

**YANKTON SIOUX TRIBAL CULTURAL COMMITTEE
YANKTON SIOUX TRIBE
MARTY, SD**

June 17, 2009

Catherine Glidden, Surface Transportation Board
Environmental Protection Specialist
Surface Transportation Board
Section of Environmental Analysis
Washington, DC 20423-0001

Dear Catherine:

The purpose of this letter is to express our concerns and provide recommendations for remedying a situation that we are concerned about on the DM&E and tribal monitoring situation being conducted these past few weeks in Wyoming and South Dakota. This concern is based on Yankton's on site participation. In the past we have expressed our concern that a tribal survey needed to be conducted on the DM&E lines either prior to or alongside the archaeological surveys.

Our fears have been realized by participating in this effort. We see ourselves not as just monitors but tribal surveyors and keepers of important Indigenous Knowledge. In the first week alone, when we were provided with the previously recorded information on seven (7) sites, the tribal peoples present were able to identify/locate at least 20 or more sites that were previously unidentified. In some areas, there were archaeological notes that indicated discrepancies between arch teams, (i.e. some teams could not find what others had previously identified, even when the original crews re-identified.) The following two weeks have followed suit, with other findings being located by surveyors including a burial found by one of our Ihanktonwan crew and many other sites found by all the tribes present.

Here is a summation of our concerns:

1. Large number of sites being found by tribal surveyors which indicates inadequate recordation.
2. Lack of cultural knowledge by previous archaeological surveys; those present are eager to grow.
3. Tribal folks are being hurried through these sites, putting time above protection and identification.
4. It appears that we are most assuredly still in the identification stage, not evaluation.
5. There does not seem to be a consistent way to review sites covered each day, or even each week. Yankton has in fact, requested that there be a tribal consensus building, sharing of information/discussion during the projected last week to determine where we go from here. We have shared this need to Randy Withrow, Ben Rhodd and Tom Ross.
6. Participation of nonfederal agencies that have been delegated decision making responsibility.
7. We need clear information on our decision process in regard to stone circles and numerous ancient sites.
8. Limitation on presence and participation of tribal folks to cover large areas with adequate time set aside, not rushed.
9. Concern of inadequate ATV vehicle to transport elders who may come if that was available. Need female and male society/elder/spiritual presence as some of these sites are gender related.

Here is our recommendation:

1. Move back to discuss a tribal SOW (Scope of Work) on identification for areas needing more thorough recordation and identification. Discussion on what each tribe submits, etc. We are still in identification.
2. Yankton would like tribal reps to meet to address the above areas in a tribal caucus before the end of the survey work next week in the Rapid City/Wall area, to be concluded with a meeting with HDR, Louis Berger, Herb from DM&E and STB; and the Forest Service representatives at an agreed upon time with other Tribal THPO's, Cultural Committees and designated officials present.
3. This last recommendation is in the spirit of a new time when we can pursue the "additive/integrative crucial presence of "old/new" Indigenous Wisdom to baseline archaeological data. This type of approach is advocated in the newly adopted document "Indigenous

Declaration on the Rights of Indigenous People”, by the United Nations in a historic 2008. We can have this document available.

4. I will be present at next week’s survey time out of Rapid City to address this letter.

On a closing note I appreciate Randy and the other archaeologists efforts and individuals, including tribal folks to do what is being done in a pressured environment. Thank you for your efforts.

Respectfully,

Faith Spotted Eagle,
Cultural Committee
Yankton Sioux Tribe.

Cc: Randy Withrow, Louis Berger
DM&E Contacts
YST General Council/ Cultural Committee/ THPO
Other Tribes involved in the DM&E Survey