



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

## MEETING NOTES

CHILKAT INDIAN VILLAGE



"Yee gu.aa yax x'wan."

**Project:** Haines Highway MP 3.5 to 25.3

**Project Number:** SHAK-095-6(29)/68606

**Meeting Purpose:** Government to Government Meeting between FHWA and the Chilkat Indian Village to discuss prior Tribal concerns and how FHWA and DOT&PF addressed those concerns

**Date and time:** October 25, 2011 / 10 AM to noon

**Location:** Chilkat Indian Village council meeting room

**Attendees:** See attached sign-in sheet

### Notes:

Attendees introduced themselves and provided information about why they were attending the meeting. The Village President, Kimberly Strong, said that there were not enough council members present for a quorum but that she did state that the meeting was a government to government meeting. Ms. Strong opened the meeting with a prayer.

Jim Scholl provided an overview of the project. The basic purpose of the project is to bring the section of Haines Highway between MP 3.5 and 25.3 up to the same standards and cross section as the section of the highway from mile 25.3 to the Canadian border. The Chilkat River Bridge (Wells Bridge) would be replaced just downstream of the existing bridge. The ADF&G proposed boat launch access road is not part of this project.

Several handouts were distributed (attached). As shown in the new cross section diagram, there would be 6 foot wide shoulders on both sides of the road that will improve safety for all including pedestrians and bicyclists.

The project began in 2005 when several public meetings were held. The exact proposed alignment was not designed at that time but **now we do have a proposed alignment**. The drawings posted on the wall during this meeting depicted that proposed alignment. This is the proposal being evaluated in the Environmental Assessment (EA). We hope to issue that EA for public review in the January / February time period. Then we hope that FHWA can issue a Finding of No Significant Impact (FONSI) and we can go on to right-of-way appraisals and acquisition and final design. Based on the proposed design, some Native Allotments would be affected and we would need to acquire those lands. The ROW phase is scheduled to be obligated in Federal Fiscal Year (FFY)12 (we are now in FFY12). We hope to obligate phase 4 (construction) in FFY13 with bidding as early as October in Calendar Year (CY) 2013, but there is quite a bit of work to do between now and a year from now.

Because of funding availability, **the project would be constructed in phases** with the first one from mile 21 to the end of the project. This would include bridge replacement and the slide area at MP23. The intent is to begin construction of mile 21 to 25.3 in the spring of CY 14.

Construction funding for the second phase, which encompasses slide areas near mile 19 would be obligated in 2015, with the third phase (approximately mile 3.5 to mile 19) obligated in beyond FFY 2015.

John Brower stated that the Chilkat Indian Village is the BIA agent for negotiating on Native Allotment land.

We discussed **issues related to the bridge construction** including:

- The proposed approach to the bridge that would result in a take of Native land
- The proposed new bridge would be directly adjacent to and downstream of the existing bridge
- The plan is to construct a temporary construction bridge downstream of the new bridge. A temporary bridge would be built because the existing bridge would not support construction equipment. This is likely to result in a temporary construction easement on a portion of Jacquot property.
- The proposed removal of the elevated fuel pipeline and the pipeline bridge that is upstream of the existing bridge.
- The proposed bridge would only have 3 pillars in the water (see meeting handout) and would be elevated 5 feet higher than the existing bridge.

**Bank stabilization** was raised by Kimberly Strong. She has done research associated with this issue because of their recent bank stabilization in Klukwan across from the Tsirku River discharge into the Klehini River. This is called “place where three rivers meet”.

Anastasia Wiley stated that at MP 13, there once was a lake; it is now more of a pond. It was once known as “**Swampy Lake**”. This is a traditional named place. She has reports that sockeye used to spawn in the lake and other salmon used the lake for rearing. Anastasia believes that the culvert that was constructed with the highway was built too low and it drained the lake. Our mitigation plan shows that we propose to improve stream habitat in this area. We plan on constructing channels so the water would flow rather than spread out and disappear as it does now. According to Anastasia, this would change a traditionally named place and thus impact a historic resource.

Anastasia also noted that the Tribe has a list of **qualified trained archaeological monitors** who would be available during highway construction activities. She provided us with a list and the credentials of these individuals.

The topic of MP 21 and the Tribe’s requested path was then discussed. The historic resource identified as SKG-543 is on the up gradient side of the road. This is a tight spot because of the river and its importance to the Tribe as a subsistence fishing spot and the presence of this historic resource. If DOT&PF accommodates the Tribe’s request for space in the ROW for a path that they would construct later, it could result in additional impact to SKG-543.

The CRC report identifies this site as “nine cultural depressions, along and just back from the edge of the highway cut” (pg B-19). CRC did not identify them as a particular type of depression however, references were made to similar depressions at T’Anu Fort (SKG-050) that were called eulachon pits. Anastasia noted that the pits at SKG-543 may not be eulachon pits because she believes eulachon (hooligan) may not have migrated up the river as far as MP 21. Also, these pits or depressions were relatively high in elevation compared to the river. Typically, eulachon pits are closer to the river, even though this area is noted for isostatic rebound. Anastasia believes

these depressions could be storage cache locations. Anastasia also noted that if they are only cache locations that marked the trade path, the area may not be eligible for the National Register. She also noted that the Klukwan area has the highest rebound rate in the area.

Anastasia noted that the CRC report used charcoal as a marker for human habitation however, in her research she found that there had been forest fires that could have accounted for the charcoal.

Also, the Tribe may consider one type of pit of more importance than another. It is important to know what these pits are at MP 21 before the Tribe decides what to do about the potential to impact them relative to the need for a pedestrian path. Kimberly Strong requested additional research before they decide if the proposed road location is acceptable to the Tribe. This means a characterization survey as soon as possible in order to keep the project moving. Alex Viteri agreed to an additional survey at MP 21 to give the Chilkat Indian Village the information they requested.

DOT&PF will need to go out to a consultant as soon as possible to get someone to do this work. K. Strong stated that any consultant that we hire will need to include Chris, a tribal member now qualified as an archaeological monitor, to be part of the survey activities. Snow fall is an issue and we need to move as quickly as possible

Kimberly Strong asked a question about **why the right of way is so wide** at this location within Native Allotments. The ROW width seems to have fluctuated over time. She remembered a time when the ROW was only 60 foot wide by the village. Jim Scholl volunteered to look into this issue when he returned to the office.

Tom (attendee) noted that there are five confirmed graves up on Klukwan Hill with a total of nine suspected to exist. They should not be disturbed. We will check in the CRC report to determine if those graves had been identified.

The question was raised about the timing of the supplemental assessment of SKG-543. We need to move forward with the determination of eligibility letter. Any new information about SKG-543 can be provided at the findings letter stage.

DOT&PF needs to have surveyors mark the proposed cut line through SKG-543 so that the consultant who does the work will be able to focus that work in the area proposed to be impacted. DOT&PF will do that.

The Tribe and Hakan Sebcioğlu, General Manager for Jilkaat Kwaan Cultural Tours asked about directional and interpretive signs that we could put in the ROW directing folks to the Klukwan visitor center and museum. Haines Highway is now a National Scenic Byway. This designation is bringing people to the area. They want to bring these people into the Klukwan area. This is an issue that will need further discussions with FHWA.

**Notes by: Jane Gendron**

**November 23, 2011**