



NORTHERN CHEYENNE TRIBE

ADMINISTRATION

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September 8, 2008

Ms. Linda DeVine
HQ ACC/A7PP
129 Andrews Street, Room 317
Langley AFB, VA 23665-2769

Dear Ms. DeVine:

The Northern Cheyenne Tribe (Tribe), again, appreciates all your efforts to provide an opportunity for our tribal members and tribal agencies to comment on the scoping process for the proposed Powder River Training Complex (PRTC).

The Tribe has an array of concerns regarding the far-reaching and long-term effects of the PRTC on the welfare of our members and health of the Reservation environment and nearby areas. Because the PRTC will affect the Tribe's homeland, we take a long view of how the project will impact our people, both their economic and social well-being, but also the environment to which their traditional, spiritual and ceremonial practices are integrally linked.

Below is a summary of comments from the Tribe, tribal members and tribal agencies regarding the PRTC. We ask that the Air Force examine the effects of PRTC on these resources in its preparation of an EIS for the project.

1. The Tribe monitors air pollution from various sources on and off the Reservation. We are very concerned with the potential emissions such as carbon monoxide, sulfur dioxide, uranium tailings, and other toxins from the "jet trail" and their long term negative effects on human health.
2. At the Tribe's request, the EPA designated the Northern Cheyenne Reservation a Class I airshed in 1977. This reflected the Tribe's long-standing value of protecting the clean air of its homeland in southeastern Montana. We are concerned with the impacts to visibility and air quality caused by the PRTC, particularly with respect to carbon monoxide, nitrogen oxides, sulfur dioxide, uranium tailings and other pollutants that are likely to be emitted by the increase in air traffic over the Reservation's air space. The Air Force should analyze the effects of the PRTC on the "increments" established for the Reservation under the Prevention of Significant Deterioration (PSD) provisions of the Clean Air Act, 42 U.S.C. § 7473. This

LITTLE WOLF AND MORNING STAR - Out of defeat and exile they led us back to Montana and won our Cheyenne homeland that we will keep forever. 1

analysis is required under NEPA because an EIS must discuss the possible conflicts of the proposed action with federal, state, and local (including tribal) laws as well as the “significance” of the potential impacts. 40 C.F.R. § 1502.16(a)-(c). The Montana DEQ prepared an “increment consumption analysis” as part of its EIS for the Roundup power plant in 2002. This document showed that the Class I increments for 24-hour and 3-hour SO₂ had been exceeded and that the post-baseline projects such as the Colstrip Units #3, and #4 have consumed significant parts of the increments for annual NO₂ and 24-hour PM₁₀. The EIS for the PRTC should include a similar increment consumption analysis so as to avoid any further violations of federal law.

3. Visibility is a very significant issue for the Tribe. The EIS should analyze the cumulative impacts of the PRTC on visibility on and near the Reservation as well as acute visibility impacts from individual jet contrails.
4. The deployment of chaff and flares can cause fires leading to collateral impacts to the Reservation and the property of the Tribe and tribal members. Potential fire concerns affect the total environment of the Reservation from quality of water, fish, wildlife, plant fauna, to the people who live here. The scoping document indicates that the Air Force will coordinate fire response efforts. The EIS should examine this in detail given the large area covered by the project, the limited resources on the Reservation to combat PRTC-caused fires, and the importance of a quick response time to protect tribal resources, including timber in the hot, dry Montana summer weather.
5. Noise pollution is a significant concern. Sonic booms would be highly disruptive to tribal communities on and near the Reservation. Noise pollution can disrupt normal activities such as sleep, prayer, ceremonies and other traditional and day-to-day activities. Tribal members have told us that they chose to live on the Reservation (rather than urban areas) because of the peace and quiet that life here provides, particularly when outside in the hills, valleys and forests for fishing, hunting, gathering berries and medicinal plants, and participating in traditional ceremonies and family gatherings. A major change in air traffic over or near the Reservation would severely impact this vital aspect of the local environment. Sudden and dramatic noise impacts could cause short- and long-term health problems, especially for those that are sensitive to noise. The EIS should examine the baseline noise on the Reservation and predict the increase in noise caused by the PRTC in its analysis of the impacts of noise on the Reservation environment. It is critical that this examination considers “single-event” (*i.e.* the noise caused by a single fly over or sonic boom) rather than average noise that will be caused by the PRTC.
6. The threat of aircraft accidents, during training, is a serious concern. Fallout from air collisions and other potential accidents would create hazards for the local environment, including safety of those on the ground, fire, and property

damage. The distraction caused by unpredictable, low flying, loud aircraft could also lead to an increased risk of accidents on the ground.

7. The PRTC would conflict with and jeopardize current air traffic over the reservation, such as by ranchers who own planes. The PRTC would also significantly impact future plans for an airport within the Reservation. In addition to considering these effects on the Northern Cheyenne Reservation, the Air Force should examine the effects of other commercial and military aircraft operations located in proximity to Indian reservations in other parts of the country. We understand that such operations near other reservations have adversely impacted on-reservation economic development efforts.
8. The Reservation's wildlife is already scarce and subject to intense pressure from coal bed methane and other energy development near the Reservation. The EIS should examine how PRTC activities will impact wildlife on and near the Reservation, including whether animals will take refuge in other areas where there is less aerial activity. Deer, elk, and other land animals are vital to the subsistence and ceremonial existence of tribal members, and we cannot afford to have additional pressures on these resources. The EIS should examine how reduced access to wildlife will affect the subsistence, cultural and ceremonial practices of the Tribe.
9. The spirituality of the Northern Cheyenne people will be compromised by the PRTC. The reservation and surrounding area is considered one contiguous cultural landscape. There are many places where ceremonies are performed that often last for several days. Prayers, ceremonies and other spiritual activities would be significantly and adversely affected by the noise, visual and other likely impacts of the PRTC. The EIS must consider these impacts and, as requested below, an alternative that would eliminate or significantly mitigate them.
10. The social and economic impacts are far reaching and will create unforeseen circumstances. For example, economic development on the Reservation, which has historically been very difficult to achieve, could be frustrated because of noise impacts caused by low-altitude and supersonic flights, possible on-the-ground accidents related to sudden and loud noises and other adverse impacts of the PRTC. This is also an environmental justice issue, as the impacts of the PRTC would be more heavily felt by the tribal community than other groups. The Tribe has a high rate of poverty and must be able to take advantage of any economic development opportunities that are feasible for the remote location of its Reservation. For example, the Tribe is considering development of a casino on tribal trust lands near the Tongue River Reservoir.
11. The Air Force should examine an alternative (in addition to the required no-action alternative) that eliminates or significantly mitigates the all of the

impacts to the Tribe discussed above. In particular, the Tribe requests that the Air Force consider an alternative that would eliminate all low-altitude, supersonic, and any other flights that would cause noise, visibility and other impacts appreciably greater than the current baseline conditions over the Reservation. We believe that this alternative, if given sufficient consideration, would allow for the Air Force's desired expansion of training operations while protecting the tribal resources we have detailed in this letter.

The above comments are comments gathered by the Tribe as part of the internal tribal scoping process. All the comments have been condensed and summarized. We have tried to be very cautious and have had the documents reviewed by others to insure that all points have been taken into consideration.

In addition, I would like to reiterate our interest in a consultation meeting with representatives from your office at a mutually convenient date some time after the November elections.

If you have any questions, please call my office at 406-477-6285

Sincerely,



Geri Small, President
Northern Cheyenne Tribe

cc: Northern Cheyenne Tribal Council
Brian Gruber, Tribal attorney