

March 2, 2022

MEMORANDUM

To: Economic Development, Technology, and City Light Committee
From: Eric McConaghy, Analyst
Subject: Transfer of artifacts from Seattle City Light to the Upper Skagit Indian Tribe

On March 9, 2022, the Economic Development, Technology, and City Light Committee (Committee) will discuss and possibly vote on [Council Bill \(CB\) 120278](#) that would authorize the Mayor and the General Manager of Seattle City Light (City Light) to execute, for and on behalf of the City of Seattle (City), a memorandum of agreement (MOA) between the City, the Upper Skagit Indian Tribe (USIT), and the North Cascades National Park (NOCA) for the transfer of ownership and curation of precontact artifacts and associated faunal specimens (animal bone) found during excavation in Newhalem, Washington.

The precontact artifacts and associated faunal specimens are known as the precontact assemblage of an overall collection that also includes an historic assemblage related to Seattle history. Precontact archaeological resources are those that predate Native American contact with Europeans. City Light found and took ownership of all the items in the collection from the excavation for the Gorge Inn Restoration Project in Newhalem at the Skagit River Hydroelectric Project site in 2013. Generally, the precontact artifacts consist of stone tools, and the detritus from the production of stone tools, used in a variety of activities such as flint knapping and tool sharpening, cutting, scraping, chopping, pounding, wood splitting, piercing, drilling, and hunting.

City Light, based on ethnographic study, wishes to transfer the ownership of the precontact assemblage to the USIT as the successor of the ancestral occupants of the present-day Gorge Inn site. City Light consulted with USIT, the Sauk-Suiattle Indian Tribe (SSIT), the Swinomish Indian Tribal Community (SITC), the Washington Department of Archaeology and Historic Preservation (DAHP), and NOCA during the assembling of the precontact items. City Light, USIT and NOCA have provided notice of intent to SSIT, SITC and DAHP of Seattle's desire to transfer ownership of them to USIT.

USIT wants to obtain ownership of the precontact assemblage because they hold historic and cultural significance for USIT related to its ancestral winter house, *dawáylib*. NOCA currently houses and curates the artifacts, on loan from City Light, at its Complex Curation Facility, in Marblemount, Washington and would continue to curate them under the agreement. Under the agreement, City Light would reimburse NOCA for reasonable costs incurred to house and curate the artifacts.

Under Washington State law, City Light owns the items because it recovered them on its property. City Lights wishes to transfer ownership of the precontact assemblage to USIT while maintaining ownership of the historic assemblage of the collection. The Mayor and City Light may not execute the agreement to transfer City ownership without authorization from the Council.

If the Committee recommends passage of the legislation to the Council on March 9, then the Council could take final action on CB 120278 as soon as March 15, 2022.

cc: Esther Handy, Director
Aly Pennucci, Deputy Director