

**From:** C WHITE FACE [bhdefenders@msn.com]  
**Sent:** Friday, December 30, 2011 5:58 PM  
**To:** Ross\_Project\_Scoping Resource  
**Subject:** Scoping Comments for Ross Project EIS, Docket No. 40-9079

Defenders of the Black Hills

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Dec. 30, 2011

Chief, Rules and Directives Branch

Mail Stop TWB 5B01M

U.S. Nuclear Regulatory Commission

Washington, DC 20555-0001

Submitted via email to: [ross\\_project\\_scoping@nrc.gov](mailto:ross_project_scoping@nrc.gov)

RE: Scoping Comments for Ross Project EIS, Docket No. 40-9079

To whom it may concern:

Please accept these as our scoping comments for the Nuclear Regulatory Commission's planned Environmental Impact Study for Strata Energy's Ross Uranium Project located near Devil's Tower, WY.

1. Legal land ownership of all the land in northeastern Wyoming which includes the land for this project must be resolved before any kinds of mining or drilling projects can begin, as the land is within the confines of the Fort Laramie Treaty of 1868 which is supported by Article VI of the Constitution of the United States, AND the March 3<sup>rd</sup> Act of 1871 which states: "... *That nothing herein contained shall be construed to invalidate or impair the obligation of any treaty heretofore lawfully made and ratified with any such Indian nation or tribe...*"

The March 3<sup>rd</sup> Act of 1871, a federal law fully upholds the provisions of the Fort Laramie Treaty of 1868. The land area in question for this project is located within the boundaries of the 1868 Fort Laramie Treaty Territory and companies can only enter upon the approval of the Great Sioux Nation. To violate the provisions of the Treaty means also violating a federal law, the March 3<sup>rd</sup> Act of 1871.

2. The land area to be disturbed is also a part of the sacred landscape of Mahto Tipila, wrongfully and with great disrespect, also known as Devil's Tower. Many irreplaceable archaeological, historic, and cultural treasures will be destroyed if this project is allowed to proceed.

Submitted by Charmaine White Face, Coordinator