



NISQUALLY INDIAN TRIBE

Tribal Council

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Secretary Roger Millar
Washington State Department of Transportation
310 Maple Park Avenue SE
P.O. Box 47300
Olympia, WA 98504-7300

October 11, 2022

Dear Secretary Millar:

The Nisqually Indian Tribe was recently made aware that The Commercial Aviation Coordinating Commission, which was tasked by state lawmakers in 2019 with identifying a potential home for a new airport to be constructed by 2040, voted to move forward with analyzing the viability of developing land on "Pierce County East" and "Pierce County Central," as well as a potential site in Thurston County. All of these sites present substantial risks to the treaty-right resources and well-being of the Nisqually Indian Tribe and we are writing today to express our concern and opposition to continuing siting investigations of these three sites.

The Nisqually Indian Tribe is a federally recognized sovereign government and is a successor-in-interest to the bands and tribes who were signatories to the 1854 Treaty of Medicine Creek. The Treaty of Medicine Creek guarantees the Tribe the right to harvest salmon running and passing through its "usual and accustomed" fishing areas (U&A) at a level sufficient to support a moderate standard of living. The Tribe's U&A includes South Puget Sound and the Nisqually Watershed. The Tribe has dedicated innumerable resources to protecting and restoring endangered or threatened species in the ecosystem, including salmon and the Southern Resident Orca Whale that rely on them. Salmon is not only a mainstay of our diet, but a foundation of our culture. Healthy land, air, and water is key to our way of life and for the survival of our people.

The siting of a major airport in our watershed and adjacent lands will have substantial and irreparable impacts to our treaty-right resources and our culture. The Nisqually Watershed has long been recognized for our collaborative work to protect and restore critical habitats for fish and wildlife and the enjoyment of all. A major industrial use that a commercial airport

represents is contrary to these efforts and will directly and indirectly harm all of our work and threaten the quality of our waters, air, and lands forever.

We are concerned about the direct impacts of the increase in noise, traffic, air pollution, and water quality and quantity associated with a major industrial use like a commercial airport. We are also significantly concerned about the indirect impacts of the support facilities that will move into the area and change the very nature of our rural communities into urban sprawl. The ancillary impacts of significantly promoting growth in the adjacent areas must be considered in your evaluation and is central to our opposition. Airports should be located in identified urban growth areas, not in rural areas dedicated to support those urban areas.

The Nisqually Tribe currently has landholdings, enterprises, and program activities operating throughout the areas identified as potential airport sites by the greenfield study. The Tribe is currently developing a state-of-the-art therapeutic equestrian program on 70 acres that is located less than one mile from the edge of the southeast Thurston site. It is completely out of the question to have this critical mental health and restorative program, important to so many tribal families, compromised by aircraft noise and related disruptions. The Tribe also maintains home-sites and timberlands within these same areas, and is currently evaluating land acquisitions for community development, environmental stewardship, and cultural preservation within these same lands. Further, tribal members live, work, and exercise their treaty hunting and gathering rights within these same areas on a daily basis. It is inconceivable that the greenfield study has advanced to this point without these issues being seriously addressed through consultation with the Nisqually Tribe.

The Nisqually Indian Tribe's reservation is adjacent to JBLM and for over the past 100 years the Nisqually people have been subjected to the impacts from training activities that has affected our quality of life, including physical and mental health concerns. The cumulative impacts of these activities are a burden for the Tribe and adding more impacts to our community is simply not acceptable. There are real environmental justice issues with all three of these sites that are paramount in our opposition. We simply cannot add any additional impacts to our community. (It should also be noted that developing a major airport more or less adjacent to JBLM might well make that federal facility less desirable for military use. Hence, this risk should have been included in the work done thus far and must be included in any future assessments.)

We have long had a shared vision for the Nisqually watershed with the State, Federal, and local governments. We have implemented programs and invested millions of dollars toward that vision. We have made progress in our watershed over the past 40 plus years to protect, restore, and enhance the values and qualities of the Nisqually. All of that work; all of that

cooperation; all of our progress could be wiped away by an incompatible use like a commercial airport at any of the three suggested sites.

The Nisqually Indian Tribe is strongly opposed to the three sites being considered in our traditional lands. The Tribe will within the next two weeks be forwarding a follow-up letter to WSDOT and other state and federal agencies detailing further concerns on the impacts of the proposed airport sites on tribal lands, resources, and programs. Our people cannot and will not be further burdened by the economic needs of others. Siting of a major commercial airport on any of the three sites being considered will place an undue and unfair burden on the Nisqually people, our treaty rights, and our trust resources. We are offering a Government to Government meeting with you at Nisqually to further explain our concerns.

Sincerely,

A handwritten signature in black ink that reads "Willie Frank III". The signature is written in a cursive style with a large initial "W" and a distinct "III" at the end.

Willie Frank III, Chairman
Nisqually Indian Tribe