

Hello Everyone,

A number of recent events is the reason for this Special Newsletter. Some of the issues are time sensitive so please notice the dates. We hope you will write a letter, or attend a meeting, or participate with us at a Prayer Gathering at Paha Mahto (Bear Butte).

### **Urgent- Comments for the Strata Energy Uranium Mine expansion**

Strata Energy, a Uranium mining company, has submitted a license application asking the Nuclear Regulatory Commission to expand their uranium mining and processing site in Crook County, Wyoming, near Tipi Mahto (Devil's Tower) and Oshoto Reservoir by an additional 7,800 acres. In the meantime, Powder River Basin Resource Council and Natural Resources Defense Council are in the middle of appealing Strata's first NRC license with evidence regarding water contamination. This new effort by Strata to expand their operation while their first license has not even been approved yet needs to be halted.

Please send your concerns to the NRC by **Friday April 22nd**. Please put Docket ID NRC-2011-0148 in your letter or email. Written comments may be submitted by mail to Cindy Bladey, Office of Administration, Mail Stop: OWFN-12-H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; or by email to KendrickSEIS@nrc.gov.

### **Dakota Access Pipeline Meetings**

The proposed Dakota Access Pipeline, backed by Energy Transfer Partners from Texas, is a 1,168-mile, 30-inch diameter pipeline that would carry Bakken crude oil from western North Dakota to a distribution center in Illinois. If built, the Dakota Access Pipeline would transport as much as 450,000 barrels of oil per day with a future capacity of 570,000 barrels per day.

Plans are to build the Pipeline under the Cannonball and Missouri Rivers. If a break occurs under or near these rivers, it will affect the drinking water of all the Tribes along the rivers, and the cities, towns, and agriculture down river. No Environmental Impact Study has been completed, nor have any of the Tribes been consulted regarding cultural resources. There are also threatened and endangered species to be considered: the Least Tern, Snowy Plover, and the Pallid Sturgeon.

Dates for the meetings are:

- **April 27 at Grand River Casino near Mobridge, SD, at 9:00 am CST,**
- **April 28 at Prairie Knights Casino north of Fort Yates, ND, at 9:00 am. CST**
- **April 29 at Grand River Casino at 9:00 am. CST attended by the Commander.**

**Defenders Resolution** A copy of a Resolution from Defenders of the Black Hills follows this message and has been given to the organizers of the Spirit Camp. The wording is offered for anyone who wishes to use it for their own comments.

### **Bear Butte Prayer Gathering**

The owner of the Full Throttle Saloon, which burned down last fall, plans on rebuilding and also

plans on opening a new bar and campground very near Paha Mahto (Bear Butte). **A Prayer Gathering is planned for Saturday, April 30, 2016**

, at the Rosebud Lodge on the northwest side beginning at 10:00 AM. Prayers for the protection of Paha Mahto and all other sacred places will be said. If you are unable to attend, please pray with us on that day. A cold lunch will be provided following the prayers.

Submitted by Charmaine White Face, Coordinator

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Defenders of the Black Hills

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Resolution Opposing the Proposed Dakota Access Pipeline

**Whereas** the mission of Defenders of the Black Hills is “to ensure that all of the provisions of the Fort Laramie Treaties of 1851 and 1868 are upheld by the federal government of the United States” and to protect the environment within the Treaty Area until such time as these lands are returned to the Great Sioux Nation; and

**Whereas** the waters of the Missouri River are an essential component of said Treaty Area per Article 2 of the 1868 Treaty; and

**Whereas** the oil production source area to be serviced by the proposed Dakota Access Pipeline drains into the waters of the Missouri River; and

**Whereas** the process of hydraulic fracturing that is producing the oil volumes to be transported by the Dakota Access Pipeline will inevitably lead to contamination and/or degradation of the surface and subsurface waters draining into the Missouri River; and

**Whereas** the Unceded Indian Territory under Article 16 of the 1868 Treaty extends north from the forty-sixth parallel of latitude to the Heart River in what is now termed the State of North Dakota; and

**Whereas** the proposed route for the Dakota Access Pipeline crosses the Heart River in Morton County of the State of North Dakota, and continues for some 35 miles across Unceded Treaty Territory until it crosses the Missouri River; and

**Whereas** no portion or part of the Great Sioux Reservation or the Unceded Treaty Territory established by the 1868 Fort Laramie Treaty has ever been ceded by the Signatory Tribes in accordance with the Article 12 requirement for approval by  $\frac{3}{4}$  of the adult male Indians; and

**Whereas** Article 16 of the 1868 Fort Laramie Treaty obligates the United States Government to see that “no white person or persons shall be permitted to settle upon or occupy any portion” of the Unceded Indian Territory; and

**Whereas** the construction of a pipeline, while not explicitly considered in the 1868 Treaty, must certainly be construed as an unauthorized “settlement” or “occupation” under Article 16;

**Therefore Be it Resolved** that Defenders of the Black Hills opposes the routing of the proposed Dakota Access Pipeline across some 35 miles of the Unceded Indian Territory established by the 1868 Fort Laramie Treaty.

**It is furthermore Resolved** that Defenders of the Black Hills opposes the granting of any permits or authorizations by the Government of the United States for the construction, operation, or maintenance of said pipeline on any portion of the 1868 Fort Laramie Treaty Area.

Adopted by the Board of Directors on this Ninth day of April of Two Thousand Sixteen.

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Charmaine White Face, Coordinator