



Oglala Lakota

Cultural Affairs & Historic Preservation

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Advisory Council:

Garvard Good Plume, Jr. – Founding Member

Robert Two Crow - Member

Jhon Goes In Center – Ex-Officio Member

Francis 'Chubbs' Thunder Hawk - Ex-Officio Member

Dr. Hannan LaGarry – Ex-Officio Member

In Honor

(In Spirit) Elaine Quiver – Founding Member

(In Spirit) Wilmer Mesteth – Founding Member

Personnel:

Trina Lone Hill – Director

Loni Weston – Cultural Resource Specialist

January 13, 2017

Jill Caverly, Acting Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Dear Ms. Caverly,

The Oglala Sioux Tribe Cultural Affairs and Historic Preservation Office has received your letter dated November 23, 2016 regarding scheduling a conference call to discuss issues related to a cultural resources survey of the Dewey-Burdock property as well as the Oglala Sioux Tribe's concerns pertaining to the existing Programmatic Agreement associated with the proposed mining project. The Tribe is agreeable to a conference call and suggests the weeks of January 23 or January 30, 2017.

While the Tribe agrees that a conference call between the Oglala Sioux Tribe and NRC Staff in the short term is appropriate to continue the dialogue on these matters, the Tribe wishes to express its preference to also include in-person meetings as the discussion advances.

In addition to the government-to-government consultation between the Oglala Sioux Tribe and the United States, we would like to discuss mechanisms to address issues concerning other parties with an interest in these issues in context of the NHPA/NEPA process. For example, there has been widespread concern repeatedly expressed to NRC Staff over the proposed Dewey-Burdock project by several other Sioux tribes with cultural ties to the affected area. While we expect NRC Staff to carry out any government-to-government consultation directly with these tribes, in context of NEPA and NHPA it is the Oglala Sioux Tribe's intent to seek to include cultural and historic preservation staff from these other tribes as the discussion advances. Also, at some point the issue of Powertech's stated unwillingness to meet its financial obligations for NRC Staff to complete its statutory mandates related to cultural resources impacted by Powertech's application must be addressed and resolved. It remains the Tribe's position that the financial bias of the licensee should not be elevated such that it is allowed to unduly influence the manner and terms of the NRC Staff's compliance with its National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) section 106 consultation duties,

"Preserving our Identity in the Land."

particularly given the special relationship involved in the Federal Trust Responsibility between the NRC Staff, as the delegate of the United States, and the Oglala Sioux Tribe.

Please advise on NRC Staff's availability for the dates proposed.

Sincerely,

Trina Lone Hill
Director
Cultural Affairs & Historic Preservation Office
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cc: Kellee Jamerson, NRC Staff
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