

*Prairie Band Potawatomi Nation*  
Tribal Council  
Tribal Government Center  
16281 Q ROAD, MAYETTA, KS 66509  
Telephone: (785) 966-4000; Fax: (785) 966-4002

May 16, 2006

Mayor Mike Amyx  
City Hall  
Lawrence, Kansas

Re: SLT Eastern Leg, Proposed Letter Supporting Route South of River.

Dear Mayor Amyx:

On behalf of the Prairie Band Potawatomi Nation, I appreciate the opportunity to provide you with comments on the South Lawrence Trafficway. The Nation has provided extensive comments to the Corps and will not restate them here. I would like to respond to Mr. Hannon's May 14th memo to you, which misconprehends many of the facts. I will address his seven points here.

1. The south of the river route is equal in cost to the 32B route and will not compromise SLT funding. The fact is that a properly designed 42C route south of the river costs virtually the same as the 32B route. The Phase II costs are \$108.9 million for the 42C route and \$108.6 million for 32B.<sup>1</sup> The reason that the 42A route was so expensive (\$128.5 million) was that KDOT's engineers intentionally ignored 42C's cheaper route over the eastern Wakarusa river floodway.<sup>2</sup> The 32B route is expensive because of the millions of dollars of mitigation costs required to repair the wetland damage that it would cause.

2. Because the cost of 32B and 42C are equal, the south of the river route will not escalate costs for the citizens of Lawrence.

3. The south of the river route would substantially reduce traffic on 23rd St. It is estimated the 42A route would immediately reduce traffic on 23rd St. between US 59 and Louisiana St. by a substantial 16% or 5,000 vehicles per day.<sup>3</sup> This compares favorably to the 32B route's estimated reduction of 20% or 6,100 vehicles per day.<sup>4</sup> Further, by 2025, the 42nd St. route would relieve traffic

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<sup>1</sup> See our October 1, 2003, letter to Col. Curtis. ROD App. I, Sec. G, Item 24.

<sup>2</sup> This is documented in our July 18, 2003, letter to Col. Curtis. ROD App. I, Sec. G, Item 14.

<sup>3</sup> 31,100 - 26,100 = 5,000. FEIS App. A-7, p. 2.

<sup>4</sup> 31,100 - 25,000 = 6,100. FEIS App. A-7, p. 2.

congestion on Iowa St. between 23rd and 27th Streets. For 42A, the 2025 traffic there would be 37,200 v. 38,000 for no build.<sup>5</sup> The 32B route would actually cause traffic congestion on Iowa St. The 32B 2025 traffic there would be 41,000 v. 38,000 for no build.<sup>6</sup>

4. The SLT traffic volumes on the 32B and the 42nd St. routes would be virtually the same. There is less than a 7% difference between the estimated 2025 traffic counts for these routes. The estimated traffic on 42A is 52,000/day and 55,500/day on 32B.<sup>7</sup> This difference will no doubt further decrease with the post-FEIS expansion of the Lawrence Urban Growth Area two miles further south and the development expected there.

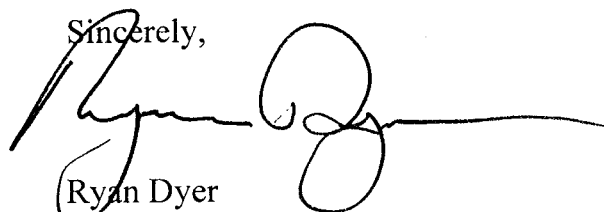
5. If the south of the river route is used, the Haskell-Baker wetlands will be preserved and it won't be necessary to provide Baker with expensive alternative wetlands in mitigation. The success rate on wetland creation is poor, roughly 25%. Thus, with the 32B route, Baker would have no more wetlands than before and would have six lanes of noisy traffic running through them. The 42nd St. route wouldn't destroy the wetlands in the first place.

6. There is no evidence that Haskell Indian Nations University has ever been promised land. If there is an agreement, I would like to see a copy.

7. Haskell University has not endorsed the 32B route and in fact officially opposes it. Haskell opposes the 32B route and any other SLT route that goes through the Haskell-Baker Wetlands.<sup>8</sup> The National Congress of the American Indians also opposes the 32B route for many of the same reasons.<sup>9</sup>

I hope that this letter helps you to understand why the SLT route south of the river is the one that makes the most sense. Thank you for your attention and consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ryan Dyer', with a long horizontal flourish extending to the right.

Ryan Dyer  
Treasurer, Tribal Council  
Prairie Band Potawatomi Nation

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<sup>5</sup> FEIS App. A-7, p. 3.

<sup>6</sup> FEIS App. A-7, p. 3.

<sup>7</sup> FEIS App. A-7, p. 3.

<sup>8</sup> See attached Haskell Board of Regents Resolution No. 2003-04.

<sup>9</sup> See attached March 4, 2004, letter from Tex Hall and NCAI Resolution No. EWS-02-003.

**NATIONAL HASKELL BOARD OF REGENTS  
RESOLUTION NO. 2003-04**

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WHEREAS, In the attached April 2, 2003 letter to Dr. Karen Swisher, the National Park Service has asked whether Haskell Indian Nations University supports the boundary expansion of the current Haskell Institute National Historic Landmark ("Haskell Institute NHL") to include former agricultural lands associated with Haskell (the "Haskell-Baker Wetlands"), which are generally described as the following lands in and near the City of Lawrence, Douglas County, Kansas:

- a) the Baker wetlands south of the centerline of 31<sup>st</sup> St. and between Louisiana and Haskell Streets or
- b) the Haskell upper fields campus area which is both north of the centerline of 31<sup>st</sup> St. and south of an east-west line that is tangent to the southernmost portion of the East/West Perimeter Road.

WHEREAS, The Haskell-Baker Wetlands have great historical importance due to their association with the agricultural training policies and history of the Haskell Institute NHL.

WHEREAS, The Haskell-Baker Wetlands are nationally significant properties of exceptional value in representing and illustrating important themes in the history of the United States and of all Indian Tribes in the United States.

WHEREAS, The National Park Service has clarified that the expansion of the Haskell Institute NHL to include the Haskell-Baker Wetlands will not interfere with the mission of Haskell, but will promote the proper management and protection of the Haskell-Baker Wetlands, which are an integral part of Haskell and its culture, environment, spirit and history.

NOW THEREFORE BE IT RESOLVED, that the National Haskell Board of Regents does hereby express to the National Park Service and all other appropriate agencies its interest in and support of the expansion of the Haskell Institute NHL to include the Haskell-Baker Wetlands.

BE IT FURTHER RESOLVED that the National Haskell Board of Regents does hereby advise and direct Dr. Swisher, as President and representative of Haskell, to express to the National Park Service and all other appropriate agencies Haskell's interest in and support of the expansion of the Haskell Institute NHL to include the Haskell-Baker Wetlands.

BE IT FINALLY RESOLVED that the Haskell Board of Regents has conveyed by prior resolution and position statement, its strong opposition to the proposed South Lawrence Trafficway route through the Haskell-Baker Wetlands and this route's detrimental impacts on the current Haskell Institute National Historic Landmark and the Haskell-Baker Wetlands, which are appropriate for inclusion as part of the Haskell Institute NHL.

**CERTIFICATION**

The foregoing resolution was duly adopted on the 18<sup>th</sup> day of July, 200, at a meeting of the National Haskell Board of Regents, during which 10 members were present, constituting a quorum, by a vote of 8 for, 0 against, 0 abstaining, 1 absent from voting with the President not voting.

  
Gil Vigil, President

  
George Tiger, Secretary



# NATIONAL CONGRESS OF AMERICAN INDIANS

March 4, 2002

South Lawrence Trafficway Community Comments  
PO Box 2818  
Topeka, KS 66601

## EXECUTIVE COMMITTEE

PRESIDENT  
Tex G. Hall  
Mandan, Hidatsa, Arikara Nation

FIRST VICE-PRESIDENT  
Joe A. Garcia  
Ohkay Owingeh  
(Pueblo of San Juan)

RECORDING SECRETARY  
Colleen F. Cawston  
Colville Confederated Tribes

TREASURER  
Alma Ransom  
St. Regis Mohawk Tribe

RE: South Lawrence Trafficway's Threat to Haskell Indian Nations University

To Whom It May Concern:

On behalf of the National Congress of American Indians (NCAI), I am writing to express our deep concern regarding the Kansas Department of Transportation's proposal to construct a high-speed 4-lane highway that would negatively impact the Haskell Indian Nations University's (HINU) Baker Wetlands property. The Baker Wetlands area is considered sacred by the University and Tribes because the area served as a critical place for refuge for Indian students, the physical remains of many of the Indian children who died at Haskell are contained in the land, and it performs the natural function of purification.

As the oldest and largest national organization of American Indian and Alaska Native tribal governments, NCAI is deeply concerned with the respectful treatment of Native American human remains and the protection of sacred sites. The Native people of the United States continue to witness the loss and destruction of sacred lands that are critical to the preservation of traditional cultural values and beliefs.

The Medicine Wheel and the Baker Wetlands are essential because they provide an appropriate place for spiritual and cultural experiences for the Haskell Indian Nations University community. Ceremonies are held on the grounds several times throughout the year because it is a sacred site. The construction of a major highway would cutoff the Medicine Wheel and Haskell Campus from the Wetlands and ruins the spiritual quality and solitude of the area.

As members of federally recognized tribes, NCAI, the Haskell Wetlands Preservation Organization, HINU Student Senate and Alumni Association are exercising their sovereign right to protect their ancestors, their traditional lands and sacred sites, and their cultural resources by collectively claiming and protecting the Baker Wetlands by formally opposing construction of the South Lawrence Trafficway on any of Haskell Indian Nations University past and present property. The construction of the South Lawrence Trafficway will destroy the educational, cultural, and spiritual significance of the land.

EXECUTIVE DIRECTOR  
Jacqueline L. Johnson  
Tlingit

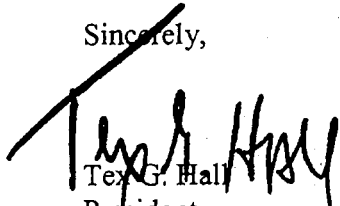
NCAI HEADQUARTERS  
1301 Connecticut Avenue, NW  
Suite 200  
Washington, DC 20036  
202.466.7767  
202.466.7797 fax  
www.ncai.org

NCAI also supports and recommends that the modern HINU campus and Baker Wetlands be determined eligible for listing on the National Register of Historic Places due to their association with the former Haskell Institute.

Please find enclosed a copy of National Congress of American Indian resolution # EWS-02-003, Support for Haskell Indian Nations University's Wetlands Preservation Organization, Student Senate and the Alumni Association in Opposition of the South Lawrence Trafficway.

If you have any questions about the comments submitted, please contact me directly or Lillian Sparks at (202)-466-7767 or Lillian\_sparks @ncai.org. We trust that the Kansas Department of Transportation, the Department of the Army, Kansas City District Corps of Engineers, and other involved agencies will thoroughly review these comments and terminate the construction of South Lawrence Trafficway on Haskell Indian Nations University property.

Sincerely,



Tex G. Hall  
President



# NATIONAL CONGRESS OF AMERICAN INDIANS

## THE NATIONAL CONGRESS OF AMERICAN INDIANS

### RESOLUTION #EWS-02-003

#### EXECUTIVE COMMITTEE

**PRESIDENT**  
Tex G. Hall  
Mandan, Hidatsa, Arikara Nation

**FIRST VICE-PRESIDENT**  
Joe A. Garcia  
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(Pueblo of San Juan)

**RECORDING SECRETARY**  
Colleen F. Cawston  
Crowville Confederated Tribes

**TREASURER**  
Alma Ransom  
St. Regis Mohawk Tribe

**Title: Support for Haskell Indian Nations University's Wetlands Preservation Organization, Student Senate and the Alumni Association in Opposition of the South Lawrence Trafficway**

**WHEREAS**, we, the members of the National Congress of American Indians, in our own distinct territories, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity and preservation of cultural and natural resources are important goals and objectives of NCAI; and

**WHEREAS**, the Native people of the United States continue to witness the loss and destruction of sacred lands that are critical to the preservation of traditional cultural values and beliefs; and

**WHEREAS**, the Wetlands area is considered sacred because it holds the physical remains of many of the Indian children who died at Haskell and it performs the natural function of purification

**WHEREAS**, sacred ceremonies are held on the grounds several times throughout the year because it is a sacred site

**WHEREAS**, The Medicine Wheel and the Wetlands are essential because they provide an appropriate place for spiritual/cultural experiences for the Haskell Indian Nations University community,

**WHEREAS**, the construction of a major highway would cutoff the Medicine Wheel and Haskell Campus from the Wetlands and ruin the spiritual quality and solitude of the area,

**EXECUTIVE DIRECTOR**  
Jacqueline L. Johnson  
Tlingit

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1301 Connecticut Avenue, NW  
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Washington, DC 20036  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**WHEREAS**, Haskell Indian Nations University belongs to all federally recognized tribes within the United States, thus making this a national issue; and

**WHEREAS**, Haskell enrolls Indian Students from across the country, currently representing over 160 tribes; and

**WHEREAS**, the Haskell Wetlands Preservation Organization, Student Senate and the Alumni Association has formally opposed the construction of the South Lawrence Trafficway on any of Haskell Indian Nations University past and present property; and

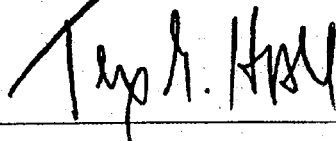
**WHEREAS**, the construction of the South Lawrence Trafficway will destroy the educational, cultural, and spiritual significance of the land.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby support and endorse the efforts of the Haskell Wetlands Preservation Organization, Student Senate and Alumni Association in terminating and halting the construction of the South Lawrence Trafficway; and

**BE IT FURTHER RESOLVED**, that the NCAI does hereby transmit this resolution to the Secretary of Interior, and other appropriate governmental agencies within two weeks of the adjournment of the Winter Executive Conference.

**CERTIFICATION**

The foregoing resolution was adopted at the Executive Council Winter Session of the National Congress of American Indians, held at the Wyndham Hotel, in Washington, DC on February 25- 27, 2002 with a quorum present.



Tex G. Hall, President

**ATTEST:**



Colleen F. Cawston, Recording Secretary

Adopted by the Executive Board during the Executive Council Winter Session of the National Congress of American Indians, held at the Wyndham Hotel, in Washington, DC on February 25- 27, 2002.