

# CITY OF TOPPENISH

21 West First Avenue  
Toppenish, WA 98948

"Where the West Still Lives"

January 20, 2006

SECTION 1813 Row Study  
Attn: Mr. Darryl Francois  
Office of Indian Energy and Economic Development  
1849 C Street, NW  
Mail Stop 2749-B  
Washington, D.C. 20240

Dear Mr. Francois,

We are pleased to learn that the federal government has determined that Indian reservations are appropriate locations for sorely needed energy resources for our county, and that forward movement is already in progress to develop a study of energy right-of-ways on reservations.

The City of Toppenish, however, calls early attention to the existence of multiple jurisdictions that exist within actual exterior boundaries of Indian reservations, many of which have high populations of non-tribal citizens located within municipalities and unincorporated areas of counties and respective States.

As an example, according to the Washington State Office of Financial Management 2005 population estimates, 86% of Washington State's population, 5,191,400 residents, are located in eleven counties of Washington that host 29 federally recognized Indian tribes (Benton, Clark, King, Kitsap, Pierce, Skagit, Snohomish, Spokane, Thurston, Whatcom, and Yakima).

More specifically in Yakima County, WA, the City of Toppenish is one of three state incorporated municipalities wholly located within the exterior boundaries of the Yakama Indian Reservation. Toppenish as a state municipality was congressionally "removed" from the Indian reservation, "free and clear of all Indian encumbrances" in 1907. The reservation population is approximately 55,000, of which 5,500 (10%) are actual enrolled tribal members. The City of Toppenish demographics are 80% Hispanic, 10% Native American, and 10% Caucasian. A full 90% of the Toppenish population is often directly impacted by federal decisions negotiated with the Yakama tribes. These local population percentages are similar in the eleven counties referenced above, and are also similar to the population statistics of 47 Indian reservations located within the Northwest alone (Idaho, Oregon, and Washington). Within the Western States, the Navajo Indian Reservation is an exception to the rule, having a predominantly Native American population.

For these reasons, we would urge the Indian Energy and Economic Development Departments (IEED) involved in the forthcoming Section 1803 Indian Energy Rights-of-Way study to identify *all* and consider other governing jurisdictions having regulatory authority within exterior

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boundaries of Indian Reservations. We believe that it is important to expand energy resource capabilities, including within the Indian reservations, without supplanting local governing authority with that of the federal or tribal governments.

Sincerely,

A handwritten signature in black ink, appearing to read "WL Rogers", with a long horizontal flourish extending to the right.

William L. Rogers  
Mayor