

Defenders of the Black Hills, PO Box 2003, Rapid City, SD 57709

-- PRESS RELEASE--

March 25, 2009

“Land Clearance Eludes Uranium Mining Company”

“April 20th Hearing on Objection”

RAPID CITY, SD --The “clearance” that Powertech (USA) Inc. needs for the land on which they plan to mine uranium is still not forthcoming.

During a hearing held Feb. 19, 2009, in Pierre before the South Dakota Board of Minerals and Environment, Max Main, the attorney for Powertech stated that an error occurred on the number of cultural sites in the area they wish to mine. Powertech contracted with the Archaeology Laboratory from Augustana College in Sioux Falls to do a cultural resources survey. The report given by the Archaeology Laboratory stated there was one cultural resource site for every 8.1 acres. This information was posted on the Department of Environment and Natural Resources website and was part of the basis for the nominations of three separate entities: the Oglala Sioux Tribe, Debora White Plume, and Defenders of the Black Hills. (See SD DENR website, then Powertech)

In order to receive “clearance” for the land area they wish to mine, Powertech submitted an application which required among other things, a survey of cultural resources. These would include archaeological, historic, and cultural resource sites. After reviewing the information presented by the mining company, anyone could submit an application to have the land area listed as Special, Exceptional, Critical, or Unique. The hearing held Feb. 19th before the Board was to determine if the land area met any one of those designations.

Defenders of the Black Hills had three expert witnesses who agreed with the findings by Augustana College. Ben Rhodd, an archaeological consultant from Hill City who has studied the area extensively, concurred with the results from his previous experience. Tim Mentz, a long-time Tribal Historic Preservation Consultant for the Standing Rock Sioux Tribe also presented information that the area was used for millenia by various tribes, not just the Sioux Tribes. Garvard Good Plume, Jr., also provided an ethnographic link with use by the Sioux Tribes from Sioux oral history that was passed down in his family that further verified Augustana’s findings by stating that the area was an old burial grounds.

However, Attorney Main did not provide any documentation for his statement during the Hearing. Charmaine White Face, Coordinator for Defenders of the Black Hills, subsequently submitted an objection to the Board requesting the documentation. A hearing on the objection will be held Monday, April 20, 2009, at 10:00 a.m. CDT in the Matthew Training Center, Foss Building, 523 East Capitol, Pierre, SD.

“ Everyone has the right to be informed of the correct information,” stated Ms. White Face, “and then we have the right to the time necessary to review the information and submit our own recommendations.” The state is insisting that the hearing on the objection must also include the hearing on the new information and to make a determination. White Face’s objection states that the public must be given any new information and allowed the time as stated in the state process to respond to the new information. Should the Board make a determination during the objection hearing, the next step is an appeal to state court.

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Contact Defenders of the Black Hills at 605-399-1868 or email bhdefenders@msn.com