

The South Lawrence Trafficway/Haskell Wetlands Timeline
Prepared by Dan Wildcat and Mike Stewart, Haskell Environmental Research Studies Center

	FEDERAL GOVERNMENT (Policies, etc.)	HASKELL	SOUTH LAWRENCE TRAFFICWAY
1778-1808		TREATY PERIOD (RELOCATION)	
1825	<ul style="list-style-type: none"> ▪ United States Policy in treaty making is best summed up as a major push towards removing most Indian Nations, located in the Southeast as well as the Ohio Valley regions, west of the Mississippi River and away from non-Native populations. Millions of acres of lands are ceded to the US from various Indian Nations. ▪ Please note, unless specifically extinguished, many Tribal Nations may still have reserved rights within areas that were treated. ▪ June 3-Land on which Haskell is founded was originally ceded by the Kansas Tribe (June 3, 1825).¹ ▪ November 7-Land ceded earlier by the Kansas Tribe shifted to the Shawnee of Missouri.² 		
1830	<ul style="list-style-type: none"> ▪ (May 28) President Andrew Jackson signs the Indian Removal Act into law.³ 		
1849	<ul style="list-style-type: none"> ▪ (March 3) The Bureau of Indian Affairs is transferred from the War Department 		

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	to the Department of the Interior.		
1854	<ul style="list-style-type: none"> ▪ (May 30) Kansas becomes a territory. ▪ Lawrence is established as a township. 	-	
1861	<ul style="list-style-type: none"> ▪ (Jan.29) Kansas becomes a state. 		
1871-1934		RESERVATION & ALLOTMENT PERIOD	
1871	<ul style="list-style-type: none"> ▪ (March 3) Congress ends all future treaty negotiations with the Indian Nations.⁴ 		
	<ul style="list-style-type: none"> ▪ Era is marked by continued US policy of placing Indians on Reservation areas or into the Indian Territory, and directly funding Missionaries to oversee the Indians. This is also known as “Grant’s Peace Policy” era. ▪ The US follows an educational policy to “civilize” the Indians, by means of either missionary, tribally-funded, or government-funded forms of schooling. Such forms of civilizing included forbidding many native religions and their practices. 		
1879	<ul style="list-style-type: none"> ▪ The first Indian boarding schools are implemented in the East (Carlisle Indian School in PA) in order to separate Native children from their parents. They 		

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	<p>are forced to learn English, Christianity, and non-Native values.⁵</p>		
1882	<ul style="list-style-type: none"> ▪ Congress establishes three off-reservation Indian boarding schools, one of which will become Haskell Institute.⁶ ▪ Funding for the off-reservations schools is appropriated by several Acts of Congress.⁷ 		
1883		<ul style="list-style-type: none"> ▪ By 1883, land has been purchased for the future Indian Boarding School (202 acres). 	
1884	<ul style="list-style-type: none"> ▪ Funds are earmarked for additional boarding schools in selected areas, which includes Haskell (Lawrence). 	<ul style="list-style-type: none"> ▪ In fall 1884, the first 22 students from various Indian Nations arrive at Haskell Institute. 	
1887	<ul style="list-style-type: none"> ▪ (February 8) Allotment is introduced to the Indians in both 1887 and in 1899 (General Allotment Act / Dawes Act).⁸ 	<ul style="list-style-type: none"> ▪ Student life is reflective of military-like regimen and other means of “civilizing” the students occur (i.e. suppression of traditional religions, punishment for speaking native language, & wearing traditional clothing). ▪ Farming program is implemented on the Haskell campus. 	
1898	<ul style="list-style-type: none"> ▪ (June 28) Curtis Act is passed. 		

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1902	<ul style="list-style-type: none"> ▪ US policy of assimilation is still in effect. 	<ul style="list-style-type: none"> ▪ By this time, Haskell Institute has grown to 1,011 acres through purchases of land by the government (land reaches into what is now known as the Wetlands and stretches to the Wakarusa River). ▪ Additional land is used for agricultural purposes by student labor 	
1917	<ul style="list-style-type: none"> ▪ World War I begins. 	<ul style="list-style-type: none"> ▪ Despite not being recognized as US citizens, numerous Haskell students enlist in the armed forces. 	
1924	<ul style="list-style-type: none"> ▪ (June 2) Indian Citizenship Act is passed.⁹ 	<ul style="list-style-type: none"> ▪ Haskell continues its original mission of assimilating Indian students into the dominant society. 	
1926		<ul style="list-style-type: none"> ▪ Haskell alumni return and collect money to dedicate the Stadium Arch. 	
1928	<ul style="list-style-type: none"> ▪ <u>The Problem of Indian Administration</u>, also known as the “Merriam Report” is conducted by the Brookings Institution. 	<ul style="list-style-type: none"> ▪ Merriam Report indicated ill conditions at many BIA schools in regards to: diet, overcrowding, below-standard medical care, too much emphasis on physical labor and not education, and a teaching staff incapable of meeting necessary educational needs.¹⁰ 	
1933	<ul style="list-style-type: none"> ▪ Franklin D. Roosevelt nominates John Collier for Secretary of Indian Affairs- ▪ Collier implements several changes in Indian policy that reverses some of the heavy-handed regulation of the Indian Nations, such as removing the ban from 	<ul style="list-style-type: none"> ▪ Haskell Institute is saved from being shut down through budgetary cuts. 	

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	performing ceremonial dances and gatherings.		
1934-1953		REORGANIZATION OF TRIBAL NATIONS	
1934	<ul style="list-style-type: none"> ▪ (June 18) The Wheeler-Howard Act, better known as the Indian Reorganization Act (IRA), is passed.¹¹ ▪ Allotment is stopped as part of the IRA. 	<ul style="list-style-type: none"> ▪ Haskell has been open for 50 years. ▪ Farming program at Haskell Institute is stopped. Lands used for farming include parts of the area located near the present day wetlands 	
1940s		<ul style="list-style-type: none"> ▪ Land that was used for agriculture has begun to be leased to farmers for haying. 	
1953-1968		TERMINATION & RELOCATION	
1950s	<ul style="list-style-type: none"> ▪ During the Eisenhower administration, the Federal Government passes policies that reflected the US's attempt to get out of the "Indian business" by terminating the Trust Responsibility to Indian Nations. 		
1953	<ul style="list-style-type: none"> ▪ (June 4) Public Law 47 is implemented, which allows for the transfer of surplus lands (20 acres, which is amended to 50 acres in 1962).¹² ▪ (August 1) House Concurrent Resolution 108. US begins a systematic approach to terminate its trust 		

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	<p>relationship with Indian nations.¹³</p> <ul style="list-style-type: none"> ▪ (August 15) Public Law 83-280 allows states to extend state law into Indian Country (only if state agrees to abide by the PL-280 restrictions).¹⁴ 		
1957	<ul style="list-style-type: none"> ▪ BIA transfers 20 acres to the City of Lawrence, 5 acres to Wakarusa Township, & 20 acres to Douglas County.¹⁵ 		
1958	<ul style="list-style-type: none"> ▪ BIA transfers 20 acres to School District No. 60, 20 acres to Kansas Forestry, Fish, and Game Commission & 20 acres to the University of Kansas.¹⁶ ▪ Department of Interior reassigns 572.68 acres of BIA-held land to the Bureau of Sports Fisheries and Wildlife (see Secretarial Order 2830, 23 CFR 71270 & Federal Property and Administration Act of 1949, 63 stat. 377).¹⁷ ▪ Lands are then transferred to the Kansas Biological Survey to manage.¹⁸ 		
1960s	<ul style="list-style-type: none"> ▪ Through the BIA & Public Law 47, large tracts of campus land is transferred from Haskell 	<ul style="list-style-type: none"> ▪ By this time, Haskell had lost almost 70 percent of its acreage. 	
1964			<ul style="list-style-type: none"> ▪ Preliminary talks begin concerning a proposed route consisting of 14 miles called the South Lawrence Trafficway.¹⁹

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1965		<ul style="list-style-type: none"> ▪ Haskell graduates it last High School class (1965). 	
1966	<ul style="list-style-type: none"> ▪ (January 10) The Federal Government gives the City of Lawrence policing jurisdiction over the Haskell Institute campus.²⁰ 		
1968- Present		SELF-DETERMINATION	
1968	<ul style="list-style-type: none"> ▪ (April 11) The Civil Rights Act is passed. Included within this Act is the provisions extending the Bill of Rights to Natives living on reservation areas.²¹ ▪ (August 30) Baker University signs a 30 year Quit Claim Deed with the Department of Health, Education, and Welfare for Haskell Wetlands (572.68 acres).²² 		
1969	<ul style="list-style-type: none"> ▪ Congress enacts NEPA (National Environmental Policy Act) to address immense and diverse environmental concerns. 		
1970		<ul style="list-style-type: none"> ▪ Haskell Institute becomes Haskell Indian Junior College. 	
1975	<ul style="list-style-type: none"> ▪ (January 4) Indian Self-Determination and Education Assistance Act is passed.²³ ▪ (June 24) Haskell's President and Board of Regents seek information on Baker's 		

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	<p>Wetland and land transfer from BIA in attempt to recover land for academic studies.²⁴</p> <ul style="list-style-type: none"> Response memo back from Anadarko Area Director's Office explains chronology of lands transfer and indicated in correspondence dating back to 1966 that there was no interest in reacquiring the Haskell Wetlands.²⁵ 		
1978	<ul style="list-style-type: none"> (August 11) American Indian Religious Freedom Act is passed in good faith to address the recognized mistreatment and suppression by the US. Bill has no legislative mechanism to change any existing laws.²⁶ 		
1986			<ul style="list-style-type: none"> Federal Highway Administration becomes involved with the South Lawrence Trafficway (SLT). (June 23) As part of its involvement, the FHWP published a report and intent to prepare an Environmental Impact Statement (EIS) for the trafficway.
1987	<ul style="list-style-type: none"> (April 2) Congress approves 7.2 million dollars for the South Lawrence Trafficway. 		
1988	<ul style="list-style-type: none"> (April 19) <i>Lyng v. Northwest Indian Cemetery Protective Association</i> is decided. Declares 1978 American Indian 		

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	<p>Religious Freedom act has “no teeth” to change Governmental decisions.²⁷</p>		
1990	<ul style="list-style-type: none"> ▪ Federal Highway Administration completes an Environmental Impact Statement as required by NEPA. 		
1991	<ul style="list-style-type: none"> ▪ Congress appropriates an additional 3.3 million dollars for the years of 1992-97 for the SLT project. 		
1992		<ul style="list-style-type: none"> ▪ (October 22) In remembrance of the Indigenous Peoples and in conjunction with the American celebration of 500 years since first contact with the Americas, The Medicine Wheel is built along the south campus. 	
1993		<ul style="list-style-type: none"> ▪ Haskell Indian Junior College becomes Haskell Indian Nations University. • Wetlands Protection Organization founded. 	<ul style="list-style-type: none"> ▪ FHWA and Kansas Department Of Transportation (KDOT) hold a public hearing on the draft Supplemental Environmental Impact Statement (SEIS).
1996	<ul style="list-style-type: none"> ▪ (May 24) President Clinton issues Executive Order 13004. Policy meant to assist in protecting American Indian sacred sites located on Federal lands. 		<ul style="list-style-type: none"> ▪ (December 9) Douglas County sends a letter to the FHWA notifying the agency that the county intended to proceed with the original 31st Street route for the eastern leg of the trafficway.* see Ross v. FHWA 1997 • The Western nine miles of the SLT opens to traffic.²⁸
1997	<ul style="list-style-type: none"> ▪ (March 6) FHWA withdrew the Notice 	<ul style="list-style-type: none"> ▪ (March 12) Complaint is filed seeking 	<ul style="list-style-type: none"> ▪ (February) FHWA received an

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	of Intent to complete a SEIS.	<p>to enjoin further action on the project.</p> <ul style="list-style-type: none"> • (March 15) District Court grants a preliminary injunction. • (May 2) District Court issues a permanent injunction preventing FHWA, KDOT, and Douglas County from taking further action on the eastern leg pending completion of the SEIS. 	<p>agreement between KDOT and Douglas County to construct the eastern leg as a non-federal project.</p>
1998		<ul style="list-style-type: none"> ▪ (November 7) <i>Ross v. Federal Highway Administration</i>.²⁹ Individuals & groups win a lawsuit requiring the SLT stakeholders to complete a SEIS, rather than sidestepping the requirement as required by federal law. 	
2002			<ul style="list-style-type: none"> ▪ (September 12) Col. Donald R. Curtis, Jr., district engineer for the US Corp of Engineers holds a meeting which was to ultimately decide the route of the eastern portion of the segment.
2003		<ul style="list-style-type: none"> ▪ Wetlands Protection Organization continues to advocate for the state to discontinue its attempt to complete the 31st Alignment. Various efforts are made through continuing meetings, tours of the Wetlands, and contact with Federal and state leaders. 	<ul style="list-style-type: none"> ▪ (August) The State of Kansas approves the completion of 31st street alignment- However there is no funding for the action.³⁰ ▪ (October 21) In efforts to stop the 31st Street alignment through the Baker Wetlands, the Prairie Band Potawatomi Nation offers a proposal to the Army Corp of Engineers to consider another

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		<p>route south of the Wakarusa River (42nd Street alignment).</p> <ul style="list-style-type: none"> ▪ Presently this proposal is being considered by the Army Corps of Engineers.³¹

¹ 7 Stat. 244-47

² 7 Stat. 284-86

³ 14 Stat. 411

⁴ Act of March 3, 1871, 16 Stat., 544, 566

⁵ Martin, Joel W. The Land Looks After Us: A History Of Native American Religion. Oxford University Press: New York, New York, (2001): 142.

⁶ Haskell Indian Nations University, *Response To The 31st Street Alignment South Lawrence Trafficway*. Lawrence, Kansas (1994;25)

⁷ Act of Congress (22 Stat. L. 86): May 17, 1882; (23 Stat. 253), February 24, 1884; & Act of July 4, 1884, (23 Stat.92)

⁸ 24 Stat. 388m as amended, 25 U.S.C. Secs. 331-58.

⁹ 42 Stat. 253, codified as 8 U.S.C. sec. 1401(a) (2).

¹⁰ Prucha, Francis Paul. The Great Father, Abridged Version. University of Nebraska Press: Lincoln, Nebraska, (1986): 286-87.

¹¹ 48 Stat. 984, codified as 25 U.S.C. Sec.461 *et seq.*

¹² June 4, 1953 | [H.R. 1242] 67 Stat. 41

¹³ H.R. Cong. Res. 108, 83d Cong. (1953).

¹⁴ 18 U.S.C. Sec. 1162, 28 U.S.C. Sec. 1360.

¹⁵ See at 6: 33.

¹⁶ Ibid

¹⁷ ibid

¹⁸ ibid

¹⁹ "South Lawrence Trafficway's history predates World War II." Lawrence Journal-World (August 2002).

²⁰ Public Law 89-442

²¹ 25 U.S.C. Sec. 1301-3

²² See at 6: 34

²³ Pub. L. No. 93-638, codified as 25 U.S.C. Secs. 450f *et seq.* and in scattered sections of 5, 25, 42, and 50 U.S.C.

²⁴ see at 6: 35

²⁵ Ibid

²⁶ 92 Stat., 469 (1978)

²⁷ 485 U.S. 439 (1988)

²⁸ See at 19

²⁹ 162.F.3d 1046 (10th Cir. 1998)

³⁰ "State says it has no funds to finish SLT," *Lawrence Journal-World* (August 3, 2003)

³¹ "Corps to review alternative SLT route," *Lawrence Journal-World* (October 12, 2003)