Data Submitted (UTC 11): 4/11/2023 4:02:09 AM
First name: Robin
Last name: Zephier
Organization:
Title:
Comments: National Forest Service

Hello

My name is Robin Zephier, and I am a Mnincoju Lakota man, a member of the Cheyenne River Sioux Tribe in South Dakota. I am writing to the NFS and any and all of interested and appropriate federal agencies charged with the legal duty and responsibility to preserve and protect Park Service/Forest Service lands, including the ancestral sacred lands within the Great Sioux Reservation and the Sacred He Sapa (Black Mountains aka Black Hills). I am writing to clearly and emphatically express my whole hearted objection to the Newark Exploration Drilling Project. I see this and all other similar mineral mining drilling or exploration projects within the aboriginal boundaries of the sacred He Sapa, as violative of our aboriginal and treaty based rights under the Fort Laramie Treaty of 1868, and the aboriginal title and natural rights of humans and the entire Wamahkanska and the Circle of Life, the Sacred Hoop.

I thought that in the light of seeking physical, legal and spiritual protection of the He Sapa from the corrupt invaders and profiteers, it was best to share a real and recognized history of the land, the people, the spiritual essence of the He Sapa, and the historical battle to protect Unci Maka/Grandmother Earth and her sacred 'heart', the He Sapa, it would be best to share pieces of our great grandfather Mato Niyanpi's life story, as written in "WARRIOR IS", which tells his story, which is intimately intertwined with the story of the He Sapa and our sacred duty to protect her.

"When he was younger and had visited this place, Swift Bear enjoyed how the golden sparkles glinted off the rock surface and onto his skin. He could not avoid wanting to touch it. Upon gazing closely, with his cheek and chin pressed to the rock, he grazed his right finger along the golden seam. It was smooth, as smooth as a heavily polished grinding rock or the head of his father's war club. He touched his finger to his tongue to gather some spit, and then he touched the seam again. This time he brought his finger to his lips. His tongue lapped at his fingertip, he found that it tasted of metal, like some of the old pans that had been found at one of the old white people's camps after being abandoned following a winter storm.
Saved By Bear had also seen the shining rock in the He Sapa as a young boy, when he was with his mother Iron Hat wading in a creek near Owl's Nest Peak. It was in pebble form sitting at the edge of a small waterfall. The crystal-clear water bounced cleanly off the gilded stones. The bright beacon of the sunlight beams glancing from the rocks, commanded the attention of the eye. Saved By Bear's mother saw his interest. She told him to grab some of the pebbles and put them in his pouch. He did so, grabbing four. They were heavy rocks, and quite pretty when cleaned up.
The people knew of these rocks from before, using the pretty little heavy stones to decorate their necklaces or traditional staffs. The people thought no more about the stones' usefulness, as they did not appear in large enough sections to use them for making any useful tools or weapons. They just seemed to look nice. However, the undeniable fact was that these yellow rocks were a part of the He Sapa, which was and remained the sacred aboriginal home of the Lakota, always.
Little did the people know at the time, that these yellow rocks growing in the stones, looking like the earthlike veins in the human arm, were one of the rarest of the rare elements on the planet. Nor did the Lakota and

Mnincoju people fully appreciate the monetary value that the whites and white society would ascribe to these yellow stones. Nor did the original people of the He Sapa immediately come to appreciate that the non-Lakota people could be driven nearly insane in a never-ending search for the yellow rock, as such a thing was inconceivable to the Lakota. One day in the not so distant future, however, would bring forth a much more threatening understanding of these yellow rocks within the Lakota way of life.

It was known as "gold", one of Grandmother Earth's most beautiful and rarest of natural elements on Turtle Island. The intrinsic value of gold to the European world was extreme. At a time when money was scarce for individual people and enterprises alike in the new American country, even the government, which would come close to bankruptcy and economic collapse as a result of the very costly Civil War, would develop a twisted imperative and immediate need for caches of gold. That is why anywhere gold was to be found -- or particularly, discovered - and ultimately mined, the US government and the white population felt the urgent and wealth-driven need and purpose to move in and take over. Wherever there was gold, there was money and wealth. Any place where gold could be mined, extracted, and converted into money, was a greedy man's paradise. The presence of gold drove all sorts of men, filled with greed and covetousness, to the ends of sanity in their search to become rich, influential, and powerful. In a sense, the need to have and possess gold would drive men to commit any act of greed, atrocity, destruction, or annihilation necessary to achieve their goal of having wealth, status and power.

Gold is an ancient material found upon Grandmother Earth, one of her natural stone resources. It is not plentiful or easy to find or obtain. But this mineral called gold was different. It was a metal, but resembled stone. Yet, it was abundantly shiny, and malleable when heated. It had the natural capacity to be melted into a pliable liquid by extreme heat, and then bent, shaped, formed and cut into whatever size or shape one could ever imagine.

Outwardly, gold had an awesome beauty, very pleasing to the eye. It was a splendor to behold just looking at it. Its sparkling and glinting properties seemed to capture individual rays of sunlight, holding them and then releasing them when the gold was turned on an angle. This natural effect made an obvious impact on the beings who came into contact with the element throughout all the ages of the Earth and the stars. For Grandmother Earth was quite possibly the only place where such a truly beautiful and mesmerizing metal could be found. Therefore, once it was learned that gold was at home within Grandmother Earth, beings from all over the universe were attracted to the exquisite and rare element throughout the ages.

Gold is a living organism. It is like the blood of Grandmother Earth. The veins of gold seem to be just that. They are her veins. This is how the yellow rocks exist, as yellow, golden veins.

But it was not just the outward beauty of the gold, or even its unique malleability that set it apart from other elements. What appeared to be the most fascinating and attractive attribute and quality of this rare metal was that it could serve as a natural conduit, a natural connector, a sinew of sorts provided by nature. Because of its unique nature as a metal and its malleability, the element was part and parcel of a great network of conduit, connecting things and allowing for the transference of natural energy. The type of conduit that was capable of transporting a blast of natural energy along its veins and sinew and delivering it to another place. Gold is a carrier of electrical energy, and flashes and surges of connective force, within Grandmother Earth herself. This quality makes it special beyond its beauty and beyond its use as a source metal for trinkets and coins. Because of its natural tendency to transport energy from one source to another source, from one place to another place, from one being to another being, and from one soul to another soul, gold would be coveted by many beings from all sorts of civilizations in the universe, whether native to Grandmother Earth, or not.

The characteristics and value of gold undoubtedly attracted visitors from other stars and other worlds who were also in search of such a rare element. This coveted value is why gold is capable of taking the minds of ordinary humans and other beings and turning those minds themselves, into their own malleable shapes and forms, and selfish desire. Gold is natural to Grandmother Earth, but it could become unnatural. It could be corrupting to beings or forces who would only wish to worship it and to use it to serve the means and ends, to steal, to cheat, to deceive, to murder, to corrupt, to defraud, and even to exterminate all of those who possessed or controlled the gold. The drive to obtain gold will have such evil and disastrously inhumane effects on those beings who, in seeking it at all costs, allow its mere possession, to control their souls.

The Lakota would know about the metals of Grandmother Earth for a very long time; the iron, the copper, and of course, the gold metal. Gold is found naturally, in the streams and on the banks in certain areas of the Black Hills. This metal, and the pursuit of it, will become one of the triggers for the biggest dispute between the Lakota

nations and the white people.
There are two ways of looking at this resource. The Lakota would view gold as a natural part of the Earth. The gold emits an energy or frequency. It resembles the veins in a body. The intersection of mind, body, and spirit can occur when one is viewing the gold, when one is touching the gold, and certainly while one is taking the gold. The white man and his government would view the gold through eyes of greed. Acquisition of this resource would be imperative for future warring across this continent. The accumulation of wealth that will occur once the gold is mined, extracted, and altered, will come to be the motivation to claim our sacred land.
That is the keyword: altered. When the gold is altered, it becomes more than just a piece of a stone or a replica of something in nature. It is now capable of paying bills, paying politicians, paying for influence over the government to keep the indigenous people from truly possessing and managing their own lands. For many hundreds of years, the white man has used altered gold and other precious metals to devastate people. Gold brings wealth to the elite as a result of an inequality and the presence of the evil money. The countries that these new people and cultures come from have been known to be under this type of ruling hierarchy and this type of elitist wealth for generations. Generationally, they have been accustomed to war and the destruction of resources and families. Their spirit has been deadened. They think only from a selfish point of view. They come to our lands and our territories with the expectation of accumulating wealth to satisfy their economic needs. They are the reason for the formation of the government, which would allow them to do what they would do to the indigenous tribal nations. It appears that most of them would not know any better. It is already within their bloodlines. Therefore it would be difficult for them to see things differently.
In the beginning, there was Grandmother Earth. The gold is a part of her total existence. It is a part of the natural way she allows us to live and coexist with every other being. The gold itself is a conductor of energy, spiritual energy. The Lakota left it alone for the most part because we did not want to alter the things that were gifted to us by Grandmother Earth. So for the Europeans to come and think they would just take it for their own profit, would pose a direct conflict, without belief in the natural presence on this land. This land has always been preserved and protected with the idea of looking after the sanctity of Grandmother Earth first, so that all of her beings and children would have enough to share and to survive with.
The obsession to find gold, to obtain it, and to own it is really an obsession borne of the disease of greed and domination. Ultimately, the disease would lead to the attempted removal and genocide of the Lakota and the theft of their He Sapa, in the coming years (1874, 1875, and 1876)." WARRIOR IS (2017), Chapter 6: Spirit Gathering, pp. 152-56.

"Saved By Bear and Swift Bear viewed the majesty and beauty of their surroundings, their home, their sacred He Sapa. They looked at each other and nodded. As they had grown accustomed to doing, they got off the backs of their horse friends and walked to the westernmost edge of the cliff they stood upon. With the buzzard people circling in the air above the edge of the distant cliff in the valley of the Rapid Creek canyon as a backdrop, they raised their hands. Starting with the west, they prayed to each direction. They prayed to Creator, Wakan Tanka, and Wakinyan. They thanked Creator for allowing them to live in such a beautiful place and to coexist with such wonderful, generous beings. They also asked Creator to preserve this sacred place, these sacred mountains, the He Sapa, for all time, forever.
When they finished, they got upon their horses and, nudging them with their knees, turned and started a slow gallop to the north along the high ridge, toward the sight, sound, and smell of the campfires down below, where they would rejoin their loving families. As they rode, they both believed in their hearts and spirits that Creator had heard them. They also believed that it was a part of their role in life to do everything they could do to protect and preserve this sacred place." WARRIOR IS (2017), Chapter 6: Spirit Gathering, p. 176.

"A wayward army scout from Standing Rock, half Hunkpapa and half white, had conversed with some of the soldiers at Ft. Lincoln before the team departed. Fools Bull had learned that remnants of the US Army's Seventh Cavalry were to be used in this mission. The military expedition team was intent on penetrating into the Black Hills despite the existence of the 1868 Fort Laramie Treaty prohibiting trespass across and into the Black Hills - unless - it were a military expedition to establish a military post, according to Article II of the 1868 Fort Laramie Treaty. The warriors knew that there was supposed to be no trespassing in the He Sapa. So the twelve had been

sent to observe.
The public was advised of the alleged purpose of this expedition, namely, that Lt. Col. George A. Custer and his expedition team had been commanded and authorized by the US War Department to explore the Black Hills in order to find a possible location for a military outpost. This was the War Department's story. It was, of course, a lie and a diversion from the real truth.
Fools Bull had learned that contrary to the story told to the public, the real purpose of the 1874 Black Hills expedition was to search for gold in the Black Hills. Reports had been coming out since about 1848 from trespassing claim jumpers, criminals really, and sporadic trespassing settlers and trappers, that gold was all over the Black Hills. A priest named De Smet was shown a bag of 'glimmering powder' by a Lakota on his visit to the Lakota in He Sapa in 1849, twenty-five years prior. De Smet recognized the gold then and advised the Lakota not to show it to anybody else. However, De Smet's story did get out.
The United States had recently come out of the bloody, exhausting, and treasury-depleting Civil War, which ended officially in 1865.The country was also in the midst of a severe economic panic over a failing economy. The country was broke, almost bankrupt. The US government was becoming increasingly desperate to open up the lands of indigenous people of Turtle Island, and particularly the Lakota lands, as they thought the He Sapa might be a treasure trove of resources and wealth. The government was desperately seeking any way to obtain the potentially mineral-rich territories.
President Ulysses S. Grant was instrumental in pushing the passage of the General Mining Law of 1872. It was common knowledge that Grant had gotten quite cozy with big business, especially the mining industry, since his election in November 1868. The 1872 Mining Law was written with a view toward the situation the miners and the private mining industry encountered in the gold rush in Montana and California in 1849. The Mining Law grossly favored the mining interests and allowed for miners to pay an outrageously low price to purchase unlimited rights to all minerals found in a claim. The law allowed the miners and mining companies, even foreigners and foreign companies, to mine for gold, copper, silver, and so on, to take all the profits, and to assume no liability for any of the losses to the public. The US public, the government, and the taxpayers, were paid virtually nothing.
The 1872 law was designed to provide the wealthy metal-extraction corporations and their wealthy benefactors, an opportunity to rape the land and to steal the profits, paying almost nothing for those rights or the destruction caused by the extraction. The miners, and the mining and financial corporations, were allowed unfettered access to public lands to steal their fortunes. It is a given that when a corporation is granted a license to steal something … it will. It brings to mind the wisdom-filled observation of Clarence Darrow: 'A petty criminal is someone with predatory instincts but insufficient capitol to form a corporation.' Again, during this period, the government operated more like a kleptocracy than like a democracy. Much like how the powerful white thieves in Minnesota did what they did to the Dakota in the 1850s and 1860s.
In 1873, a financial panic, the worst in the nation's history, swept the country. Taxes were high, and the public debt was enormous. Several eastern banks failed, and the stock market exchange closed for ten days. Again, the government of the United States, and the white society desperate for cash, were thrown into a near Depression-style frame of mind. Since the 1868 Treaty prohibited trespassing into the He Sapa, and since the Lakota refused to open up the He Sapa to white interests, the government, by and through President Grant, devised a plan. The plan would be based upon a big lie. It devised this subterfuge as a means to once and for all determine if the stories and rumors about gold in the Black Hills were true. If gold were to be found and confiscated by the United States, then the Black Hills would serve as a newfound treasure trove for the financially and morally bankrupted government that was in desperate need of an immediate influx of cash. The government needed to be sneaky, and camouflage its real purpose. Its young, eager, arrogant, and zealous military officer George A. Custer, was just the man to lead this deceptive, devious charade of an expedition.
Custer fit the mission. He had urged Gen. Philip Sheridan and Gen. Alfred Terry to authorize the Black Hills expedition. Custer had wished to explore the Black Hills on many previous occasions himself. Custer believed that the allegedly gold-rich region would open a rich vein of wealth calculated to bring commercial prosperity to the United States. The mission was to locate and then pilfer ill-gotten gains from any deposits of precious metals, despite the United States' absolute sovereign commitment not to trespass, or allow for trespassers to enter, into the Black Hills. Generals Sheridan and Terry knew fully well that a gold exploration expedition would violate the 1868 Fort Laramie Treaty. But they went ahead and did it anyway. Intentionally. With the obvious and emphatic

knowledge and approval of the President of the United States. …..
…. When one of the group claimed to have found some gold while panning in a small creek south of Owl's Nest Peak in early August 1874, the whole expedition team scrambled, hooted, and hollered, and carried on like lunatics, including Custer. They had scored a victory in locating the gold that they believed to exist. The scout known as Charley Reynolds, Custer's scout, was sent out to the south to spread the news to the newspapers and wires that gold had been found in the Black Hills. Newspapers such as the Yankton Daily Press & Dakotan and the Bismarck Tribune wrote of the finding of gold in the Black Hills. These stories were picked up, of course, by other newspapers across the country. That was the intent of the mission.
Custer was beside himself with arrogance and self-congratulations. He would end up declaring personal ownership of this part of the Black Hills, and he would press President Grant to reward him and to give him ownership of a million acres of this land, to be called Custerland. The expedition went to his head and fanned the flames of his vanity. He was anointed a hero for having led the way to find the gold and for having ignited the massive gold rush to the Black Hills. To the Lakota, Custer's 1874 expedition into the He Sapa would forever be notoriously known as 'the Trail of Thieves'. That name was well deserved.
This set of events and circumstances, none of which were caused by or contributed to by the Lakota, served as the fuse that lit the powder keg of conflict. Through 1874 and into 1875, the US government went into action to exploit the news and event, to pursue its own devious plans for the Lakota, and to steal their lands and resources. ……
….. President Grant and his military henchmen, Terry, Sherman, Sheridan, and others, would plan to breach and break the 1868 treaty obligations to the Lakota. It was an intentional plot, a conspiracy among the nation's highest political and military officials, to allow the blatant flooding of the trespassers into the sacred He Sapa. This was done to fulfill the personal desire for wealth and enrichment, to feed the kleptocracy and to enrich the ruling classes.
The 1872 Mining Law covered mining claims on public lands. It did not pertain to lands belonging to individual Indians or Indian tribes. It most certainly, in 1872 through 1876, did not encompass lands within the Great Sioux Nation or the Black Hills, which were supposed to be protected against any trespass or invasion by any party, by virtue of the 1868 Fort Laramie Treaty. And yet, after Custer's Trail of Thieves into the Black Hills, when the United States found the gold, the government intentionally allowed miners to flood into the He Sapa at will. This planned intentional breach of Article I and II of the 1868 Fort Laramie Treaty by the government set the stage for white miners to trespass and roam freely within the Black Hills, leading to the inevitable theft and depletion of the Lakota gold and natural resources, which were supposed to be legally protected by said treaty, forever.
In 1875, a miner named John B. Pearson found gold in a narrow canyon in the northern Black Hills. This canyon became known as Deadwood Gulch because of the many dead trees that lined the canyon walls at the time. On April 9, 1876 (two months before the Greasy Grass Battle, and ten months before the February 28, 1877, 'agreement' stealing the He Sapa was ratified), a group of four white miners from outside the Plains 'purchased' a cheap mining claim in the northern Black Hills. Moses Manuel, Fred Manuel, John Henry 'Hank' Harney, and Alex Engh bought and developed a 'leed' gold placer outcropping. They found a lot of gold, $5,000 worth. They named their mine "Homestake". Later, in June 1877 (four months after the illegal taking of the Black Hills by the United States), wealthy businessman and mining executive George W. Hearst partnered with two San Francisco lawyers, James Ben Ali Haggin and Lloyd Tevis (of Wells Fargo fame), and 'bought' the (originally illegal and stolen mining claim called) Homestake Mine from the four miners for $70,000. The Homestake Mine would operate for 125 years and become the source of over 10 percent of all the gold ever mined in the world by that time. There were approximately 40 million troy ounces of gold extracted over the subsequent 125-year period. The value of the gold taken, 'allegedly stolen from the Lakota', is valued at over $51.42 billion as of the last year of operation in 2001 (i.e., 40 million troy ounces @ $1,285.50 per ounce in 2016 prices = $51.42 billion. This figure does not take into consideration any form of accrued interest on the gold removed since 1875 through 2001, or as to all the gold taken out by new extractors to the present time, and certainly not compounded interest at 10% per annum. Gold would continue to be extracted from the He Sapa by private entities to the present day).
During May and June 1875, while Red Cloud, Spotted Tail, and other headmen of the treaty-signing factions of the Lakota met in Washington, DC, with government officials to talk about the potential sale or lease of the mineral rights in the He Sapa, the Newton-Jenney Expedition was also illegally in the He Sapa with miners and

surveyors looking for gold. It is believed that this is when James Pearson found gold in Deadwood Gulch.
The Newton-Jenney Expedition produced letters and reports that were circulated widely in the Cheyenne Daily (Wyoming) in June and July 1875. The expedition's last report indicated the presence of gold in paying quantities. One Yankton Daily Press & Dakotan headline stated, 'Dakota Mines to Eclipse the World'. Even the Bismarck Tribune (Dakota Territory) wrote, 'Gold Enough to Pay the National Debt'.
Thus began the greatest theft of the land, resources, property, and identity of an entire race of human beings, the Lakota, in the history of the Western world. The United States, knowing the consequences of its actions, planned this criminal act anyway. The government officially declared war on the Lakota then and there, all in the name of stealing the He Sapa, the very heart of Unci Maka, from the Lakota People. " WARRIOR IS (2017), Chapter 11: Call to Believe, pp. 321-24, 327-28, 331-33.

As a result of this history, and my own family's personal connection with the very people, our ancestors, and particularly my very own Great Grandfather, Mato Niyanpi/Saved By Bear, we stand for the preservation of the sacred He Sapa, her plants, her water, her air, her beings, and her future, which is metaphysically and spiritually inseparable from our own, my own, spirit and existence, we humbly and demonstrably demand that the sacred land be protected from the invasion of the foreign and domestic wealth vultures seeking to repeat the first critical raping of the land and theft of the resources, and harm to our Grandmother Earth, and her sacred "heart' the blessed and beautiful He Sapa. We specifically y oppose any and all efforts to mine under this Newark Exploration Drilling Project, and any and all other illegal and destructive mining/drilling/exploration projects/ventures/plots, now and forever. We also encourage and demand that an Environmental impact Study be done.

Robin Zephier
Mnincoju Lakota
Member of the 1868 Treaty Tribe, Cheyenne River Sioux Tribe
Rapid City, SD 57702