

MEMORANDUM OF UNDERSTANDING AMONG THE WASHINGTON STATE PARKS AND RECREATION COMMISSION OF THE STATE OF WASHINGTON, THE YAKIMA TRIBAL COUNCIL FOR THE CONFEDERATED TRIBES AND BANDS OF THE YAKIMA INDIAN NATION, AND THE NATIONAL PARK SERVICE FOR THE PRESERVATION AND DEVELOPMENT OF HISTORIC FORT SIMCOE (Mool-Mool) AS A STATE HISTORICAL MONUMENT.

WHEREAS, it is the desire of the Yakima Tribe, the Washington State Parks and recreation Commission, and the National Park Service to protect the historical values of Fort Simcoe *(Mool-Mool) and to insure its preservation and development, and

WHEREAS, the Washington State Parks and Recreation Commission, under authority of an act of the Washington State Legislature approved by the Governor March 21, 1947, has demonstrated active leadership in the preservation of State historic sites, and

WHEREAS, the Commission has expressed its desire by unanimous vote approved March 17, 1952 at Yakima, Washington, to preserve and develop historic Fort Simcoe (Mool-Mool) as a State Historical Monument, and

WHEREAS, the Secretary of the Interior, through the National Park Service, is empowered by the Historic Sites Act of August 21, 1935 (49 Stat. 666), and the Park, Parkway and Recreational Area Study Act of June 23, 1936 (49 Stat. 1894) to cooperate with State and other Federal agencies in carrying out the provisions of these Acts, and

WHEREAS, it is the mutual desire of the Yakima Tribal Council, the Washington State Parks and Recreation Commission, and the National Park Service to define more clearly the responsibilities of planning, developing, operating, and maintaining the historical features of Fort Simcoe (Mool-Mool) for the best interests

* Mool-Mool, "Bubbling Waters" is the Yakima Indian name for the Fort Simcoe site derived from the many springs on the area. The site, a favorite camping and meeting ground of the tribes and bands which became the Yakima Indian Nation by the Treaty of June 9, 1855, was always known among the Indians by the name "Mool-Mool" and the name persists to this day with the old Indians. This name should not be lost but should be linked to the name Fort Simcoe in recognition of the early Indian history.

of the Yakima Indian Nation, the State of Washington and the United States; and the Commission and the Tribal Council are desirous of obtaining the advice and assistance of the National Park Service, in an advisory and technical capacity, to this end,

NOW, THEREFORE, IT IS AGREED THAT in consideration of the foregoing and pursuant to the above-mentioned acts the parties hereto agree to and with each other as follows:

ARTICLE I. The Yakima Tribal Council agrees,

(a) That it hereby grants a permit or easement to the Washington State Parks and Recreation Commission for a suitable tract of land in and around Fort Simcoe, the boundaries of which are to be mutually agreed upon, for State historical monument purposes, such permit or easement to be in effect for as long as the area is needed and used for historical park purposes.

PROVIDED THAT, the Yakima Indian Nation through the Tribal Council reserves the right to sell their own arts and crafts of authentic character in the historical monument area and the right of free access to the area for all enrolled Yakima Indians.

PROVIDED FURTHER THAT a committee appointed by the Tribal Council (identity and membership of said committee to be kept current and furnished to the other parties of this agreement) shall be consulted in all matters relating to the presentation of the history of the Confederated Tribes and Bands of the Yakima Indian Nation in order to help guarantee the authenticity of such presentation.

ARTICLE II. The Washington State Park and Recreation Commission agrees:

(a) To designate in consultation with the committee of the Tribal Council the tract selected as the State historical monument.

(b) To provide funds for historical and archeological studies and for the preservation, maintenance, administration and rehabilitation of historic Fort Simcoe, (Mool-Mool)

(c) To develop an historical museum.

(d) To grant preference to Yakima Tribal members on employment opportunities at Fort Simcoe, (Mool-Mool).

(e) To give free access to Yakima Tribal members to the area.

(f) To permit sale of authentic Indian handicrafts by the Yakima Tribe in appropriate sales outlets at the area.

ARTICLE III. The National Park Service agrees,

(a) To undertake historical and archeological research upon request of the Washington State Parks and Recreation Commission, and in consultation with the committee of Tribal Council to determine the history, physical appearance, and character of Fort Simcoe, subject to the availability of donated funds for these purposes and of personnel to perform the work.

(b) To advise regarding preservation, rehabilitation and restoration plans, and the administration and interpretation of the area, as requested by the Commission in consultation with the committee of the Tribal Council and subject to the availability of funds and personnel for these purposes.

(c) To make annual inspections of the area as requested by the Commission or by the Yakima Tribal Council, subject to the availability of funds and personnel for these purposes.

(d) To perform other appropriate services as requested by the Commission subject to the availability of funds and personnel for these purposes.

ARTICLE IV. It is further understood and agreed that the purpose of the parties to this agreement is to preserve the integrity of historic Fort Simcoe, (Mool-Mool), including the historical significance and interest of the early Indian use and occupancy, the military occupancy and the Indian Service occupancy and to further public appreciation of its historical importance. To secure this

result a high degree of cooperation is necessary and the parties to this agreement mutually agree that they shall consult on all other matters of importance to the program.

In witness whereof, the parties hereto have executed this Memorandum this _____ day of _____.

YAKIMA TRIBAL COUNCIL

By _____
Chairman

WASHINGTON STATE PARKS AND RECREATION
COMMISSION

By _____
Director

NATIONAL PARK SERVICE

By _____
Director

ATTEST:

Secretary

Recommended for Approval

Date _____

Superintendent
Yakima Indian Agency

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RESOLUTION

WHEREAS, following many years of careful study and deliberation, the Yakima Tribal Council at a special meeting held on November 16, 1951, selected and appointed a special committee to meet with representatives of the Washington State Parks and Recreation Commission and the National Park Service to consider a plan and form of agreement for the preservation, restoration, development, and management, of Fort Simcoe (Mool-Mool) as an historic park or monument, and

WHEREAS, the committee selected by the Tribal Council has consulted with the State Parks and Recreation Commission, the National Park Service, interested tribal organizations and members, and

WHEREAS, the committee of the Tribal Council has prepared and presented to this Tribal Council an agreement, which is attached and made a part hereof, entitled:

MEMORANDUM OF UNDERSTANDING AMONG THE WASHINGTON STATE PARKS AND RECREATION COMMISSION OF THE STATE OF WASHINGTON, THE YAKIMA TRIBAL COUNCIL FOR THE CONFEDERATED TRIBES AND BANDS OF THE YAKIMA INDIAN NATION, AND THE NATIONAL PARK SERVICE FOR THE PRESERVATION AND DEVELOPMENT OF HISTORIC FORT SIMCOE (Mool-Mool) AS A STATE HISTORICAL MONUMENT.

NOW THEREFORE BE IT RESOLVED that the Yakima Tribal Council meeting at the Yakima Indian Agency, Toppenish, Washington this _____ day of May, 1952, a quorum being present, that the above described MEMORANDUM OF UNDERSTANDING is hereby adopted in behalf of the Confederated Tribes and Bands of the Yakima Indian Nation; PROVIDED that it is to be strictly understood that title to the tract selected shall remain in the Yakima Tribe and the agreement shall be effective only so long as the area shall be used for the purposes stipulated in said Memorandum of Understanding.

BE IT RESOLVED FURTHER that the Fort Simcoe (Mool-Mool) Committee shall continue as a committee of the Tribal Council and shall become a permanent committee to carry out the terms of the Memorandum of Understanding and shall represent the Tribe in selecting the actual area to be set aside as the Fort Simcoe (Mool-Mool) historic site; PROVIDED that no funds of the Yakima Tribe shall be expended or committed for the project (other than salaries and expenses of the committee members) without the express approval of the Yakima Tribal Council.

BE IT RESOLVED FURTHER that the Chairman and Secretary of the Tribal Council are hereby authorized in behalf of the Tribal Council to execute and sign any and all agreements to carry out the intent and purposes of this resolution and the attached Memorandum of Understanding which is a part hereof.

DONE AND DATED this _____ day of May 1952, by a vote of _____ for and _____ against.

Chairman, Yakima Tribal Council

ATTEST:

Secretary, Yakima Tribal Council

APPROVED: _____
(date)

Superintendent, Perry E. Skarra