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First name: Taylor

Last name: Gunhammer

Organization: NDN Collective

Title: Local Organizer

Comments: To whom it may concern:

My name is Taylor Gunhammer. I am an enrolled member of the Oglala Sioux Tribe and thereby a holder of inherent, immutable, sovereign rights to the absolute and undisturbed use and occupation of the entire Black Hills - rights which were further affirmed by the 1868 Treaty of Ft. Laramie and Article VI of the U.S. Constitution. I am also a Local Organizer with NDN Collective's Protect The Hesapa campaign. I reside in Rapid City, South Dakota, and I drink the water supplied by the Pactola Reservoir every day that I am not traveling for work.

I am writing today to express my full-throated SUPPORT of the proposed Pactola mineral withdrawal. The most simple reason for my support is that there is literally no drawback to the project for anyone who is not attempting to exploit the Black Hills for short-term extractive profit. Mining makes up barely 1% of South Dakota's economy and poses a grave risk to every other economic sector due to the fact that even businesses which are not based on outdoor activities rely on the water from bodies that mining operations threaten. That dynamic is further exacerbated in the case of Pactola, wherein around 100,000 people depend on the health of this single water source. No rational person acting in good faith can argue that the best idea is to risk the viability of our primary water source in order to further accommodate the already-unfair entitlement that mining companies feel to permanently pollute treaty lands and public lands. They've been given every permission and then some, illegally, to mine the Black Hills since 1872, and enough is enough. Every single one of those mining operations has been a violation of the Ft. Laramie treaty, as affirmed by the U.S. Supreme Court in 1980. Treaties are not musings, stories, or suggestions - they are laws. And people who break laws are committing crimes. I can't believe it feels necessary to point these things out, but that's the situation in which we seem to be.

At this point, The People have seen the devastation left behind by antiquated mining technology, and they have learned that those technologies have since evolved into mechanisms of faster extraction and greater environmental devastation which pose even greater risks to public health. Even Kwinn Neff, local pro-mining lobbyist, admits that "social acceptability" was a major factor in the decision to cancel the Gilt Edge project that was being pushed by Agnico-Eagle, a Canadian mining company which was seeking to re-mine the Superfund site. It is clear that, in the Black Hills, the historically favored mining interests that have already caused so much environmental harm are now at odds with the values of the common citizen - values that honor the sanctity of water, the environment, human rights, and a sustainable future. The People realize that while mining companies stand to continue profiting from 152-year-old mining policy which is firmly rooted in anti-Indigenous colonialism, they stand only to drink polluted water and look out over a severely degraded landscape which they once treasured.

In the interests of Tribal treaty rights, human rights in general, restorative justice, Constitutional law, environmental health, South Dakota's economic well-being, Ellsworth Air Force Base's general well-being (no less than a national security concern), wildlife habitats, climate change mitigation and survival, South Dakota's tourism, hunting, fishing, agriculture, ranching, camping and outdoor recreation industries, and the well-being of thousands of common citizens who will not profit from the mining projects that will poison their families: I call upon the U.S. Forest Service and the Bureau of Land Management to approve the Pactola mineral withdrawal and enact its tenets with utmost haste. I also call for the withdrawal to be extended to the entire Black Hills and made permanent thereafter as a step in the process of honoring and upholding the U.S government's treaty responsibilities to sovereign Tribal nations.

While I am pleased with the proposal to enact a mineral withdrawal at all and I applaud both the Forest Service and BLM for doing so, it stands to reason that nothing short of all the above actions will rise to the level of true restorative justice, in meaning or material. Let's not stop our journey toward safety and survival as a community when we are only one step in. Mining is an anti-Indian industry in this country, and it always was. One of the purposes of the 1872 General Mining Law was to "help settle the West," which was already full of human beings and civilizations. The intellectual crux of that purpose statement is that Indigenous peoples are not actual human

beings and do not have actual civilizations, which in 2024 is not an acceptable basis for federal law or a valid defense of unethical business practice. Let's not build our shared future on a foundation of continuing racism and injustice. Mining is the new incarnation of the Indian Wars, and the old one. Let's create a better future. Approve the Pactola withdrawal now.

Respectfully,

Taylor Gunhammer, Oglala-Lakota  
Local Organizer, NDN Collective