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Wiyaka Tokaneja Yuha Najin

Theresa B. Two Bulls
President

April 27, 2009

Representative Stephanie Herseth-Sandlin
331 Cannon
US House of Representatives
Washington, DC

RE: **LETTER OF SUPPORT—Allen Road Project**

PRIORITY REQUEST RATING: Number 1 (highest)

Dear Representative Herseth-Sandlin:

Thank you for your continued efforts to help provide safe and efficient roads for the Pine Ridge Indian Reservation. Please accept this **LETTER OF SUPPORT** for the attached **ALLEN ROAD PROJECT**. This particular road provides an essential traffic route connecting tribal members to various communities of the Reservation as well as access to important business and supply sources in Martin, South Dakota. As President of the Oglala Sioux Tribe, I strongly and explicitly support the **ALLEN ROAD PROJECT AS OUR HIGHEST ROAD PRIORITY**.

Bennett County has claimed the road (farm road F010) for many years but the paved surface has fallen into extensive disrepair with severe rutting, pot holes, and extremely narrow travel lanes. There have been a number of accidents on the road that tribal members attribute to the road's deterioration. Unnecessary injuries, vehicle damage, and even deaths have occurred with some frequency. The County has not performed needed maintenance functions and the road continues to deteriorate. Bennett County has previously received a \$2 million dollar earmark for the road but their plans only involve ripping up the pavement and converting the road surface to gravel. The Oglala Sioux Tribe has been willing to assist with the project if issues related to right of way ownership, funding, and jurisdictional matters can be resolved.

The State of South Dakota has recently enacted Senate Bill-119 that permits Counties to transfer rights of way to Tribes or the Federal government. This Bill provides the mechanism by which many of the jurisdictional issues can be responsibly be addressed by the Tribe, County, and State.

The Oglala Sioux Tribe Department of Transportation has met with the Bennett County Commissioners and it appears that all parties believe it is in the best interests of the parties to work out a suitable

arrangement. The Tribe's DOT estimates that most traffic on the road is by tribal members and that it is appropriate for the Tribe to become the owner of rights of way and to assume responsibility for maintenance if a new road is constructed.

The public will be asked to comment on the project in a wide variety of contexts. We will provide public comment opportunities under NEPA as well as through explanation of the construction details at a scheduled public forum as provided under 25 C.F.R. Part 170. The Tribe solicits comments in development of its Tribal Transportation Improvement Plan and the Tribe's Road Commission considers the various proposed construction projects. The Tribe's Economic and Business Development Committee then considers the matter further before action is requested by the Tribal Council or Executive Committee. The public can request their voice be heard at each hearing.

Bennett County has a previous federal earmark of \$2 million dollars that is being used to remove the asphalt surface of about six miles of roadway and to provide a gravel surface that is compatible with a later asphalt surface. Total project length is approximately 10.1 miles connecting Highway 18 to BIA Route 4. **THE TRIBE REQUESTS \$10 MILLION DOLLARS UNDER SAFETEA-LU REAUTHORIZATION.** The Tribe's best estimate is a total cost of approximately \$12 million dollars for the entire project based upon anticipated asphalt, diesel, material, and labor costs over the next four years. Based on the engineering estimate of \$12 million dollars, the project will be funded at 100%.

The Oglala Sioux Tribe looks forward to completion of Allen Road Project and I FULLY SUPPORT the effort. Please feel free to contact me if additional information is needed or you may contact the OST Transportation Director (Mr. Jeff Whalen) at 605-867-5376 (office), 605-441-0267 (cell), or Ostroads@gwtc.net (email).

Sincerely,



Theresa Two Bulls
President
Oglala Sioux Tribe