

Flandreau Santee Sioux Tribe

P.O. Box 283 Flandreau, SD 57028

Ph. 605-997-3891

Fax 605-997-3878

www.santeesioux.com

March 31, 2011

Mr. Kenneth Blodgett
Surface Transportation Board (STB)
Office of Environmental Analysis
395 E ST SW
Washington DC 20423

RE: *Draft Amendment of the Programmatic Agreement for the construction and operation of a rail line by the Tongue River Railroad Company from Miles City to Decker in Custer, Rosebud, Powder River and Bighorn Counties, Montana*

Dear Mr. Blodgett,

The Flandreau Santee Sioux Tribe would like to thank you for granting us additional time in offering comments related to proposed amendments to the expired Programmatic Agreement "of which we are currently NOT signatories to". In response to comments made by Indian tribes regarding the letter issued January 30, 2011, by STB the Flandreau Santee Sioux tribe concurs with statements made concerning potential impacts to a diverse range of historic properties. In addition the Flandreau Santee Sioux tribe agrees with comments made by the Northern Cheyenne and Rosebud Sioux tribe addressing the lack of tribal consultation/participation in the historic preservation review process mandated by Section 106 of the National Historic Preservation Act as amended in 1992.

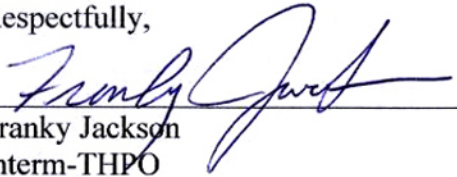
In accordance with regulations set forth in Section 106 of the National Historic Preservation Act, as amended in 1992, the Flandreau Santee Sioux tribal council and the Tribal Historic Preservation Officer do not feel that adequate tribal participation has been afforded. As a result of the agencies failure to initiate meaningful government to government consultation the Flandreau Santee Sioux tribe concurs with comments made by the Rosebud Sioux tribe in that identification of historic properties is considered incomplete. Further more without proper tribal participation during the identification process it is impossible for tribes to accurately assess possible adverse effects to historic properties.

As stated in the response letter issued by ACHP on March 29, 2011 regarding the original PA, NO tribes chose to sign the agreement as a concurring party. Concerns issued by tribes were not adequately addressed during the construction of the original PA.

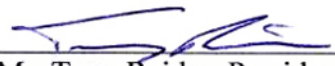
The Flandreau Santee Sioux tribe supports the recommendations issued by ACHP to STB in developing "tribal coordination protocols" that will be responsive to tribal concerns. The Flandreau Santee Sioux tribe reminds SBT that tribal participation is not only required by NHPA and other executive orders, but its KEY when addressing the issue of project success and developing sustainable partnerships.

We thank you for your time and attention in addressing our comments and concerns.

Respectfully,



Franky Jackson
Interm-THPO
Flandreau Santee Sioux Tribe
P.O. Box 283
Flandreau SD 57028



Mr. Tony Reider, President
Flandreau Santee Sioux Tribe
P.O. Box 282
Flandreau SD 57028



Re: Tongue River PA comments
 Franky Jackson
 to:
 Kenneth.Blodgett
 04/04/2011 04:50 PM
[Show Details](#)

History: This message has been replied to and forwarded.

1 Attachment



TRresponseletter.pdf

Kenneth please find attached a copy of the Flandreau Santee Sioux Tribe response letter regarding proposed amendments to the expired PA. If you have any questions please feel free to at 6052682012.

Franky Jackson
 THPO
 Santee Sioux Tribe

From: "Kenneth.Blodgett@stb.dot.gov" <Kenneth.Blodgett@stb.dot.gov>
To: ngabriel@achp.gov; vhauser@achp.gov; Charlene Vaughn <cvaughn@achp.gov>; Dalice_Landers@blm.gov; doug@wescorresources.com; DCoburn@steptoe.com; rebecca.j.shipman@usace.army.mil; laxline@mt.gov; rebecca@northernplains.org; swilmoth@mt.gov; "Baete, Lisa" <Lisa.Baete@ARS.USDA.GOV>; christine_whitacre@nps.gov; conrad.fisher@cheyennenation.com; leroy.spang@cheyennenation.com; steve.brady@cheyennenation.com; joe.foxjr@cheyennenation.com; dale@lbhc.cc.mt.us; Clair Green <clairsgreen@yahoo.com>; Waste'Win Young <wyoung@standingrock.org>; Steve Vance <steve.vance@crst-nsn.gov>; Lana Gravatt <gravattlana@yahoo.com>; dianne desrosiers <dyandancer@yahoo.com>; curley_up@yahoo.com; f.jackson005@yahoo.com; rstthpo@yahoo.com; rickthomas_06@yahoo.com
Cc: lowersioux@mnhs.org; wanapeyanajica@gmail.com; brandonsazue@hotmail.com; scottl@uppersiouxcommunity-nsn.gov; culturalresources@shakopeedakota.org; blackfeetthpo@gmail.com; pbrady@mhanation.com; narapahothpo_2009@ymail.com
Sent: Mon, April 4, 2011 2:53:04 PM
Subject: Tongue River PA comments

Attached are comments which were received from the Northern Cheyenne and Lower Brule Sioux tribes on the PA revision. The comments will be available on the Board's website (ECT).

Thanks.

(See attached file: Lower Brule Sioux EI-18514.pdf)(See attached file: Northern Cheyenne EI-18515.pdf)