

Commencement Bay Tideland Owners Committee (CBTOC)

Ms 30

Background

Commencement Bay Tideland Owners Committee (CBTOC) formed in response to the Puyallup Tribe filing suit in federal court on June 13, 1984. The litigation was based upon ownership dispute between the Tribe and the Port of Tacoma and Union Pacific Railroad (UP). It was the Tribe's position that the Treaty of Medicine Creek in 1854 and two Presidential Executive Orders in 1857 and 1873 gave the Indians ownership of much of the lands on the Sitcum, Blair and Hylebos Waterways.

If the Tribe was successful in litigation, all the tideland properties within Commencement Bay could have reverted to Tribal ownership. On the other hand, if the Port and UP were successful in defending their title to their land, the Tribe could have brought suit against the other sites within the area. Therefore no land owner in the tidelands could ignore the litigation and actions of the Puyallups.

CBTOC's membership consisted of the Industrial Tideland owners. B. Corry McFarland of McFarland Cascade served as chairman of the committee and as a member of the Steering Committee. Craig B. Wattles from the Wattles Company was the Vice Chairman and member of the Steering Committee. Karl J. Anderson of Concrete Technology Corporation was Secretary/Treasurer and member of the Steering Committee. George Haddow of Hardware Distributing Company, Leo Kenzler of Fairliner Properties, and William Shortt of Shortt Saw and Knife Company were also members of the Steering Committee. Mark Hamilton served as manager of the committee. Warren Peterson was hired as counsel to prepare the committee's motion for intervention and related legal documents.

On December 30, 1985, CBTOC incorporated in the State of Washington. The purposes of the corporation were to promote and encourage a resolution of certain issues between the Puyallup Tribe of Indians, the United States of America, and certain local governments and private parties; to foster a spirit of understanding and cooperation between the Tribe and the non-Indian sector; and to seek and provide private sector employment opportunities for members of the Tribe. To achieve these purposes, the corporation undertook several activities that were necessary, proper, convenient, or incidental and not specifically disallowed by law.

Some of the activities CBTOC undertook included filing a motion for intervention in the dispute between the Tribe and the Port and UP, creating a Jobs Programs to help Indians find employment in the private sector, participating in the negotiations with the Indians, and testifying before House and Senate committees on Indian Affairs.

In 1988, a land settlement was approved by the Puyallup Tribe in exchange for dropping its court suit claiming ownership of Tacoma's business and industrial core. After two years of funding negotiations, the settlement was signed on March 24, 1990.

Scope and Content

The CBTOC records cover the years 1979-1993. The records are divided into eight record series: CBTOC, Historical File, Puyallup Tribe, Negotiations, Legal, Report, Agreement, and Settlement.

CBTOC files are arranged alphabetically and cover the years, 1979-1989. This series consists of incorporation documents, reports, correspondence, minutes, task force minutes, insurance policy correspondence, membership lists, published items, and a notebook.

Historical Files is divided into four parts. The series contains copies of historical documents regarding the boundaries of the Puyallup Indian Reservation.

The Puyallup Tribe files are arranged alphabetically and range from 1854-1993. The files contain information about the background of the reservation, the Tribe's constitution, published items, correspondence, legal briefs, and press releases.

Negotiations files are arranged alphabetically and cover the years, 1984-1990. Records include information on the structure and background of the negotiations, committee correspondence and minutes, mediation information and jobs program correspondence.

The Legal series covers the years, 1984-1989 and is arranged alphabetically. The records include non-Indian briefs, federal legislation, legal committee correspondence, and Washington State legislation.

Report files are arranged alphabetically and range from 1982-1989. The series includes reports about area wages, aquatic land policy, fisheries, history of the negotiations, and the volunteer jobs program.

The Agreement series is arranged chronologically from 1985 to 1988. Records include different drafts of agreements-in-principle, technical terms and proposed agreements.

Settlement files are arranged chronologically from 1984 to 1990. The series includes initial settlement offers, summaries of the settlement, a settlement task notebook, and copies of the final settlement.

Inclusive Dates: 1854-1993 (bulk 1984-1989)

Restrictions:

Volume: 3 linear feet

Accession Number:

Record Series 1: CBTOC

Box 1: CBTOC, 1979-1989.

Folder:

- 1 CBTOC, Incorporation, 1985-1986.**
- 2 CBTOC, Assessed Value.**
Note: Assessed values of members properties.
- 3 CBTOC, Audit Report, 1989.**
- 4 CBTOC, Committee Correspondence, 1984-1988 Part 1.**
- 5 CBTOC, Committee Correspondence, 1984-1988 Part 2.**
- 6 CBTOC, Committee Minutes, 1984-1987.**
- 7 CBTOC, Fiscal Impact State Title Insurance.**
- 8 CBTOC, Fisheries Task Force, 1985.**
- 9 CBTOC, Fisheries Technical Team, 1984-1985.**
- 10 CBTOC, Insurance Policies, 1984-1986 Part 1.**
- 11 CBTOC, Insurance Policies, 1984-1986 Part 2.**

- 12 **CBTOC, Intervention News and Information, 1984-1986.**
- 13 **CBTOC, Membership Lists, 1984-1986.**
- 14 **CBTOC, Monies Received, 1986.**
- 15 **CBTOC, Notebook.**
- 16 **CBTOC, Published Items, Indian Issues, 1979-1986.**
- 17 **CBTOC, Staff Committee, 1985.**
- 18 **CBTOC, Wallar Steering Committee EFF, October 1, 1984.**

Record Series 2: Historical File

Box 1: Historical File.

Folder:

- 19 **Historical File, Part 1.**
- 20 **Historical File, Part 2.**
- 21 **Historical File, Part 3.**
- 22 **Historical File, Part 4.**

Record Series 3: Puyallup Tribe

Box 1: Puyallup Tribe, 1854-1993.

Folder:

- 23 **Puyallup Tribe, Constitution.**
- 24 **Puyallup Tribe, Correspondence, 1984-1989.**
- 25 **Puyallup Tribe, Indian Land Claims, General, 1984-1987.**
- 26 **Puyallup Tribe, Land Claims, 1984.**
- 27 **Puyallup Tribe, Land Claims, Settlements, 1984.**
- 28 **Puyallup Tribe, Land Claims, Published Items, 1980-1986.**
- 29 **Puyallup Tribe, Land Claims, Published Items , 1980-1986, Part 2.**
- 30 **Puyallup Tribe, Land Claims, Published Items , 1980-1986, Part 3.**
- 31 **Puyallup Tribe, Land Claims, Published Items , Vol. 2, 1986-1990.**
- 32 **Puyallup Tribe, Land Claims, Published Items , Vol. 2, 1986-1990, Part 2.**
- 33 **Puyallup Tribe, Land Claims, Published Items , Vol. 2, 1986-1990, Part 3.**
- 34 **Puyallup Tribe, Legal Briefs, 1984-1985.**
- 35 **Puyallup Tribe, Press Releases, 1981-1985.**

- 36 **Puyallup Tribe, Puyallup River Bed, 1985.**
- 37 **Puyallup Tribe, Reservation Background Part 1, 1854-1973.**
Special Items: 1918, History of the Puyallup Reservation.
1918 Cushman Indian Schools.
- 38 **Puyallup Tribe, Reservation Background Part 2, 1979.**
Special Item: Draft, Natural Determinants Element Comprehensive Plan.
- 39 **Puyallup Tribe, Settlement Published Items, 1988-1993.**
Note: The folder contains newspaper articles published about the settlement and the effects of the settlement on the Puyallup Tribe a few years later.
- 40 **Puyallup Tribe, Tribal Employment Rights, 1986.**

Record Series 4: Negotiations

Box 1: Negotiations, 1984-1989.

Folder:

- 41 **Negotiations, Puyallup Land Claims Negotiations, Structure and Background, 1984-1985.**
- 42 **Negotiations, Land Claims Overview.**
Special Items: Memorandum of understanding.
Overview and background.
- 43 **Negotiations, Budget Committee, 1986-1989.**
- 44 **Negotiations, Core Group, 1986-1989.**
- 45 **Negotiations, Economic Development Task Force, 1984-1985.**

Box 2: Negotiations, 1984-1989.

Folder:

- 1 **Negotiations, Jobs Program, Part 1, 1984-1985.**
- 2 **Negotiations, Jobs Program, Part 2, 1984-1985.**
- 3 **Negotiations, Jobs Program, MIS Procedures Manual: Tacoma-Pierce Co. Employment and Training Consortium 1985.**
- 4 **Negotiations, Log Rafting, 1985.**
- 5 **Negotiations, Mediation Institute, 1984-1988.**
- 6 **Negotiations, Mediation Information, 1985.**
- 7 **Negotiations, Negotiating Team, 1984-1985.**
- 8 **Negotiations, Non-Indian Negotiations Committee, 1984-1988.**
- 9 **Negotiations, Non-Indian Negotiations Committee Correspondence, 1984-1985.**
- 10 **Negotiations, Notebook, 1985.**

- 11 **Negotiations, Press Releases, 1984-1987.**
- 12 **Negotiations, Schedules, 1985.**
- 13 **Negotiations, Steering Committee, 1985, Part 1.**
- 14 **Negotiations, Steering Committee, 1985, Part 2.**
- 15 **Negotiations, Steering Committee, 1986-1988.**
- 16 **Negotiations, Steering Committee, 1989.**
- 17 **Negotiations, Strategy Group, 1984-1985.**
- 18 **Negotiations, Strategy Group, 1986.**
- 19 **Negotiations, Strategy Group, 1987.**
- 20 **Negotiations, Strategy Group, 1988 Part 1.**
- 21 **Negotiations, Strategy Group, 1988 Part 2.**
- 22 **Negotiations, Strategy Group, 1989-1990.**
- 23 **Negotiations, Swan Creek Park, 1985.**
- 24 **Negotiations, Tribal Jurisdiction, 1985.**

Record Series 5: Legal

Box 2: Legal, 1984-1989.

Folder:

- 25 **Legal, Briefs, Non-Indian Part 1, 1984-1985.**
- 26 **Legal, Briefs, Non-Indian Part 2, 1984-1985.**
- 27 **Legal, Briefs, Non-Indian Part 3, 1984-1985.**
- 28 **Legal, Briefs, Non-Indian Part 4, 1984-1985.**
- 29 **Legal, Briefs, Non-Indian, 1987.**
- 30 **Legal, Briefs, Non-Indian, 1988.**
- 31 **Legal, Federal Legislation, 1989.**
 Note: Includes testimonies before the House Committee on Interior and Insular Affairs, Office of Indian Affairs and the Senate Select Committee on Indian Affairs.
- 32 **Legal, Federal Legislative Visits, 1985.**
- 33 **Legal, Federal Indian Land Claims, 1984-1985.**
- 34 **Legal, Jurisdiction Technical Team, 1984-1985.**

- 35 Legal, Legal Committee, 1984-1985.
- 36 Legal, Washington State Legislation, 1987-1989.

Record Series 6: Report

Box 2: Report, 1982-1989.

Folder:

- 37 Report, Area Wage Survey, September 1984, Pierce County.
- 38 Report, Aquatic Land Policy Plan (Draft), 1984.
- 39 Report, Biography, Puyallup Indian Tribe and Jurisdictional Claims.
- 40 Report, Fisheries Enhancement and Management Program for the Puyallup River Drainage and Estuary, December 1984.
- 41 Report, History of Negotiations, 1982-1989.

Box 3: Report, 1982-1989.

Folder:

- 1 Report, History of Negotiations, 1984.
- 2 Report, History of Negotiations, 1985.
- 3 Report, Occupation Title, 1984.
- 4 Report, The Puyallup Settlement: Key to Pierce County's Economic Future, 1989.
- 5 Report, Volunteer Jobs Program, 1986.

Record Series 7: Agreement

Box 3: Agreement, 1985-1988.

Folder:

- 6 Agreement, Agreement-in-Principle, July 17, 1985.
- 7 Agreement, Agreement-in-Principle, July 29, 1985.
- 8 Agreement, Agreement-in-Principle, August 12, 1985.
- 9 Agreement, Agreement-in-Principle, Draft # 1, September 11, 1985.
- 10 Agreement, Agreement-in-Principle, Draft # 2, September 11, 1985.
- 11 Agreement, Agreement-in-Principle, Draft # 7, September 23, 1985.
- 12 Agreement, Agreement-in-Principle, Draft # 9, October 1, 1985.
- 13 Agreement, Agreement-in-Principle, October 18, 1985.
- 14 Agreement, Proposed Agreement, January 9, 1986.

- 15 **Agreement, Proposed Agreement, Puyallup Tribe, Local Governments in Pierce County, Washington State, and the U.S.A., certain private property owners, 1988.**
- 16 **Agreement, Technical Documents, 1988.**
- 17 **Agreement, Proposed Agreement, Puyallup Tribe, Local Governments in Pierce County, Washington State, and the U.S.A., August 27, 1988**
- 18 **Agreement, Technical Terms, August 27, 1988.**
- 19 **Agreement, Proposed Agreements, May 2, 1988, May 9, 1988, May 26, 1988.**
- 20 **Agreement, Documents 1-6 Draft, May 26, 1988.**
- 21 **Agreement, Proposed Agreement, June 6, 1988.**

Record Series 8: Settlement.

Box 3: Settlement, 1984-1990.

Folder:

- 22 **Settlement, Initial Settlement Offers, 1984-1985.**
 Special Items: November 9, 1984, Potential Elements of a Settlement Package.
 March 1, 1985, Settlement Proposal.
- 23 **Settlement, Alternatives, 1984-1987.**
- 24 **Settlement, Initial, 1985.**
- 25 **Settlement, Summary of Settlement, 1985.**
- 26 **Settlement, Proposal from the Public and Private Sectors Committee on a Settlement of Land Claims of the Puyallup Indian Tribe, 1985.**
- 27 **Settlement, Puyallup Tribal Settlement, 1988-1990.**
 Special Items: Settlement, State participation.
 Settlement, Federal participation.
- 28 **Settlement, Settlement Task Notebook, 1989.**
- 29 **Settlement, Puyallup Settlement Key to Pierce County's Economic Future - Private Sector Contributions: The Final Step, October 1989.**