



Preserving the Land, Cultural
Heritage, Tradition for the
Future Generation

Tribal Historic Preservation Office

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CG

Russell Eagle Bear
Officer

Kathy Arcoren
Administrative Assistant

October 6, 2009

Ms. Katherine Glidden
Environmental Protection Specialist
Surface Transportation Board
Section of Environmental Analysis
395 E. Street, SW
Washington, DC 20423-0001

RE: Request for consultation.

Dear Ms. Glidden,

Greetings from the Rosebud Sioux Tribe. We are sending a request to your office for a consultation with you as we have several concerns regarding the previous field season evaluations of sites within and peripheral to the DM&E corridor. Questions have arisen in reference to the Tribal participation and the end results of their recommendations.

As just a part of our concerns, the Tribal Historic Preservation Office at Rosebud is now questioning the position that your office is taking on the completed reports that we have submitted with evaluation criteria from the NRHP, and if they are inclusive in the "final" report(s) as submitted by archaeological firms. Additionally, we are unsure of the legality of the Native reports (and weight) if they are not covered by Section 1.12 of the NHPA requiring a professional standard of those submitting reports to the SHPO's of the respective states. Will those sites identified by Native monitors be given the same weight as an archaeological identification, evaluation, and recommendation?

Is there a precedent being set here for Native recognition of sites and their knowledge to be inclusive in the SHPO and archaeological concurrence? What happens when the lead archaeologist does not concur with the Native assessment of the additional features located by Native monitors on sites? Does the archaeologist include the Native reasoning behind their recommendation in the archaeological summary report?

We have a number of other concerns that are associated with these issues and are requesting that a time be made to meet with you. We, and we hope that you are, amenable to traveling to Sioux Falls or Rapid City to meet; we leave the time and place

up to your desecration and schedule. However, given the time lines that we are dealing with we do sincerely hope that it will be soon.

Thank you for your kind attention to this matter.



Sincerely,

Mr. Russell Eagle Bear

Rosebud Sioux Tribe

Tribal Historic Preservation Officer

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