 1. Inspection.

The Cultural Director or his duly authorized agent may inspect any undertaking for the purpose of determining compliance with this Ordinance, its implementing regulations, or permit terms and conditions.

Section 2. Civil Penalties.

- (a) Except for emergency actions pursuant to Part IV section 5 of this code, any person who violates any prohibitions contained in a applicable regulation or permit issued under this Ordinance may be assessed a civil penalty by the Preservation Board. No penalty may be assessed under this subsection unless such person is given notice and opportunity for a hearing with respect to such violation. Each violation shall be a separate offense. Any such civil penalty may be remitted or mitigated by the Preservation Board.
- (b) The amount of such penalty shall be determined under regulations promulgated pursuant to this Ordinance, taking into account, in addition to other factors:
 - (1) the damages suffered, both economic and non-economic by Tribal members; and
 - (2) cost of restoring or replacing a traditional cultural property, burial site or archaeological resource or its equivalent, if possible; and
 - (3) enforcement cost associated with the enforcement of this Ordinance; and
 - (4) cost associated with the disposition of human skeletal remains or cultural items; and

- (5) cost associated with documentation, surveying, and evaluation of the religious site, burial site, traditional cultural property, or human skeletal remains or archaeological site to assess the characteristics of the site.
- (c) Such regulations shall provide that in the case of a second or subsequent violation by any person, the amount of such civil penalty will be double the amount which would have been assessed if such violation were a first violation by such person.
- (d) Any person aggrieved by an order assessing a civil penalty under subsection (1) may seek review of the Preservation Board's order pursuant to the Tribal Constitution Article X Section 2 subsection (a). Such petition for review may only be filed within 30 days after the date of the assessment order was issued.

Section 3. Other Remedies

Violations of this Ordinance may also be enforced in accordance with the remedies available under ARPA and NAGPRA, and the Tribe may request the assistance of the United States Attorney or other appropriate enforcement entity to pursue violations under those statutes.

PART VIII REVIEW, SEVERABILITY, EFFECTIVE DATE

Section 1. Administrative Appeal of Board Action

A person aggrieved by a final action of the Preservation Board may seek review of such action pursuant to procedures contained in this Ordinance, Part VII, Section 2, Subsection (d). For the purposes of Administrative review, a decision of the Board shall constitute final agency action, appealable to an administrative hearing examiner.

Section 2. Judicial Review.

- (a) The Tribal Court of the Snoqualmie Tribe shall have jurisdiction to hear and decide all causes arising under this Ordinance and implementing regulations and to hear appeals from the Preservation Board's action upon exhaustion of administrative remedies.

(b) The decision of the Tribal Court shall be final.

Section 3. Severability.

If any provision of this Ordinance or the applicability thereof is held invalid by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4. Effective Date.

This Ordinance shall become effective, pursuant to the terms of Article VIII Section (O), and (P) of the Tribes' Constitution, upon promulgation of implementing regulation by the Tribe.

Enacted by the Snoqualmie Tribal Council on this 22nd Day of April, 2004 in session duly met.

Joseph O. Mullen

Tribal Chairperson

Arlene Ventura

Tribal Secretary

Legislative History

Introduced on 04/08/04

Referred to Committee N/A

Reported on 04/08/04

Enacted by the Tribal Council on 04/22/04

With 5 FOR 0 AGAINST and 0 ABSTAINING

Rejected by a vote of ___ FOR ___ AGAINST and ___ ABSTAINING N/A.