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First name: Faith

Last name: Eagle

Organization: Brave Heart Society

Title:

Comments: Yankton Sioux Tribe Treaty Committee

Ihanktonwan Dakota Oyate Treaty Committee

August 22, 2022

USFS, Black Hills National Forest Service Supervisor's Office

Attn: Objection Reviewing Officer

1019 North 5th St.

Custer, SD 57730

RE: Yankton Sioux Tribe Objection to the Final Environmental Assessment of the Jenny Gulch Gold Exploration Drilling Project from the Ihanktonwan Dakota Oyate Treaty Committee of the Yankton Sioux Tribe

Dear Objection Reviewing Officer or James Gubbels (Mystic Ranger District Office):

Please consider this Official Letter of Objection from the Yankton Sioux Tribal Treaty Committee as a follow up to the official Government to Government Consultation requested by the Yankton Sioux Tribe on January 6, 2020. This letter of record is coming from the Ihanktonwan Oyate Treaty Committee which was present during our call on January 6, whereby consultation was requested by the elected officials and the Chairman, Robert Flying Hawk. We work in close cooperation with the tribal leadership to protect Treaty lands. I am the Chair of the Treaty Committee and am submitting this in support of the YST THPO letter also submitted on August 18, 2028. This letter of objection reiterates our opposition to this project in any shape or form that would further desecrate the sacred [squo]He Sapa in any disturbances. We note the following objections:

- * The Forest Service continues to ignore and violate our [ldquo]Woope[rdquo] or Traditional Law/Protocols not only by the Jenny Gulch proposal but also violated the complete process that Yankton requested the agency to follow in decision making. WE also have written protocols that were completely ignored.
- * The USFS continues to ignore and violate the Biden Executive Orders regarding Stewardship, Treaty Rights, Co-Management; Incorporation of Traditional Ecological Knowledge, Environmental Justice and thorough Consultation. None of this was even touched upon. Federal agencies were required by the Biden Administration to explain in written form as to how they would apply these executive orders that are highly relevant to tribes. We have not seen that.
- * We feel strongly that Environmental Justice is a big issue at hand since the Black Hills are known to the Oceti Sakowin as the HEART OF OUR OYATE/PEOPLE and identified as sacred lands.
- * We are requiring a inter-tribal Traditional Cultural Property Survey be conducted and funded by the developers at the soonest possible date in addition to Western based Archaeological Surveys. It is not known if there are existing [ldquo]fasting sites[rdquo] in these areas until a TCP is conducted. Yankton wishes to be an active player in the development of a Cultural Survey as we have done in other sites.
- * We continue to insist on an expanded Environmental Impact Statement considering the high number of 47 drilling sites in a small concentrated area and the close proximity to the Oglala Aquifer.
- * Climate change impact studies need to be conducted with and besides tribes to obtain thorough information on the geological nature of this particular area in regard to stability, slides, water impacts, sacred sites and traditional gathering activities.
- * We interject the requirement that this process examine and be trained in the cultural rights outlined in the United Nations Declaration of Indigenous Peoples.
- * We will continue to protect our Dakota Customary Law in regard to these locations and knowledge, our human rights and our inherent rights, documented and oral.
- * Through our consultation efforts we insist that USFS recognize the hard look through NEPA to be taken by our tribe and the other tribes in an expanded manner to include historical, cultural, spiritual and political impacts on this [ldquo]Wizipan[rdquo] Bundle or Historic District and Cultural Landscape.
- * It is a gross misnomer to state that there will be no adverse effect on these lands.

Please retain this letter as compliance with Section 106 of the National Historic Preservation Act of 1966 and the National Environmental Protection Act. If there are questions do not hesitate to contact me at . My email is . I also made comments during the required time period which is recorded via my name in the Final Environmental Assessment.

Sincerely,

Faith Spotted Eagle

Chair, Ihanktonwan Oyate Treaty Committee

Yankton Sioux Tribe