



2006

## Appendix I: Comments by Comment Number, 2006

US Army Corps of Engineers

[How does access to this work benefit you? Let us know!](#)

Follow this and additional works at: <https://commons.und.edu/indigenous-gov-docs>

---

### Recommended Citation

US Army Corps of Engineers. *Appendix I: Comments by Comment Number, 2006*. 2006.  
<https://commons.und.edu/indigenous-gov-docs/149/>.

This Report is brought to you for free and open access by the Elwyn B. Robinson Department of Special Collections at UND Scholarly Commons. It has been accepted for inclusion in US Government Documents related to Indigenous Nations by an authorized administrator of UND Scholarly Commons. For more information, please contact [und.common@library.und.edu](mailto:und.common@library.und.edu).

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
1	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Access	Cabin owners		Our first question that was not adequately addressed is as follows: will the Corps require as a condition of the proposed land transfer that the TAT provide guaranteed statutory perpetual public access to the existing cabin sites and public use areas within the boundaries of the FBIR? If so, how will access be assured with subsequent tribal councils? Without specific right-of-way agreements and legally enforceable easements, there is no guaranteed access.
2	Wierson, Ethel	Public	Public	Hazen	ND	Comment form	2006 June 27	060627Wierson.pdf	Access	Cabin owners		As a cabin owner at Mahto Bay Rec. Area I am concerned about "guaranteed" access to the cabin sites I own.
3	Halstead, Dave	Public	Public		ND	Transcript	2006 June 27	060627Dickinson.pdf	Access	Cabin owners		We own 110 acres out of the quarter that goes into the water at that point. And we have tried in the past to get access through the TAT, and it's been quite a challenge and at this point to no avail. So if they would end up with the take land around there, we would basically be landlocked.
4	Unruh, RB	Public	Public	Zap	ND	Comment form	2006 June 27	060627Unruh.pdf	Access	Cabin owners		Protect public access to the lake and hunting areas. Need a long term lease or a perpetual lease to protect these privileges. This property was purchased with public funds. Need better access road at Beaver Bay to the existing ramp.
5	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Access	Fees	Fishing Licenses	Was a precedent set in the event of the land transfer for tribal fishing licenses to be sold
6	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Fees	Fishing Licenses	Currently, a North Dakota resident fishing license is \$10. To access fishing across the areas proposed for transfer would also required a \$10 tribal conservation license fee, doubling the licensing cost of fishing in those areas.
7	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Access	Fees	General	On tribal trust lands, the tribe may prohibit use(s) by non-tribal members, or condition the use by charging access fees and establishing bag and creel limits
8	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Access	Fees	General	The tribe will charge access fees and boat ramp fees to be able to use the lake, which is federally owned; the tribe may be saying now that they don't intend to charge any additional use fees, but that will change down the road
9	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Access	Fees	Hunting license	The tribe is already holding out their hands demanding tribal fishing licenses in order to fish out of Indian Hills, which I refuse to pay
10	Hall, Tex	Three Affiliated T	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Fees	Hunting license	Individuals that want to hunt can still hunt these lands; they will just have to obtain a tribal hunting license as opposed to a state hunting license.
11	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Fees	Hunting license	If the proposed transfer takes place, there will likely be a fee for hunting and fishing those areas. Nontribal members would have to purchase a license to hunt on those areas. The current cost for a tribal license for a nontribal member would be \$120 to hunt small game and furbearers, compared to \$27 for the current state license for these species.
12	Foeltz, Robert	Public	Public			Email	2006 June 29	060629Foeltz.pdf	Access	Fees		They have only one thing in mind If they should get it back and that will be to make the citizens in ND pay
13	Weigum, Rodney	Beulah School D	Local	Zap	ND	Transcript	2006 June 27	060627Hazen.pdf	Access	Fees		They're saying there's going to be access, free access, and so on. I know for a fact that won't happen.
14	Weigum, Rodney	Beulah School D	Local	Zap	ND	Transcript	2006 June 27	060627Hazen.pdf	Access	Fees		Back a few years ago some people from Mandaree came down and sold conservation licenses to the campers and the fishermen at Beaver Bay. After Memorial weekend people that didn't buy them had to leave and the people that did buy them got to stay. The first week of June they said everybody had to get out even if they bought a conservation license.
15	Anonymous	Public	Public			Comment form	2006 Aug 12	060812Anon.pdf	Access	Fees		All the TAT want the land for is financial gain. They will charge for anything to do with it.
16	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Access	Fees		Paul Danks was clear in his presentation at the Bismarck public meeting. The TAT does believe it will have the right to charge access fees to this former taxpayer held property. This constitutes a significant change in management that clearly demonstrates that this is not a typical federal agency to federal agency transfer of property that falls under the categorical exclusion the Corps cites as the reason for not fully complying with NEPA.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
17	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Access	Fees		For people who are not willing or able to travel by boat 10 to 30 miles, they will be forced to access through TAT lands. This will require a tribal access permit.
18	Ronning, Robert	Public	Public			Email	2006 Aug 1	060801Ronning.pdf	Access	Fees		This will close much of the shoreline from the general public as the tribes will begin charging access use fees.
19	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 200	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Fishing		While the new proposal preserves most of the current boating access sites within the reservation for free public use, access to shore fishing will suffer. More than 40 percent of all shore fishing use on Lake Sakakawea occurs within the exterior boundary of the Fort Berthold Reservation. And while we don't have adequate information to break out what portion of that activity occurs within the 24,000 acres still identified, at least some shore fishing activity occurs on lands directly below those proposed for transfer. We recognize that public access is maintained below 1854 feet mean sea level, but the issue isn't whether people can fish from shore. The issue is how anglers will be able to access these areas. The Corps eliminated section lines when it acquired the property. This effectively blocks land based access to the lake's shore within the reservation boundary and ultimately utilization of the public's resource.
20	Resner, Mark	Public	Public	Mott	ND	Email	2006 June 27	060627Resner.pdf	Access	Fishing permits		During the time of my involvement on the lake, the TAT instituted their tribal fishing permit requirement, and that (as I remember \$10 permit) action had a pronounced negative effect on lake use. It seems only reasonable that such an impact would spread to the complete lake if the Corps were to transfer the bulk of the shoreline to the tribes.
21	Barrett, Carole	Public	Public			Comment form	2006 June 26	060626Barrett.pdf	Access	General		Return of lands to former owners/allottees - which is what the state advocates - will certainly not preserve access to lands for hunting, recreation, etc.
22	Hall, Tex	Three Affiliated T	Tribe		ND	Transcript	2006 June 26; 200	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	General		It is not our intention to obstruct access to the lake or to in any way prevent anyone from enjoying the lake for these purposes
23	Hall, Tex	Three Affiliated T	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	General		The Governor does not understand that the Corps itself does not allow access to all shores around the lake. Can he or any of the public tell me what shorelines are go and no-go areas around the lake today?
24	Hall, Tex	Three Affiliated T	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	General		With respect to access, the Tribe will provide the public with access to the shoreline. If the Tribe manages these lands, shoreline areas that will not be accessible will be marked by the Tribe. A management or zoning plan will be adopted by the Tribe and it will be shared with the public.
25	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 200	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	General		The transfer takes away 24,000 acres of public land that is now used for hunting or other recreation and makes it either inaccessible or accessible only by payment of an additional tribal conservation fee or hunting fee
26	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 200	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	General		By creating a ring of non-public land around Lake Sakakawea, you raise questions of public access to leased land and to Corps land, in general, that have not been answered and may have no clear answer. You have certainly not made any provision to guarantee perpetual, free public access to all the public lands of Lake Sakakawea.
27	Thrall, Brad	Friends of Lake	Private organization			Transcript	2006 June 26; 200	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Access	General		Without a clear plan for developing the lands under consideration we fear that development of new access and maintenance of existing access is in serious question
28	Thrall, Brad	Friends of Lake	Private organization			Transcript	2006 June 26; 200	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Access	General		We have members who wondered if they would have ice fishing access at the south point of Bear Den Bay near the Mandaree Water Intake structure; others wondered if they would be able to consider hiking from Indian Hills to Douglas Bay

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
29	Monson, Karen	North Dakota O	Private organization			Email	2006 June 27	060627Monson.pdf	Access	General		The land was purchased by the taxpayers at a high price and free public access is extremely important to tourism in North Dakota.
30	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Access	General		Given the propensity of non-TAT persons to use this land, the transferral of these lands will create an undue burden on those who now live in the area. For now they will be required to drive an extra distance to avoid TAT lands.
31	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Access	General		Throughout the report, there is a commitment to "not affect legal access to the lake." What does this mean? There are many roads and trails that access local fishing locations along the lake. Will these be available to the general public? Will there be charges to access these points similar to what the McKenzie Bay Marine Club is forced to pay?
32	Mazaheri, Mark	Public	Public			Email	2006 June 28	060628Mazaheri.pdf	Access	General		It appears that their intent is to immediately restrict access to those lands by nontribal members. Should the transfer take place they can and will restrict access as is currently the case with tribal lands.
33	Frink, Dale	North Dakota Sta	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf; 060630Frink.pdf	Access	General		Reasonable access to North Dakota's water stored in Lake Sakakawea is of paramount importance to all North Dakotans
34	Veeder, Gene	McKenzie Count	Local			Letter	2006 June 28	060628McKenzieVeeder.pdf	Access	General		There is a lack of formal agreement on lake access for recreational and industrial purpose should the transfer take place.
35	Dihle, Mark	Public	Public	Mandan	ND	Email	2006 June 29	060629Dihle.pdf	Access	General		Access would be degraded and services disrupted or halted entirely.
36	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Access	General		The only people that are denying access are you recreational leaseholders. You put up your fences. Drive around the reservation. You're going to see Corps fences. Go down to Indian Hills, go down to McKenzie Bay, go across that bridge. The only people that are attempting to stop access are white people, are nonIndians that don't belong here.
37	Starke, Richard	Public	Public	Burlington	ND	Letter	2006 July 6	060701Starke.pdf	Access	General		Mr. Hall's goal is to control free access to the lake.
38	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Access	General		Public access to the lake and adjacent Corps lands will be blocked.
39	Scarlett, Bob	Public	Public	Bismarck	ND	Email	2006 July 20	060720Scarlett.pdf	Access	General		There is no guarantee that access will continue of the lake once current "contracts" are up.
40	Nitschke, Alton	Public	Public	Bismarck	ND	Email	2006 July 23	060723Nitschke.pdf	Access	General		I am afraid the transfer will create a lot of issues with access and then put a lot more pressure for access on nontribal access. It seems there needs to be a lot of provisions for public access for the general population of North Dakota and others to retain the ability to get on this public lake. The possibility of losing this access for the general public is a significant problem for a large segment of North Dakota and other states population.
41	Hall, Tex	Three Affiliated T	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Hunting		Regulation by the Tribe in regard to hunting on these lands is only right in that these lands are within our reservation borders, they are contiguous to other trust land, and our members graze cattle in pastures adjoining these lands.
42	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Hunting		NDGF now spends in excess of \$5 million each year for private lands access. We are in an era when, as a state, we are doing more to provide free public access to hunting opportunities than ever before, yet this action would reduce free hunting access opportunities by 24,000 acres
43	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Access	Hunting		Non-tribal members could not hunt deer at all on these lands since the tribe does not allow deer licenses to be issued to non-tribal members, if that individual has a state license.
44	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Access	Hunting		Fishing according to the Draft Effects Report will remain unchanged but hunting on the newly acquired TAT land will be by tribal license only. With the patchwork land ownership structure of the FBIR, a non-tribal hunter will be forced to pay the extra cost of additional hunting licenses to be sure of being within the bounds of current law.
45	Boley, Jim	Public	Public	Minot	ND	Email	2006 June 28	060628Boley.pdf	Access	Hunting		Access and control of hunting and fishing has not been addressed.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
46	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Access	Licenses		I sold more dollars in licenses for you when it was cheaper. I'm selling one-fourth of the licenses now for the Tribe than I was. I know I could sell five or ten times the licenses if you dropped that price back down.
47	Kellam, Bob	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Access	Licenses		I wish that they would lower their rates for hunting and fishing out there.
48	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Access	McKenzie Bay Recreation Area		The report lacks sufficient detail to understand fully what will be done to ensure that access will be provided to the McKenzie Bay Recreation Area.
49	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Access	McKenzie Bay Recreation Area		The McKenzie Bay Marine Club Board has been forced to negotiate with an individual to gain access to the recreation area and currently pays an annual lease to that individual. The cost of this access continues to rise, and a permanent public road needs to be obtained. The report needs to describe how and when this access will be provided in detail. We feel this needs to be considered with a Permanent Easement or Purchase by the Corps on their final decision on Land Transfer.
50	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Access	Recreation		In the 1960s, the Corps expended public funds to construct a boat ramp and recreational facility adjacent to the Mahto Bay cabin site area. That boat ramp still exists today. What plans does the Corps have to negotiate the permanent legal enforceable access to this public facility built with public funds that currently does not exist today?
51	Drovdal, David	State Represent	State		ND	Transcript	2006 June 28	060628Williston.pdf	Access	Recreation		If the Corps returns the land that is no longer needed to the DOI for use by the TAT, access to recreational sites should be guaranteed
52	Bird Bear, Joletta	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Access	Recreation		Regarding access to existing recreational areas or future recreational sites, recent tribal history has shown that the TAT provided for access for at least three of these current recreational sites so they could be built for public use by purchasing land for two of the sites and going as far as condemning tribal lands of a tribal owner in order that a recreational site might be developed.
53	Wren, Ron	Public	Public			Email	2006 July 7	060707Wren.pdf	Access	Recreation		If the tribe acquired this land restrictions will be placed on non-Indians. Look to the area of Pouch Point recreational area. The tribe has mandated that a tribal access license is needed to dock your boat there.
54	Walker, Richard D	Public	Public	Minot	ND	Comment for	2006 July 18	060718Walker.pdf	Access	Recreation		I would like to see everyone have access to all recreation areas. I would also like to see extended access around Lost Bridge Recreation Area, in other words increase the size of this area.
55	Burr, Richard	Public	Public	Arnegard	ND	Letter	2006 July 26	060726Burr.pdf	Access	Recreation		What little tourism or people wanting to enjoy the river would be lost.
56	Frink, Dale	North Dakota Sta	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf; 060630Frink.pdf	Access	Water intakes and transmission facilities		While the Draft Effects Report mentions access, I could not find where it addresses access for water intakes and transmission facilities. If this transfer occurs, access permits would also be necessary from the Corps, the BIA, and possibly the TAT. We contend that the Corps must retain management of all lands it controls above elevation 1854 at least until such times as current potential water intake and transmission facilities can be identified.
57	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Access			The pat answer the TAT gives when issues arise is that they are a "sovereign" entity. If the tribe wants freedom from external control, give it to them. At the same time give me the ability to not support them with my tax dollars when I already have to give up my freedom to use land that is supposed to belong to the public for the public's use.
58	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Compensation	Tribe compensated enough		The TAT received \$12.6 million in a decade's time for the 155,000 acres. In 1992, they received another \$140 million. These figures do not include the mineral rights gained through legislation. Will the tribe be required to pay back those dollars upon any transfer?
59	Curtis, Don	Public	Public			Email	2006 Aug 22	060822Curtis.pdf	Compensation	Tribe compensated enough		I wonder when they will quit expecting something for the land they lost and been paid for four times.
60	Mazaheri, Mark	Public	Public			Email	2006 June 28	060628Mazaheri.pdf	Compensation	Tribe compensated enough		US taxpayers have already paid for this land and the Corps cannot give it away without our permission.
61	Foeltz, Robert and	Public	Public	New Town	ND	Email	2006 June 27	060627Foeltz.pdf	Compensation	Tribe compensated enough		How many times must we have to pay for the land? Some of the land was taken away from private owners also so don't give it back to the tribe, leave it open to everybody and they can use it also.
62	Foeltz, Robert	Public	Public			Email	2006 June 29	060629Foeltz.pdf	Compensation	Tribe compensated enough		How many times do the US taxpayers have to buy land from them.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
63	Freud	Public	Public			Email	2006 June 27	060627Freud.pdf	Compensation	Tribe compensated enough		There was a lot of private land taken also and I think Native Indians have been paid enough.
64	Stafslie, Jason	Public	Public	Minot	ND	Email	2006 June 27	060627Stafslie.pdf	Compensation	Tribe compensated enough		The tribe has already been paid for these lands.
65	Webster, Al and M	Public	Public			Email	2006 June 27	060627Webster.pdf	Compensation	Tribe compensated enough		We have bought and paid for this land more than once.
66	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Compensation	Tribe compensated enough		The TAT is already getting rental proceeds off this land, are they not? So as far as the money thing, I think they're already getting some income off of it, which I don't think some of the public is aware of.
67	Starke, Richard	Public	Public	Burlington	ND	Letter	2006 June 30; 2006	060630Starke.pdf; 060701Starke.pdf; 060702Starke.pdf	Compensation	Tribe compensated enough		The 120,000 acres were bought from the tribes for two payments of \$200,000,000 and \$149,000,000 at a cost of \$2,908 per acre. Our land used for Interstate 94 sold for \$75/acre, the going rate at the time.
68	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Compensation	Tribe compensated enough		These lands have been paid for on at least two occasions to set up funds for the Tribes. The amount of public lands was from my tax dollars to compensate for the taking of these lands has already been accomplished. Therefore, it is unfair to the public to have them pay for these lands, and then give them back.
69	Burr, Richard	Public	Public	Arnegard	ND	Letter	2006 July 26	060726Burr.pdf	Compensation	Tribe compensated enough		We have paid for the land many times over. To give it to the tribes would be a disaster.
70	Anonymous	Public	Public			Comment form	2006 Aug 12	060812Anon.pdf	Compensation	Tribe compensated enough		We have paid for the land many times over. To give it to the tribes would be a disaster.
71	Lavelle, Tom	Public	Public			Email	2006 June 29	060629Lavelle.pdf	Compensation	Tribe compensated enough		It was my understanding that the land was paid for when it was taken to be used for the Garrison construction project. Is it the intention to have the tribe and everyone else that the land was bought from buy it back from the government?
72	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Compensation	Tribe compensated enough		In 1984 the State donated millions of dollars in oil, gas, coal, and other mineral interests to the TAT under the promise from the TAT that the FBMRA would never be used for things like this proposed land transfer, and all of that is laid out in the congressional record
73	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Compensation	Tribe compensated enough		Will this be the final payment by the taxpaying public of the US to the TAT for the supposed injustice of, as the Tribe puts it, "losing their spiritual connection to the land?" This is an event that happened in another time and another era. How many times, how many years and how much more must we pay to satisfy this so-called emotional burden to the tribes.
74	Scarlett, Bob	Public	Public	Bismarck	ND	Email	2006 July 20	060720Scarlett.pdf	Compensation	Tribe compensated enough		There is no doubt the Indians were dealt a bad deal throughout the 1800's and up till the middle of the 20th century, but when is this "making it up" going to stop?
75	Olson, Barry	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Compensation	Tribe compensated enough		The Tribe or whoever got the land, was paid for the land and now we're going to give it to somebody free to manage? I guess I think that would be wrong. It would be different then somebody taking some farmer's land and giving it to someone else to manage.
76	Hall, Tex	Three Affiliated	Tribe		ND	Transcript	2006 June 26; 2006	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Compensation	Tribe not compensated enough		Under the FCA approximately \$5 million was allocated for the Garrison Reservoir and deposited in the US Treasury to the credit of the Tribe; the funds were to be used in accordance with the terms of a contract negotiated between the Tribe and the US, approved by a majority of the adult members of said Tribe and enacted into law by Congress
77	Hall, Tex	Three Affiliated	Tribe		ND	Transcript	2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Compensation	Tribe not compensated enough		The US breached its trust responsibility to the Tribe. All the lands, including the taking lands, were reserved to the Tribe by treaty. It was a gross injustice for the Corps and the US Congress to take these lands without the approval of the tribe as required by the FCA.
78	Bird Bear, Joletta	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Compensation	Tribe not compensated enough		This is not a difficult issue for us. It is simply the return of land that was rightfully under our ownership before it was removed from our ownership.
79	Gillette, Vance	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Compensation	Tribe not compensated enough		In the 1950s when they flooded the lake here, the Tribe didn't have no say.
80	Hall, Richard	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Compensation	Tribe not compensated enough		It's time to pay back. Give it back.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
81	Smetana, George	Public	Public	Garrison	ND	Email	2006 Aug 10	060810Smetana.pdf	Corps Management	Access		The Corps needs to open that land to the public all the way to the water that way one could drive down by the water anywhere and shore fish
82	Christmann, Rand	Public	Public	Dickinson	ND	Transcript	2006 June 27	060627Dickinson.pdf	Corps Management	Mineral rights		When the condemnation process went through, the Corps - or the US government took our mineral rights under the lands, which not only was a loss of our mineral rights, but it also devalued the minerals that we had left because of different rules and regulations that the Corps has as far as access and developing those mineral rights. Those also should be given back. I don't know what reason the Corps needs mineral rights for to manage the dam.
83	Wright, Joyce E.	Public	Public			Email	2006 June 21	060621Wright.pdf	Corps Management	Mineral rights		We would like to know about the mineral rights under this property; in the original contract w/the Federal government at the time of sale, it is not stated that the minerals were transferred with the surface
84	Thrall, Brad	Friends of Lake	Private organization			Transcript	2006 June 26; 2006	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Corps Management	New recreation areas		Let's put our heads together to see what we can do to develop a few more sites along the shores of some deepwater bays in Lake Sakakawea that will give us a more stable future; we would suggest that you look at the following areas as a few of the locations that have been suggested during the master plan process: Douglas Bay, Little Knife, the area between Little Knife and White Earth Bay, Little Missouri grassland, Pick City grassland, an area near the Girl Scout camp, Nishu Bay
85	Bird Bear, Joleta	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Corps Management	Noxious weeds		I question how well has the Corps managed noxious weeds along the shoreline today within the boundaries of the Fort Berthold Reservation? What priority did the Corps place on removing, maintaining noxious weeds?
86	Curtis, Don	Public	Public			Email	2006 Aug 22	060822Curtis.pdf	Corps Management			Your offices lowering of the lake is another prime example that you don't care for our survival in North Dakota. The fish are skinny and will not make it through the winter. Come and visit us next year and see how good the fishing is. What's next?
87	Hall, Tex	Three Affiliated Tribes	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Corps Management			If the lands were transferred to the BIA for the benefit of the Tribe, these lands would be free of limitations presently exercised by the Corps.
88	Patten, Dale	McKenzie County	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Corps Management			I ask that you identify any reduction in budgets that the Corps will have as a result of the transfer. There should be a significant reduction in costs associated with the Corps.
89	Fougner, Jon	Public	Public			Email	2006 July 27	060727Fougner.pdf	Corps Management			Just cannot figure out the mentality of the Corps going out and posting stakes at access trails leading down to the sand. Sure I can see not wanting driving on the beach, but come on, what problem do you have about people driving down to the sand? You don't have to pose these signs halfway up these trails. Are you even sure they're at the 1850 elevation. Was this surveyed? I'm talking about the red mike area.
90	Buck, Kim	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of dam			I submit the issue today is not the taken areas. The issue is the oppression the people live under, the losses our mothers, our fathers, our grandparents lived through. It is our duty, our obligation to them to see the return of our taken lands.
91	Hale, Nathan	Three Affiliated Tribes	Three Affiliated Tribes			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of dam			We didn't come in here and take any land. This was our land. The white people came and took it. You're the ones that wiped out our buffalo. You're the ones that messed up our natural resources, then stuck us on a little piece of land. And now when we have the opportunity to get some of that back, you're fighting us again.
92	Zwingel, David	Public	Public	Rugby	ND	Email	2006 June 14	060614Zwingel.pdf	Historical trauma of dam	General		The Garrison Project devastated the culture and population of the TAT and this return of land will help in uniting the TAT
93	Anonymous	Public	Public			Comment form	2006 June 26	060626Anon.pdf	Historical trauma of dam	General		Non-Indians are concerned about making money; one speaker had mentioned about the hardships if the water is transferred back to Ft. Berthold. Well, did the non-Indians think of the hardships when the floodwaters went through the reservation for the Native Americans.
94	Thrall, Brad	Friends of Lake	Private organization			Transcript	2006 June 26; 2006	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Historical trauma of dam	General		We hold no ill will against our TAT neighbors. We realize that they suffered a great hardship when fruitful river bottomland experienced federal government's The Great Flood. Please bear in mind that Europeans who settled the land that is now Lake Sakakawea also lost their way of life and future prospects; the uprooting of a culture did not single out the TAT

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
95	Hall, Tex	Three Affiliated Tribe	Tribe		ND	Transcript	2006 June 26; 2006 June 27	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Historical trauma of dam			The Tribe's sole purpose in requesting the transfer is to hold the US to the many promises it made to us in 1948 when the Tribe reluctantly agreed to the forced flooding of the most precious lands of our reservation
96	Fettig, LeRoy	Public	Public	Dickinson	ND	Transcript	2006 June 27	060627Dickinson.pdf	Historical trauma of dam			Currently, a North Dakota resident fishing license is \$10. To access fishing across the areas proposed for transfer would also require a \$10 tribal conservation license fee, doubling the licensing cost of fishing in those areas.
97	Thrall, Brad	Friends of Lake Sakakawea	Private organization			Transcript	2006 June 26; 2006 June 27	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Historical trauma of dam			We, too, have our stories of the devastation that has been caused up and down Main Streets of many of our communities because of the less than stellar management of Lake Sakakawea.
98	Hall, Tex	Three Affiliated Tribe	Tribe		ND	Transcript	2006 June 26; 2006 June 27	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Historical trauma of the dam			We believe that the great citizens of North Dakota and all others that use the lake will agree that the lands should be transferred to the Tribe in accordance with the 1948 contract once they learn the history of the transfer and how the Tribe was wronged by the US government.
99	Neff, Vern	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Historical trauma of the dam			The eminent domain actions which were undertaken in the 1950s and in the 1960s caused a great deal of stress, a great deal of anxiety, a great deal of hardship for landowners who had lost bottomlands which formed a grass and hay basis as well as numerous fields.
100	Neff, Vern	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Historical trauma of the dam			You've got 40-acre tracts around the reservoir right now where it's 30, 40, and 50 feet above the water level of 1850 and it was simply taken because it was easier to determine and describe tracts by 40-acre tracts rather than to follow the meander lines. So what has happened then is it's created a substantial amount of hardship for these landowners
101	Birdbear, Roger	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			The U.S. took this land along the Missouri River, they took it from the Indians illegally. They broke the trust doctrine, which consists of the Johnson decision, the Worcester decision, and the Cherokee decision. They also broke the 1825 treaties with the three tribes, the Sanish, the Hidatsa and the Mandan, and they also broke the 1851 treaty. And with regard to the Indian landowners, they broke the General Allotment Act, which prohibited alienation.
102	Embry, Glenda	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			As our neighbors, you shouldn't criticize us, you shouldn't talk about us in a negative way, and you sure shouldn't do that with a glass of water in your hands or a fishing pole or the keys to your boat. Because of the tremendous sacrifices made by the Mandan, the Hidatsa and the Anikara people, you have all those things today. As our neighbors, you should be happy for us, especially some of the older folks who are here and you saw what we lost.
103	Embry, Glenda	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			I was raised in a warm extended family until the dam tore us apart. It tore my family apart where, you know, we couldn't visit each other, we were just scattered all over, and many of my uncles and aunts that I had thought so much of were sent off on relocation.
104	Hall, Richard	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			Going back to Elbowoods, I heard a lot of stories from my dad and grandpas, my uncles, people from the Tribe here. They said they took a bridge away from us, a hospital, ranches, ways of life. And we're starting to get some of that back.
105	Mandan, Adam	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			I don't even go to this lake to swim or fish because of what this dam done to our people. It killed a lot of our elders. When they moved us to different districts, they were sitting there lonesome.
106	Wilkinson, Wilbur	Three Affiliated Tribe	Tribe			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			The dam took the heart out of our reservation.
107	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			The U.S. Government by force took 156,000 acres of land to build this Garrison Dam. This land was Indian owned and a small percentage was white owned. While white America prospered, we as Indians suffered and died.
108	Yellow Bird, Pemin	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Historical trauma of the dam			Beaver Creek, that's where my dad was raised, and it's all under water.
109	Wright, Stanley	Mountrail County	Local			Transcript	2006 June 30	060630Minot.pdf	Historical trauma of the dam			I think the misleading point that is being expressed is that the only people who lost land when the lake was formed was just Indians. Please remember that we all lost in that situation.



Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
110	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Historical trauma of the dam			And Tex talks about broken promises. Well, they told us the same thing. No help moving, no Mineral Restoration Act. The minerals that they took from us, I think Tex has them now.
111	Malnourie, Mel	Public	Public			Email	2006 June 30	060630Malnourie.pdf	Historical trauma of the dam			These people have paid a huge price (more than anyone can even imagine). Families were split up as was their homes. Treaties and promises were made and broken by the federal government to them. Please don't be a part of another group of federal people to break more.
112	Medicine Stone, D	Tribe - public	Tribe - public			Email	2006 June 30	060630MedicineStone.pdf	Historical trauma of the dam			Most individuals share about the historic healing however, we continue to suffer and experience geographic hardship due to the Garrison Dam.
113	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Historical trauma of the dam			The Historical Trauma of Dam section does not speak of the historical trauma suffered by the non-natives who also lost their land and will now be forced to watch the Corps give their former lands to TAT, nor does it speak of the future trauma to these same non-natives if the Corps and TAT success in giving their land away to other than the original owners. I would suggest that this entire section in the documented to inflame people's emotions and is not relevant to today's issues at hand and as such should be stricken from the document.
114	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Investment	Cabin owners		The value of the property I own in the Indian Hills area will be devalued
115	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Investment	Cabin owners		Will the Corps protect the investment made by our association by not transferring the lands between the 80 acres at the south end of Mahto Bay that we own and our cabin sites? We would be very happy to provide you the legal and the specific descriptions of the location of that 80 acres should you so desire.
116	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Investment	General		The State, county, private, and public entities have entered agreements understanding the COE would be the controlling lessor investing millions for recreation, fish and wildlife management, and transportation improvement. Will those monies be returned?
117	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Investment	Public/taxpayers		Americans have been paying taxes to maintain and support this land for years, and now you want to turn it over to the reservation
118	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Investment			In a random sample of the 24,000 acres that remain in the transfer proposal, 90 percent of those scored in the top half of the evaluation, meaning they met the minimum requirements for hunting recreational value. We estimate that it would cost the state approximately \$60,000 in direct payments per year to replace just the free recreational hunting value currently enjoyed by the public on these lands.
119	Starke, Richard	Public	Public	Burlington	ND	Letter	2006 July 2	060702Starke.pdf	Investment			The present worth is \$5,706,272,000.00 adjusted for increase in 50 years of land values. Seeing the magnitude of the dollars puts the tribe out of contention and the land is needed.
120	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Jurisdictional Confusion	Police/fire/ambulance		Jurisdiction would suffer in matters of ambulance, law enforcement, fish, wildlife, and conservation enforcement, et cetera.
121	Hall, Tex	Three Affiliated Tribes			ND	Transcript	2006 June 30	060630Minot.pdf	Jurisdictional Confusion	Police/fire/ambulance		If somebody breaks the law, whether they're Indian or non-Indian, they should be punished for the full extent of the law.
122	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Jurisdictional Confusion	Police/fire/ambulance		The transfer document does not address police protection. At McKenzie Bay, this continues to be a problem. Who do we call? How is police protection going to be handled on the transferred lands?
123	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Jurisdictional Confusion	Survey		In 1993 the COE estimated the cost of surveying and marking the elevation line of 1860 msl within the Fort Berthold Indian Reservation would total \$21 million dollars (828 miles of shoreline), five times the value of the land. The cost today would be even higher with the proposed line of 1854 msl. Who pays?
124	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Jurisdictional Confusion	Survey		Metes and bounds must be enacted on any land transfer to ensure accuracy and jurisdiction. Who will pay for this expensive endeavor?
125	Curtis, Don	Public	Public			Email	2006 June 18	060618Curtis.pdf	Jurisdictional Confusion	Survey		Another area of concern is your comments associated with identifying the boundaries of 1855 elevation and establishing a way to determine if you are on Corps land or Tribal land. I found a small statement that said you would endeavor to establish these boundaries, but there was no explanation in any detail as to how you were going to accomplish this. I would appreciate finding out where I can look in the report, page number, etc.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
126	Hall, Tex	Three Affiliated	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Jurisdictional Confusion	Survey		Mr. Erickson says that the lands cannot be transferred by the 1854 msl line. Mr. Erickson assumes that this is how the land will be transferred. This issue has not been worked out yet. All I can say is that the lands will be transferred legally and in a way that makes the lands identifiable.
127	Patten, Dale	McKenzie Count	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Jurisdictional Confusion	Survey		We believe that the Corps' comments were nonresponsive when it came to defining the legal description of the land to be transferred. The Corps is continuing to use elevations as a boundary for the transfer, and you'll be unable to file any deed or record of the land transfer with any of the county recorders in the state because that type of description does not comply with state law.
128	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Jurisdictional Confusion	Survey		Why is this land changing hands, using an archaic method of land identification? Metes and bounds survey methods as well as GPS data must be used and must not be a cost burden put upon anyone other than the beneficiaries of this land transfer.
129	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Jurisdictional Confusion	Survey		Any transfer based upon the Public Land Survey System would eventually give the TAT ownership of land under Sakakawea and subsequently they would receive ownership of portions of Lake Sakakawea. How this will be avoided needs to be addressed.
130	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 200	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Jurisdictional Confusion	Survey		The land you proposed to transfer has not been adequately described. No one will know when they have crossed the boundary defined as "land above 1854, m.s.l." This will make it difficult to determine what government has civil or criminal jurisdiction. It will make it difficult for counties to determine the amount of acres for which the Corps makes payments in lieu of taxes. It will make it difficult for users of the lake to know where they can and cannot hunt or visit.
131	Frink, Dale	North Dakota St	State	Bismarck	ND	Transcript	2006 June 26; 200	060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf; 060630Frink.pdf	Jurisdictional Confusion	General		Just determining which agency is responsible for funding will be problematic, but determining general management issues such as jurisdiction and regulatory requirements will be far more challenging and time consuming.
132	Klapprodt, Lee	Public	Public			Transcript	2006 June 26	060626Bismarck.pdf	Jurisdictional Confusion			If we have the DOI, BIA, and TAT, it's going to be very difficult to know who to go to get permission to do any kind of development or to enforce any kind of reclamation or recreation, or to take care of the weed issues that we have around the lake.
133	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 200	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Jurisdictional Confusion			This proposal does not have any provisions for fencing or clearly delineating the property boundaries that will exist not in straight lines, but in a meandering line that follows the 1,854 elevation contour. As the shoreline erodes with time, many areas that are currently above 1,854 will erode into the lake. When the lake refills, some areas will not have any non-tribal shoreline.
134	Drovdal, David	State Represent	State		ND	Transcript	2006 June 28	060628Williston.pdf	Jurisdictional Confusion			There definitely is a jurisdictional conflict that must be resolved before we can continue to go forward with any agreements.
135	Danks, John	Three Affiliated	Three Affiliated Tribes			Transcript	2006 June 29	060629NewTown.pdf	Jurisdictional Confusion			If you think that the high water mark, the 1854 mark is your boundary, you're wrong. We found out today your boundary goes back a quarter of a mile off the shoreline.
136	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Jurisdictional Confusion			The BIA is a federal agency. We are a federally recognized tribe. If you don't understand that, criminal and civil jurisdiction when administered by the feds applies to you whether you're write, black, red or whatever color you are. That's not even an issue here.
137	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Jurisdictional Confusion			To return land based on an elevation is ridiculous and will create a ring around portions of the lake where very few enforcement agencies, user public, or administrators will know the boundary and which jurisdiction applies.
138	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Leases			Current leases should be honored and extended by the Tribe to provide for recreational opportunity for the public. While these leases are in effect, a comanagement agreement by the State and Tribe will address issues specific to those areas.
139	Handorff, Merriam	Public	Public	New Town	ND	Email	2006 July 18	060718HandorffMirriam.pdf	Leases			Wilber Wilkinson spoke most unkindly of the whites and of their leasing land and having their "exclusive" groups. Which makes me wonder how many Wilber Wilkinsons will appear on the scene if any land is transferred?

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
140	Hall, Tex	Three Affiliated	Tribe		ND	Transcript	2006 June 26; 2006 June 27; 2006 June 28	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Legal	Enabling Act		In the Enabling Act of 1949, the terms of the Fort Berthold Contract were changed to eliminate the rights and interests of the Tribe without the Tribe's approval; Article X of the contract and the rights the Tribe had negotiated were excluded from the bill.
141	Neff, Vern	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Legal	EO 12898		If the Corps transfers the management cost to the TAT or BIA the Corps would be remiss in their obligations under EO 12898 by dropping additional costs for proper land management on a minority population that presently has a high unemployment rate and poverty levels or, worse yet, they would put fiduciary responsibilities under the BIA which doesn't make any sense whatsoever.
142	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Legal	FBMRA		The Corps is assuming the FBMRA gives them the ability to transfer lands back to the TAT. Given the TAT's boundary before 1970, the reservation line was approximately 12 miles south of New Town. During the 1970's, the line was moved about 15 miles north engulfing New Town and the lands surrounding the city. Comparing lands bought in the 1950's to the current lands, it is concluded those lands are not transferable under the FBMRA because these lands were not owned by the TAT prior to the flooding. The Corps must provide documentation regarding this issue before moving forward.
143	Erickson, Ladd	McLean County	County	Washburn	ND		2006 June 26	060626McLeanErickson.pdf	Legal	FBMRA		The FBMRA is not a land transfer law
144	Hall, Tex	Three Affiliated	Tribe		ND	Transcript	2006 June 26; 2006 June 27; 2006 June 28	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Legal	FBMRA		The Tribe's intent and understanding of the FBMRA is reflected in the May 20, 1948 contract approved by the Tribal Business Council and a majority of the Tribe. This contract clearly contemplated that the Tribe would use these lands for grazing, recreation, and for hunting and fishing. It also contemplated that non-Indians would be able to utilize these lands in accordance with regulations and schedules of rates approved by the Tribe with the concurrence or approval of the Corps.
145	Hall, Tex	Three Affiliated	Tribe		ND		2006 June 26; 2006 June 27; 2006 June 28	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Legal	FBMRA		Mr. Erickson says the FBMRA was only intended to transfer mineral ownership to the Tribe. This is not true. Although the Act does transfer mineral ownership to the Tribe, it also specifically authorizes the transfer of "lands no longer needed" for the project.
146	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27; 2006 June 28	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Legal	FBMRA		The [FBMRA] was designed to "return to the Mandan, Hidatsa and Arikara Tribes beneficial ownership of mineral rights" and, also, to "permit land exchanges around the edge of the project, as needed." (Statement of Senator Quentin Burdick, U.S. Senate, Select Committee on Indian Affairs, June 21, 1984). It was never intended to allow the Corps to make a transfer of this nature.
147	Houdek, Duane	Governor's Office	State	Bismarck	ND	Transcript	2006 June 27	060627Dickinson.pdf; 060627Hazen.pdf	Legal	FBMRA		Whether you look at the internal language of the Act itself, that is, how the Corps has arrived at its criteria for lands no longer needed, or whether you look at this Act, as you must, in conjunction with the FCA, other federal acts, other state laws, it is clear to us that the authority does not exist to make the transfer.
148	Patten, Dale	McKenzie County	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Legal	FBMRA		The proposed transfer is contrary to the Congressional Record regarding the FBMRA. The Congressional Record reflects many reasons for the Act, of which the transfer of 24,000 acres of land was never identified.
149	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Legal	FBMRA		A federal decision was made at the behest of the tribal chairman that this land could be conveyed to the Tribe under the FBMRA. That decision is done. That's not negotiable.
150	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Legal	FBMRA		A substantial amount of testimony with respect to the "intent" of FBMRA has been offered at the public hearings. I request that the ASA (CW) be made aware of this testimony and the referenced congressional testimony that lead to the passing of FBMRA. Without full knowledge of this information one can only reach the conclusion that the ASA (CW) acted in an arbitrary and capricious manner to give away public property to another sovereign nation.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
151	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Legal	FBMRA		Under Section 4.4 Historical Trauma of Dam "It was always TAT's understanding that these lands would be returned." Did they actually envision the Corps would give them land that they had never owned? Or did they expect to receive back Tribal Lands that were taken? Again, this seems to suggest that the interpretation of FBMRA has been taken to an extreme that was not likely envisioned in the original taking of the land for the Garrison Project, nor in the drafting and testimony presented for FBMRA.
152	Erickson, Ladd	McLean County	County	Washburn	ND		2006 June 26	060626McLeanErickson.pdf	Legal	FBMRA		For the Corps to find that Section 206 of the FBMRA permits this transfer to the Corps must find that the gesture of the State in 1984 when it donated its mineral interests to the TAT and the agreement the Tribe made is meaningless; that the clear intention of Congress based on the congressional record that this law is intended only to transfer some mineral interests and is to be read to protect the State's and public's surface interests in this land is meaningless; and that the language in Section 206(b) that states that lands "no longer needed" for project purposes does not mean physically needed but not needed for project purposes based on a political determination.
153	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Legal	FBMRA		The FBMRA is a questionable vessel for this transfer in that it specifically mentions "mineral interests in the lands located within the exterior boundaries of the FBIR." That being said it is amended and the paragraph was added SEC.206(a) specifically in question "any land near Garrison Dam and the Reservoir Project." Please define "near." Where does the Missouri River/Little Missouri River channel fit into this? Is it all encompassed by the word "reservoir"? Where is it that the rivers end and the reservoir begins? Please clarify this point, as it appears some of the land in the potential transfer is <i>near</i> the original Missouri/Little Missouri river channels.
154	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Legal	FBMRA		The intent of the FBMRA was not to return surface acres. It is likely against the law, which must be clarified. Even if legal, the intent was not to return surface acres.
155	Patten, Dale	McKenzie County	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Legal	FCA		The proposal is also in direct conflict with the FCA.
156	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Legal	Fort Berthold Act		That's one indication that this is not a land transfer law, the Fort Berthold Act, because none of the mechanics of actually doing a land transfer are laid out in the law, as it would be if this was a land transfer type of law and it would specifically lay out how things are going to be done.
157	Hall, Tex	Three Affiliated Tribe	Tribe		ND	Transcript	2006 June 26; 2006	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Legal	Fort Berthold Contract		Under Fort Berthold Contract of 1948, Tribe negotiated rights with BIA concerning lands that would not be used for the Corps at the conclusion of the construction of the Garrison Project. Under Article X of contract, plan was to be developed that would allow for grazing of livestock between the taking line and actual water line of the Garrison Reservoir within the FBR; hunting and trapping rights expressly reserved to Tribe; Council's right to issue licenses in accordance with tribal regulations reserved; right of Tribe and its members to establish boat harbors, wharfs, and recreational areas within the taking area reserved to Tribe under such terms and conditions as determined by the Tribal Council and in accordance with plans approved by the Corps; contract further provided that service and dock privileges would not be made available to non-members of the Tribe within the taking area of the Reservoir located within the exterior boundaries of the reservation except in accordance with regulations and schedules of rates approved by the Tribe with the concurrence or approval of the Corps.
158	Zschomlror, Stan	Public	Public			Transcript	2006 June 26	060626Bismarck.pdf	Legal	FWCA		I would urge the State of North Dakota and Game and Fish to check out - and the Corps to check out - the legality of any proposed land transfer through the Fish and Wildlife Coordination Act.
159	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Legal	Survey		The FCA does not distinguish access points to the Lake and the rest of the project lands. The FCA and the U.S. Supreme Court in the South Dakota v. Bourland, 508 U.S. 679 (1993) which was a shoreline case, states: "[T]he clear effect of the Flood Control Act is to open the lands taken for the Oahe Dam and Reservoir project for general recreational use of the public." Id. at 689-690. What the Corps is proposing directly conflicts with the FCA.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
160	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Legal	Survey		The Corps followed state law in this area when the Garrison project was built, and the obligation to follow state law persists. Under N.D.C.C. 57-02-39, "If any tract or lot of land is divided into irregular shapes which can be described only by metes and bounds....the owner of such tract or tracts, upon the request of the county auditor, shall have the land platted or replatted, as the case may be, into lots or blocks according to deeds on record. If such plat cannot be made without an actual survey of land, the same must be surveyed and platted and the plat thereof recorded..."
161	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Legal	Survey		The fact that the U.S. government will still own all the land does not matter under North Dakota law. Those tracts must be surveyed and platted because the local school districts and surrounding counties get Payment in Lieu of Taxes (PILT) on a per acre basis of Corps land; the elevation line will become the jurisdictional line for state and tribal criminal and civil jurisdiction; and the public has a right to fair notice of the land status because a tribal hunting license will be required above elevation 1854 and a state hunting license below that elevation. This section of state law is not preempted by any federal laws, and federal agencies are bound by it. In other words, 1) It is not preempted by any federal law; 2) It does not conflict with federal law; 3) Nor is it in an area where Congress as evidenced an intent to occupy the field of regulation. State v. Liberty National Bank and Trust Co., 427 N.W. 2d 307, 309 (N.D. 1988); Also see United States v. Clifford Matley Family Trust, 354 F.3d 1154 (9th Cir. 2004); United States v. Smsky, 271 F.3d 595 (4th Cir. 2001); Reid v. United States, 715 F.2d 1148 (7th Cir. 1983); Citizens & Landow
162	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Legal			The Corps does not have the legal authority; it's been documented through decades of contests
163	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Legal			The case New Mexico v. Mescalero Apache Tribe could apply to ND. This case found NM did not have significant interest in retaining its jurisdiction based on the amount of tribal land vs nontribal land within that reservation.
164	Mazaheri, Mark	Public	Public			Email	2006 June 28	060628Mazaheri.pdf	Legal			Indian reservations are recognized as sovereign nations and giving land to any such entity would require congressional approval. It is no different than giving land to Canada or Mexico and we would never consider that.
165	Hudson, Marilyn	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Legal			If you look at the Taking Act, Public Law 81-437, they took 156,000 acres of Johnny Sitting Crow's land, Robert Birdbear's land, Martin Cross's land, and all the other Indians, but they only took 2,000 acres of the Tribe's land. Maybe the Tribe really isn't the entity to receive possession of this issue.
166	Frink, Dale	North Dakota State	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf; 060630Frink.pdf	Master Plan	Corps		The updated plan must provide direction for future development that provides the greatest public benefit over the life of the project. The Corps should not make a decision concerning this transfer before the project master plan is completed.
167	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Master Plan	Corps		Nothing has been done to ensure that the land uses, which will now be controlled by two different management plans, will be compatible... By transferring now, before the [Lake Sakakawea Master Plan] is completed, the Corps is ignoring the long-term, potential uses of the project it is supposed to manage.
168	Prchal, Doug	North Dakota State	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Master Plan	Corps		Removing the proposed 24,000 acres from this collective planning process creates incompatibility across the reservoir. Consistency of public use, resource management, and overall recreation opportunity is jeopardized under this proposal, creating a fracture planning process.
169	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Master Plan	Corps		The Corps is currently in the middle of the Lake Sakakawea master planning effort and there is a future need for more recreation areas. Until that process is completed, how does the Corps know that some of this land is not needed for more recreation areas?
170	Klapprodt, Lee	Public	Public			Transcript	2006 June 26	060626Bismarck.pdf	Master Plan	Tribal		If the land is to be transferred, is there resources and a clear-cut plan for how those lands are going to be managed?
171	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Tribal Management			The Corps must demand that set-in-stone documentation ensures the "intent" and management of lands will be legally protected. Until this is done, the proposed transfer must not be approved.
172	Thrall, Brad	Friends of Lake S	Private organization			Transcript	2006 June 26; 2006	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Master Plan	Tribal		It would be far easier to agree to the transfer if we saw clear plans on how the Tribes intend to use the sizable acreage and how they would fund development and long-term operation and maintenance

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
173	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Master Plan	Tribal		How can one possibly consider transferral of land to any agency that does not have a management strategy in place? A full resource management plan needs to go through the public NEPA process prior to any land transfer.
174	Sandstrom, Tim	Public	Public			Letter	2006 June 02; 2006	060602Sandstrom.pdf; 060626Sandstrom.pdf	Master Plan	Tribal		TAT has not publicly announced a master manual depicting their management goals
175	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Master Plan	Tribal		The document gives no indication of what the future plans are for the lands being transferred. What are the land use plans? Will the future land use affect the McKenzie Bay Recreation Area? If so, how? If not, why not? We also desire to purchase our lots and will still be willing to manage the recreation area for the park board.
176	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Master Plan	Tribal		Where is the Tribal management/Corps maintenance plan/budget plan for this newly acquired property?
177	Handorff, Merriam	Public	Public	New Town	ND	Email	2006 July 18	060718HandorffMirriam.pdf	Master Plan	Tribal		The Corps has too many generalities from the TAT as to how they will take care and manage the land and no specifics. The Corps knows good business management usually indicates having a plan in place before making changes.
178	Handorff, Jim	Public	Public	New Town	ND	Email	2006 July 18	60718HandorffJim.pdf	Master Plan	Tribal		No plan is in place for management of the land or the water.
179	Bird Bear, Joletta	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Allottees		For we who refer to our allotments, we can deal with this at a later date. I encourage all tribal members to join the Missouri River Allottees Association. For us to debate that in front of this group today merely clouds an issue and will limit or delay the time that it takes to transfer these small parcels of land that we can all own them together, and I ask our neighbors to support us in this effort and that we can work this thing out together.
180	Birdbear, Roger	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Allottees		The landowners aren't entirely supportive of giving the land to the Tribes directly, per se. We are most interested in giving the land directly to only the allottees in 1949. The Tribe hasn't acted in the Indian landowners' best interest. The land should be transferred directly to them or their heirs.
181	Hall, Richard	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Ownership	Allottees		In 1959 our tribal council, recognized that a lot of people lost land, asked for legislation to sell land back to the people that lost land from the tribe. I would ask our tribal council members that are here today to go back into that history, to take a look and respect the rights of individual landowners. And we need to have someone advocating for landowners at all levels of government.
182	Hudson, Marilyn	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Ownership	Allottees		This land belongs to original allottees. The land all belonged to individual people. We must not forget those people.
183	Patten, Dale	McKenzie Count	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Ownership	Counties		If you continue to go forward with this transfer process, there will probably be a formal request from those counties located outside the boundaries of the reservation to address and initiate a process of transferring those lands that are located above 1854.
184	Wright, Stanley	Mountrail County	Local			Transcript	2006 June 30	060630Minot.pdf; 060630MountrailWright.pdf	Ownership	County		The potential transfer would be better served to the public in private ownership and use of such lands by transferring these lands to Mountrail County. Mountrail County could then sell this real estate to the former owners or auction the tracts involved to farmers and ranchers. Such ownership would be placed on the tax rolls for Mountrail County. Any tracts that do not sell would become established parks and recreational areas.
185	Hudson, Marilyn	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Ownership	Current landowners		If a landowner owns land and it is adjacent to the taken area, you're going to add another layer, maybe just a very thin strip of land, so you're going to have another layer of ownership. Is there anything in that provision that would be detrimental to the present landowners?
186	Webster, Al and M	Public	Public			Email	2006 June 27	060627Webster.pdf	Ownership	Don't transfer		It should remain public land.
187	Kraft, Jim and Carl	Public	Public	Minot	ND	Comment form	2006 July 21	060721Kraft.pdf	Ownership	Don't transfer		The land should remain public for the entire public to enjoy.
188	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Ownership	Don't transfer		I do not feel this land transfer should take place; I will be prepared to join whatever legal action is necessary to stop it
189	Lavelle, Tom	Public	Public	Fargo	ND	Email	2006 June 19	060619Lavelle.pdf	Ownership	Don't transfer		I have had a recreational place at New Town for over 20 years and I would like to go on record as being opposed to the transfer of government controlled lands to Indian control
190	Mazaheri, Mark	Public	Public	Fargo	ND	Email	2006 June 19	060619Mazaheri.pdf	Ownership	Don't transfer		I would like to voice my total and complete opposition to any plan that would transfer any lands along Lake Sakakawea back to control of the Indians. It appears this land would become part of the Fort Berthold Indian Reservation

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
191	Donahue, Mike	North Dakota Wildlife Federation				Transcript	2006 June 26	060626Bismarck.pdf	Ownership	Don't transfer		The North Dakota Wildlife Federation, which consists of 1,862 members here in the state and 21 affiliated clubs, and we also have 93 individual members, we support the comments of our state government, specifically Gov. Hoeven and the various agency comments. It's our expectations that once everything is sand and done, that there will be no transfer.
192	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Don't transfer		The Corps listed more than 800 public comments in its Draft Effects Report, and all but a very few opposed this transfer.
193	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Ownership	Don't transfer		The proposed transfer of 24,000 acres to the DOI to be held in tribal trust is not in the public interest. Currently, only 5 percent of ND land base is in public ownership. Losing an additional 24,000 acres creates unnecessary hardships.
194	Christmann, Rand	Public	Public		ND	Transcript	2006 June 27	060627Hazen.pdf	Ownership	Don't transfer		On behalf of myself and numerous people from this area who have talked to me and are adamantly opposed to this transfer, I agree with [Lee Klapprodt, Duane Houdek, Terry Steinwand] comments, and I really appreciate the efforts of Governor Hoeven and his whole team to work as hard on this as they have.
195	Christmann, Rand	Public	Public		ND	Transcript	2006 June 27	060627Hazen.pdf	Ownership	Don't transfer		The original transfer was decades ago, and we're not able to give it back to the original owners, so I firmly believe that it ought to stay under the present ownership and be operated for the recreational opportunities for the people of North Dakota
196	Fettig, LeRoy	Public	Public		ND	Transcript	2006 June 27	060627Dickinson.pdf	Ownership	Don't transfer		At this point we definitely would be against this proposal.
197	Foeltz, Robert and	Public	Public	New Town	ND	Email	2006 June 27	060627Foeltz.pdf	Ownership	Don't transfer		Please do not transfer the Corps land back to the tribe as that is public land open for everybody.
198	Foeltz, Robert	Public	Public			Email	2006 June 29	060629Foeltz.pdf	Ownership	Don't transfer		Don't transfer the land back to the tribe
199	Freud	Public	Public			Email	2006 July 29	060729Freud.pdf	Ownership	Don't transfer		Don't give the land back we do not need more gambling.
200	Johnson, Neil	Public	Public	Fargo	ND	Email	2006 June 27	060627Johnson.pdf	Ownership	Don't transfer		I oppose the transfer of this land. I'm a ND hunter and fisherman and I don't feel this is the best interest of the people of ND.
201	Kading, Vern and	Public	Public	Fargo	ND	Email	2006 June 27	060627Kading.pdf	Ownership	Don't transfer		I am opposed to the possibilities of the Corps transferring this land to the TAT. This land should remain as is and Governor Hoeven is correct about it creating confusion on the go no-go aspect if this land is transferred to the tribes. As Governor Hoeven points out this land was not owned by the tribal governments and should not be transferred to it.
202	Monson, Karen	North Dakota Ou	Private organization			Email	2006 June 27	060627Monson.pdf	Ownership	Don't transfer		The North Dakota Outdoor Heritage Coalition opposes the Sakakawea land transfer back to the tribe.
203	Resner, Mark	Public	Public	Mott	ND	Email	2006 June 27	060627Resner.pdf	Ownership	Don't transfer		I urge the Corps not to make a transfer.
204	Sorenson, Richard	Public	Public	Beulah	ND	Letter	2006 June 27	060627Sorenson.pdf	Ownership	Don't transfer		I support the Governor's position on the proposed transfer of public land adjacent to Lake Sakakawea to the tribal government.
205	Stafslie, Jason	Public	Public	Minot	ND	Email	2006 June 27	060627Stafslie.pdf	Ownership	Don't transfer		I would like to urge the Corps not to transfer any of the proposed lands adjacent to Lake Sakakawea to the TAT.
206	Webster, Al and M	Public	Public			Email	2006 June 27	060627Webster.pdf	Ownership	Don't transfer		This land should not be given back to the Indians.
207	Weigum, Rodney	Beulah School D	Local	Zap	ND	Transcript	2006 June 27	060627Hazen.pdf	Ownership	Don't transfer		I'm asking that these lands not be transferred.
208	Drovdal, David	State Represent	State		ND	Transcript	2006 June 28	060628Williston.pdf	Ownership	Don't transfer		I thank you for your decision after the first round of public comments by listening to the comments that were made and recognizing the importance that recreation has to the people of North Dakota by excluding those 12,000 acres, including the land management, wildlife management.
209	Dukart, Tim	Public	Public			Email	2006 June 28	060628Dukart.pdf	Ownership	Don't transfer		I am against giving the Corps land back to the Indians.
210	Dihle, Mark	Public	Public	Mandan	ND	Email	2006 June 29	060629Dihle.pdf	Ownership	Don't transfer		I believe that transferring the land back to the tribe would not be in the best interest of the people that you work for, the entire population of taxpayers.
211	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Ownership	Don't transfer		I'm not for moving this land into the BIA trust.
212	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Ownership	Don't transfer		I am not totally against this land transfer; however, if it is proceed I would like to respectfully demand honest and straightforward answers without excuses to questions and equitable policy to govern in the aftermath of this event.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
213	Mitchell, Jason	Public	Public			Email	2006 July 2	060702Mitchell.pdf	Ownership	Don't transfer		I extremely oppose the transfer of Corps land to the TAT. Much of this Corps land is extremely beneficial and valuable to the state of North Dakota through recreation.
214	Loff, Donavon	Public	Public			Email	2006 July 4	060704Loff.pdf	Ownership	Don't transfer		I am very much opposed to the transfer of any more land to the Indian Tribes.
215	Rexine, Bob	Public	Public			Email	2006 July 13	060713Rexine.pdf	Ownership	Don't transfer		Please think twice about this transfer of land
216	Handorff, Merriam	Public	Public	New Town	ND	Email	2006 July 18	060718HandorffMirriam.pdf	Ownership	Don't transfer		I now feel strongly no land at this time should be considered for transfer.
217	Handorff, Jim	Public	Public	New Town	ND	Email	2006 July 18	60718HandorffJim.pdf	Ownership	Don't transfer		After attending the Transfer of Public Land Input meeting at Four Bears June 29, 2006 I am left with a firm no to transferring any of the 36,000 acres to the TAT.
218	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Ownership	Don't transfer		I am opposed to any land transfer from the Corps to the DOI and BIA around Lake Sakakawea.
219	Lesmann, Steve	Public	Public			Email	2006 July 27	060727Lesmann.pdf	Ownership	Don't transfer		I hope you guys decide against this transfer. I strongly disagree with this idea. I hope you understand that you guys have been rubbing ND the wrong way since 1997. I would like for this to stop.
220	Ronning, Robert	Public	Public			Email	2006 Aug 1	060801Ronning.pdf	Ownership	Don't transfer		I strongly recommend that you not invoke this plan and leave the Garrison Dam and its land as is.
221	Schlosser, Gabriel	Public	Public	Glendive	MT	Email	2006 Aug 3	060803Schlosser.pdf	Ownership	Don't transfer		It would be a great injustice to the people that use and love Lake Sakakawea to give it back to the TAT. The ramifications of giving it to them will be greater than I think anyone can imagine.
222	Smetana, George	Public	Public	Garrison	ND	Email	2006 Aug 10	060810Smetana.pdf	Ownership	Don't transfer		Since the Corps took the land it should stay in their control and they should maintain and care for the land and not give any of the land they took back to anyone
223	Scarlett, Bob	Public	Public	Bismarck	ND	Email	2006 July 20	060720Scarlett.pdf	Ownership	Federal		Transfer the land to the NDGF or USFWS or any group that guarantees public use in perpetuity.
224	Hall, Tex	Three Affiliated Tribe	Tribe		ND		2006 June 26; 2006	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	General		Unlike the Governor, I do not believe in federal control. I would prefer that the local government control these lands.
225	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 26	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Ownership	General		I pray he the Governor would change his position because this proposed transfer would, essentially, return these lands to local control.
226	Hall, Tex	Three Affiliated Tribe	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Grazing rights		The Governor also apparently does not understand that all or virtually all of the 24,000 acres that the Corps intends to transfer is presently leased by the BIA for grazing purposes. Our tribal members lease the lands for grazing and Congress has specifically passed a law that gives our Tribal members preference in grazing these lands.
227	Wright, Joyce E.	Public	Public			Email	2006 June 21	060621Wright.pdf	Ownership	Landowner question		It appears our former (taken by the government) land in Sections 12-152-93 and 13-152-93 in Mountrail County is shaded in blue, presently controlled by the New Town Park Board. We would like verification that this land is not in the proposed transfer.
228	Curtis, Don	Public	Public			Email	2006 Aug 22	060822Curtis.pdf	Ownership	Original owners		How can you justify giving any of the land to anyone unless you give it to the original owners which is obviously not what you plan on doing.
229	Bird Bear, Joletta	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Original owners		The land now considered excess by the Corps should be returned to the rightful owners, and that is the original owners and the descendent heirs of this land.
230	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Ownership	Original owners		It is a fairness issue to me, because it cut our ranch right in half and so taking land from us. If I wasn't on the Game and Fish management area, our land would be in the proposed package. And there are people who are not in the management area that their lands will be going back if this goes through.
231	Olson, Barry	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Ownership	Original owners		The biggest heartburn most people have is probably that the land is not going back to the original owners. The people that have family ties, maybe a hundred years or longer, here in North Dakota, they made the effort and came out here and got land, I think they should get the first chance to get the land back. As far as tribal lands, if it goes that way, I think they should get the land only that was theirs initially.
232	Handorff, Jim	Public	Public	New Town	ND	Email	2006 July 18	60718HandorffJim.pdf	Ownership	Original owners		I am in favor of both Native Americans and whites who owned the land that was taken to have their individual acreage returned to the original owners or ancestors.



Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
233	Murphy, Russ	Public	Public			Email	2006 July 20	060720Murphy.pdf	Ownership	Original owners		If all land taken to create this dam that are deemed excess are not given back to their rightful owners, well then none of it should be transferred.
234	Speldrich, Lucille	Public	Public	Sykeston	ND	Letter	2006 July 20	060720Speldrich.pdf	Ownership	Original owners		I think we should be compensated for our loss too, why just the Indians.
235	Burr, Richard	Public	Public	Arnegard	ND	Letter	2006 July 26	060726Burr.pdf	Ownership	Original owners		Instead of giving it back to the Tribes, we deserve to have it back at a fair price. The land should be sold to the original owner, heirs of the original owners, or property owners who purchased land from the original land owners.
236	Ronning, Robert	Public	Public			Email	2006 Aug 1	060801Ronning.pdf	Ownership	Original owners		How can you give back land to the tribes when you are not going to give back land to the original non-member tribal individuals?
237	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Ownership	Original owners		It is incomprehensible to believe that the historical records of original land ownership do not exist. Why does the Corps insist in not detailing the original ownership of lands to be transferred? I request the Corps perform its job with the U.S. taxpayer in mind and document this information.
238	Hudson, Marilyn	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Ownership	Original owners		I'm very glad to hear Governor Hoeven say the honorable thing to do is return the land to the previous owners, and that goes for the entire lake. And he supports our position.
239	Curtis, Don	Public	Public			Email	2006 June 18	060618Curtis.pdf	Ownership	Original owners - all		For those comments you received, such as 514 and 519, where did you respond to those who wanted the lands returned to the previous owners? I would appreciate finding out where I can look in the report, page number, etc.
240	Lavelle, Tom	Public	Public			Email	2006 June 29	060629Lavelle.pdf	Ownership	Original owners - all		How about the other nonIndian land owners that had land purchased for this project will they also get the opportunity to get their land back.
241	Wright, Joyce E.	Public	Public			Email	2006 June 21	060621Wright2.pdf	Ownership	Original owners - all		In fairness, non-natives lost "bought and paid for" land due to the Garrison Dam project and if the Corps has made the decision that it should be "given back," then non-natives, as well as natives, should be the beneficiaries
242	Hall, Tex	Three Affiliated Tribes			ND	Transcript	2006 June 30	060630Minot.pdf	Ownership	Original owners - all		Why couldn't we stand together like they did in South Dakota and support legislation that would return lands back to Indians and non-Indians? Why are we fighting about 24,000 acres when we could be standing together on a much larger piece of legislation, just like South Dakota, with Governor Bill Janklow and Senator Tom Daschle, that returned lands to Indians and non-Indians?
243	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Original owners - all		Any land transfer must be done equitably. That is, the land must be transferred to the person it was taken from. This is not only a matter of fundamental fairness, it is one of the Corps' "guiding principles" when transferring land. (Public Information Paper Transfer of Lands at Lake Sakakawea and Lake Oahe, October 11, 1994). And yet, under this proposal, the Corps would transfer all land to the DOI to be held in trust for the tribal government, even though the vast majority of the land was taken from individual tribal members who held it as allotted lands, or from non-members who held the land in fee.
244	Holtan, Byron	Public	Public			Transcript	2006 June 26	060626Bismarck.pdf	Ownership	Original owners - all		The land that the Corps purchased from my parents, or from my family, I don't think that should be transferred back to the tribe. I think that should either go back to me, or you, as the Corps, should stay in your hands.
245	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Ownership	Original owners - all		Those lands, rather than go to tribal trust, should go back to those prior owners. And that includes non-Indian and Indian lands.
246	Fettig, LeRoy	Public	Public	Dickinson	ND	Transcript	2006 June 27	060627Dickinson.pdf	Ownership	Original owners - all		If this transaction goes through to the Tribe, then I think that we should equally be given the right to repurchase or somehow gain our lands back that were taken from us in the private sector.
247	Halstead, Dave	Public	Public		ND	Transcript	2006 June 27	060627Dickinson.pdf	Ownership	Original owners - all		We feel that the take land should be given back to the landowner where it was taken from.
248	Stafslien, Jason	Public	Public	Minot	ND	Email	2006 June 27	060627Stafslien.pdf	Ownership	Original owners - all		None of these lands have been offered for return to the previous non-native owners, why is that?
249	Neff, Vern	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Ownership	Original owners - all		If the U.S. government acquired lands by condemnation in the 1950s and the 1960s that it now no longer considers necessary for management of the waters impounded behind the Garrison Dam, then it should make that land available for repurchase by the then owners or their successors in interest. It's an issue of fairness and we need to concentrate on that.
250	Patten, Dale	State Represent	State		ND	Transcript	2006 June 28	060628Williston.pdf	Ownership	Original owners - all		I certainly would like to see land go back to the original owner, to the original deed owner or to their heirs. If they cannot be found, I hope that we put it up for public sale, with the money going into the Educational Trust Fund to benefit all of the children of North Dakota, and if the land is not sold, that it be given to the State of North Dakota or to the TAT, with any benefits to go to the Educational Trust Fund.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
251	Schmitz, G. John	Public	Public			Comment form	2006 June 28	060628Schmitz.pdf	Ownership	Original owners - all		Why are we just returning land to the Indians? What about additional lands further upstream no longer needed?
252	Veeder, Gene	McKenzie County	Local			Letter	2006 June 28	060628McKenzieVeeder.pdf	Ownership	Original owners - all		Nontribal members were equally affected by the loss of quality grazing and farmlands as well as displacement of buildings and lives along the Missouri River. Prime agricultural land was taken out of production in nonreservation areas in McKenzie County and those landowners should have the same right to regain ownership of lands not meeting the management goals of the project.
253	Wolf, Gerald and H	Public	Public			Email	2006 June 28	060628Wolf.pdf	Ownership	Original owners - all		I strongly feel that if the Corps is going to return land that is above a certain elevation or whatever they use to determine this return, that should apply to everyone.
254	Sitting Crow, Murp	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Original owners - all		I want it back, all 36,000 or anything up to the shoreline, and I hope that you give these Caucasians their land back along there, too. I think it's only right.
255	Hoff, Gloria	Public	Public			Fax	2006 June 30	060630Hoff.pdf	Ownership	Original owners - all		A more equitable solution would be to give the original landowners or their heirs the opportunity to acquire the land initially purchased for the Garrison Flood Control Project that is above the 1854 elevation which the Corps has determined is no longer needed for operating the Garrison Project.
256	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Ownership	Original owners - all		The non-tribal previous owners of the land are in a sense being subjected to the Corps version of eminent domain whereby they are not even being considered eligible for any of the land they lost. Explain to me without resorting to scapegoat/buck passing methods of "not defined by the FBMRA" or "noted" why the government can take land from someone and give it to a second party without due compensation to former affected landowners. Does the U.S. Constitution bear on this issue?
257	Kraft, Jim and Carl	Public	Public	Minot	ND	Comment form	2006 July 21	060721Kraft.pdf	Ownership	Original owners - all		Many people have shared in land losses for many reasons. The natives need not be favored with a transfer. The natives close proximity to the project land favors them over all others without a transfer.
258	Brendle, Gail and	Public	Public	Parshall	ND	Comment form	2006 Aug 10	060802Brendle.pdf	Ownership	Original owners - all		It is unfair to return it to anyone but the former owners or their heirs. If they cannot be found in a specified, reasonable amount of time, then it should go to the county so it can be returned to the tax roll.
259	Hall, Tex	Three Affiliated Tribes	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Original owners - tribe		The Tribe always understood that the Tribe and its members would always be able to utilize the lands. This is a fight that was fought in 1984 with the FBMRA. Congress has spoken and this issue has already been decided. The lands are to be returned to the Tribe and no one else.
260	Hoff, Gloria	Public	Public			Fax	2006 June 30	060630Hoff.pdf	Ownership	Recreation		What, if any, assurances do we have that lands in the recreation areas (which are now excluded from the transfer) will not be transferred to the TAT in the future?
261	Wright, Joyce E.	Public	Public			Email	2006 June 21	060621Wright.pdf	Ownership	Recreation areas		Is it true that the land coded in blue on the maps of your website, is land definitely not designated for transfer to the tribes?
262	Zschomlor, Stan	Public	Public			Transcript	2006 June 26	060626Bismarck.pdf	Ownership	Recreation areas		I'm very pleased to see that Game and Fish lands are not considered in your proposed transfer.
263	Stroh, Emanuel	McKenzie Bay M	Local			Letter	2006 Aug 21	060821McKenzieStroh.pdf	Ownership	Recreation areas		We concur with the decision that the McKenzie Bay Recreation Areas has been developed as a legitimate project purpose and should not be transferred
264	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Ownership	Recreation areas		Retaining recreation and wildlife lands under Corps ownership and oversight is an appropriate action and a step in the right direction regarding the proposed transfer of lands within the boundaries of FBR.
265	Boley, Jim	Public	Public	Minot	ND	Email	2006 June 28	060628Boley.pdf	Ownership	Retain or transfer to State		The land should stay with the Corps or transferred to the State of ND.
266	Curtis, Don	Public	Public			Email	2006 Aug 22	060822Curtis.pdf	Ownership	State		I would like to know why you are not deeding the land to the state of North Dakota in your proposal that is not being transferred to the BIA for the Indians.
267	Handorff, Merriam	Public	Public	New Town	ND	Email	2006 July 18	060718HandorffMerriam.pdf	Ownership	State		The NDGF indicated any of the land currently being considered for transfer does have future development potential by the NDGF.
268	Zwingel, David	Public	Public	Rugby	ND	Email	2006 June 14	060614Zwingel.pdf	Ownership	Transfer		I would like to go on record that I am in support of the land transfer to the TAT; I believe that land should rightfully be transferred back to the TAT since this was their land
269	Anonymous	Public	Public			Comment form	2006 June 26	060626Anon.pdf	Ownership	Transfer		24,000 acres of land that the COE has no use for anymore, why not give all the land, 5.7 million acres, back to the TAT

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
270	Hall, Tex	Three Affiliated Tribe	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Transfer		The Governor has said that he intends to legally challenge the transfer of these lands. I have to ask; who is he representing? I must remind the Governor that we probably have 9,000-10,000 tribal members that are also ND citizens. Does the Governor have this many people opposed to the transfer? I seriously doubt that the governor has even 1,000 people that oppose the transfer.
271	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 26; 2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Ownership	Transfer		I support the proposed transfer of these lands to TAT. This action is consistent with the law and fully justifiable by the current and forecasted management needs of the reservoir.
272	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Ownership	Transfer		I would encourage the Corps to consider and the tribal leadership to pursue all the lands contained within the original scope of the pending land transfer, which would include the management and recreation leased areas.
273	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Ownership	Transfer		The exclusion of the WMAs within the scope of the pending land transfer in my eyes would only be justifiable if said wildlife management or those recreational use areas contained lands with a critical habitat designation under the ESA.
274	Anonymous	Public	Public			Comment form	2006 June 27	060627Anon.pdf	Ownership	Transfer		The transfer back to the TAT is long overdue. The Corps was way greedy in taking too much acreage for their project. What the Native Americans wanted was never incorporated into the act. Morally the correct answer is the land transfer.
275	Birdbear, Roger	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer		I'm asking Governor Hoeven to change his mind and to think about all of us, that we're citizens.
276	Buck, Kim	Public	Public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer		If you take something from someone and you make a wrong, you do it right, you do what you need to do to return it, you do what you do to make it right to people.
277	Embry, Glenda	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer		I want to have the whole 34,000 acres returned to us. If they're not needed now, it makes me wonder if they were ever really needed in the first place.
278	Gillette, Vance	Tribe - public	Tribe - public			Comment form	2006 June 29	060629Gillette.pdf	Ownership	Transfer		The excess land should be returned to the tribe. The tribe can manage our own land. The youth need a future and need the land.
279	Mandan, Adam	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer		Do the right thing, the just thing, return this to the rightful owners, return it to the TAT.
280	Malnourie, Mel	Public	Public			Email	2006 June 30	060630Malnourie.pdf	Ownership	Transfer		I am in favor of the land transfer to the TAT.
281	Yellow Bird, Pemin	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer		I have some advice for folks who think that their land should be given back to them just because ours was given to us. It wasn't given. We had to go to work and get it. We used the American legal and political systems to get back land that was taken from us, land that was always ours.
282	Hall, Tex	Three Affiliated Tribe	Tribe		ND	Transcript	2006 June 26; 2006 June 29	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Ownership	Transfer all 36,000 acres		Although the TAT appreciates the Corps' initial conclusions and is pleased that it believes that 24,000 acres are transferable under the FBMRA, the TAT is disappointed that the Corps' initial response is that it cannot transfer the wildlife management and recreation areas
283	Danks, John	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer all 36,000 acres		As a tribal member I support the Tribe's position that all 36,000 acres should be returned to the Tribe. They are surplus to the FCA. The chairman laid that out very clear.
284	Hale, Nathan	Three Affiliated Tribe	Three Affiliated Tribes			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer all 36,000 acres		I support fully the total acreage, the 36,000 that was first brought in by law.
285	Hall, Richard	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership	Transfer all 36,000 acres		I would like to say to Governor Hoeven's office, when this came down, I don't know how you come up with 36,000 and go back to 24, and I heard there were owners that were running resorts and stuff that were getting mad.
286	Wren, Ron	Public	Public			Email	2006 July 7	060707Wren.pdf	Ownership	Transfer to ND		The state of North Dakota is a much more logical choice for the land to be transferred to. They manage the land for the good of all people regardless of race.
287	Bonderud, James	Public	Public			Email	2006 July 6	060706Bonderud.pdf	Ownership	Transfer to ND or NDGF		I'm totally opposed to the land transfer to the tribes around Lake Sakakawea as this land was paid for with taxpayers money and should be turned over to either the state of ND or the NDGF so it can be open to all people and not just the tribes.
288	Barrett, Carole	Public	Public			Comment form	2006 June 26	060626Barrett.pdf	Ownership	Trust		Lands allotted to tribal members under the Dawes Act (1887) and other legislation were not owned by the individual allottee. These lands were held in trust by the federal government; former allotted lands would revert to trust status - that is what they always were; The state officials are using terms "tribal trust" and "federal trust" interchangeably - these are not the same

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
289	Gillette, Vance	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership			The individual landowners of Fort Berthold hold majority ownership over the land here and that must be understood by membership. Too often we think the Tribe holds the majority.
290	Sitting Crow, Murp	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Ownership			This land is not ours. It's God's land. And everything that He put in here is His. We have no ownership. So, therefore, we should be able to all live together and enjoy this beautiful country.
291	Ronning, Robert	Public	Public			Email	2006 Aug 1	060801Ronning.pdf	Ownership			How can you justify transferring this land back to the tribes when in effect they did not own all of it in the beginning?
292	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	General		"Excess property" means any property under the control of any Federal agency, which is not required for its needs and the discharge of responsibilities; project lands "not required for" versus "no longer needed" clearly show a distinction without a difference
293	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	General		In 2004 there were no "excess" lands in the project area. How could in 2005 there suddenly be 36,000 acres of land "that is no longer needed" for project purposes?
294	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	General		The COE claims 36,000 of 155,000 acres on FBIR "no longer needed" for the project, but of 395,000 non-Indian acres, the COE claims there are no lands considered "no longer needed". This will open up COE to litigation from developers and speculators claiming tracts from the 395,000 acres as "surplus property" proving the COE acted arbitrarily when determining land above 1854 msl on FBIR "no longer needed" but land above the elevation off the reservation is somehow needed
295	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	General		In previous land transfer requests, the COE found that transfers should be as "equitable" as possible to all interests and any transfer should ensure project purposes of "flood control, navigation, hydropower, fish and wildlife, and recreation" are maintained; COE's current proposal depicts hypocrisy at its finest
296	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	General		In the early 1990s, the same request was put forth by the TAT involving "x" amount of acres. In the end, nearly all acres were deemed by the Corps as nonexcessive for the management of the Garrison Dam or dismissed by court decisions. Therefore, concluding just ten years ago that land within the FAR was needed for management of the Garrison Dam.
297	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	General		According to the Merriam-Webster dictionary, excess is defined as 1(a) the state or an instance of surpassing usual, proper, or specified limits. Given the project purposes and definition of "excess," it's clear the Corps would have a difficult time defining (without a doubt) lands seen to be in excess of the project.
298	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	General		In 2005 the Corps found 36,000 acres to be in "excess" but in June of 2006 they now only find 24,000 acres as excess? Is the Corps capable of making sound decisions?
299	Zwingel, David	Public	Public	Rugby	ND	Email	2006 June 14	060614Zwingel.pdf	Project purpose	General		If this land is not needed under the Garrison Project then the land should return to the TAT
300	Erickson, Ladd	McLean County	County	Washburn	ND		2006 June 26	060626McLeanErickson.pdf	Project purpose	General		If the Corps' decision that the lands in question are no longer needed is not based on an arbitrary political decision from Washington, then what physically has changed on the Garrison project area or what changes have been made to the FCA that has reduced the Corps' duty to the public over these lands?
301	Erickson, Ladd	McLean County	County	Washburn	ND		2006 June 26	060626McLeanErickson.pdf	Project purpose	General		The Corps has to reconcile its testimony before the JTAC committee in the late 1980's that there were no excess lands on the Garrison Project, and congressional testimony from Corps officials at least twice in the late 1980's and early 1990's that there were no excess lands in the Garrison Project area
302	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 29	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Project purpose	General		The transfer permanently limits any future development or expansion of recreation or wildlife opportunities. By exempting existing recreation and wildlife management areas from the transfer, the Corps acknowledges that these are within the scope of the project. But by giving away all other land, it effectively stops the further development of the project for these very same purposes.
303	Hall, Tex	Three Affiliated	Tribe			Transcript	2006 June 29	060629NewTown.pdf	Project purpose	General		I and the TAT understand the importance of Lake Sakakawea to North Dakota and its citizens and all those who use the lake and the adjoining land for recreation, fishing, and hunting. We understand because we use the lake for these purposes, as well, and these purposes are all very important to us.
304	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 29	060629NewTown.pdf	Project purpose	Grazing rights		Nontribal members are able to use the lake in some cases for livestock watering and irrigation, and the transfer of these lands would create another layer of government regulation administering that use.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
305	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	Irrigation		Only a year or two ago, a group of individuals began researching the possibility of getting an irrigation caucus together in Mountrail County. The caucus worked hard in obtaining the necessary research but in the end, their largest obstacle was obtaining water access rights from the TAT. How does the Corps explain its apparent breach in its project purpose of irrigation?
306	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	Recreation		The 2004 Master Manual and court cases such as South Dakota v. Ubbelohde clearly define recreation as a project purpose. Regarding North Dakota, the proposed land transfer to TAT would seem to indicate otherwise; is COE abandoning its responsibilities?
307	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Project purpose	Recreation		How can the COE abandon its own statement, "Recreation, an authorized System project purpose, has grown beyond original expectations?"
308	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	Recreation		Recreation should be noted as one of the Corps' project purposes and the proposed transfer must be enacted accordingly.
309	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Project purpose	Recreation		According to the U.S. Federal Government (the Corps), recreation is defined as auto touring, biking, boating, camping, climbing, historic/cultural sites, educational purposes, fishing, fish hatcheries, hiking, horseback riding, hunting, lodging, off-highway vehicle access, recreational vehicles, museum/visitor centers, water sports, wildlife viewing, and winter sports. Of the 18 items, 15 highlight how the residents of North Dakota (native and non-native) and tourists use the water and surrounding shores of Lake Sakakawea for recreation. So once again, I ask the Corps to define how they can reasonably declare 24,000 acres in excess "of providing recreation" as required by their master manual when it's perfectly clear every single square foot of the Corps' land is used daily for recreation by federal government definition.
310	Erickson, Ladd	McLean County	County	Washburn	ND		2006 June 26	060626McLeanErickson.pdf	Project purpose	Recreation		The Corps' master manual and recent court decisions all increase the duty on the Corps to account for and consider impacts on recreation as a project purpose and my concern is that the Corps believes it can make political determinations to administratively deauthorize project purposes by transferring land the public uses for recreation
311	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Project purpose	Recreation		The NDGF does not believe there are any excess Corps lands within the exterior boundary of the Fort Berthold Reservation based on authorized project purposes. Many of the acres proposed for transfer are classified as "vegetative management areas," but they are also open to public recreation and attract many hunters.
312	Weigum, Rodney	Public	Public		ND	Transcript	2006 June 27	060627Hazen.pdf	Project purpose	Recreation		Recreation is why we're able to get highly skilled people of all kinds of crafts to come out here and fill these jobs that are so vital not only the area but to the nation. If anything, we need to be growing our access to public lands and not be shrinking them down by 24,000 acres. When we talk about this as a jewel of North Dakota, we're not talking about only to the water's edge. We're talking about the land that has surrounded it and been open to public access and for recreational opportunities for many years.
313	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Project purpose	Recreation		Please specifically define recreation in the context of this issue. Is hunting considered recreation? In addition, does hunting take place now on land that is to be transferred? Do I understand this to be taking away my right to freely recreate on public land and giving the TAT the exclusive right and discretion and to recreate onto his former public land?
314	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Project purpose	Recreation		The Corps has grievously erred by not designating the proposed land to be transferred a major part of the overall recreational aspect of the Garrison Project.
315	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Project purpose	Recreation		What you refer to as Vegetative Management Areas equals Recreation Areas to hikers, bikers, hunters, bird watchers, campers, fishermen, and numerous other people that the Corps appears willing to abandon
316	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 26; 2006 June 27	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Project purpose			The comparison and several of the arguments formulated based upon comparing these lands to the BLM or FS lands is misleading and nothing more than a scare tactic, as is several of the other comments in opposition
317	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006 June 27	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Project purpose			We request the Corps to recognize all lands under their jurisdiction as essential for the project purposes and retain all the acres proposed to be transferred for the reasons stated.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
318	Houdek, Duane	Governor's Office	State	Bismarck	ND	Transcript	2006 June 27	060627Dickinson.pdf	Project purpose			Just because lands have been classified up to this point as recreational or wildlife management or vegetative management does not define them for the purpose of this transfer, and it cannot. Just because that's its classification for some purpose does not remove its value for recreation, for hunting, for wildlife management.
319	Neff, Vern	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Project purpose			Eminent domain proceedings require that the property be acquired for public use and for public needs and public necessity. If they don't need it now, they didn't need it then. If they don't need it now and didn't need it then, then it should never have been taken.
320	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Project purpose			The Corps determined that there was 36,000 acres of land that was not needed for project purposes. That's when Chairman Hall acted to get all that land transferred to the Tribe. You don't need it for project purposes. You already determined that.
321	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Project purpose			Where did this excess land come from? A few years back regarding the issue, extensively studied by the Corps and ruled upon by the courts, it was determined that there was no excess land available. Now, some 10 years later, somewhat mysteriously, there appears to be 24,000 to 36,000 acres of public land available for a giveaway project to benefit an Indian Tribe just because they asked for it?
322	Starke, Richard	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Project purpose			Although some opinions are that the land is no longer needed, others point out that the possible use is required for allowing access to the government-owned reservoir, protection against destroying the beauty and uniqueness of the lake and shoreline, plus habitat for fish, birds, and animals such as skunks, gophers, turkey, fox, coyote, deer, mountain lion, and so on.
323	Starke, Richard	Public	Public	Burlington	ND	Letter	2006 July 6	060701Starke.pdf	Project purpose			That land is necessary for management of the lake.
324	Luttschwager, Ken	Public	Public	Williston	ND	Letter	2006 July 19	060719Luttschwager.pdf	Project purpose			Recreation is an authorized use of Corps lands, and these lands are currently used for recreation, which is a currently authorized project purpose. Therefore, they are not surplus.
325	Weigum, Rodney	Beulah School D	Local	Zap	ND	Transcript	2006 June 27	060627Hazen.pdf	Revenue	Local		The Beulah School District gets flood money from the federal government for land that is flooded in lieu of tax money. This money that we would lose would decrease our budget.
326	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Revenue	Taxes		Tax revenue will be lost statewide to numerous areas including school and county budgets
327	Curtis, Don	Public	Public			Email	2006 June 18	060618Curtis.pdf	Revenue	Taxes		Where are you addressing the loss of tax revenue for the various counties involved? I would appreciate finding out where I can look in the report, page number, etc.
328	Erickson, Ladd	McLean County	County	Washburn	ND	Transcript	2006 June 26	060626McLeanErickson.pdf; 060626Bismarck.pdf	Revenue	Taxes		When this land is transferred, those funding sources from that land that fund the school districts and counties will be eliminated. And an exact acreage is important because there's a federal budget that funds those. In other words, an elevation line transfer is not practical.
329	Stafslie, Jason	Public	Public	Minot	ND	Email	2006 June 27	060627Stafslie.pdf	Transfer process	Cost		The transfer will cost taxpayers a lot of money due to the surveying necessary to determine the land boundaries, not to mention the expenses of the legal battles that John Hoeven has assured you will take place if this transfer takes place.
330	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Transfer process	Draft Effects Report		I'm appalled that the two most common Corps answers are "because the FBMRA doesn't imply..." and "These comments have been noted." Since when has a government agency been able to provide loosely defined answers?
331	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 26	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Transfer process	General		While some of the concerns related to such issues as wildlife management, jurisdiction, and more may have been relevant at one time, many of the issues that have been mentioned have been or are in the process of being addressed by the Indian and non-Indian citizens of this state
332	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Transfer process			I am requesting a complete revision of the document where a full range of alternatives is presented and evaluated, including a No Transfer alternative.
333	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Transfer process			How did the Corps identify transferable lands? Did the Corps define lands transferable from their outdated land models? Or did they make decisions from an updated land purpose model? If land today is being decided by yesterday's standards the Corps is dropping its obligation of managing the Garrison Dam lands according to their project purposes.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
334	Grenz, Herb	Public	Public	Emmons Co.	ND	Transcript	2006 June 26	060626Bismarck.pdf	Transfer process			I am again submitting a sample plan for Emmons Co. to retrieve conditional excess lands from the Oahe Reservoir. The plan is thus: 1) Have total acreage above elevations 1617. Sakakawea would be 1854. 2) Have a committee set up in each county to classify the property in three categories: one, mitigation; two, recreation; three, excess land. 3) The excess land should be turned over to the county auditor, appraised and sold to adjacent landowners; 4) money from the sale of the property should be put into a county trust fund; 5) the landowner should be responsible for the title and flowage and erosion easement to the Corps or the lake level management.
335	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Transfer process			Will we receive a detailed timeline and plan including detailed maps of the proposed land transfer? The only map provided in the draft Effects Report is too small to provide any useful information to us. For the Mahto Bay Cabin Owners Association, we're requesting a very detailed map of the Mahto Bay area, along with specific metes and bounds and legal descriptions of exactly what land is and is not proposed for transfer.
336	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Transfer process			We would like you to take a proactive approach in validating certain comments made in the original testimony such as statements to the effect that land was condemned at Mahto Bay to provide us access to our sites. We're very interested in knowing where this land is, and also, what formal statutory assurance of access resides associated with that land.
337	Houdek, Duane	Governor's Office	State	Bismarck	ND	Transcript	2006 June 27	060627Hazen.pdf	Transfer process			Your response to some of this has been, we'll deal with this in the agreement. We'll take care of these details of access and other things in the agreement between the two agencies. Well, that's after the fact, if you will. That's too late. Leaving all the details to a future agreement that is nonpublic, that has no public input, is simply unsatisfactory.
338	Wierson, Ethel	Public	Public	Hazen	ND	Comment form	2006 June 27	060627Wierson.pdf	Transfer process			I believe a legal and very detailed map needs to be developed should this transfer of land occur.
339	Patten, Dale	McKenzie County	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Transfer process			We ask in the future that any Draft Effects Report or any reports also be placed in the library in Watford City so that it would be available for residents of the county to review.
340	Hudson, Marilyn	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Transfer process			I testified in June in 2005 about return of land to the original allottees. It was considered at one time, and it should still be considered. And in your categories you don't list any, and I know there were a number of people that testified to that point.
341	Hudson, Marilyn	Tribe - public	Tribe - public	Parshall	ND	Transcript	2006 June 29	060629NewTown.pdf	Transfer process			Last night we asked our trust service officer, has anybody in the DOI or the BIA examined the Corps' plan to return excess lands to the Tribe? Has anyone examined it from a landowner's point of view? Is there anything detrimental in there that should be looked at? And he said no, no one has done that.
342	Wilkinson, Wilbur	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Transfer process			The decision on whether or not to transfer the land is a federal question. It's a matter of sovereignty, a government-to-government matter, a decision that has to be made between two sovereigns, the United States of America and the TAT, involving two federal agencies, the BIA and the Corps through use of the plenary power of the United States. It's not a decision to be made by fishermen, recreation leaseholders, nor the State of North Dakota. You have no say.
343	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Transfer process			What is the process for the Corps/TAT for coordinating efforts with the State of North Dakota and affected entities within the state?
344	Starke, Richard	Public	Public	Burlington	ND	Letter	2006 July 6	060701Starke.pdf	Transfer process			It seems strange that there was no media coverage of the testimony of Tex Hall or the representatives of Governor Hoeven, state park officials and members of the McKenzie cabin owners and McKenzie County, as well as the general public. Was this blackout arranged by your deliberate omission or is it not important that the public learn of these details?
345	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Transfer process			I suggest the ASA (CW) rescind the order to transfer available lands and replace it with an order to evaluate the transfer using a full evaluation of all alternatives including a no-action alternative.
346	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Transfer process			Add another alternative for serious consideration which includes the following three steps - identify those lands that were taken from TAT and tribal members; proposed these lands alone are available for transfer if they were included in the original analysis as "vegetative management areas;" let TAT explain to its own members why they won't get their deeded lands back, or conversely let TAT give it back to the appropriate heirs
347	Mazaheri, Mark	Public	Public			Email	2006 June 28	060628Mazaheri.pdf	Tribal management	Development		They have discussed further commercialization of the natural resources within and adjacent to those lands.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
348	Gillette, Vance	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management	Development		Not that many people live by the lake anymore. We need to develop it.
349	Stafslien, Jason	Public	Public	Minot	ND	Email	2006 June 27	060627Stafslien.pdf	Tribal Management	Funding		The Tribe itself said it cannot afford to maintain new lands. I guess they will receive these lands and then request more government money to manage them.
350	Anonymous	Public	Public			Comment form	2006 Aug 12	060812Anon.pdf	Tribal management	General		The Tribes do not take care of anything they have
351	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Tribal Management	General		The TAT and Corps have both repeatedly said that there will "probably" not be major changes in how the land is administered. If this is true, then what advantage does the TAT seek in transferring of lands? Without change there can be no great advantage to the TAT and without advantage or something to gain it is unlikely anyone would go through this much difficulty unless the reward is significant.
352	Foeltz, Robert and	Public	Public	New Town	ND	Email	2006 June 27	060627Foeltz.pdf	Tribal Management			They could no more manage that land they can't take care of what they have now.
353	Foeltz, Robert	Public	Public			Email	2006 June 29	060629Foeltz.pdf	Tribal Management			The tribe can't manage the land
354	Gillette, Vance	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			Can the Indians manage this land? We think we can. The tribe has a natural resource department. We have different types of conservation, fish and game, so simply the Tribe is capable of managing our own affairs.
355	Hale, Nathan	Three Affiliated Tribes	Three Affiliated Tribes			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			We will manage what we've got. We always have as Indian people, and we will continue that because we have pride in what we do. We have respect for this land that's here.
356	Gilbertson, Arlen	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Tribal Management			I don't have issues with tribal management on those types of things because you see Tex isn't the only capable person working there.
357	Wren, Ron	Public	Public			Email	2006 July 7	060707Wren.pdf	Tribal Management			TAT has not shown they have the ability to follow through with the work involved. Look at the bison transfer from Theodore Roosevelt National Park to the TAT. The state vet investigated and found starving, sick and dead bison being grazed in an overgrazed pasture with inadequate water.
358	Rexine, Bob	Public	Public			Email	2006 July 13	060713Rexine.pdf	Tribal Management			We have given the TAT enough opportunities to prove themselves that they can manage their own people and lands. What scares me is all the hard work that has been put into these lands will be wasted.
359	Murphy, Russ	Public	Public			Email	2006 July 20	060720Murphy.pdf	Tribal Management			Tex Hall's comments on asking for funding to continue to care for it are a red flag. I am a resident of North Dakota and if you want I will take you on a tour of mismanaged and failed projects on our local reservations.
360	Argabright, Craig	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Tribal Management	BIA		If this goes through, the BIA then becomes a steward of public land for a select population. In a 34-page memorandum opinion written by The Honorable Royce C. Lamberth, a U.S. District Judge, on July 12th, 2005, in the D.C. Federal District Court, in the civil suit titled Elouise Pepion Cobell, et al., versus Secretary of the Interior, Civil Action No. 96-1285, the Judge chastised the BIA for its quote, wholesale abdication of its trust duties. If we took this case before Judge Lamberth and asked for his opinion, he would wonder what kind of federal agency would even consider placing additional moneys - trust moneys or resources into the hands of the BIA that has been found to be incompetent and admits that its own records are unreliable.
361	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	Commercial Development		The TAT has openly announced possible oil drilling on and around the lake. What will the environmental impact be? Will there be a study and who will pay for it?
362	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	Commercial Development		If the transfer were to be enacted, the State would struggle in opposition to the river boat
363	Yellow Bird, Pemin	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management	Cultural Resources		Comments were made that we are not capable of managing those sacred and cultural resources. And my response tonight is that we have managed and cared for and protected them for many, many thousands of years, and we will continue doing so no matter where they're located, if they're on the shoreline of Lake Sakakawea or any of the other reservoirs on our river that was dammed up.
364	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Tribal Management	Development		While impossible to cite specific plans by the Tribe at this time, I am fully confident that the tribal leadership will proceed in a manner consistent with the overall mission and goals of the TAT Game and Fish Department.



Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
365	Hall, Tex	Three Affiliated	Tribe		ND		2006 June 26	060629TATHall.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Tribal Management	Economic development		The Tribe wants to promote economic development around the lake. This means that we are willing to work with the public and seriously consider policies that will promote economic development around the lake. This would not be doing any of you a favor by challenging the transfer.
366	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Tribal Management	Funding		Where is the TAT's budget proposal for managing the lands? Tex Hall has stated, "The number one goal of the TAT is to ask for money to ensure operational goals are met." What goals are he talking about and why should the U.S. taxpayer foot the TAT's bills when the land is currently being managed soundly by the Corps? Why are we expected to live by double standards without sound documentation protecting our interests and rights? Are we to take the word of the TAT?
367	Curtis, Don	Public	Public			Email	2006 June 18	060618Curtis.pdf	Tribal Management	Funding		For comments, such as 742 and 743, wherein there was a concern for monies required to correct the problems caused by excessive low water levels, where will this come from? Is it just another give away or are we creating more expense by doing this where the tribe will require more money? I would appreciate finding out where I can look in the report, page number, etc.
368	Argabright, Craig	Public	Public			Transcript	2006 June 28	060628Williston.pdf	Tribal Management	Funding		Should this transfer of land go through, it is doubtful that the Corps will be transferring management funds to the BIA for proper management of these acres.
369	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	General		Sweeping changes over a broad spectrum would occur if a new Tribal Leader were elected and/or new policies implemented
370	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	General		The TAT has openly admitted they do not have enough resources to properly manage existing and/or newly acquired land
371	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Tribal Management	General		Given the Corps has been acting manager of US lands for many years, they should have enough sense to realize that tribal chairmen and council change hands often. When they do, the laws and "intents" drastically change. Perhaps more alarming, the potential land transfer comes at the heels of a complete overhaul of the TAT's current constitution.
372	Barsness, Michael	Public	Public	Indian Hills	ND	Email	2006 June 13	060613Barsness.pdf	Tribal Management	General		The tribe has a long history of mis-managing everything they touch
373	Zwingel, David	Public	Public	Rugby	ND	Email	2006 June 14	060614Zwingel.pdf	Tribal Management	General		I am not a native American but I vacation extensively in the Fort Berthold Reservation and through my interactions with tribe members I have the utmost confidence that they are capable of managing their own land
374	Zwingel, David	Public	Public	Rugby	ND	Email	2006 June 14	060614Zwingel.pdf	Tribal Management	General		I look at this transfer as a great opportunity for the TAT to develop real financial independence
375	Lavelle, Tom	Public	Public	Fargo	ND	Email	2006 June 19	060619Lavelle.pdf	Tribal Management	General		My 20 year plus experience living with the tribe has resulted in my belief that they are not capable of or organized to control this land
376	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Tribal Management	General		We do know - whether we agree or not with the Corps in their management policies, they are a known entity. With regard to DOI, that approach to proposed management of reservoir and resources is yet an uncertainty.
377	Thrall, Brad	Friends of Lake	Private organization			Transcript	2006 June 26; 2006	060626FLSThrall.pdf; 060626Bismarck.pdf; 060627Hazen.pdf; 060630Minot.pdf	Tribal Management	General		If we are to rely on the DOI to manage these lands for the tribes what resources do they have to do so?
378	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	Hunting		It's public knowledge that the tribe has been in contact with several large hunting outfitters. How will the TAT manage their (the state's) resources? Will outfitting giants be able to do as they wish?
379	Hall, Todd	Tribe - public	Tribe - public			Transcript	2006 June 29	060626Bismarck.pdf; 060629NewTown.pdf; 060629HallTodd.pdf	Tribal Management	Noxious weeds		The Tribe, with participation and contracting through the Corps, the BIA, and the utilization of its own resources, has expended hundreds of thousands of dollars to address the noxious weed problem that keeps coming up.
380	Hoeven, Governor	Governor	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDHoeven.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Tribal Management	Noxious weeds		No provision is made for funding of noxious weed control, which is now a Corps obligation and responsibility

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
381	Prchal, Doug	North Dakota Pa	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626Bismarck.pdf; 060628Williston.pdf; 060628NDPRHansen.pdf; 060630Minot.pdf	Tribal Management	Noxious weeds		For the Corps to remove themselves by this proposed transfer from the noxious weed control responsibility, I think is an issue that we should have concern with. The investment that has been made there in the federal resources and continuing that aggressive approach is potentially in jeopardy, as well as the concerted effort of our agency, NDGF, many other entities, private and tribal entities as well have been involved in that, and county and local jurisdictions.
382	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Tribal Management	Noxious weeds		Work on invasive weeds, such as the rapid spread of noxious species such as salt cedar, leafy spurge and Canada thistle can hardly wait for the tribe to find new funding sources to match or exceed those expended by the Corps
383	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Tribal Management	Wildlife Management		Transferring 36,000 acres to TAT will make their attempts of a commercial fishery on Lake Sakakawea that much closer to reality and will have ill effects on fish populations and the environment
384	Lavelle, Tom	Public	Public	Fargo	ND	Email	2006 June 19	060619Lavelle.pdf	Tribal Management	Wildlife Management		I have watched their disregard for wildlife and pollution on the reservation for these 20 years, this first hand knowledge why I feel you are potentially giving them, now government controlled ground, that is the home of some of North Dakota's most endangered species
385	Steinwand, Terry	North Dakota Ga	State	Bismarck	ND	Transcript	2006 June 26; 2006	060626NDGFSteinwand.pdf; 060626Bismarck.pdf; 060627Dickinson.pdf; 060627Hazen.pdf; 060628Williston.pdf; 060629NewTown.pdf; 060630Minot.pdf	Tribal Management			Loss of in-lieu of tax payments to the Counties and the Fire Districts will certainly not enhance wildfire protection or road maintenance
386	Drovdal, David	State Represent	State		ND	Transcript	2006 June 28	060628Williston.pdf	Tribal Management			The TAT should provide fire and police protection on recreational sites.
387	Patten, Dale	McKenzie Count	Local		ND	Transcript	2006 June 28	060628Williston.pdf	Tribal Management			Statements that the Corps has made regarding the future use of the land are irrelevant because they will no longer have control and will have limited method and process available to them to enforce any previous agreements.
388	Coffey Brady, Judi	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			These programs, this hospital, this bridge, this cultural center, we got millions of dollars of projects running through here and we're managing them. And for somebody to come and point a finger at us and say we're mismanaging and we don't know what we're doing, hey man, watch out, there's four more fingers pointing back at you.
389	Hale, Nathan	Public	Public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			I have come up here and been treated with nothing but respect when I've camped along the shorelines.
390	Hall, Richard	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			The chairman has always pushed partnership, state and federal. And I believe we can work together.
391	Hall, Richard	Tribe - public	Tribe - public			Transcript	2006 June 29	060629NewTown.pdf	Tribal Management			Right now the Tribes, we're putting together our own safety ordinance. It's going to be a good one. We're going to make sure that our people won't get hurt again. That's an example of the Tribe taking an initiative.
392	Olson, Barry	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Other	Development		The class of soils precludes the use for commercial crop production as a Category VIII land. The reservoir will continue to suffer erosion of its shores because of the frequent high winds and wave action, making the shoreline not suitable for development of lots and cabins with the exception of a few sites at McKenzie Bay and Indian Hills.
393	Starke, Richard	Public	Public			Transcript	2006 June 30	060630Minot.pdf	Other	Development		I think a good enough argument has been made that that land can be developed and will be developed more because I could triple our business if we weren't farming and ranching a lot and just hit the bed and breakfast stuff.
394	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Other	Easements		Where's documentation proving easements, etc. will be honored?
395	Seifert, Mike	Mahto Bay	Public			Transcript	2006 June 26	060626Bismarck.pdf; 060626MahtoBaySeifert.pdf	Other	Easements		We recently achieved 9-1-1 phone service including access to the internet by providing West River Telephone Company an easement from the referenced public right-of-way across the 80 acres we own. The Corps then allowed another set of easements to result in approximately 8800 feet of fiber optic cable right to our cabin sites. These easements need to stay intact relative to our safety.
396	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Other	National Environmental Policy Act		The entire language of the Draft Effects Report has an aura of defending the transfer of these lands to TAT. There is almost no exploratory discussion of the effects associated with a no action alternative. Suggest rewriting the entire document more in keeping with the intent of NEPA.

Comment	Name of commenter	Organization	Organization Type	Commenter hometown	State	Comment Format	Date comment received	File Name	Comment category	Clarifier 1	Clarifier 2	Comment
397	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Other	National Environmental Policy Act		This is an inappropriate use of the categorical exclusion of transferal of property from one federal agency to another. Control and decision making with respect to this land is being transferred to a shared TAT and DOI management for TAT benefit instead of the U.S. taxpaying citizen. Since TAT is not a federal agency the Corps is obligated to follow NEPA.
398	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Other	National Environmental Policy Act		Significant local and statewide controversy has been discovered during the public vetting of this idea. This again suggests that the categorical exclusion has improperly been used and that an EA under NEPA is the minimum report that must be prepared.
399	Kellam, Bob	Public	Public	Fargo	ND	Email	2006 July 13	060713Kellam.pdf; 060713KellamAttach.pdf	Other	NEPA		Why is an EIS not being conducted for the proposed land transfer? I would think that even a transfer between separate governmental entities that the EIS would be required due to the sensitivity of certain areas included within the scope. Is there a valid reason to not conduct one?
400	Grenz, Herb	Public	Public	Emmons Co.	ND	Transcript	2006 June 26	060626Bismarck.pdf	Other	Oahe		I've been working with the senator for all excess land to be returned to all people along the reservoir.
401	Grenz, Herb	Public	Public	Emmons Co.	ND	Transcript	2006 June 26	060626Bismarck.pdf	Other	Oahe		During the six or eight years of negotiations that I personally dealt with the Corps on the Oahe Reservoir, not once was it stated that the purchase of this land was for public use. It was land used for construction and the needs of the reservoir.
402	Grenz, Herb	Public	Public	Emmons Co.	ND	Transcript	2006 June 26	060626Bismarck.pdf	Other	Oahe		The Oahe Reservoir acquisition has caused an undue hardship in Emmons County, North Dakota. Any county involved in reservoir acquisition should have an opportunity to retrieve conditional excess lands that are not needed for the reservoir operations and put to more beneficial use.
403	Schlag, Allen	Public	Public			Email	2006 Aug 16	060816Schlag.pdf	Other	Threatened and endangered species		The Least Tern and Piping Plover are known to inhabit the shores of Lake Sakakawea. What impact does the proposed transfer to the TAT have on these federally listed species? There is an utter lack of discussion on this topic and this needs to be addressed.
404	Loff, Donavon	Public	Public			Email	2006 July 4	060704Loff.pdf	Other			I think you should go back in history and look at the population of the Indians at the turn of the century and the population at this date.
405	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Other	JTAC		The JTAC agreed "the COE retain all lands necessary for project administration; all lease requirements and guaranteed access to the lake by non-Indians would be a pre-condition of any transfer; and any former non-Indian owner or heir should have the right to purchase the land first, before any lands are transferred to the BIA
406	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Other	Management	State	If the TAT were to receive 36,000 acres the State would lose political power in controlling Lake Sakakawea water levels
407	Sandstrom, Tim	Public	Public			Letter	2006 June 26	060626Sandstrom.pdf	Other	National Environmental Policy Act		Where's an environmental impact study? It has been stated that an EIS is not needed because the proposed lands will go from one federal agency to another. Obviously, the lands ultimately will be transferred to another federal agency but they will be done so in trust giving the TAT jurisdiction over various environmental laws, management practices and changes in land use. How can the push for primitive camping and fires on the shores of Lake Sakakawea require an EIS but a transfer of 24,000 acres to a "sovereign" nation does not?
408	Sandstrom, Tim	Public	Public			Letter	2006 June 02	060602Sandstrom.pdf	Other	Water supplies		The transfer would darken the ability to manage/enhance municipal, rural, agriculture, and grazing water supplies with "no or minimal impacts"