



FD 33407

EI-16197

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LOWER BRULE SIOUX TRIBE

December 2, 2008

Victoria Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board (STB)
395 E Street, SW
Washington, DC 20423

Dear Ms Rutson:

As Chairman of the Lower Brule Sioux Tribe, I wish to express my concern that the Lower Brule Sioux Tribe was not invited to the December 2nd, 2008 meeting between the STB, the DM&E and all of the federal agencies and state SHPOs to discuss various aspects and procedural clarifications of the Programmatic Agreement. The Lower Brule Tribe is a signatory on that Agreement and as such has the right to be included, along with the cooperating agencies and SHPOs, in any discussions relevant to the proposed undertaking.

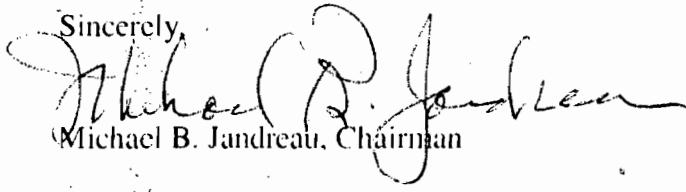
As a signatory on the document, the Lower Brule Sioux Tribe formally requests:

- A thorough briefing by the STB of what took place at the above mentioned meeting; and,
- the opportunity to review, comment or concur on any suggestions, decisions or procedural changes discussed prior to their being considered final.

The Lower Brule Tribe has dedicated a tremendous amount of time, energy and money over the last several years to be a constructive and integral part of this proposed undertaking. It is disappointing to realize that despite Executive Orders, federal statute and other determinations, the ages old prejudice still is evident in the way federal agencies do business with Indian country.

Thank you for your consideration.

Sincerely,


Michael B. Jandreau, Chairman

Cc: Catherine Glidden