



Kalispel Tribe of Indians
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November 27, 2017

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

RE: Request for Government-to-Government Consultation on the HiTest Silicon Smelter

Dear Governor Inslee:

The Kalispel Tribe's governing council unanimously passed a resolution today opposing the HiTest silicon smelter in Newport, Washington. We took this action because it is necessary to protect the health, culture, and natural resources of our people. We request government-to-government consultation at your earliest convenience to discuss how we can work together to prevent this facility from harming the Kalispel people and undercutting your efforts to combat climate change.

In August 2016, the Washington State Department of Commerce designated this smelter a Project of Statewide Significance and made \$300,000 available to assist with the development of an industrial site less than a mile upwind of our Reservation. The Department took these actions without consulting the Tribe and with absolutely no understanding of the environmental costs of the smelter. While the Tribe has subsequently been able to engage directly with representatives from the Department, those conversations have not lessened our concerns about the project or the process.

The Tribe has waited for more than a year to take a position on the smelter in order to give HiTest an opportunity to show that the smelter's emissions would not be harmful. Emissions data recently disclosed in HiTest's Draft PSD Modeling Protocol prove otherwise. The smelter will generate 320,000 tons of greenhouse gases, 760 tons of sulfur dioxide, and 700 tons of nitrogen oxides per year. According to HiTest, there is no control technology available to limit these emissions. To accept this technological limitation would be a striking concession from what you recently described as the "most innovative culture in world history."

Although HiTest recently announced that it will be constructing the smelter in Newport instead of Usk, the smelter's emissions will nevertheless sully our air, harm our health, and pollute our environment. This is unacceptable to the Tribe because our air is the last remaining natural resource in the lower Pend Oreille Basin that has not been significantly degraded. Our fish are too toxic to safely eat in large quantities. Our river now functions as a series of reservoirs. Our traditional bull trout fishery has been extirpated, and culturally important wildlife species like caribou and grizzly bears are not far behind. The Tribe and its governmental and community partners are in the midst of a multi-decade, \$400 million restoration and conservation effort to address these problems. The last thing we need is a facility that will undermine this effort by contributing to environmental problems like acid rain and climate change, and will increase the risk of health problems like asthma, lung cancer, and developmental problems.

While the smelter's negative environmental and health impacts are pretty clearly understood at this point, it is far less clear how many permanent jobs the smelter will provide for local residents, or what hard evidence exists to provide an assurance that pollution from the smelter may begin to be offset by its silicon's use in green technology.

HiTest's smelter cannot be part of the zero-emission future you are working so diligently to create. Moreover, continuing to treat the smelter as a Project of Statewide Significance runs afoul of your pledge to "honor our commitments to our communities to do what's right to keep our residents safe, secure, healthy and prosperous as we accelerate our clean energy economy and put the interest of our people before those of big polluters."

In advance of our government-to-government meeting, the Tribe hopes you will consider rescinding the smelter's designation as a Project of Statewide Significance. This would put an immediate end to your agencies' efforts to expedite permitting for a facility that merits heightened scrutiny, and it would prevent HiTest from continuing to advertise the designation as an endorsement from your Administration. We also call on you to work with the Tribe and Pend Oreille County to identify a more suitable business or businesses to help revitalize the local economy. Any unspent grant funds awarded to HiTest could be redirected to support this collaborative effort.

Tomorrow night, HiTest will be attending its first public meeting in Newport. HiTest will encounter growing and vigorous opposition to the smelter, and it will try to allay fears by stating that you support the smelter as a Project of Statewide Significance. We hope you appreciate the urgency of the situation.

Regards,



Glen Nenema
Chairman, Kalispel Tribe of Indians