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Statement of Opposition to the Rochford Mineral Exploratory Drilling Project (Pe' Sla)

Submitted to the South Dakota Department of Agriculture and Natural Resources

To Whom It May Concern:

Aloha from Hawaii nei.

With the research assistance of CHAT GPT, I am writing to formally oppose the proposed Rochford Mineral Exploratory Drilling Project near Pe' Sla in the Black Hills, on behalf of the Lakota Nation and all those committed to upholding treaty rights, religious freedom, and environmental responsibility.

This project threatens the sanctity of Pe' Sla, a central ceremonial and cultural site for the Lakota people. It also undermines treaty obligations and poses unacceptable environmental risks in one of South Dakota's most ecologically and spiritually significant landscapes.

Violation of Treaty Rights and Lack of Tribal Consent

Pe' Sla lies within the Black Hills, land guaranteed to the Lakota people under the 1851 and 1868 Fort Laramie Treaties. These treaties have never been lawfully dissolved, and the U.S. Supreme Court acknowledged in *United States v. Sioux Nation of Indians* (1980) that the seizure of the Black Hills was illegal under the Fifth Amendment. Any mineral development in this area without the consent of the Lakota Nation is a continued violation of these treaties and undermines the principles of tribal sovereignty and trust responsibility.

Furthermore, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)-which the United States has endorsed-affirms the right of Indigenous peoples to free, prior, and informed consent before any development affecting their lands. The Lakota Nation has not granted such consent for this project.

Cultural and Religious Infringement

Pe' Sla is not just land; it is a sacred site where the Lakota conduct prayer, ceremony, and spiritual renewal. It is the likely sacred burial ground for the great Oglala holy man, warrior and tribal leader, Crazy Horse. The American Indian Religious Freedom Act protects Native religious practices, including access to and preservation of sacred sites. Drilling in this area constitutes a direct violation of those protections and would desecrate a site

held sacred for generations.

#### Environmental Risk and Public Trust

Exploratory drilling carries serious risks to water quality, local ecosystems, and the integrity of the land. These risks are incompatible with the public trust responsibilities of the South Dakota Department of Agriculture and Natural Resources. The potential long-term damage to groundwater, soil stability, and biodiversity in the Black Hills outweighs any short-term economic benefit of mineral exploration.

#### Ethical and Historical Responsibility

Given the centuries of land dispossession and broken agreements faced by the Lakota Nation, it is incumbent upon your agency to proceed with a commitment to justice, transparency, and Indigenous rights. Approving this project would be a continuation of extractive practices that disregard tribal sovereignty and the public's growing demand for ethical environmental stewardship.

As the above reasoning supports and your duties under South Dakota DANR agency regulations require, you must reject this Project due to the overwhelming fact that the negative effects of this Project far outweigh any short term economic benefits to the Project's sponsors or the people of South Dakota.

#### Request

I urge the South Dakota DANR to:

1. Deny current or future permits associated with the Rochford Mineral Exploratory Drilling Project;
2. Consult directly with the Lakota Nation in good faith before any decisions are made regarding development in the Black Hills;
3. Protect Pe' Sla and adjacent areas from industrial encroachment that would destroy their cultural and ecological value;
4. Please have the Forest Service program do a thorough EIS for this project before any DANR decision-making is finalized.

I respectfully ask that you act not only within the bounds of law and regulation but with the moral integrity required to protect one of the most sacred places in this country. The Rochford Project intends to drill 18 holes into the Pe' Sla in search of graphite materials. Each hole would be three inches in diameter and up to 1000 feet deep into the heart and soul of the Lakota's most sacred cultural and religious site. Such desecration must never occur without the expressed and informed consent of the Lakota Nation. Such wanton destruction would be akin to the spiritual horror produced for Catholics by the Project drilling into and below the Sistine Chapel at the Vatican for some random mineral.

Wopila tanka!