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**CHEYENNE RIVER SIOUX TRIBE**

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**ORIGINAL**

Date: March 18, 2018

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First St. N.E., Room 1A  
Washington, DC 20426

FILED  
SECRETARY OF THE  
FEDERAL ENERGY  
REGULATORY COMMISSION  
2018 MAR 26 P 4: 33

Re: Docket #CP16-10-000 (Mountain Valley Pipeline)

Secretary Bose,

The Cheyenne River Sioux Tribe (CRST), submits these comments concerning the Mountain Valley Pipeline (MVP), under the review and permitting of the Federal Energy Regulatory Commission (FERC) and lead federal agency.

As The Tribal Historic Preservation Officer (THPO), and designated representative for the Section 106 Consultation process, on January 16, 2018 I requested any Class I, Class II, and Class III reports for the MVP project from FERC. The response from FERC was that the requested information is "privileged" and I was to review the Environmental Impact Statement (EIS), and the Programmatic Agreement (PA), for the information I was requesting.

I have already reviewed the EIS and PA and because there seemed to be insufficient work by the archaeologists was why I am requesting the archaeological Class III report for the identification and evaluation of cultural resources.

I am discouraged at the response from Paul Friedman's January 30, 2018 letter from FERC that a THPO cannot review MVP project reports. I am very sure FERC provided this same information I requested to the State Historic Preservation Officer (SHPO). Is FERC discriminating CRST?

I sent emails to FERC asking for a response to my request and again they referred me to the EIS and PA.

The PA states that the Section 106 Consultation Process was concluded by the execution of the PA. I disagree with this statement by FERC. PA's are developed as part of the 106 Process but does not conclude the 106 Process.

Because there has been limited communication with me on this project I have informed the Advisory Council on Historic Preservation (ACHP), of my concerns. I am waiting for ACHP and Office of Native American Affairs (ONAA), for their interpretation of a PA concluding the Section 106 and other questions of the way FERC has conducted consultation with Tribes who, as FERC states in their January 30<sup>th</sup> letter "Tribes that may have historically used or occupied the project area".

I have notified people that the Lakota "Sioux" have known historic and cultural association to the area and this is why I am requesting information to review. Because I have not been provided information to review I went to Virginia to visit some areas where the proposed pipelines Area of Potential Effect (APE), would be. Several landowners allowed me on their property to view their land. During the visit I observed what I deem occupation sites, encampments, or villages. On another property there was sites of ceremonial activity. None of this was in the EIS or the PA. The EIS states that no construction will be allowed until all identification measures have been completed. These newly located sites were not identified by the archaeological firm.

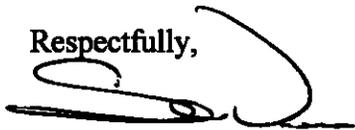
It has come to my attention that archaeologists are in the areas I visited after leaving Virginia. It appears that MVP is in the areas visited to remove or destroy the sites.

I called Paul Friedman and Anthony FERC on the telephone after a visit to Virginia and was told to leave a message as they were not in their offices.

Not being able to contact anyone at FERC I sent emails to ACHP that there will be adverse effects from the ongoing cutting of trees and archaeological diggings presently being done along the APE. I informed ACHP that the continued destruction is deemed anticipatory demolition and should stop until all cultural resources are sufficiently identified.

This letter is only repeating what has been addressed previously but I feel the previous emails, phone calls, and other requests are ignored and deem not official. The communication I am doing is far greater then what FERC has done to date to address consultation with Tribes.

Respectfully,



Steve Vance THPO

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