

**AGENDA FOR GOVERNMENT-TO-GOVENEMN CONSULTATIONS  
ON DRAFT EIS FOR CONVERSE COUNTY (WYOMING) OIL & GAS PROJECT**  
Prairie Wind Casino Hotel Conference Room  
April 17-18, 2018

**TUESDAY, APRIL, 17, 2018**

8:00 – 9:00 Reception

9:00 – 9:10 Opening Prayer by OST Spiritual Leader Richard Broken Nose

9:20 – 9:30 Welcoming address by President Weston.

9:30 – 9:15 Introductions

1. OST Council members (and other Tribal Chairman) by OST President Troy Scott Weston.
2. BLM officials by Mike Robinson, Converse County Oil and Gas Project (“Project”) Director

9:15 – 9:45 Comments on Resolution No. 18-55XB on draft EIS for the Project and Ordinance No. 11-10 on government-to-government consultations with federal agencies by OST Attorney Mario Gonzalez

9:45-12:00 Government-to-government consultative discussions on Draft EIS between BLM and OST (and other Tribal Chairmen). Tribal participants will sit around tables facing each other during the consultative discussions. President Weston will chair the meeting.

BLM will make presentations and respond to questions by OST council members (and other Tribal Chairmen) on the following:

1. Programmatic Agreement (PA) to address adverse effects on cultural areas (and landscapes) or historical properties of religious and cultural significance;
2. Traditional Cultural Properties (TCP) Surveys and Archaeological Class III surveys within the Project area (completed or to be completed);
3. Inadvertent Discovery Plan for Human Remains;
4. Treatment Plan for disposition of any artifacts or cultural items not included as a funerary object;

5. Effects of hydraulic fracking on ground and surface waters in the Project area and surrounding areas, including such effects on Cheyenne River;
6. Effects of flaring natural gas within the Project area and surrounding areas including the Pine Ridge Indian Reservation; and
7. Concerns on why BLM did not hold NEPA scoping meetings on any of the Sioux reservations, and surrounding non-Indian communities on the draft EIS

12:00 – 12:30 **LUNCH** (provided by OST)

12:30 -- 2:30 Continuation of discussions on Draft EIS between BLM and OST (and other Sioux Chairman) . . . .

OST will make presentations and respond to questions by BLM officials on the following:

8. Tribal perspectives and concerns on draft EIS and the role of THPOs in both on-reservation and off-reservation federal undertakings by Tim Mentz; and
9. Recapitulation of the consultative discussions on the Project from BLM's perspective by Mike Robinson

2:30 – 3:30 Reports from THPOs on responses to draft EIS for the Project

1. Cheyenne River Sioux Tribe
2. Standing Rock Sioux Tribe
3. Rosebud Sioux Tribe
4. Oglala Sioux Tribe

3:30 – 5:00 (Executive session of OST Tribal Council (and other tribal chairman) on development of strategies to protect tribal lands, water rights, fishing and hunting rights, and other rights from adverse impacts from the Project, and finding better ways to coordinate the roles and activities of THPOs so tribal governments can keep better informed on federal undertakings).

### **WEDNESDAY, APRIL 18, 2018**

9:00 – 9:10 Opening Prayer by Richard Broken Nose

9:10 – 9:30 Opening comments by William Means (Moderator)

9:30 – 11:00 Reports from the Wyoming SHPO and Wyoming State Engineer

1. Wyoming SHPO's Report on protection of Native American cultural resources, historic properties and human remains (on federal, state and private lands) within Project area by Mary Hopkins
2. Wyoming Engineer's Report on ground and surface water permits issued (for federal, state and private lands) and efforts made to protect Winters Doctrine upstream and downstream water rights on the Cheyenne River within the Project area by Lisa Lindemann

11:00 – 12:00 U.S. Fish & Wildlife Service Report

1. On impacts of hydraulic fracking and flaring natural gas on fish and wildlife and endangered species within the Project area: and
2. On impacts of hydraulic fracking on OST's Winters Doctrine water rights and fishing rights in the Cheyenne River (and ground waters and streams that feed the river) -- both upstream within the Project area and downstream to the Pine Ridge Indian Reservation

12:00 – 1:00 **LUNCH** (provided by OST)

1:00 – 2:30 Panel discussion on Winters Doctrine water rights within the Upper Missouri River Basin (including the 1851 Fort Laramie Treaty area)

1. Peter Capasella, SRST Attorney
2. Doug Crow Ghost, Chairman, Great Plains Water Alliance
3. Reno Red Cloud, Member, MRRIC

2:30 – 3:00 Violation of UNDRIP by issuance of a Record of Decision (ROD) by BLM based on draft EIS by Williams Means

3:00 – 5:00 Open forum on Project