

DRAË IEN



STANDING ROCK SIOUX TRIBE

TRIBAL HISTORIC PRESERVATION OFFICE

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Richard Harnois
Army Corps of Engineers
Oahe Project
Powerhouse Road
Pierre, SD
57501-6174
RE: DAPL SOIL BORE TESTING PROJECT

February 18, 2015

Dear Rick,

This letter is in response to the DAPL soil bore testing project. The SRST THPO staff has reviewed the USDA soil maps. (As a side note, the Corp did not provide a map of the project area to us in the email that I am aware of even though the letter stated that there would one provided).

The soil maps indicate that there are potentially alluvial soils in both sites 32EM0019 and 32EM0021. The question would be how deep do the soils go? The shovel tests performed by UND did not go that deep. The site forms indicate that the sites are low density prehistoric sites. And also states that the integrity is poor. To what degree is the integrity poor? We need more explanation here please. We would like 32EM0019 to be reevaluated.

There is a potential for deeply buried materials.

We would like to look at 32EM0019 and 32EM0021 and see if they are both on the same landform or one large site. There is a need to do additional testing. If site 32EM0021 has buried soils, pottery and fire cracked rock this indicates a potentially significant settlement at that site location. We are concerned about any potential dredging that might take place due to the burials that are located in the ROW.

There is a chance that 32EM0019 and 32EM0021 are one large site and that the materials from the higher terrace washed down over time. It could have been a camp site at 32EM0019 and the material from the site was carried down to the lower area over time. This is one possibility. There would need to be extensive testing between both sites in order to determine whether they are two sites or one larger one. Either way there is a high potential for deeply buried materials although they didn't find any subsurface materials in the original shovel tests done by UND.

What year were these shovel tests completed by UND? There is a definite need to do testing between the sites and around 32EM0019. There is a need to see what is below a meter in depth.

Where exactly in the ROW will this new pipeline be built?

Again, although little to nothing was found in the first survey there is a need to test around the site if it is within the APE. Are there two sites? Or one? Tribal participation is needed on the Class III survey to define the sites better and to delineate the boundaries. Shovel probes are necessary to see if there is an alluvial terrace that has eroded down to the lower area. The site probably has no GPS point due to the fact that they did not have GPS data at that time probably. Ultimately, the geology is what is going to tell us if there is a high potential in this area for alluvial soils.

SRST oral traditions and historical records tell us of the occupations that were present along the east side of the river. There are documented Dakota, Cheyenne and Arikara camp sites, sacred sites and burials located within the direct path of the ROW. The significance of the island to the SRST tribe is paramount in any discussion of the potential work to be done. Soil degradation from the dredging of the Missouri River bed is going to disturb what is intact of the burial sites that exist within the corridor.

The Standing Rock Sioux Tribe-Tribal Historic Preservation Office is opposed to any geotechnical bore testing of any kind until mitigation is completed for site 32MO0001 (North Cannonball Site), an earth lodge village. Furthermore, we are opposed to any bore drilling until a full Class III Intensive Cultural survey can be done to determine the eligibility for the 9 unevaluated sites. Section 110 K of the NHPA requires all sites to be evaluated. The THPO office is opposed to any work unless a full TCP survey is conducted on the area of potential effect. Our tribe has never surveyed this land and it has a specific historical and cultural resources relevance to our tribe. Thus our cultural resources are impacted directly by any type of bore drilling. In addition, the EA is outdated and since this is a potential crude oil pipeline there are different environmental impacts. The SRST is requesting that an Environmental Impact Assessment be completed. The SRST THPO is committed to participating in these efforts.

The SRST THPO recommends a full TCP and archaeological Class III Cultural Resource survey prior to any mitigation that would take place. I would also recommend 100% monitoring by Makece Wowapi during any and all work to be done both pre-assessment and during pipeline construction if the pipeline gets built. I am of the opinion that there is a needed discussion with the NDSHPO.

The SRST THPO does not concur with the "No Historic Properties Affected" determination for the DAPL soil bore testing project. If you have any questions please feel free to contact the SRST THPO at 701-854-2120.

Sincerely,

Waste'Win Young
SRST THPO