

**THE
PORT GAMBLE
S'KLALLAM
TRIBAL COUNCIL
OF THE
PORT GAMBLE
S'KLALLAM TRIBE**

I.

WHEREAS, the Port Gamble S’Klallam Tribe entered into the Treaty of Point No Point with the United States of America on January 26, 1855, reserving sovereign, and aboriginal rights in perpetuity; and

II.

WHEREAS, the Port Gamble S’Klallam Reservation was proclaimed on June 16, 1938 to be an Indian reservation, held in trust by the federal government “...for the benefit and use of the Port Gamble Band of Clallam Indians...”, under the provisions of Section 5 of the Indian Reorganization Act, the purchase of which was paid in full by Tribe; and

III.

WHEREAS, the Port Gamble S’Klallam Tribe’s General Council delegated the Tribe’s primary legislative authority to the Tribal Council and the power to enact laws to protect the health, safety and welfare of all persons within the Tribe's jurisdiction, regulate land use, and manage, protect and regulate the use of all the Tribe's natural resources under Article IV, Section 3 (A, P, & S) of the Constitution of the Port Gamble S’Klallam Tribe, approved by the Secretary of Interior on July 7, 2007, amended by certified election July 8, 2013; and

IV.

WHEREAS, the Tribal Council seeks to protect the health, safety and welfare of the tribal community, employees, and visitors on tribal lands, and to protect tribal resources through the

adoption of design and construction standards applicable to all infrastructure, site work, and building construction projects on tribal lands which require a Title 24 permit.

V.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council hereby approves and adopts the Design and Construction Standards Policy attached to this resolution.

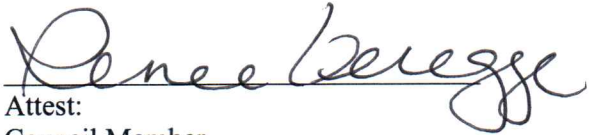
CERTIFICATION

WE HEREBY CERTIFY that on this date there was a regular meeting held of the Port Gamble S'Klallam Tribal Council on the Port Gamble S'Klallam Indian Reservation, at which time a quorum was present;

WE HEREBY CERTIFY that the above numbered resolution, was at said meeting, introduced, evaluated, and the vote was 3 FOR, 0 AGAINST, 0 ABSTAIN dated this 11 day of July, 2023.



Attest:
Council Member



Attest:
Council Member

Adopted by Resolution 23-P-073, July 11, 2023

Port Gamble S'Klallam Tribe

DESIGN AND CONSTRUCTION STANDARDS POLICY

This policy applies to all infrastructure, site work, and/or building construction projects conducted on tribal lands that are subject to the permit requirement in Title 24.

1) The Design, Construction, and Materials of Projects Requiring a Title 24 Permit Must Conform to the Following Standards (Current Edition Unless Otherwise Specified), if Applicable:

Infrastructure and Site Work Standards:

- Washington State Department of Ecology (DOE) *Criteria for Sewage Works Design*
- Revised Code of Washington (RCW) Title 18 and 90 (groundwater and wells)
- Kitsap Public Health District *Onsite Sewage System and General Sewage Sanitation Regulations* (Ordinance 2008A-01) and related Regulations and Policies
- Washington State Department of Health *Water System Design Manual*
- Washington State WAC, Title 173 (sewer, wells, solid waste) and Title 246 (water, fire flows, and sewer)
- American Water Works Association (AWWA) *Standards*
- American National Standards Institute (ANSI) *Standards* and protocols
- ASTM (formerly American Society for Testing and Materials) *Standards*
- Washington State DOE *Stormwater Management Manual for Western Washington*
- Washington State Department of Transportation (WSDOT) and Washington State Chapter of the American Public Works Association (APWA) *Standard Specifications for Road, Bridge and Municipal Construction*
- WSDOT/APWA *Standard Plans for Road, Bridge and Municipal Construction*
- WSDOT *Design Manual*
- WSDOT *Construction Manual*
- WSDOT *Traffic Manual*
- WSDOT *Utilities Manual*
- US Department of Transportation, Federal Highway Administration, *Manual on Uniform Traffic Control Devices* (MUTCD)
- Kitsap County Code Section 14.04.730 and Kitsap County Road Standards as they apply to fire apparatus access roads and fire hydrants - (Fire and emergency aid response is provided to the Reservation through an agreement with North Kitsap Fire and Rescue.)
- American Public Works Association (APWA), Washington Chapter, standards for plans, specifications, estimates, and contracting.
- American Association of State Highway and Transportation Officials (AASHTO) technical standards and guidelines

- International Code Council/ANSI A117.1 and ADA Standards for accessibility
- International Building Code (IBC) with Washington State amendments
- National Electrical Code (NEC) with Washington State amendments
- International Mechanical Code with Washington State amendments
- Uniform Plumbing Code with Washington State amendments
- International Fire Code with Washington State amendments
- National Fire Protection Association (NFPA) Codes and Standards

Building Construction Standards:

- International Building Code (IBC) with Washington State amendments
- International Residential Code (IRC) with Washington State amendments
- National Electrical Code (NEC) with Washington State amendments
- International Mechanical Code with Washington State amendments
- Uniform Plumbing Code with Washington State amendments
- International Fire Code with Washington State amendments
- National Fire Protection Association (NFPA) Codes and Standards
- 2015 Washington State Energy Code
- International Code Council/ANSI A117.1 and ADA Standards for accessibility
- American Society of Heating, Refrigeration, and Air Conditioning Engineering (ASHRAE) Standards and Guidelines

2) The Executive Director, in Consensus with the Planning Director, May Waive All or Part of the Above Adopted Standards in the Following Circumstances:

- a. When directed to do by the Tribal Council; or
- b. When application of the standard(s) to the project:
 - i. Would not improve human health, safety or welfare;
 - ii. Is not feasible; or
 - iii. Is not in the best interests of the Tribe.

3) Design and Construction of Infrastructure Projects Owned by a Non-Tribal Entity Shall Meet Design and Construction Standards of that Entity.

Infrastructure owned by a non-tribal entity includes, but is not limited to:

- a. Kitsap Public Utility District (drinking water and fiber optic)
- b. Puget Sound Energy (electrical power)
- c. CenturyLink (phone and data)
- d. Kitsap County Public Works (county roads)

4) A Washington State Registered Professional Engineer Must Review, Stamp and Sign, and Direct the Preparation of All Infrastructure and Site Work Plans and Specifications.

Infrastructure and site work includes, but is not limited to:

- a. Clearing and Grading
- b. Sewer, Water, and Drainage
- c. Roads

- d. Pedestrian Facilities
- e. Electric
- f. Data/Communications

5) A Washington State Registered Licensed Architect or Professional Engineer Must Review, Stamp and Sign, and Direct the Preparation of All Building Construction Plans and Specifications.

6) Applicants Seeking a Title 24 Permit for Infrastructure, Site Work, and/or Building Construction Must Provide All of the Following to the Planning Department, if Applicable:

- a. Certification from the lead engineer or architect that the plans are designed in compliance with all applicable standards included in this policy.
 - i. This certification must take the form of a list of all applicable standards shown on a stamped and signed plan sheet.
 - ii. The engineer's or architect's certification will be required as a condition of tribal Title 24 permit approval.
- b. Certification from the builder that the completed work is in compliance with the certified plans.
 - i. This certification must take the form of a signed document.
 - ii. Retainage shall not be released to the builder until certification is received.
- c. Any additional documents the Planning Department deems necessary to ensure compliance with this policy.