

H. AGENCY AND TRIBAL CORRESPONDENCE

Agency Correspondence

The letters below are on file in the WSDOT Olympic Region Environmental Office.
Contact Paul Dreisbach or Ben Rampp at 360-570-6700.

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Federal Agencies

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September 21, 2012

Mr. Steve Landino
National Marine Fisheries Service
Habitat Program/Olympia Field Office
510 Desmond Drive SE, Suite 103
Lacey, WA 98503-1273

RE: SR 3 Belfair Bypass - Biological Assessment
Milepost 22.81 to 29.49
WSDOT Project No XL3793
Initiation of Informal Consultation

Dear Mr. Landino:

The Washington State Department of Transportation (WSDOT) is proposing to construct 6.68 miles of new state highway that would serve as bypass around the city of Belfair, WA. The project is located east of Belfair, Washington in Mason and Kitsap Counties.

In compliance with the Endangered Species Act (ESA), a National Marine Fisheries Service (NMFS) endangered species listing was generated by WSDOT on July 1, 2011. The listing indicated the potential presence of listed species under the ESA. After further investigation by means of site investigation, personal communications with local fish and wildlife authorities, and review of pertinent literature, it was determined that Hood Canal summer-run chum salmon, Puget Sound Chinook salmon and Puget Sound steelhead and critical habitat for Chinook and chum are the species/habitat regulated by the NMFS that may occur within the project action area. The WSDOT also evaluated the presence of Essential Fish Habitat (EFH) as required by the Magnuson Stevens Fishery Conservation and Management Act (MSA).

The Belfair Bypass Project will construct a two-lane limited access highway on a new alignment to the east of existing State Route (SR) 3. The major portion of the highway would run through Mason County and the northern end would be in Kitsap County. The proposed bypass will be the main line SR 3 and the existing SR 3 will become a "Business Loop" serving downtown Belfair, SR 106, SR 300, and Old Belfair Highway. The proposed design speed of the bypass will be 60 miles per hour and the posted speed will be 55 miles per hour.

Mr. Landino, NMFS
September 21, 2011
Page 2 of 2

The proposed alignment will begin at milepost (MP) 22.81 on SR 3 and connects back at MP 29.49. The north end connection to existing SR 3 is proposed at Lake Flora Road and the south connection is just south of the intersection with SR 302. The length of proposed bypass corridor will be 6.68 miles. The bypass configuration would consist of two 12-foot lanes with 8-foot shoulders. The approximate width of the right-of-way is 120 feet.

WSDOT has determined that the project activities, as proposed, warrants an effect determination of “*may affect, not likely to adversely affect*” for Hood Canal summer-run chum, Puget Sound Chinook and Puget Sound steelhead. The project activities, as proposed, warrant an effect determination of “*may affect, not likely to adversely affect*” for Hood Canal summer-run chum and Puget Sound Chinook designated critical habitat. In addition, the project will have “no adverse effect” on EFH for Pacific Salmon and groundfish.

We will continue to remain aware of any change in the status of these species and/or the project and we will be prepared to re-evaluate potential project impacts if necessary. It is our understanding that with Federal concurrence this satisfies our responsibilities under the MSA and Section 7(c) of the ESA at this time.

Please call Hans Purdom at (360) 570-6737, should you require additional information or have any questions regarding this project.

Sincerely,

Carl Ward
Biology Program Manager
Olympic Region

CWW:hp:mas

Enclosure: Biological Assessment

cc: Dean Moberg, w/enclosure, FHWA
Carl Ward, w/enclosure, WSDOT
Hans Purdom, w/enclosure, WSDOT
Project File, w/enclosure
SF09212012 (6471)

September 21, 2012

Mr. Ken Berg
U.S. Fish and Wildlife Service
510 Desmond Drive SE, Suite 102
Lacey, WA 98503

RE: SR 3 Belfair Bypass - Biological Assessment
Milepost 22.81 to 29.49
WSDOT Project No XL3793
Initiation of Informal Consultation

Dear Mr. Berg:

The Washington State Department of Transportation (WSDOT) is proposing to construct 6.68 miles of new state highway that would serve as bypass around the city of Belfair, WA. The project is located east of Belfair, Washington in Mason and Kitsap Counties.

In compliance with the Endangered Species Act (ESA), a US Fish and Wildlife Service (USFWS) endangered species listing was generated by WSDOT on July 1, 2012. The listing indicated the potential presence of listed species under the ESA. After further investigation by means of site investigation, personal communications with local fish and wildlife authorities and review of pertinent literature, it was determined that Coastal/Puget Sound bull trout, bull trout critical habitat and marbled murrelet are the only species/habitats regulated by the USFWS that may occur within the project action area.

The Belfair Bypass Project will construct a two-lane limited access highway on a new alignment to the east of existing State Route (SR) 3. The major portion of the highway would run through Mason County and the northern end would be in Kitsap County. The proposed bypass will be the main line SR 3 and the existing SR 3 will become a "Business Loop" serving downtown Belfair, SR 106, SR 300, and Old Belfair Highway. The proposed design speed of the bypass will be 60 miles per hour and the posted speed will be 55 miles per hour.

The proposed alignment will begin at milepost (MP) 22.81 on SR 3 and connects back at MP 29.49. The north end connection to existing SR 3 is proposed at Lake Flora Road and the south connection is just south of the intersection with SR 302. The length of proposed bypass corridor will be

Mr. Ken Berg, FHWA
September 21, 2012
Page 2 of 2

6.68 miles. The bypass configuration would consist of two 12-foot lanes with 8-foot shoulders. The approximate width of the right-of-way is 120 feet.

WSDOT has determined that the project activities, as proposed, warrants an effect determination of “*may affect, not likely to adversely affect*” for coastal\Puget Sound bull trout, bull trout critical habitat and marbled murrelet. In addition, a “*no effect*” determination is warranted for marbled murrelet designated critical habitat.

We will continue to remain aware of any change in the status of these species and/or the project and we will be prepared to re-evaluate potential project impacts if necessary. It is our understanding that with Federal concurrence this satisfies our responsibilities under Section 7(c) of the ESA at this time.

Please call Hans Purdom at (360) 570-6737, should you require additional information or have any questions regarding this project.

Sincerely,

Carl Ward
Biology Program Manager
Olympic Region

CWW:hp:mas

Enclosure: Biological Assessment

cc: Dean Moberg, w/enclosure, FHWA
Carl Ward, w/enclosure, WSDOT
Hans Purdom, w/enclosure, WSDOT
Project File, w/enclosure
SF09142012 (6472)

State Agencies

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**Washington State
Department of Transportation**

Paula J. Hammond, P.E.
Secretary of Transportation

Transportation Building
310 Maple Park Avenue SE
Olympia, WA 98504-7300
360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

August 11, 2011

Allyson Brooks, Ph. D.
State Historic Preservation Officer
Washington Department of Archaeology and Historic Preservation
PO Box 48343
Olympia, WA 98504-8343

RE: SR 3 Belfair Bypass, Section 106 Consultation and Area of Potential Effects

Dear Dr. Brooks:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing an undertaking to address an identified transportation need in Mason and Kitsap County. In order to ensure that WSDOT takes into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places, WSDOT is initiating formal Section 106 consultation pursuant to 36 CFR 800.2(c)(4). We are inviting you to comment on the Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act (16 USC 470f) and 36 CFR 800.

The Belfair Bypass will be a new two-lane 6.68-mile long alignment located east of SR 3. The southern end of the bypass departs from SR 3 just south of the SR 302 intersection, at SR 3 MP 22.81, and varies to approximately 3000 feet east of existing SR 3. The highway passes through the eastern portion of the Alta Neighborhood, severing the connection to several properties. Two local roads will be constructed, one on either side of the Bypass, to reconnect these properties. The two local roads and the Bypass will meet at a 4-way non-signalized intersection at about MP 23.79. The bypass then converges back to SR 3 at MP 29.49, at the intersection with Lake Flora Road. The bypass will be located within Township 22 N, Range 1 W, Sections 5, 7, 8 and 17; and Township 23 N, Range 1 W, Sections 15, 21, 22, 27, 28, 32, and 33. The major portion of the highway would run through Mason County and the northern end would be in Kitsap County.

The only work currently funded for the Belfair Bypass project is compilation of the environmental documentation. It is unknown when funding will be provided for right of way acquisition and construction.

We define the APE as the 120-foot-wide right-of-way corridor required to build the bypass, where direct effects may occur, as well as an area of potential indirect effects, typically extending beyond the right-of-way corridor by 150 feet in each direction. There are places where the direct and indirect effect areas are larger, due to connections at the ends of the project and with local roads, and due to stormwater pond locations.

Dr. Allyson Brooks
August 11, 2011
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This project is also expected to require a permit from the U.S. Army Corps of Engineers (USACE), and this consultation is intended to meet the Section 106 obligations of both FHWA and the USACE. Please note that the USACE-defined APE will be based on their regulated area of jurisdiction and it may be different than the APE as defined by FHWA.

We invite you to review and comment on the project's APE, as shown on the enclosed map. WSDOT is also inviting comments from interested tribes. We appreciate your review so that we may continue the cultural resources studies. Should you have any questions about this project, you may contact me at (360) 570-6388 or by e-mail at kiersro@wsdot.wa.gov.

Sincerely,



Roger Kiers
WSDOT Archaeologist
Environmental Services Office

Enclosures: APE Map (2 pages total)
Vicinity Map

cc: Dean Moberg, FHWA, w/enclosures, MS 40943
Karen Boone, w/enclosures, MS 47375
Kevin Workman, w/enclosures, MS 47417
Project File, w/enclosures



**Washington State
Department of Transportation**

Paula J. Hammond, P.E.
Secretary of Transportation

Transportation Building
310 Maple Park Avenue SE
Olympia, WA 98504-7300
360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

January 30, 2012

Allyson Brooks, Ph.D.
State Historic Preservation Officer
Department of Archaeology & Historic Preservation
PO Box 48343
Olympia, WA 98504-8343

Log: 092111-05-FHWA
RE: SR 3 Belfair Bypass Project, Mason and Kitsap County
Determination of No Effect

Dear Dr. Brooks:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is continuing to develop an undertaking to address an identified transportation need in Mason and Kitsap County. We invite you to review the enclosed cultural resources survey report prepared for this undertaking.

In order to ensure we take into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places, WSDOT is continuing formal consultation pursuant to compliance with Section 106 of the National Historic Preservation Act (16 USC 470f). Enclosed is a CD containing the Cultural Resources Discipline Report prepared for the project by WSDOT.

The enclosed report supplements earlier studies for the proposed bypass project with additional background research and field survey. Based on the available environmental, historical, and archaeological data, most of the project APE appears to have low potential for significant cultural resources. Survey of most of the APE was limited to a pedestrian survey to visually inspect accessible areas such as logging roads, recreational off-road trails, logged-off forested areas, open forest, and open non-forested areas. Additional efforts were made to reach identified wetlands and locations of documented travel routes, where cultural resources potential was considered to be higher. Shovel probes were excavated in four of these areas.

The only historic cultural resources identified by this survey within the APE are a concrete foundation (45MS200) and the Shelton-Kitsap No. 2 115-kV Transmission Line. No pre-contact resources were identified. Site 45MS200 is not considered eligible for listing in the National Register of Historic Places (NRHP). The Transmission Line has been previously determined eligible for listing in the NRHP; the Belfair Bypass project would pass under the

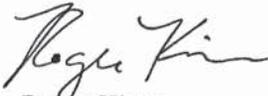
Dr. Allyson Brooks
January 30, 2012
Page 2

transmission lines, which would continue to function as originally intended, and would not require alterations to any towers. Therefore, the project would not affect the Transmission Line.

Based on the results of this survey, no historic properties will be affected, directly or indirectly, by construction or operation of the project as it is currently designed. Major design changes during the life of this project may require additional cultural resources evaluation. In these instances, the APE will be adjusted and reviewed by the Section 106 consulting parties, potential historic properties will be identified and evaluated, and the results of additional investigations will be described in addendum reports.

We request your review of the enclosed report and concurrence with our determination that no historic properties will be affected by the project. If you have questions or comments regarding the proposed project, you may contact me by phone at 360-570-6638, or by email at kiersro@wsdot.wa.gov.

Sincerely,



Roger Kiers
WSDOT Archaeologist

Enclosures:

Cultural Resources Discipline Report prepared by WSDOT, PDF on CD

Cc: Jeff Sawyer, WSDOT, w/o enclosures

Received

SEP 21 2011

Environmental Services
Mottman

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
 Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
 (360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

September 21, 2011

Mr. Roger Kiers
 Cultural Resources Specialist
 WSDOT, Olympic Region
 P.O. Box 47332
 Olympia, WA 98512-7332

In future correspondence please refer to:

Log: 092111-05-FHWA
 Property: SR 3 Belfair Bypass
 Re: Archaeology - APE Concur

Dear Mr. Kiers:

We have reviewed the materials forwarded to our office for the above referenced project. Thank you for your description of the area of potential effect (APE) for the project. We concur with the definition of the APE. We look forward to the results of your cultural resources survey efforts, your consultation with the concerned tribes, and receiving the survey report. We would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4) and the survey report when it is available.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer in conformance with Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to review and comment. If you have any questions, please feel free to contact me.

Sincerely,

Lance Wollwage, Ph.D.
 Transportation Archaeologist
 (360) 586-3536
lance.wollwage@dahp.wa.gov





STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

February 16, 2012

Mr. Roger Kiers
Cultural Resources Specialist
WSDOT, Olympic Region
P.O. Box 47332
Olympia, WA 98512-7332

In future correspondence please refer to:
Log: 092111-05-FHWA
Property: SR 3 Belfair Bypass
Re: Archaeology - No Historic Properties

Dear Mr. Kiers:

Thank you for contacting our office and providing a copy of the cultural resources survey report. We concur with your professional recommendations: Site 45MS200 is not eligible for listing on the National Register of Historic Places, and the no historic properties in the project APE, as currently defined, will be affected. We note that you expect the APE to include additional areas as the project plans evolve, and we look forward to any needed consultation and survey to cultural resource issues.

We would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4).

These comments are based on the information available at the time of this review and on the behalf of the State Historic Preservation Officer in conformance with Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800.

Should additional information become available, our assessment may be revised. In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop, the area secured, and this office and the concerned tribes notified.

Thank you for the opportunity to review and comment. If you have any questions, please contact me.

Sincerely,

Lance Wollwage, Ph.D.
Transportation Archaeologist
(360) 586-3536
lance.wollwage@dahp.wa.gov



DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

Protect the Past, Shape the Future

Tribal Correspondence

Purpose and scope of consultation

Through the consultation exchange of letters following, we want to ensure that the Tribal Governments are afforded the opportunity to:

- Identify any concerns they may have regarding the effects of the proposed undertaking on historic properties;
- Advise FHWA and WSDOT on the identification and evaluation of historic properties, including those of traditional religious and cultural importance;
- Express their views on the undertaking's effects on such properties; and,
- Participate in the resolution of any adverse effects which the undertaking might have on their properties.

The first step in the Section 106 process, prior to the identification and evaluation of historic properties, is to identify the area of potential effect. Area of potential effect means the geographic area or areas within which the proposed undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. The participation by the tribes as a consulting party in determining the area of potential effect is critical and is invited. Once this area has been defined, a cultural resources survey will be initiated. If the tribe has information about traditional cultural areas that might be affected by the proposed undertaking, their input will be a valuable contribution to the cultural resources survey effort.

Once historic properties have been identified and evaluated for their historical significance in accordance with the criteria of the Keeper of the National Register of Historic Places, the effects of the proposed undertaking on any properties determined to be listed in or eligible for listing in the National Register are assessed. The tribe's participation in this effort is invited.

As defined by the Advisory Council on Historic Preservation, consultation means "... the process of seeking, discussing, and considering the views of other participants and, where feasible, seeking agreement with them regarding matters arising in the section 106 process."

Consultation is fundamental to the process of seeking ways to avoid, minimize or mitigate the effects of the undertaking on historic properties. Consequently, the tribe's active participation as a consulting party in the proposed undertaking is encouraged.

The letter exchange to document our consultation efforts follows. An example letter is also included following the letter exchange.

Appendices

08-11-2011

From: WSDOT

To: Jamestown S’Klallam Tribe
Lower Elwha Klallam Tribe
Port Gamble S’Klallam Tribe
Puyallup Tribe
Skokomish Tribe
Squaxin Island Tribe
Suquamish Tribe

FHWA & WSDOT is initiating government-to-government consultation with the tribes under Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. We ask that you review and comment on the enclosed APE.

12-07-2011

From: WSDOT

To: Jamestown S’Klallam Tribe
Lower Elwha Klallam Tribe
Port Gamble S’Klallam Tribe
Puyallup Tribe
Skokomish Tribe
Squaxin Island Tribe
Suquamish Tribe

Enclosed for your review and comment, is a copy of the Belfair Bypass cultural resources discipline report containing test excavations evaluation and research of historical data.



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

Olympic Region

Environmental & Hydraulic Services Office
6639 Capital Blvd. SW Suite 302, Tumwater
PO Box 47417
Olympia, WA 98504-7417

August 11, 2011

360-570-6700 / Fax 360-570-6697
TTY: 1-800-833-6388
www.wsdot.wa.gov

The Honorable Herman Dillon, Sr., Chairman
Puyallup Tribe
3009 Portland Avenue
Tacoma, Wash. 98404

**RE: SR 3 Belfair Bypass
NEPA and Section 106 Consultation &
Area of Potential Effects**

Dear Chairman Dillon,

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing an undertaking to address an identified transportation need in Mason County and Kitsap County. The Belfair Bypass will be a new two-lane 6.68-mile long alignment located east of SR 3, and will require 120 feet of right of way. The southern end of the bypass departs from SR 3 just south of the SR 302 intersection, at SR 3 MP 22.81, and varies to approximately 3000 feet east of existing SR 3. The highway passes through the eastern portion of the Alta Neighborhood, severing the connection to several properties. Two local roads will be constructed, one on either side of the Bypass, to reconnect these properties. The two local roads and the Bypass will meet at a 4-way non-signalized intersection at about MP 23.79. The bypass then converges back to SR 3 at MP 29.49, at the intersection with Lake Flora Road. The bypass will be located within Township 22 N, Range 1 W, Sections 5, 7, 8 and 17; and Township 23 N, Range 1 W, Sections 32, 33, 28, 27, 21, 22 and 15. The major portion of the highway would run through Mason County and the northern end would be in Kitsap County. The vicinity map is attached.

FHWA and WSDOT would like to initiate government-to-government consultation with the Puyallup Tribe for this project. WSDOT has entered into the Environmental Review phase of this project, and plans to prepare an Environmental Assessment under the National Environmental Policy Act (NEPA). Among other issues, we would like consultation to address Cultural and Historic Resources pursuant to Section 106 of the National Historic Preservation Act 36 CFR 800.2(c)(4). Recognizing the government-to-government relationship the FHWA has with the tribe, they will continue to play a key role in this undertaking as the responsible federal agency.

This project requires a permit from the US Army Corps of Engineers (USACE), so this consultation will also serve to meet their Section 106 responsibilities. However, since WSDOT has been delegated the authority to initiate consultation and we will be directly managing the Cultural Resources Studies and carrying out this undertaking, you may contact us at any time for assistance with the process and/or the undertaking. Should you prefer to consult with the USACE, you may send comments to the USACE directly.

The Honorable Herman Dillon, Sr., Chairman
August 11, 2011
Page 2 of 2

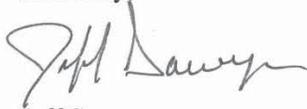
The only work currently funded for the Belfair Bypass project is compilation of the environmental documentation. It is unknown when the funding will be available for right-of-way acquisition and construction.

We initially define the Area of Potential Effects (APE) as the 120-foot-wide right-of-way corridor required to build the bypass, where direct effects may occur, as well as an area of potential indirect effects, typically extending beyond the right-of-way corridor by 150 feet in each direction. There are places where the direct and indirect effect areas are larger, due to connections at the ends of the project and with local roads, and due to stormwater pond locations.

We ask that you review and comment on the enclosed APE, identify any Traditional Cultural Properties that may exist within the project's APE, and identify any key tribal contacts. Should you have any comments regarding the APE, please provide a response by September 7, 2011, so that we may discuss this undertaking and any identified areas of interest.

Thank you for taking the time to consider these requests. In the meantime, should you have any questions, please contact Kevin Workman at (360) 570-6730, or by e-mail at WorkmaK@wsdot.wa.gov, or you may contact me directly at (360) 570-6701.

Sincerely,



Jeff Sawyer
Environmental & Hydraulic Manager
Olympic Region

JBS:kw:pr

Enclosures: Purpose and Scope
Vicinity Map
Area of Potential Effects Map (2 sheets)

cc: Brandon Reynon, Tribal Cultural Resources, w/enclosures
Bill Sullivan, Tribal Natural Resources, w/enclosures
Beth Coffey, US Army Corps of Engineers, w/enclosures
Diane Lake, US Army Corps of Engineers, w/o enclosures
Dean Moberg, FHWA, w/enclosures, MS: 40943
Scott Williams, WSDOT Cultural Resources Office, w/enclosures, MS: 47332
Project File, w/enclosures



**Washington State
Department of Transportation**
Paula J. Hammond, P.E.
Secretary of Transportation

Olympic Region

Environmental & Hydraulic Services Office
6639 Capital Blvd. SW Suite 302, Tumwater
PO Box 47417
Olympia, WA 98504-7417

December 7, 2011

360-570-6700 / Fax 360-570-6697
TTY: 1-800-833-6388
www.wsdot.wa.gov

The Honorable Herman Dillon, Sr., Chairman
Puyallup Tribe
3009 Portland Avenue
Tacoma, Wash. 98404

**RE: SR 3 Belfair Bypass
Milepost 22.81 to 29.49
Cultural Resources Discipline Report**

Dear Chairman Dillon:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is continuing to develop the subject undertaking to address an identified transportation need in Mason and Kitsap Counties. In order to ensure that we take into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places (NRHP), WSDOT is continuing formal Section 106 consultation pursuant to 36CFR800.2(c)(4). Enclosed for your review and comment, is a copy of the Belfair Bypass cultural resources discipline report containing test excavations evaluation and research of historical data, prepared by Roger Kiers of WSDOT, dated November 3, 2011.

WSDOT last contacted your tribe regarding the Belfair Bypass project in a letter dated August 11, 2011, where we ask that you review and comment on the Area of Potential Effect (APE). We also requested to identify any Traditional Cultural Properties that may exist within the project's APE. WSDOT has entered into the Environmental Review phase of this project, and plans to prepare an Environmental Assessment under the National Environmental Policy Act (NEPA). Among other issues, we would like consultation to address Cultural and Historic Resources pursuant to Section 106 of the National Historic Preservation Act 36 CFR 800.2(c)(4). Recognizing the government-to-government relationship the FHWA has with the tribe, they will continue to play a key role in this undertaking as the responsible federal agency.

This project will require a permit from the US Army Corps of Engineers (USACE), so this consultation will also serve to meet their Section 106 responsibilities. However, since WSDOT has been delegated the authority to initiate consultation and we will be directly managing the Cultural Resources Studies and carrying out this undertaking, you may contact us at any time for assistance with the process and/or

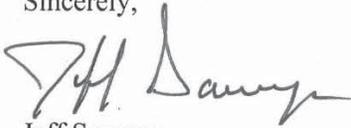
The Honorable Herman Dillon, Sr., Chairman
December 7, 2011
Page 2 of 2

the undertaking. Should you prefer to consult with the USACE, you may send comments to the USACE directly.

Please provide your comments on the enclosed discipline report by January 10, 2012 so that we may update the report if necessary.

We will continue consultation as this project develops. In the meantime, if you would like to meet to discuss the reports, or if you have any questions, please contact Harjit Bhalla at (360) 570-6704 or bhalla@wsdot.wa.gov.

Sincerely,



Jeff Sawyer
Environmental & Hydraulic Manager
Olympic Region

JBS:hb:pr

Enclosures: Cultural Resources discipline report, dated November 3, 2011

cc: Brandon Reynon, Tribal Cultural Resources, w/enclosures
Bill Sullivan, Tribal Natural Resources, w/enclosures
Beth Coffey, US Army Corps of Engineers, w/o enclosures
Diane Lake, US Army Corps of Engineers, w/o enclosures
Dean Moberg, FHWA, w/o enclosures, MS: 40943
Scott Williams, WSDOT Cultural Resources Office, w/o enclosures, MS: 47332
Project File, w/o enclosures
SF12052011(6178)

PURPOSE AND SCOPE OF CONSULTATION

Through consultation, we want to ensure that the tribe is afforded the opportunity to identify any concerns you may have regarding the effects of the proposed undertaking on historic properties; that you have a reasonable opportunity to advise the Federal Highway Administration and the Washington State Department of Transportation on the identification and evaluation of historic properties, including those of traditional religious and cultural importance; that you have the opportunity to express your views on the undertaking's effects on such properties; and, that the tribe is a participant in the resolution of any adverse effects which the undertaking might have on such properties.

The first step in the Section 106 process, prior to the identification and evaluation of historic properties, is to identify the area of potential effects. *Area of potential effects* means the geographic area or areas within which the proposed undertaking may directly or indirectly cause changes in the character or use of historic properties, if any such properties exist. Your participation as a consulting party in determining the area of potential effects is invited. Once this area has been defined, a cultural resources survey will be initiated. If the tribe has information about traditional cultural areas that might be affected by the proposed undertaking, your input will be a valuable contribution to the cultural resources survey effort.

Once historic properties have been identified and evaluated for their historical significance in accordance with the criteria of the Keeper of the National Register of Historic Places, the effects of the proposed undertaking on any properties determined to be listed in or eligible for listing in the National Register will be assessed. The tribe's participation in this effort is invited.

As defined by the Advisory Council on Historic Preservation, *consultation* means "...the process of seeking, discussing, and considering the views of other participants and, where feasible, seeking agreement with them regarding matters arising in the section 106 process." As such, consultation is fundamental to the process of seeking ways to avoid, minimize or mitigate the effects of the undertaking on historic properties. Consequently, your active participation as a consulting party in the proposed undertaking is encouraged.

