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Via Email and U.S. Certified Mail

Chairman Bruce Westerman
House Committee on Natural Resources
1324 Longworth House Office Building
Washington, D.C. 20515
Robert.MacGregor@mail.house.gov

Dear Chairman Westerman:

The Ute Indian Tribe of the Uintah and Ouray Reservation ("Ute Indian Tribe" or "Tribe") has been talking with your staff regarding your ideas for amending the proposed Standardized Permitting and Expediting Economic Development ("SPEED") Act. The Tribe fully endorses what your staff explained you had in mind, especially those ideas which bring the National Environmental Policy Act ("NEPA") back to a procedural step in the federal approval process rather than a roadblock to tribal economic development, and the provisions which declare that tribal law and procedure should control an agency's interpretation of what NEPA requires whenever reservation or trust or restricted land is involved. The Tribe sincerely appreciates these efforts. These revisions would address longstanding barriers to the Tribe by streamlining the permitting process, and respecting tribal control over Indian lands. The Ute Indian Tribe respectfully requests your continued support during the revision process and asks that any commentary provided by tribes is prioritized in order to minimize the negative, and wholly unnecessary, impacts that NEPA has on Indian lands. Your concern for the Ute Indian Tribe's concerns is greatly appreciated.

When the SPEED Act was introduced, tribes throughout the country, including the Ute Indian Tribe, strongly supported it. As this country's original environmentalists, these tribes agreed that it was necessary and appropriate for the federal government to make informed decisions about a project's real impact on the environment and surrounding community before it moved forward.

Over the years, NEPA has become a procedural roadblock which downplays the concerns of tribes and local people in favor of outside commentators, most of whom have never been to

Utah, not to mention our Uintah and Ouray Reservation ("Reservation"). As you know, our Reservation is the second-largest Indian reservation in the United States, covering more than 4.5 million acres. The Tribe already takes an active role in the development of its resources as a majority owner of Ute Energy. The Tribe is not only equipped to engage in responsible mineral development, but as a sovereign nation it has a vested interest in the conservation of its own lands.

Ute Indian Tribal members continue to hunt and gather on the Reservation as they have always done and are the first to identify when something is amiss. Moreover, our Tribe hires staff who work 365 days a year on the Reservation and know project associated environmental impacts better than anyone. This includes Tribal fish, game, water, and air quality experts with extensive training. Any suggestion that the Tribe is unwilling or unable to protect its land is both inaccurate and offensive. In fact, the Reservation has flora and fauna that do not even exist in surrounding areas of Utah because the Tribe has fought to protect them. For all of these reasons, the Tribe's concerns should be prioritized. Protection of our Ute lands is evidenced by Ute history and culture which demonstrate that we were the first environmentalists in our Reservation area.

While we support every NEPA provision that you are recommending, we would ask you to consider stating explicitly that Tribal environmental law is always deemed to be adequate under the terms and conditions of the SPEED Act. This can be accomplished by including a simple addition to the definitions section or additional language added to Section 2(b)(6) which states:

> For purposes of this subsection, a tribal process which allows for the Tribe, its members, and those who will be directly impacted by a proposed tribal approval to comment and have their comments considered by the Tribe shall be determined adequate by the lead agency.

Again, the Ute Indian Tribe appreciates your invaluable support and your respect for our culture, religious beliefs, and economic needs. The Ute Indian Tribe fully supports your ideas for amending the proposed SPEED Act, especially those ideas which bring the National Environmental Policy Act ("NEPA") back to a procedural step in the Tribal or federal review process, as well as those provisions which require federal agencies to respect our Tribal sovereignty, Tribal integrity and Tribal proficiency in protecting our people and our lands.

On behalf of the Ute Indian Tribe Business Committee:

Shaun Chapoose
Business Committee Chairman