



Puyallup Tribe of Indians



February 6, 2023

Dow Constantine
Chair, Sound Transit Board
401 South Jackson Street
Seattle, WA 98104

RE: Sound Transit Tacoma Dome Link Extension Alternatives Comments

Dear Chair Constantine,

On behalf of Tribal Council, I would like to thank you for Vice-Chair Roscoe and Sound Transit staff on updating us on the TDLE project during your visit this past August. As we shared during our meeting, the Tribal Council must approach any project impacting our properties and reservation with caution and deference to the lasting effects. As we also shared, there is an important issue that has become an increasingly sensitive subject resonating throughout Indian Country and brings about challenges to the proposed alternatives of this project. Based on our recent meeting we have focused on providing you additional feedback on the alignments as you develop the DEIS and study the alternatives.

It was helpful to re-familiarize ourselves on the TDLE project especially with our new leadership on Council. This is particularly critical as your efforts are approaching key points in the process, such as the Draft Environmental Impact Statement (DEIS). As we shared during our meeting and as Sound Transit Vice-Chairwoman Roscoe also acknowledged the Tribe's concerns in the September 6, 2022 letter, we continue to have concerns over the alignments Sound Transit is exploring.

Our lands have already been stolen and developed largely without our input. So while we appreciate your reaching out to discuss this with us, but keep in mind this TDLE infrastructure runs directly through and across the entirety of the Puyallup Tribe Reservation; it will forever impact the reservation lands and our people. We do not take this responsibility lightly and pride ourselves in being the stewards of these lands. We have great interest and even greater concern for projects of this magnitude and the changes, both positive and negative, that they bring. As promised, we are sharing some of the concerns below so there is a clear understanding of the Tribe's viewpoint, which will be useful as we discuss the project plans in the future.

South Federal Way Alignment

The Tribe understands the preferred alternative alignment will be studied in the EIS as along with a new additional South Federal Way alternative alignment option. The Tribe previously provided letters to Sound Transit in the initial scoping phase and again at the end of the scoping period as further analysis was done. During that time, the Tribe flagged the sensitivity of the South Federal Way area and the potential impacts to cultural resources, particularly around the historical St. George's Indian Boarding School property and associated cemetery. While we hoped these impacts could potentially be minimized or outright avoided for the TDLE project, after further study we believe that is no longer possible. The Tribe has evaluated and performed additional studies of this area in collaboration with Sound Transit staff. If the preferred

alternative alignment is chosen, the potential impacts to cultural resources are too high and unavoidable. Unfortunately, there is no amount of mitigation that would suffice should the project be constructed in this area; we can no longer support the preferred alternative alignment in this area. The Tribe prefers the South Federal Way Pacific Highway Alternative 2 option as it was presented during our August meeting. However, it should be noted that this alternative does impact trust lands in this area, and we would request future discussions regarding the options and impacts of each with you.

Puyallup River Crossing

During our meeting, you shared the two options you are exploring for crossing the Puyallup River including a “clear span” and “in river” pier option, both of which are being studied in the DEIS. As we shared, both options have equally high probability of impacting cultural resources. However, the Tribe strongly prefers a clear span option. The “in river” option would negatively impact our cultural and natural resources. The Tribe’s traditional ceremonial grounds are located in this segment of the river and either crossing option would have lasting impacts to the adjacent lands. Of the two, the clear span option is preferred and will likely lessen potential impacts to the Puyallup River, fishing access, and water quality. Please be aware that the clear span option still has an incredibly high likelihood of encountering cultural resources and will require close coordination with THPOs. We do acknowledge the clear span presents challenges and that this alternative is still being studied. Constructing an “in river” pier option will require significant mitigation for the protracted impacts to our natural resources associated with the nature and duration of this type of work as well as for access and ensuring the safety of our Tribal Members exercising their right to fish and access the river. With that said, both options will require an easement for crossing the river, and we expect to work closely with Sound Transit to identify viable options and appropriate mitigation for all Tribal owned properties that are impacted by the project.

Fife Station Location

At the request of the Federal Transit Authority, we understand that you are adding another station location option in Fife to be studied in the DEIS. It is also our understanding that a station location closer to 54th Avenue East has been selected as an alternative. From the two options presented, a station on the West side of 54th and a station spanning 54th, the Tribe doesn’t currently have a preference between the two. However due to the substantial amount of traffic in the area, and in particular on 54th Avenue East, a bicycle/pedestrian bridge should be included for either option as it would provide a safer access to the station. All of these things considered, the Tribe still favors the preferred alternative Fife station option far and above these additional station locations.

The Puyallup Tribe of Indians appreciates your planning efforts on the TDLE project and inclusion of the tribe during the process. As a parallel to the overall DEIS process, the Tribe would like to begin to discuss what mitigation would look like in relation to the project. Our lands are limited and we have fought for many decades to regain them back. We know all the alternatives being studied in the EIS will involve some level of impact to our lands and that the project, with its associated impacts, would persist on our Reservation for an indefinite amount of time. While some impacts are temporary, TDLE will forever change the landscape of the reservation. We would like to explore what opportunities Sound Transit could provide to mitigate these impacts in good faith.

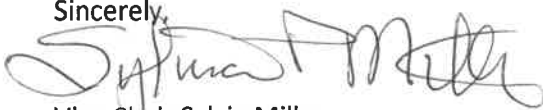
Simply put, we need to understand the long-term impacts of the project and how Sound Transit plans to mitigate those impacts. We have experienced the impacts of similar projects and their legacies. The need for additional railroad lands for Northern Pacific spurred one of the largest land grabs of Tribal land. The need for the Interstate 5 project bifurcated our Reservation and desecrated graves and our sacred river. The need for shipping goods in and out of our waterways shrunk our homelands and water access yet again. These large infrastructure projects come at great cost to our community. Each of these "improvements" prevent us from ever utilizing or owning a fraction of our Reservation forever; effectively reducing our Reservation to a death by a thousand cuts. What will be needed 10, 100, 1,000 years from now? Reservation lands are so incredibly rare that we must look back on how the past has harmed our present and never repeat those mistakes again. It is our duty to our Tribal Members as their leaders to ask these questions today and for future generations who will live with the long-term effects and reflect upon them and judge our actions accordingly. The Tribe must have the self-determination to govern its lands now and in the future.

The Sound Transit system will be in place in perpetuity on our traditional lands and absent of much of our inclusion in future decision-making once Sound Transit secures what it needs from the Tribe. We are not part of the governing structure of the system and will not have a voice to articulate the ongoing impacts associated with growth and changes in the system. We must discuss what this means and what role the Tribe plays into this governance structure.

The tribe has been and will continue to provide guidance on design alternatives, such as the ones provided in this letter. Please note these comments are technical in nature and are not intended to grant any rights or serve as consent or waiver of the tribe with respect to this project. All project related impacts and concerns shall be addressed through a negotiated agreement between Sound Transit and the Puyallup Tribe of Indians.

We believe the next step is that we begin discussing the needs for necessary easements over Tribal lands and how you intend to resolve for the potential mitigation for these impacts through identifying surplus land opportunities, taxation solutions, and long-term partnership with the Tribe on the system. We look forward to identifying pathways forward that will be mutually beneficial to the project and to the Tribe.

Sincerely,



Vice Chair Sylvia Miller,
Puyallup Tribe of Indians