TRIBAL CORRESPONDENCE PURPOSE AND SCOPE OF CONSULTATION

APPENDIX E-3

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.
Page intentionally left blank
May 5, 2015

The Honorable Cynthia Iyall, Chairperson
Nisqually Tribe
4820 She-Nah-Num Dr SE
Olympia, WA 98513

RE: I-5 / JBLM Vicinity Improvement Project
Section 106 Consultation and Area of Potential Effects

Dear Chairperson Iyall:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is developing the I-5 / Joint Base Lewis-McChord (JBLM) Vicinity Improvement project to address a transportation need in Pierce 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, we are initiating formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4) under delegated authority from FHWA. We are inviting you to comment on the draft Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

The proposed project will make improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic traffic congestion and improve person and freight mobility. The improvements are proposed to be implemented in two phases, the first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion.

The first phase of improvements would include the following:
- Rebuild the interchange at Thorne Lane (exit 123)
- Rebuild the interchange at Berkeley Street (exit 122)
- Rebuild the interchange at Steilacoom DuPont Road (exit 119)
- Widen I-5 between Thorne Lane and Steilacoom DuPont Road to add one HOV lane both northbound and southbound
- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:
- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each
The Honorable Cynthia Iyall
May 5, 2015
Page 2

direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.

- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes.

The proposed project is located between I-5 milepost (MP) 116.5 and MP 124.8 in Section 3 of Township 18 North, Range 1 East; Sections 25, 34, 35, and 36 of Township 19 North, Range 1 East; and Sections 14, 15, 20, 21, 22, 28, 29, 30, and 31 of Township 19 North, Range 2 East. We initially define the APE as shown on the enclosed exhibits to include areas that would be directly impacted by the above improvements, as well as areas that may be indirectly affected. Areas of potential indirect effects were generally defined as extending one tax parcel out from the direct impact area, in all areas where tax parcels border the corridor. Where the corridor is bordered by large tracts of JBLM, the area of potential indirect effects has been drawn 200 feet from the edge of the proposed direct impact area.

We ask that you comment on the enclosed draft 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 draft APE, please provide a response by June 12, 2015 so we may discuss this undertaking and any identified areas of interest. Should you have any questions, please contact me at 360-570-6701, or by e-mail at SawyerJ@wsdot.wa.gov.

Sincerely,

[Signature]

Jeff Sawyer
Environmental & Hydriculture Manager
Olympic Region

JBS:pd:ip

Enclosures: Purpose and Scope
APE exhibits (6)

cc/w/enc: Jackie Wall, Nisqually Tribe Cultural Resources
Annette Bullchild, Nisqually Tribe Cultural Resources
David Troutt, Nisqually Tribe Natural Resources
Jim Longley, Nisqually Tribe Planning
Donna Tunispied, JBLM Cultural Resources Manager
Bill Elliott, WSDOT Olympic Region Plans Engineer
Project File
SF05052015 (7220)
May 5, 2015

The Honorable Bill Sterud, Chairperson
Puyallup Tribe
3009 Portland Ave
Tacoma, WA 98404

RE: I-5 / JBLM Vicinity Improvement Project
    Section 106 Consultation and Area of Potential Effects

Dear Chairperson Sterud:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is developing the I-5 / Joint Base Lewis-McChord (JBLM) Vicinity Improvement project to address a transportation need in Pierce 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, we are initiating formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4), under delegated authority from FHWA. We are inviting you to comment on the draft Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

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- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:
- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each
The Honorable Bill Steud-
May 5, 2015
Page 2

direction). These lanes would be in an express lane configuration together with
the HOV lanes built in the first phase:
• Revisions to the 41st Division/Main Gate interchange as needed to allow for the
  I-5 mainline lanes
• Possible revisions to the interchanges with Gravelly Lake Drive and Center
  Drive to allow for the I-5 mainline lanes.

The proposed project is located between I-5 milepost (MP) 116.5 and MP 124.8 in
Section 3 of Township 18 North, Range 1 East; Sections 25, 34, 35, and 36 of
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indirect effects were generally defined as extending one tax parcel out from the direct
impact area, in all areas where tax parcels border the corridor. Where the corridor is
bordered by large tracts of JBLM, the area of potential indirect effects has been drawn
200 feet from the edge of the proposed direct impact area.

We ask that you comment on the enclosed draft 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 draft APE, please provide a response by
June 12, 2015 so we may discuss this undertaking and any identified areas of interest.
Should you have any questions, please contact me at 360-570-6701, or by e-mail at
Sawyer.J@wsdot.wa.gov.

Sincerely,

Jeff Sawyer
Environmental & Hydraulic Manager
Olympic Region

JBS:pd:ip

Enclosures: Purpose and Scope
APE exhibits (6)

cc w/enc: Brandon Reyron, Puyallup Tribe Cultural Resources
Bill Sullivan, Puyallup Tribe Natural Resources
Andrew Strobel, Puyallup Tribe Planning
Donna Turnipseed, JBLM Cultural Resources Manager
Bill Elliott, WSDOT Olympic Region Plans Engineer
Project File
SF05052015 (7221)
May 5, 2015

The Honorable David Lopeman, Chairperson
Squaxin Island Tribe
SE 10 Squaxin Lane
Shelton, WA 98584

RE: 1-5/ JBLM Vicinity Improvement Project
Section 106 Consultation and Area of Potential Effects

Dear Chairperson Lopeman:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is developing the 1-5/ Joint Base Lewis-McChord (JBLM) Vicinity Improvement Project to address a transportation need in Pierce 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, we are initiating formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4), under delegated authority from FHWA. We are inviting you to comment on the draft Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

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- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:
- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each)
The Honorable David Lopeman  
May 5, 2015  
Page 2

direction. These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.

- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

The proposed project is located between I-5 milepost (MP) 116.5 and MP 124.8 in Section 3 of Township 18 North, Range 1 East; Sections 25, 24, 35, and 36 of Township 19 North, Range 1 East; and Sections 14, 15, 20, 21, 22, 28, 29, 30, and 31 of Township 19 North, Range 2 East. We initially define the APE as shown on the enclosed exhibits to include areas that would be directly impacted by the above improvements, as well as areas that may be indirectly affected. Areas of potential indirect effects were generally defined as extending one tax parcel out from the direct impact area, in all areas where tax parcels border the corridor. Where the corridor is bordered by large tracts of JBLM, the area of potential indirect effects has been drawn 200 feet from the edge of the proposed direct impact area.

We ask that you comment on the enclosed draft 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 draft APE, please provide a response by June 12, 2015 so we may discuss this undertaking and any identified areas of interest. Should you have any questions, please contact me at 360-570-6701, or by e-mail at SawyerJ@wsdot.wa.gov.

Sincerely.

Jeff Sawyer  
Environmental & Hydraulic Manager  
Olympic Region  
JBS:pd:ip

Enclosures:
- Purpose and Scope  
  APE exhibits (6)
- cc: Rhonda Foster, Squaxin Island Tribe Cultural Resources  
  Andy Whitener, Squaxin Island Tribe Natural Resources  
  Kevin Dragon, Squaxin Island Tribe Planning  
  Donna Turnipseed, JBLM Cultural Resources Manager  
  Bill Elliott, WSDOT Olympic Region Plans Engineer  
  Project File  
  SF05052015 (7222)
May 5, 2015

The Honorable JoDe Goudy, Chairperson
Yakama Nation
PO Box 151
Toppenish, WA 98948

RE: 1-5 / JBLM Vicinity Improvement Project
Section 106 Consultation and Area of Potential Effects

Dear Chairperson Goudy:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is developing the I-5 / Joint Base Lewis-McChord (JBLM) Vicinity Improvement project to address a transportation need in Pierce 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, we are initiating formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4), under delegated authority from FHWA. We are inviting you to comment on the draft Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

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The Honorable JoDe Gandy  
May 5, 2015  
Page 2

direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.

- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

The proposed project is located between I-5 milepost (MP) 126.5 and MP 124.8 in Section 3 of Township 18 North, Range 1 East; Sections 25, 34, 35, and 36 of Township 19 North, Range 1 East; and Sections 14, 15, 20, 21, 22, 28, 29, 30, and 31 of Township 19 North, Range 2 East. We initially define the APE as shown on the enclosed exhibits to include areas that would be directly impacted by the above improvements, as well as areas that may be indirectly affected. Areas of potential indirect effects were generally defined as extending one tax parcel out from the direct impact area, in all areas where tax parcels border the corridor. Where the corridor is bordered by large tracts of JBLM, the area of potential indirect effects has been drawn 200 feet from the edge of the proposed direct impact area.

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Sincerely,

Jeff Sawyer  
Environmental & Hydraulic Manager  
Olympic Region

JBS:pl:ip

Enclosures:  Purpose and Scope  
APE exhibits (6)

cc w/enc:  Johnson Memnick, Yakama Nation Cultural Resources  
Philip Rigdon, Yakama Nation Natural Resources  
Alvin Pinkham, Yakama Nation Planning  
Donna Turnipseed, JBLM Cultural Resources Manager  
Bill Elliott, WSDOT Olympic Region Plans Engineer  
Project File  
SIF/05052015 (7223)
The Honorable Farron McCloud, Chairperson  
Nisqually Tribe  
4820 She-Nah-Num Dr SE  
Olympia, WA 98513  

RE: I-5/ JBLM Vicinity Improvement Project  
Section 106 Consultation and Revised Area of Potential Effects  

Dear Chairperson McCloud:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is continuing to develop the I-5 / Joint Base Lewis-McChord (JBLM) Vicinity Improvement project to address a transportation need in Pierce 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, we are continuing formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4), under delegated authority from FHWA. We are inviting you to comment on the revised Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

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- The Shared Use path is no longer routed around the Center Drive I/C (Exit 118).
- There is a Shared Use path revision on southbound I-5 near MP 118.
- There are revisions to the proposed interchange design at Steilacoom-DuPont I/C (Exit 119).
- The APE is widened on the southbound side between MP 119 and the Berkeley I/C to accommodate revision to Shared Use path.
- The APE is reduced on the northbound side of the 41st Division Main Gate I/C due to revision of the Shared Use path (i.e. no longer going around ramps).
- The APE is locally expanded near MP 122 to accommodate Shared Use bridge over I-5.
- There are revisions to the proposed interchange design at Berkeley I/C (Exit 122).
The Honorable Farron McCloud  
October 22, 2015  
Page 2

- The APE is expanded to show the entire parcels being affected between the Thorne Lane and Gravelly Lake I/C’s (Exits 123 & 124).
- The APE is reduced on the northbound side between the Thorne Lane and Gravelly Lake I/C’s (Exits 123 & 124) due to the elimination of a connector route alternative.

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We ask that you comment on the enclosed revised APE, identify any traditional cultural properties that may exist within the project’s APE, and identify any key tribal contacts. If you have any comments regarding the draft APE, please provide a response by November 30, 2015 so we may discuss this undertaking and any identified areas of interest. Should you have any questions, please contact me at 360-570-6701, or by e-mail at SawyerJ@wsdot.wa.gov.

Sincerely,

Jeff Sawyer  
Environmental & Hydraulic Manager  
Olympic Region

Enclosures:  APE exhibits (6)

cc:  Jackie Wall, Nisqually Tribe Cultural Resources  
     David Troutt, Nisqually Tribe Natural Resources  
     Jim Longley, Nisqually Tribe Planning  
     Donna Turnipseed, JBLM Cultural Resources  
     Bill Elliott, WSDOT Olympic Region Plans Engineer  
     Project File  
     SFI0222015 (7325)
Figure 1. I-5 JBLM Vicinity Improvement project, milepost 116-121.
Figure 2. I-5 JBLM Vicinity Improvement project, milepost 120-123.
Figure 3. I-5 JBLM Vicinity Improvement project, milepost 112-125.
Figure 4. I-5 JBLM Vicinity Improvement project APE changes, milepost 116-121.
APE is widened between MP 119 and Berkeley I/C to accommodate Shared Use path.

APE is locally expanded to accommodate Shared Use bridge over I-5.

APE is reduced at 41st Division Main Gate I/C due to revision of Shared Use path (no longer going around ramps).

Figure 5. I-5 JBLM Vicinity Improvement project APE changes, milepost 119-123.
Figure 6. I-5 JBLM Vicinity Improvement project APE changes, milepost 122-125.
Appendix E-3

Tribal Correspondence Purpose and Scope of Consultation

343
The Honorable Bill Sterud  
October 22, 2015  
Page 2

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Jeff Sawyer  
Environmental & Hydraulic Manager  
Olympic Region

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Bill Sullivan, Puyallup Tribe Natural Resources  
Andrew Strobel, Puyallup Tribe Planning  
Domna Turnipseed, JBLM Cultural Resources  
Bill Elliott, WSDOT Olympic Region Plans Engineer  
Project File  
SF10222015 (7326)
Figure 1. I-5 JBLM Vicinity Improvement project, milepost 116-121.
Figure 2. I-5 JBLM Vicinity Improvement project, milepost 120-123.
Figure 3. I-5 JBLM Vicinity Improvement project, milepost 122-125.
Figure 5. I-5 JBLM Vicinity Improvement project APE changes, milepost 119-123.
Figure 6. I-5 JBLM Vicinity Improvement project APE changes, milepost 122-125.
November 9, 2015

The Honorable David Lopeman, Chairperson
Squaxin Island Tribe
SE 10 Squaxin Lane
Shelton, WA 98584

RE: I-5 / JBLM Vicinity Improvement Project
Section 106 Consultation and Revised Area of Potential Effects

Dear Chairperson Lopeman:

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The Honorable Farron McClaud  
November 9, 2015  
Page 2

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Sincerely,

Jeff Sawyer  
Environmental & Hydraulic Manager  
Olympic Region

Enclosures: APE exhibits (6)

cc: Rhonda Foster, Squaxin Island Tribe Cultural Resources  
Andy Whitener, Squaxin Island Tribe Natural Resources  
Kevin Dragon, Squaxin Island Tribe Planning  
Donna Turnipseed, JBLM Cultural Resources  
Bill Elliott, WSDOT Olympic Region Plans Engineer  
Project File  
SF11092015 (7337)
October 22, 2015

The Honorable JoDe Goudy, Chairperson
Yakama Nation
PO Box 151
Toppenish, WA 98948

RE:  I-5 / JBLM Vicinity Improvement Project
Section 106 Consultation and Revised Area of Potential Effects

Dear Chairperson Goudy:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is continuing to develop the I-5 / Joint Base Lewis-McChord (JBLM) Vicinity Improvement project to address a transportation need in Pierce 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, we are continuing formal Section 106 consultation pursuant to 36 CFR § 800.2(c)(4), under delegated authority from FHWA. We are inviting you to comment on the revised Area of Potential Effects (APE) required under Section 106 of the National Historic Preservation Act and 36 CFR 800.

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Olympic Region

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Project File
SF10222015 (7327)
Figure 1. I-5 JBLM Vicinity Improvement project, milepost 116-121.
Figure 2. I-5 JBLM Vicinity Improvement project, milepost 120-123.
Figure 3. I-5 JBLM Vicinity Improvement project, milepost 122-125.
Figure 4. I-5 JBLM Vicinity Improvement project APE changes, milepost 116-121.
APE is widened between MP 119 and Berkeley I/C to accommodate Shared Use path.

APE is locally expanded to accommodate Shared Use bridge over I-5.

APE is reduced at 41st Division Main Gate I/C due to revision of Shared Use path (no longer going around ramps).

Figure 5. I-5 JBLM Vicinity Improvement project APE changes, milepost 119-123.
Figure 6. I-5 JBLM Vicinity Improvement project APE changes, milepost 122-125.
June 4, 2015

Jeff Sawyer
WSDOT
PO Box 47440
Olympia, WA 98504-7440

Dear Mr. Sawyer,

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

**Re: 1-5/J BLM Vicinity Improvement Project**

The Nisqually Indian Tribe has reviewed the report you provided for the above-named project. There are several prehistoric Archaeological and burial sites near the project area. The Nisqually people have lived in that area for thousands of years. There may be more sites not yet discovered.

The Nisqually Indian Tribe wishes to be contacted by the Archaeological firm that is conducting the Cultural Resource Survey. Thank you for keeping the Nisqually Indian Tribe informed of the progress of this project.

Sincerely,

Jackie Wall
THPO
Nisqually Indian Tribe
(360)456-5221 Ext. 2180
wall.jackie@nisqually-nsn.gov
Dreisbach, Paul

From: Sawyer, Jeff
Sent: Wednesday, July 08, 2015 11:31 AM
To: Stephanie Neil
Cc: Dreisbach, Paul; Kiers, Roger
Subject: I-5/ JBLM Vicinity Improvement Project

Stephanie,

Thanks for the response. Based on the APE consultation and responses we’ve received we will be coordinating fieldwork and further Section 106 consultation with the Nisqually Nation.

Jeff Sawyer
Environmental & Hydraulics Manager
Office: 360.570.6701 | Cell: 360.790.9646
WSDOT Olympic Region | Environmental & Hydraulic Services Office

From: Stephanie Neil [mailto:sneil@squaxin.us]
Sent: Monday, July 06, 2015 2:20 PM
To: Sawyer, Jeff
Subject: I-5/ JBLM Vicinity Improvement Project

Jeff,

Thank you for contacting the Squaxin Island Tribe Cultural Resource Department regarding the above listed project for our review and comment. I apologize for the lateness in this reply. We have had a busy spring. I am responding to you on behalf of Rhonda Foster, THPO. Although the project is within our treaty and traditional area we recommend you consult with the Nisqually and Puyallup regarding cultural resource concerns.

Thank You,

Stephanie Neil
Archaeologist, Squaxin Island Tribe
360-432-3998
sneil@squaxin.us
August 26, 2016

Jeff Sawyer
WSDOT
5720 Capitol Blvd.
Tumwater, WA 98501

Dear Mr. Sawyer,

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

Re: I-5/JBLM Vicinity Improvement Project
Section 106 Consultation and Cultural Resources Assessment

The Nisqually Indian Tribe has reviewed the report you provided for the above-named project. The Nisqually Indian Tribe has no further or concerns at this time. I look forward to continuing to hearing from you concerning any further developments. I have referred your letter to legal for review concerning a PA. Please keep me informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

Jackie Wall
THPO
Nisqually Indian Tribe
(360)456-5221 Ext. 2180
wall.jackie@nisqually-nsn.gov