

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE OPPOSING THE UNITED STATES FOREST SERVICE (USFS) ENVIRONMENTAL ASSESSMENT AND DRAFT DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT FOR THE JENNY GULCH GOLD EXPLORATION DRILLING PROJECT.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. § 5123) and under Article III of the Oglala Sioux Tribe Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, pursuant to the Constitution and By-Laws of the Oglala Sioux Tribe, the Oglala Sioux Tribal Council exercises legislative powers to enact and promulgate resolutions and ordinances, and

WHEREAS, Article IV, Sections 1(f), 1(k), 1(m), 1(w) empower the Tribal Council to manage the economic affairs of the Tribe, protect and preserve the property of the Tribe, adopt laws governing the conduct of persons on the Pine Ridge Indian Reservation, and adopt laws protecting and promoting the health and general welfare of the Oglala Sioux Tribe and its membership, and

WHEREAS, the United States Forest Service (USFS) prepared its Environmental Assessment (EA) and draft decision notice and finding of no significant impact (DN/FONSI) for the Jenny Gulch Gold Exploration Drilling project (Proposed Project) and published legal notice of same in the Rapid City Journal on July 8, 2022, and

WHEREAS, the Oglala Sioux Tribe is adamantly opposed to the Proposed Project and has stated its opposition to the USFS numerous times, including, but not limited to, on January 17, 2020 (when the Tribe requested government-to-government consultation with the USFS on the Proposed Project), on October 22, 2021 (when the Tribe submitted comments to the USFS on the Draft EA, and on January 28, 2022 (during a government-to-government consultation with the USFS on the Proposed Project), and

WHEREAS, the Oglala Sioux Tribe's position has been and remains that without limitation the Tribe is opposed to any exploration or development of minerals in the Black Hills that would:

- Harm our sacred Black Hills, including the sacred site known as *Pe' Sla*, and our traditional, cultural, and religious use of those lands; or

- Harm archeological, historical, cultural, and sacred sites in the Black Hills; or
- Harm the land, water, natural resources, and fish and wildlife in the Black Hills, and

WHEREAS, the USFS prepared its draft EA on the Proposed Project without completing meaningful and good faith consultation with the Oglala Sioux Tribe, and

WHEREAS, while the Tribe asked for additional consultation with the USFS during and after its January 28, 2022 meeting with the USFS and any site visits of the proposed exploration site with the Tribe and its cultural and natural resource experts, the USFS published its EA and DN/FONSI without conducting the necessary further consultation with the Tribe despite the fact that such consultation would have informed the USFS's environmental impact review and educated the USFS about the analysis needed regarding the Proposed Project's impact on our treaty rights, our cultural and religious resources and practices, and the environment, and

WHEREAS, the Proposed Project would have significant impacts on our Treaty rights; cultural and religious resources; and the environment; now

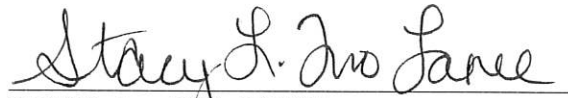
THEREFORE BE IT RESOLVED, that the Tribal Council of the Oglala Sioux Tribe opposes the United States Forest Service's Environmental Assessment and draft decision notice and finding of no significant impact for the Jenny Gulch Gold Exploration Drilling project, and

BE IT FURTHER RESOLVED, that the Tribal Council of the Oglala Sioux Tribe authorizes and directs the President of the Oglala Sioux Tribe to develop comments to oppose the United States Environmental Assessment and draft decision notice and finding of no significant impact for the Jenny Gulch Gold Exploration Drilling project and to submit them prior to the comment deadline.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned secretary of the Oglala Sioux Tribal Council of the Oglala Sioux Tribe, hereby certify that this Resolution was enacted by a vote of: 17 For; 0 Against; 0 Abstain; 0 Not Voting; during a REGULAR SESSION held on the 27TH day of JULY 2022.

RESOLUTION NO. 22-118
Page Three



STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:



ALICIA MOUSSEAU
Vice-President
Oglala Sioux Tribe

RECEIVED

JUL 29 2022

BUREAU OF INDIAN AFFAIRS
OFFICE OF THE SUPERINTENDENT