

Re: R-Project - Letter From the Rosebud Sioux

Castiano, Melissa <melissa_castiano@fws.gov>

Tue 10/19/2021 4:03 PM

To: Porath, Mark T <mark_porath@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>

Cc: DeBerry, Drue <drue_deberry@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>

Hey Mark,

Nope I have no other additions. Thanks to Angela to help on it!
Thanks again!

Ahé'hee'! (Thank You)



I recognize and acknowledge that I work and live on the ancestral lands of the Ute, Arapaho, Cheyenne, and Očhéthi Šakówinj (Lakota, Dakota, and Nakota) Tribes.

Melissa Castiano (Diné) (Pronouns: She/Her/Hers)

Native American Liaison - External Affairs

U.S. Fish and Wildlife Service

Interior Regions 5 and 7

134 Union Blvd, Lakewood, CO 80228

Office: 303-236-9898

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“Consultation is a process that aims to create effective collaboration with Indian tribes and to inform Federal decision-makers. Consultation is built upon government-to-government exchange of information and promotes enhanced communication that emphasizes trust, respect, and shared responsibility. Communication will be open and transparent without compromising the rights of Indian tribes or the government-to-government consultation process.”
-S.O. 3317 (Department of the Interior Policy on Consultation with Indian Tribes)

From: Porath, Mark T <mark_porath@fws.gov>**Sent:** Tuesday, October 19, 2021 4:02 PM**To:** Burgess, Angela <Angela_Burgess@fws.gov>**Cc:** DeBerry, Drue <drue_deberry@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>; Castiano,

Melissa <melissa_castiano@fws.gov>

Subject: RE: R-Project - Letter From the Rosebud Sioux

Melissa,

I'm just following up to see if anything else is needed. Haven't heard any updates on the status of our response letter, and wanted to make sure you weren't waiting on something.

Thanks,

Mark

From: Burgess, Angela <Angela_Burgess@fws.gov>

Sent: Wednesday, October 13, 2021 1:53 PM

To: Porath, Mark T <mark_porath@fws.gov>

Cc: DeBerry, Drue <drue_deberry@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>; Castiano, Melissa <melissa_castiano@fws.gov>

Subject: Re: R-Project - Letter From the Rosebud Sioux

Hi Mark,

Just had a chance to take a look and made some additional edits in track changes in the version that Melissa shared ([here](#)). Let me know if you'd like to discuss any of my suggested edits.

Thanks,

Angela

Angela Burgess

Conservation Plans and Section 6 Grants Coordinator

Fish and Wildlife Biologist

Ecological Services

U.S. Fish and Wildlife Service

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303-236-4263

angela_burgess@fws.gov

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From: Castiano, Melissa <melissa_castiano@fws.gov>

Sent: Wednesday, October 13, 2021 12:34 PM

To: Porath, Mark T <mark_porath@fws.gov>

Cc: DeBerry, Drue <drue_deberry@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>

Subject: Re: R-Project - Letter From the Rosebud Sioux

Hi Mark,

Thank you for the opportunity to review. I made some minor edits in addition to the Friday comments I had.

 [Rosebud Sioux response DRAFT.docx](#)

Ahé'hee'! (Thank You)



I recognize and acknowledge that I work and live on the ancestral lands of the Ute, Arapaho, Cheyenne, and Očhéthi Šakówiŋ (Lakota, Dakota, and Nakota) Tribes.

Melissa Castiano (Diné) (Pronouns: She/Her/Hers)

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From: Porath, Mark T <mark_porath@fws.gov>

Sent: Friday, October 8, 2021 11:30 AM

To: Castiano, Melissa <melissa_castiano@fws.gov>

Cc: DeBerry, Drue <drue_deberry@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>

Subject: RE: R-Project - Letter From the Rosebud Sioux

Thanks for the constructive comments Melissa. This is the revised version attached. I haven't heard anymore about a timeline to respond, but we should be in relatively good position to respond quickly if needed.

Have a good long weekend,
Mark

From: Porath, Mark T

Sent: Friday, October 8, 2021 11:17 AM

To: Castiano, Melissa <melissa_castiano@fws.gov>

Cc: DeBerry, Drue <Drue_DeBerry@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg

<Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <Jeff_Runge@fws.gov>

Subject: RE: R-Project - Letter From the Rosebud Sioux

Thanks Melissa, the attached is a DRAFT succinct response from the RO. Please let me know how it can be improved.

Mark

From: Castiano, Melissa <melissa_castiano@fws.gov>

Sent: Tuesday, October 5, 2021 2:34 PM

To: Porath, Mark T <mark_porath@fws.gov>

Cc: DeBerry, Drue <drue_deberry@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>

Subject: Re: R-Project - Letter From the Rosebud Sioux

Hi Mark,

This might help. It was the most recent letter sent out for KXL to Rosebud about the KXL. I would add in the new updated status of the project and what has been done so far. I can help review letter after it is drafted to add anything meaningful.

Ahé'hee'! (Thank You)



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Melissa Castiano (Diné) (Pronouns: She/Her/Hers)

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From: Porath, Mark T <mark_porath@fws.gov>
Sent: Tuesday, October 5, 2021 12:49 PM
To: Castiano, Melissa <melissa_castiano@fws.gov>
Cc: DeBerry, Drue <drue_deberry@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>; Runge, Jeff <jeff_runge@fws.gov>
Subject: FW: R-Project - Letter From the Rosebud Sioux

Good afternoon Melissa,

I could really use some help/advice on how to construct an appropriate government-to-government response to the recent letter from the Rosebud Sioux Tribe (attached) regarding the R-transmission line project. I'm still digging into the record looking for their possible responses to our two letters from 2014 and 2016 (attached), but whether they exist or not may be less relevant than what we really want to communicate. Which is a response to their request to revoke the Incidental Take Permit (ITP).

A significant amount of activity has occurred over the last several years which they may not know. The ITP to which they refer has already been remanded by the court, and we are currently in the process of working with the proponent (NPPD) to complete a SEIS. This should provide the Rosebud Sioux Tribe ample opportunity to bring forth the issues stated within their letter of Sept, 17, 2021, and I'm hoping a well-crafted response letter can serve to establish a better working relationship. Any advice or suggestions would be greatly appreciated.

Thanks,
Mark

Mark Porath
Nebraska Project Leader/Field Supervisor
Ecological Services, Mountain-Prairie Region
U.S. Fish and Wildlife Service
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mark_porath@fws.gov
nebraskaes@fws.gov

From: Burgess, Angela <Angela_Burgess@fws.gov>
Sent: Monday, October 4, 2021 2:30 PM
To: Porath, Mark T <mark_porath@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; DeBerry, Drue <drue_deberry@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>
Cc: Runge, Jeff <jeff_runge@fws.gov>
Subject: Re: R-Project - Letter From the Rosebud Sioux

Hi All,

Adding what we have in the files in the RO. Looks like, in addition to the letter from 2016, one was also sent on Oct. 24, 2014 to President Cyril Scott of the Rosebud Sioux Tribe (attached).

If I remember correctly, I believe that Cherokee Nation was the only tribe that reached out about NHPA issues.

Guessing we should start talking about the potential response, assuming that the letter will work its way to us soon from the Department.

Thanks,
Angela

Angela Burgess

Conservation Plans and Section 6 Grants Coordinator
Fish and Wildlife Biologist
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134 Union Blvd., Lakewood, Colorado 80228
303-236-4263
angela_burgess@fws.gov

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From: Porath, Mark T <mark_porath@fws.gov>

Sent: Saturday, October 2, 2021 5:43 AM

To: VanNess, Meg <Meg_VanNess@fws.gov>; Hill, Laurel A <laurel_hill@fws.gov>; DeBerry, Drue <drue_deberry@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>

Cc: Runge, Jeff <jeff_runge@fws.gov>

Subject: RE: R-Project - Letter From the Rosebud Sioux

Good morning Meg,

I found a folder with signed letters addressed to all of those listed under Tribal contacts, and attached the Rosebud letter. However, the only correspondence I can find is from the Cherokee Nation.

R:\Ecological Services-NEFO\ENERGY\R-Project NPPD\NPPD R-Project Permitting (through Jun 2019)\Tribal Letters\Agency Coordination - Tribal Letters

Mark

Mark Porath
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nebraskaes@fws.gov

From: VanNess, Meg <Meg_VanNess@fws.gov>

Sent: Friday, October 1, 2021 2:24 PM

To: Hill, Laurel A <laurel_hill@fws.gov>; Porath, Mark T <mark_porath@fws.gov>; DeBerry, Drue <drue_deberry@fws.gov>; Zerrenner, Adam <Adam_Zerrenner@fws.gov>; Burgess, Angela <Angela_Burgess@fws.gov>; Boroja, Maria T <maria_boroja@fws.gov>

Cc: Runge, Jeff <jeff_runge@fws.gov>

Subject: R-Project - Letter From the Rosebud Sioux

Please find attached a September 17, 2021 letter to Secretary Haaland from the Rosebud Sioux tribe concerning the R-Project. This is my first day back in the office after a two-week vacation and this was in my in-box from the Advisory Council on Historic Preservation (Chris Wilson). Have you folks seen this?

In my files I have a draft letter to the tribes and a list of Tribal contacts (attached), but no final copies or information about responses.

Let me know if we need to talk further.

Meg

Margaret (Meg) Van Ness
Regional Historic Preservation Officer
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