

National Park Service  
U.S. Department of the Interior

Mount Rushmore National Memorial  
South Dakota



# Mount Rushmore National Memorial Independence Day Holiday Fireworks Event Environmental Assessment

*Internal Deliberative Draft - Not for Public Distribution*



January 2019

National Park Service  
U.S. Department of the Interior

Mount Rushmore National Memorial  
South Dakota



Mount Rushmore National Memorial  
13000 Highway 244  
Building 31, Suite 1  
Keystone, SD 57751

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National Park Service  
U.S. Department of the Interior



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**MOUNT RUSHMORE NATIONAL MEMORIAL**  
**INDEPENDENCE DAY HOLIDAY FIREWORKS EVENT**  
Environmental Assessment

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16 If you wish to comment on this Environmental Assessment (EA), you may post comments online  
17 using the National Park Service Planning, Environment and Public Comment (PEPC) website at:  
18 <http://parkplanning.nps.gov/morufireworks>; or mail comments to: Superintendent, Mount  
19 Rushmore National Memorial, 13000 Hwy 244, Keystone, SD 57751.

20 This EA will be available for public review and comments for 30 days. Before including your  
21 address, phone number, email address, or other personal identifying information in your  
22 comment, you should be aware that your entire comment – including your personal identifying  
23 information – may be made available to the public at any time. Although you can ask us in your  
24 comment to withhold your personal identifying information from public review, we cannot  
25 guarantee that we will be able to do so.

26

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## 95 Acronyms and Abbreviations

96	ACHP	Advisory Council on Historic Preservation
97	APE	Area of Potential Effect
98	BMP	Best Management Practice
99	DO	Director's Order
100	EA	Environmental Assessment
101	EPA	U.S. Environmental Protection Agency
102	ESA	Endangered Species Act
103	FONSI	Finding of No Significant Impact
104	Memorial	Mount Rushmore National Memorial
105	MPB	mountain pine beetle
106	MOA	Memorandum of Agreement
107	NEPA	National Environmental Policy Act
108	NFPA	National Fire Protection Association
109	NHPA	National Historic Preservation Act
110	NPS	National Park Service
111	NRCS	Natural Resources Conservation Service
112	PA	Programmatic Agreement
113	PEPC	Planning, Environment, and Public Comment
114	sculpture	The granite statues of Washington, Jefferson, Lincoln, and
115		Roosevelt
116	SHPO	State Historic Preservation Office
117	USFS	United States Forest Service
118	USFWS	U.S. Fish and Wildlife Service
119	USGS	U.S. Geological Survey
120	WFDSS	Wildland Fire Decision Support System
121		



122 **Mount Rushmore National Memorial**  
123 **Independence Day Holiday Fireworks Event**  
124 **Environmental Assessment**

125  
126 **Chapter 1. Introduction**

127 Mount Rushmore National Memorial (Memorial) hosted annual Independence Day holiday  
128 fireworks displays from 1998 to 2009, with the exception of 2002 when the displays were  
129 cancelled due to excessively dry conditions. These displays were extremely popular events,  
130 drawing thousands of visitors to the Memorial and commanding wide television viewership. After  
131 2009, the annual event was cancelled due to elevated concerns about wildfire in the wake of a pine  
132 beetle outbreak as well as other resource and public safety concerns.

133 On May 6, 2019, the Secretary of the Interior signed a Memorandum of Agreement (MOA) with  
134 South Dakota Governor Kristi Noem to reinstate a fireworks event at the Memorial during  
135 Independence Day celebrations. The MOA states that “the State of South Dakota and the  
136 Department of the Interior have committed to an agreement to exercise their full authorities  
137 under State and Federal law to work to return fireworks to the Memorial in a safe and responsible  
138 manner on July 3, July 4, or July 5, beginning in the year 2020.” In accordance with National Park  
139 Service (NPS) regulations, such an event would be evaluated under the Special Use Permit  
140 process, and a permit application would be submitted by the state of South Dakota.

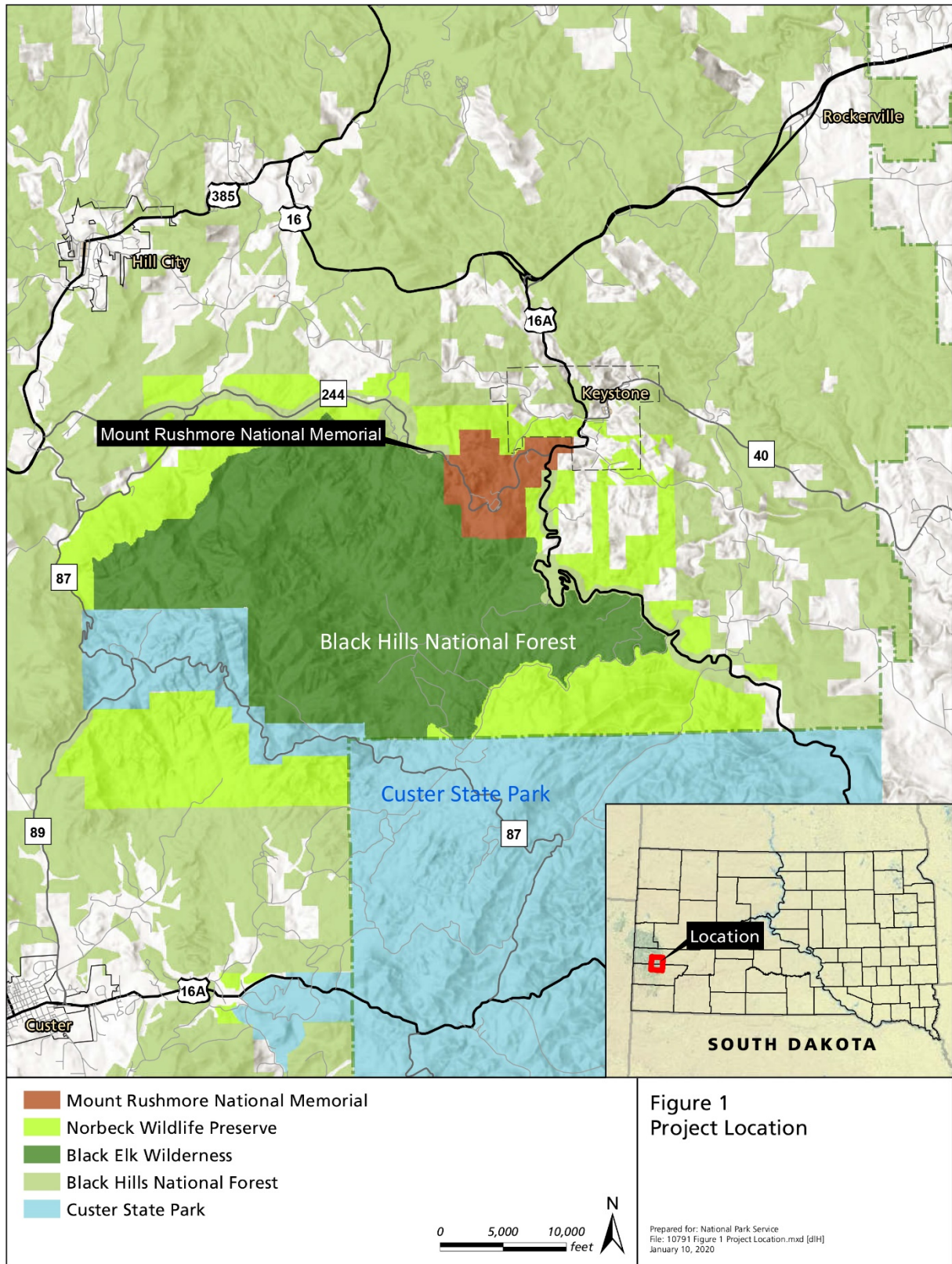
141 This Environmental Assessment (EA) assesses the impacts of a proposed fireworks event at the  
142 Memorial (project area) and evaluates two alternatives: a no action alternative and a preferred  
143 alternative. Under Alternative 1 (the preferred alternative), the Memorial would permit and host a  
144 ticketed Independence Day celebration, including a fireworks display and other performances,  
145 on the evening of July 3, 2020, and similar events in subsequent years, if permitted by the  
146 Memorial.<sup>1</sup> Under Alternative 2 (the no action alternative), a fireworks event would not be  
147 scheduled, and the nonticketed performances and activities the Memorial has hosted from 2010  
148 to 2018 would occur again in 2020.

149 This EA has been prepared in compliance with the National Environmental Policy Act (NEPA) to  
150 provide the decision-making framework that (1) analyzes a reasonable range of alternatives to  
151 meet the objectives of the proposal, (2) evaluates potential issues and impacts on resources and  
152 values, and (3) identifies mitigation measures to lessen the degree or extent of these impacts.

153 The 1,278-acre Memorial is surrounded by the Black Hills National Forest and is northeast of the  
154 Black Elk Wilderness and Norbeck Wildlife Preserve (Figure 1). Nearby communities include  
155 Keystone (2 miles northeast of the Memorial) and Hill City (12 miles northwest of the Memorial),  
156 South Dakota. The Memorial includes a variety of visitor and administrative facilities including  
157 visitor parking, information and visitor centers, an amphitheater, walking trails, historic  
158 structures and administrative buildings (Figure 2).

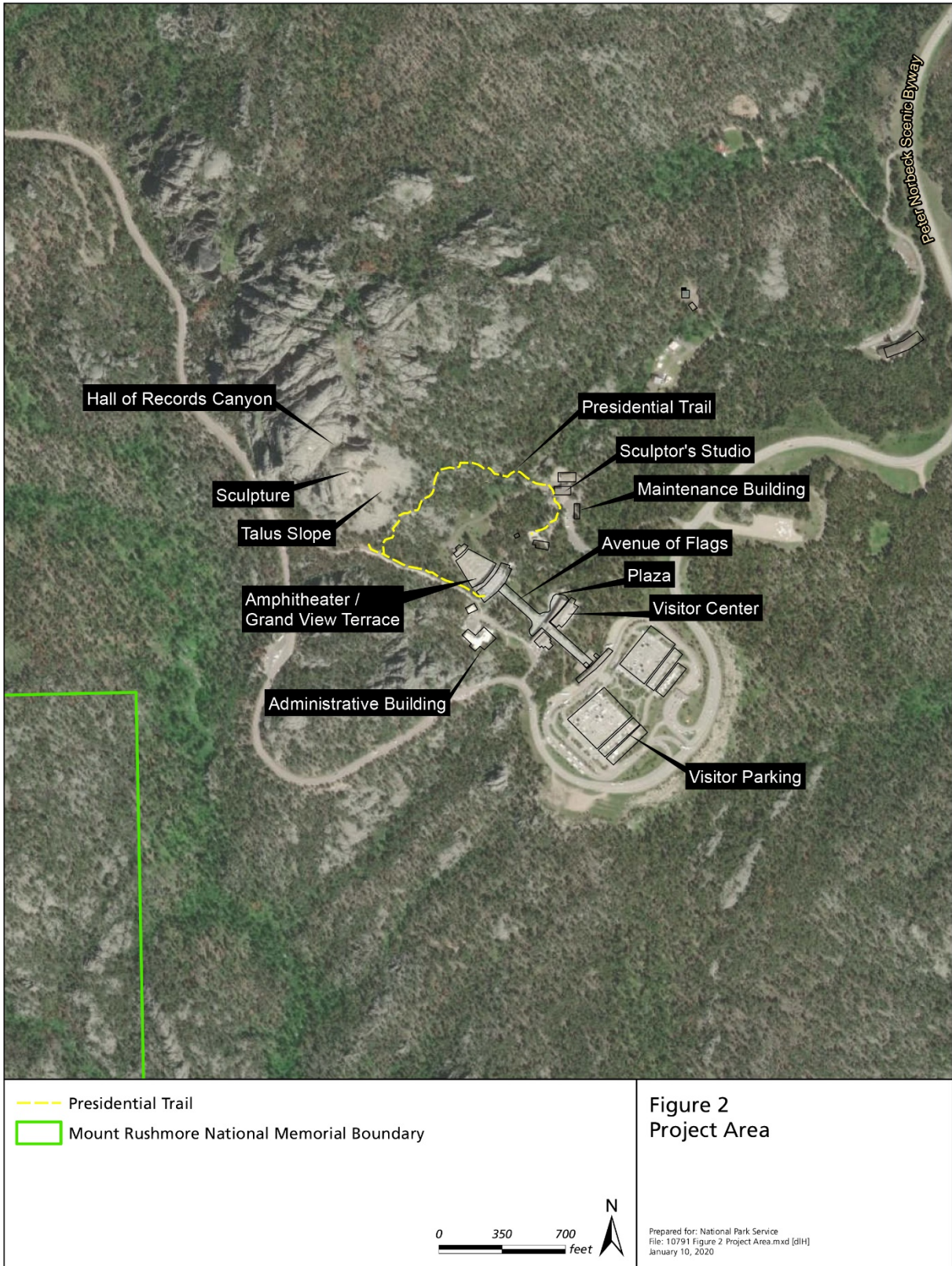
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<sup>1</sup> This EA will be valid for special use permits for the actions approved in the Finding of No Significant Impact (FONSI) for as long as the conditions described and subsequent analysis are valid. Changes or amendments to an approved action when such changes would cause no or only minimal environmental impact require a documented categorical exclusion (NPS 2016).



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**Figure 1. Project Location**



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**Figure 2. Project Area**

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

## 163 1.1 Need for Action

164 The need for the action is to allow for a fireworks event at the Memorial, by issuance of a special  
 165 use permit by the NPS, for the purpose of celebrating the spirit of Independence Day, and to  
 166 provide for the enjoyment by the public in a manner that ensures safety and resource protection.

## 167 1.2 Issues Analyzed in this Environmental Assessment

168 Issues related to wildfire potential, environmental contaminants, human health and safety, and  
 169 cultural resources are analyzed in detail in this EA. Issues associated with vegetation and soils are  
 170 covered under the wildfire issue, and issues associated with fish and wildlife are covered under  
 171 both the wildfire and environmental contaminants issue.

## 172 1.3 Issues Dismissed from Detailed Analysis

173 Issues related to socioeconomics, visitor experience, percussive impacts, night skies, wilderness  
 174 character, threatened and endangered species, and air quality were dismissed from detailed  
 175 analysis, as summarized below in Table 1. Appendix A contains a more detailed description of the  
 176 rationale for dismissal.

177 **Table 1. Issues Dismissed from Detailed Analysis**

Issue Topic	Summary of Reason for Dismissal
Socioeconomics	The limited size, duration, and parking restrictions of the proposed 2020 fireworks event (for a description of the preferred alternative, see Section 2.1, Alternative 1 (Proposed Action and Preferred Alternative): Host an Independence Day Fireworks Event on July 3rd for an Amphitheater Audience) would substantially reduce the potential impact on Memorial concessions revenue. Keeping the Memorial open to the public until early afternoon on July 3rd and efforts to notify the public of the closing would help minimize closure impacts on visitors and Memorial concessioners. Visitors aware of the closure would likely come before the closure on July 3rd or on a different day during their trip to the area. Nonticketed visitors that are unaware of the closure or are only able to visit after the closure time on July 3rd would be affected.
Visitor Experience	Under the preferred alternative, the Memorial would be closed to visitors beginning around 3:00 pm, and only ticketed visitors would be allowed to reenter the Memorial around 5:00 pm on July 3rd. Compared to average total daily visitors, there would be a minor effect on visitors to the Memorial. Nonticketed visitors required to leave the Memorial in the afternoon could return to the Memorial on July 4th. Therefore, adverse impacts on the visitor experience would be minimal. There would also be a slight effect on hikers, campers, and rock climbers due to area closures. The NPS would minimize potential adverse impacts on visitor experience by posting the closure in advance.
Percussive Impacts	A study conducted of the structural stability of the sculpture (Poluga et al. 2018) concluded that the effects of seismic loading on the stability of the entire slopes on which the Memorial sculpture is located are safe against failure. In addition, while historic structures are also susceptible to percussive effects, there has never been a known instance of effects on historic structures from fireworks. Based on these conclusions, vibrations caused by the Independence Day fireworks celebrations at the Memorial do not pose a threat to the stability of the sculpture or historic structures within the Memorial, and this topic is dismissed from detailed analysis.

Issue Topic	Summary of Reason for Dismissal
Night Skies	Every evening, the Memorial illuminates the sculpture year-round in the immediate area where the fireworks would occur under the preferred alternative (see Section 2.1, Alternative 1 (Proposed Action and Preferred Alternative): Host an Independence Day Fireworks Event on July 3rd for an Amphitheater Audience). Additional impacts on night skies under the preferred alternative would be negligible and short-term (about 15 to 20 minutes). For these reasons, this topic was dismissed from detailed analysis.
Wilderness Character	No planned activities would occur in the designated Black Elk Wilderness west of the Memorial under the preferred alternative (see Section 2.1, Alternative 1 (Proposed Action and Preferred Alternative): Host an Independence Day Fireworks Event on July 3rd for an Amphitheater Audience); however, the fireworks event may have slight impacts on Wilderness qualities. Visitors to the Black Elk Wilderness west of the Memorial may experience short-term (about 15- to 20-minute) impacts on opportunities for solitude due to visual and acoustic disturbances during the fireworks event. In addition, the probability of a wildfire igniting from the fireworks display in the Black Elk Wilderness is low (see Section 3.3, Wildfire). This topic was dismissed from detailed analysis as no meaningful or sustained effects on Wilderness or Wilderness character are anticipated from the preferred alternative.
Threatened and Endangered Species	Five species protected under the Endangered Species Act (ESA) may occur within the Memorial: northern long-eared bat ( <i>Myotis septentrionalis</i> ), least tern ( <i>Sterna antillarum</i> ), red knot ( <i>Calidris canutus rufa</i> ), whooping crane ( <i>Grus americana</i> ), and Leedy's roseroot ( <i>Rhodiola integrifolia</i> ssp. <i>Leedyi</i> ). The NPS consulted with the U.S. Fish and Wildlife Service (USFWS) on the northern long-eared bat under Section 7 of the ESA. The USFWS concluded that actions completed in accordance with the northern long-eared bat Programmatic Biological Opinion, final 4(d) rule are not likely to jeopardize the continued existence of the species. The NPS also has determined that the proposed fireworks event would have no effect on the four additional listed species. Additionally, no critical habitat for any of these four species occurs in the project area. Therefore, this topic was dismissed from detailed analysis.
Air Quality	Air quality impacts from vehicle emissions, helicopter and military aircraft emissions, and smoke from the fireworks display are expected to be short-term and negligible, and smoke would be expected to dissipate soon after the event. The topic was therefore dismissed from detailed analysis.

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180

## Chapter 2. Alternatives

### 181 2.1 Alternative 1 (Proposed Action and Preferred Alternative): 182 Host an Independence Day Fireworks Event on July 3rd for an 183 Amphitheater Audience

#### 184 2.1.1 Event Operations

185 Under the preferred alternative, the Memorial would permit and host an Independence Day  
186 celebration, including a fireworks display and other entertainment, on the evening of July 3, 2020.  
187 Similar events could be permitted in subsequent years by the Memorial. The ticketed event would  
188 accommodate approximately 2,000 visitors. The primary audience seating area would be in the  
189 amphitheater, which can accommodate about 1,800 visitors (Figure 2). Some limited additional  
190 seating could be used on the Terrace, holding another 200 visitors for a total of about 2,000  
191 visitors. All attending visitors would use the Memorial's garage parking, which holds about 1,100  
192 vehicles.

194 The fireworks event would include approximately 15 to 20 minutes of fireworks and a proximate  
195 pyrotechnics display. A military flyover, depending on aircraft availability, may also occur. Other  
196 types of performances would occur before the fireworks, such as music and reenactments. The  
197 event may be filmed for viewing audiences, through either live and/or delayed broadcast.

#### 198 2.1.2 Visitor and Traffic Management

199 The NPS and South Dakota Highway Patrol, along with other emergency and security partners,  
200 would establish a perimeter around the Memorial facilities for event security. The Memorial  
201 would be closed to all visitors, including event ticket holders after about 3:00 pm. All visitors,  
202 including ticketed event visitors, would be required to exit the Memorial and reenter through the  
203 security screening locations. All vehicles would undergo a security screening at one of two access  
204 points to the Memorial: (1) at the South Dakota Highway (SD) 244 and Iron Mountain Road  
205 intersection, and (2) at the western Memorial boundary along SD 244 or at Horsethief Lake. Prior  
206 to the fireworks event, a plan would be developed to address event traffic control, visitor  
207 management, and emergency response.

#### 208 2.1.3 Event Timing

209 The following operational schedule (Table 2) is an example of event-day timing.

210 **Table 2. Fireworks Event Timeline**

Time	Activity
5:00 am – 3:00 pm	Normal operations
3:00 pm	All visitors exit Memorial grounds
5:00 pm	Vehicles are restricted on SD 244 and vehicle screening begins; ticketed visitors are allowed to enter once screened
7:00 pm	Amphitheater programming begins
9:00 pm	Main event begins with a welcome speech, national anthem, and sculpture lighting
9:45 pm – 10:00 pm	Fireworks display
10:00 pm – 11:00 pm	Visitors exit Memorial

211

## 212 2.1.4 Launch Sites and Fireworks Types

213 The NPS hired a contractor to  
 214 conduct a professional evaluation of  
 215 potential discharge sites of aerial  
 216 fireworks and proximate pyrotechnics  
 217 within the Memorial. Discharge sites  
 218 were evaluated for compliance with  
 219 the National Fire Protection  
 220 Association (NFPA) codes as well as  
 221 best practices in the design and  
 222 discharge of fireworks (Weeth 2019).

223 Based on this report, and other  
 224 resource protection and logistical  
 225 factors, NPS proposes to allow the  
 226 discharge of limited sizes and types of  
 227 fireworks, including proximate  
 228 pyrotechnics, at three areas: the  
 229 amphitheater area, the talus slope and  
 230 Presidential Trail area, and the Hall of  
 231 Records area. [NPS - The State  
 232 commented that they want to use the HOR area, and this wording isn't clear. Is this edit  
 233 acceptable?] The use of these discharge areas are subject to the safety limitations identified in the  
 234 report, and subject to display design by a licensed fireworks operator and operational planning by  
 235 NPS.

Fireworks are typically considered those used in traditional aerial fireworks displays.

Pyrotechnics are typically considered those used in proximate pyrotechnic performances such as in stadium and theater settings. Pyrotechnics generally produce significantly less smoke and debris than fireworks.

Ground level fireworks include illuminations, "Niagara Falls," line rockets, and similar effects.

Low level aerial fireworks include pyrotechnic shells, comets, fountains, and mines that are 2 inches or less.

Medium level aerial fireworks include aerial shells, comets, mines, and Roman candles that are larger than 2 inches.

High level aerial fireworks include aerial shells 8 inches and larger. This type of fireworks is not included in the preferred alternative.

### 236 2.1.4.1 Amphitheater Area

237 The amphitheater seating would be the primary visitor viewing area for the fireworks event.  
 238 Potential discharge positions in the amphitheater area include the stage and backstage, and areas  
 239 off the road behind the amphitheater. The stage and backstage area would only be suitable for  
 240 proximate pyrotechnics, and the amphitheater road position would be suitable for ground level  
 241 fireworks and pyrotechnics 2 inches or less. Temporary free-standing racks may be required in  
 242 these locations. Protective blankets or similar fire retardant material at the launch location may  
 243 also be required to prevent scarring or burning during ignition. SD 244 must remain accessible for  
 244 emergency egress.

### 245 2.1.4.2 Talus Slope and Presidential Trail

246 A number of sites between the amphitheater area and the base of the talus slope, including  
 247 openings in the tree canopy, may be suitable for fireworks discharge. The Presidential Trail area is  
 248 approximately 400 to 500 feet from the amphitheater and 600 feet long with openings at various  
 249 points in the tree canopy. The talus slope is across the base of the mountain and roughly 500 feet  
 250 wide and long, and 500 feet from the amphitheater. A number of other tree canopy openings  
 251 between the amphitheater and talus slope may also be used. All potential launch sites would be  
 252 suitable for ground level fireworks and some low level pyrotechnics (2 inches or less). Temporary  
 253 free-standing racks may be required in these locations. Protective blankets or similar gear may  
 254 also be required to prevent scarring or burning during ignition.

#### 255 2.1.4.3 Hall of Records Area

256 Portions of this area were found to be feasible for the launch of aerial fireworks 2 to 5 inches,  
257 subject to safety and resource considerations detailed in the Weeth report (2019).

258 A platform or temporary rack system would likely be required for some types of fireworks at this  
259 location. Platforms or racks would be temporary and free-standing; no bolting to the rock or the  
260 sculpture would be allowed. Protective blankets or similar fire retardant material may also be  
261 required to prevent scarring or burning during ignition.

262 The logistics of transporting materials to and from this site are considerable; fireworks would  
263 need to be hauled to the site by helicopter or ropes teams. Fireworks contractor staff handling  
264 fireworks material would be required to have the appropriate certifications for fireworks  
265 handling.

#### 266 2.1.5 Setup/Spotting/Cleanup/Fireworks Monitoring

267 The NPS would work with the fireworks contractor and staff to develop a plan for event staging,  
268 igniting, and demobilizing. All launch locations would be closed to public access for a  
269 predetermined time before and after the event, as fireworks are staged and cleaned up. The  
270 fireworks contractor would need to deliver and remove the fireworks and other materials using  
271 vehicles, packs, and other means. At the Hall of Records area, this may include the use of a  
272 helicopter.

273 As part of the event, the fireworks contractor would assign staff to monitor fireworks for any  
274 unexploded shells, spot fires, and other concerns. The NPS would establish a quick response  
275 wildland fire team to respond to any unplanned ignitions.

#### 276 2.1.6 Monitoring of Environmental Contaminants

277 The NPS is working with the United States Geological Survey (USGS) to conduct additional  
278 water quality and soil monitoring at the Memorial. Baseline data would be collected in spring or  
279 early summer 2020, prior to the fireworks event, and monitoring would continue after the  
280 event(s) on a schedule determined by USGS and NPS staff. This monitoring program would  
281 evaluate the event's impacts on levels of potassium perchlorate, and possibly other chemicals or  
282 metals in soils and surface water and groundwater, which are typically present in fireworks (see  
283 Section 3.4.2). This monitoring would supplement groundwater and drinking water testing that  
284 currently occurs at the Memorial. Data collected through monitoring may be used to aid in  
285 decision making for future fireworks events at the Memorial. If future monitoring shows that  
286 baseline conditions have changed meaningfully from information presented in this EA, additional  
287 analysis may be necessary.

#### 288 2.1.7 Stipulations and Mitigations

289 The event would be conditioned on appropriate weather and wildland fire conditions on July 3,  
290 2020. The NPS and partners would develop an incident management team for this event, and  
291 create a Go/No-Go checklist to ensure conditions in and surrounding the Memorial are  
292 acceptable for the event to proceed.

293 Other stipulations and mitigations for the event would include required certifications for all  
294 fireworks contractors and staff; requirements on the size and type of fireworks and the duration  
295 of the fireworks event (and corresponding number of mortars launched); requirements for the



296 fireworks contractor to disclose the composition of the fireworks; required cleanup activities  
297 after the event; fire suppression activities and prescribed burns as outlined in the Prescribed Burn  
298 Plan (NPS 2019); and protecting known sensitive cultural resources (see Section 2.1.4, Launch  
299 Sites and Fireworks Types for more detail on the event). Additional conditions and mitigations  
300 may be required through the NPS permit issued for the event.

## 301 **2.2 Alternative 2 (No Action Alternative)**

302 Under the no action alternative, no ticketed fireworks event would be scheduled, and the  
303 nonticketed performances and activities the Memorial has hosted from 2010 to 2018 would occur  
304 again in 2020. These celebrations have included military bands, presidential reenactments, and a  
305 lighting ceremony of the sculpture for an amphitheater audience. (No event was held in 2019 due  
306 to a significant construction project underway at the time.) The Memorial would be open to  
307 visitors during regular hours. There are also approximately 13 other fireworks shows and similar  
308 events in Pennington and Custer Counties that would continue to draw visitors to the area.

## 309 **2.3 Alternatives Considered but Eliminated from Detailed Study**

### 310 **2.3.1 Hosting the Event on July 4<sup>th</sup>**

311 The MOA specifies that fireworks will occur on July 3<sup>rd</sup>, 4<sup>th</sup>, or 5<sup>th</sup>. In discussion with South  
312 Dakota officials and local area emergency managers, it was determined that July 3, 2020 is the  
313 preferred date and that no “rain date” would be scheduled. It was determined that prior  
314 commitments precluded assistance with security and emergency response preparation on July 4<sup>th</sup>,  
315 making this event day infeasible. July 3<sup>rd</sup> was agreed on as feasible to provide the necessary  
316 support for the event. Future events would most likely occur on July 3<sup>rd</sup> for the same reason.

### 317 **2.3.2 Larger Event Size or Nonticketed Event**

318 Previous fireworks events at the Memorial were not ticketed, but visitors to the event were  
319 limited to approximately 8,300 people inside the Memorial, based on an egress capacity provided  
320 by the Rapid City Fire Department. Many more people occupied various vantage points outside  
321 the Memorial where the fireworks display could be viewed. There were a number of significant  
322 concerns associated with hosting this number of visitors, including:

- 323 • Capacity was reached typically in early morning, and visitors would spend the entire day  
324 exposed to heat and other weather conditions.
- 325 • There was no ability to shelter this number of visitors on-site in case of inclement weather  
326 or other emergency conditions.
- 327 • The capacity of parking areas was exceeded during these events, and vehicles were parked  
328 on the side of the road and at further distances from the Memorial facilities. Large  
329 numbers of pedestrians walking along the side of the highway delayed the exit of visitors  
330 from the Memorial and created unacceptable safety concerns.
- 331 • The human waste exceeded the bathroom and wastewater capacity of the Memorial.
- 332 • Many visitors, despite being inside the Memorial, did not have a vantage point to view the  
333 fireworks display.

334  
335 In consultation with South Dakota representatives, it was agreed that a ticketed event based on a  
336 viewing audience primarily located in the amphitheater would allow for a safe and high-quality  
337 event that would not exceed the operational capacity of the Memorial. A larger event was  
338 dismissed as unreasonable because it would exceed the operational capacity of the Memorial and

339 would not allow for enjoyment by the public in a manner that ensures safety and resource  
340 protection.

### 341 2.3.3 Alternative Launch Sites

342 A number of fireworks launch sites (Figure 3) were considered as alternatives, evaluated by  
343 Weeth (2019), and dismissed from detailed analysis for the reasons listed below.

- 344 • Indian Camp – This site is an important cultural resource site, is in a poor location for  
345 fireworks viewing relative to the amphitheater audience, is difficult to access for event  
346 preparation, and would require a large aerial fireworks display to be visible to an  
347 amphitheater audience, with a large minimum separation distance. The minimum  
348 separation distance is the minimum distance recommended by the NFPA between the  
349 location of the fireworks launch site and the proposed main spectator viewing area and  
350 flammable, explosive, toxic, or hazardous materials storage areas (Weeth 2019) (Figure 4).  
351 Note that Indian Camp is not illustrated on Figure 3 due to cultural sensitivity.
- 352 • Middle Marker Road/Middle Marker Trail – These sites are located behind the sculpture,  
353 as viewed from the amphitheater, requiring the use of larger diameter aerial shell  
354 fireworks to be seen by an amphitheater audience. Aerial shells approximately 10 inches  
355 or larger would be required and shells of this size would have a greater potential for  
356 impacts related to environmental contaminants and wildfire risk. The minimum  
357 separation distance from shells fired from this location includes forested areas adjacent to  
358 and potentially including the Black Elk Wilderness. As stated in the Weeth report (2019)  
359 regarding both Middle Marker sites: “Although the minimum separation distances [from  
360 the audience] may provide for larger aerial shells, the other factors at this display site, the  
361 differences in elevations between this discharge site and the Amphitheater necessitating  
362 using larger diameter aerial shells, the mountainous forest with a heavy fuel load, the  
363 likely conditions in early July, the challenges with spotting hazardous debris, the  
364 limitations on fire prevention and fire protection measures, and the potential for  
365 equipment failures and fireworks malfunctions, firing larger aerial shells pose a significant  
366 and unacceptable risk.”
- 367 • Profile Parking Lot – This site is west of the sculpture. For fireworks launched from this  
368 location to be visible to an amphitheater audience, approximately 10-inch-diameter aerial  
369 shells would be required. Shells of this size would have a greater potential for impacts  
370 related to water contaminants and fire risk. The minimum separation distance from shells  
371 fired from this location includes forested areas adjacent to and potentially including the  
372 Black Elk Wilderness, creating considerable fire risk. As stated in the Weeth report (2019):  
373 “It is quite likely that any such attempt to fire large diameter shells at such steep angles  
374 would result in the shells bursting on or striking the rock formations, the forest, the  
375 carvings, and possibly even into the Amphitheater and surrounding areas with buildings  
376 and spectators. Any aerial fireworks 8 inches or larger that burst low or on the ground  
377 would likely result in starting a wildland fire in a multitude of locations over many  
378 hundreds of feet wide.”
- 379 • Sculpture – The Weeth report (2019) noted that some types of fireworks could be  
380 suspended from the sculpture or edges of the sculpture. Using these sites would require  
381 unacceptable risks to contractors’ safety and risk damage to the sculpture, which is the  
382 primary cultural resource identified in the Memorial’s enabling legislation. Past  
383 experience shows that fireworks ignited in contact with the sculpture can cause visible  
384 rock scarring.

**385 2.3.4 Laser Light Show**

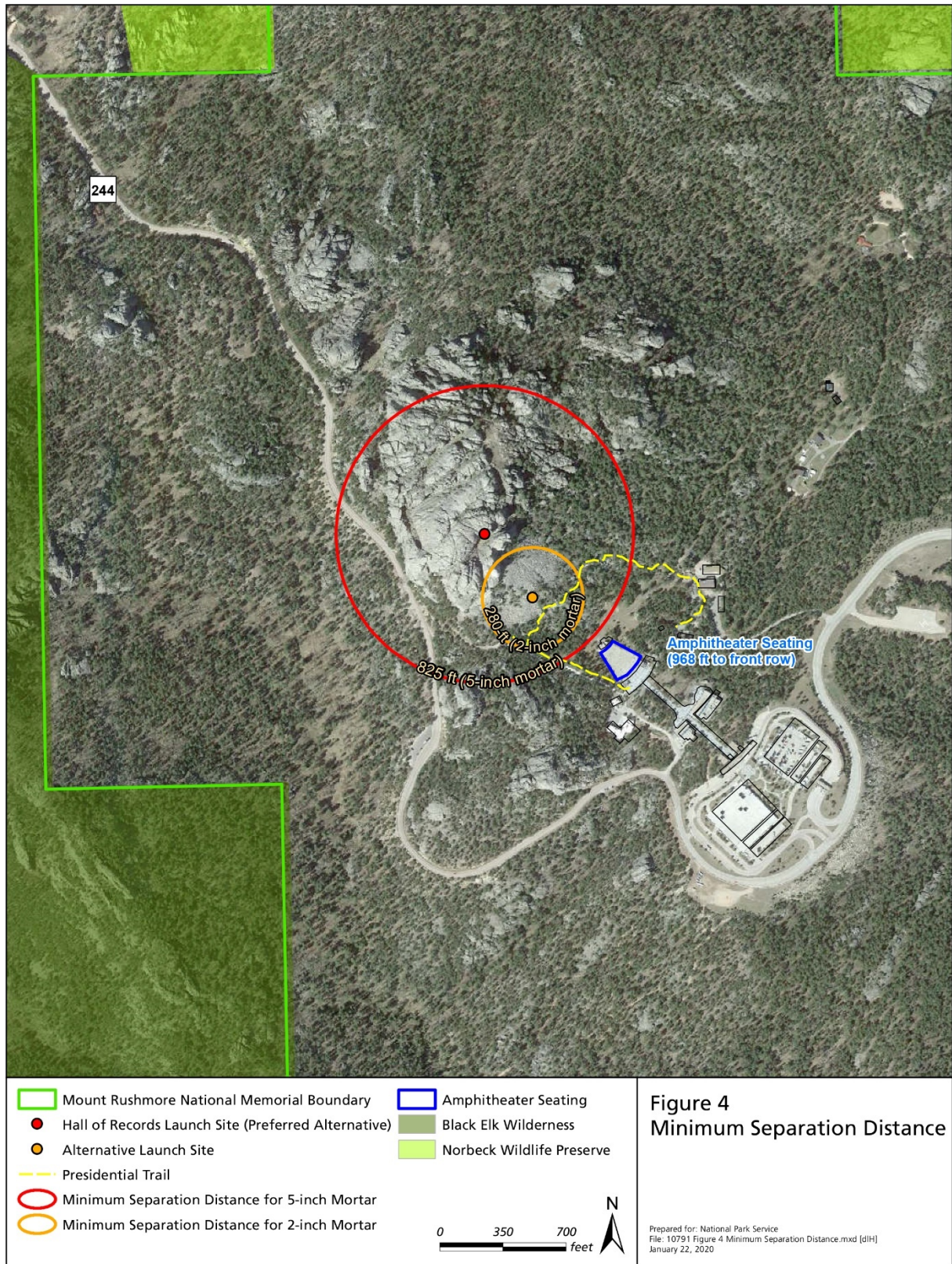
386 The Memorial hosted a laser light show in 2002. However, this event was not deemed to be  
387 successful because the Memorial is located at the end of the power grid line, resulting in power  
388 fluctuations from 98 to 120 volts. Laser lights require consistent power for a vivid display. In  
389 addition, the MOA specifies that the NPS and the state of South Dakota will work to return  
390 fireworks displays to the Memorial. A laser light show could become part of the event in the  
391 future, but was dismissed because it is infeasible due to power limitations and fails to meet the  
392 need for taking action.



393  
394

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Figure 3. Alternative Launch Sites**



395  
396

**Figure 4. Minimum Separation Distance**

397

# Chapter 3. Affected Environment and Environmental Consequences

398

## 399 3.1 Introduction

400 This chapter describes the resources or conditions potentially impacted by the preferred  
401 alternative and no action alternative. This chapter is organized by issues that were identified  
402 during internal scoping and from previous fireworks displays.

403 This section describes the current conditions of the affected environment and analyzes the  
404 potential environmental consequences that would occur as a result of implementing the preferred  
405 alternative or no action alternative. The analysis area for this EA differs by resource topic and, in  
406 some cases, extends beyond the project area, such as the analysis area for wildfire risk. This is  
407 because of the nature of wildfire and the potential for fire to spread once ignited. The analysis  
408 area is indicated for each impact topic below. Cumulative impacts also are analyzed for each issue  
409 topic below.

## 410 3.2 Cumulative Impact Scenario

411 Cumulative impacts are defined as “the impact on the environment that results from the  
412 incremental impact of the action when added to other past, present, and reasonably foreseeable  
413 future actions, regardless of what agency (federal or nonfederal) or person undertakes such other  
414 actions” (40 Code of Federal Regulations 1508.7). Cumulative impacts can result from  
415 individually minor, but collectively significant, actions taking place over a period of time. The  
416 Council on Environmental Quality regulations that implement NEPA require assessment of  
417 cumulative impacts in the decision-making process for federal projects.

418 The geographic scope of the analysis includes actions in the project area as well as other actions in  
419 the Memorial or surrounding lands, including the Black Hills National Forest, where overlapping  
420 resource impacts are possible.

### 421 3.2.1 Past, Present, and Reasonably Foreseeable Future Actions

422 The following past, present, and reasonably foreseeable future actions are considered in the  
423 cumulative impacts analysis for each issue topic and are based on actions developed during  
424 internal scoping.

#### 425 3.2.1.1 Past and Present Actions

##### 426 3.2.1.1.1 Previous Fireworks Displays

427 Previous fireworks displays at the Memorial were held from 1998 through 2001 and 2003 to 2009.  
428 No fireworks displays occurred after 2009 due to extreme fire danger from mountain pine beetle  
429 (MPB) kill in the region, as well as fireworks operator safety concerns and visitor experience  
430 issues. Previous displays resulted in permanent effects on the sculpture (burn marks on the tops  
431 of the sculpture), unexploded ordnance and debris remaining in the forests within and  
432 surrounding the Memorial, and various operational challenges for Memorial staff (see Section  
433 3.5, Human Health and Safety for more information). Attendance at previous events  
434 overwhelmed parking, viewing, and sanitary facilities. The effects of past displays on water and  
435 soil quality are discussed in Section 3.4, Environmental Contaminants.

#### 436 3.2.1.1.2 *Previous Wildfires in or Near the Memorial*

437 A significant wildfire has not occurred in the area within and surrounding the Memorial in more  
438 than a century. Most wildfires have been suppressed (see Section 3.3, Wildfire), resulting in an  
439 abundance of litter and heavy fuels in the surrounding forests. Previous fireworks displays  
440 resulted in 21 wildfire ignitions, which were quickly suppressed for safety and structural  
441 protection purposes. While the Memorial has recently developed a Prescribed Fire Plan for the  
442 Presidential and Xanterra burn units (NPS 2019), recent wet conditions have not allowed for  
443 prescribed burns in 2019. The Memorial has conducted fuel removal to protect existing utility  
444 lines from a prescribed burn.

#### 445 3.2.1.1.3 *Forest Management Actions – Forest Thinning, Prescribed Burns, and MPB Mitigation* 446 *Measures*

447 Although the Memorial has engaged in mechanized tree thinning, chipping, and removal efforts  
448 in response to the MPB outbreak (NPS 2010a), the overall wildfire risk at the Memorial has not  
449 changed. The risk of wildfire is dependent on weather, precipitation, wind, ignition sources, and  
450 other factors at the time of the fireworks event. Wildfire risk is also dependent on the Memorial's  
451 ability to reduce fuel loading prior to the event through prescribed fire, pile burning, or other  
452 forest management actions. Dead standing and dead and down pine trees resulting from years of  
453 MPB attacks continue to add fuels to the forest floor with resulting increases in fuel loading.  
454 Recent wet conditions have not been conducive for prescribed fire; however, there could be an  
455 opportunity in late winter 2019 or spring 2020. Some limited pile burning occurred in 2019 north  
456 of the sculpture, and pile burning is planned for winter. Similar actions would continue in 2020 as  
457 conditions allow, prior to the event.

#### 458 3.2.1.2 Reasonably Foreseeable Future Actions

##### 459 3.2.1.2.1 *Memorial Fireworks Displays*

460 Although future fireworks displays have not been specifically planned, it is assumed that future  
461 fireworks displays (beyond 2020) may occur for the purposes of this analysis, and would be  
462 similar in nature to the preferred alternative for this EA.

### 463 3.3 Wildfire

#### 464 3.3.1 Current General Conditions – Wildfire Risk

465 The analysis area for wildfire risk includes the 1,278-acre Memorial, eastern portions of the  
466 13,426-acre Black Elk Wilderness contiguous to the Memorial, northeast portions of the  
467 contiguous 35,000-acre Norbeck Wildlife Preserve, and private lands in the vicinity of Keystone,  
468 South Dakota (Figure 1).

469 For the purposes of the wildfire risk analysis, impacts of wildfire on vegetation, fish and wildlife,  
470 soils, and cultural resources are included in this section due to the nature of wildfire and its  
471 potential to affect these resources. See also Section 3.4, Environmental Contaminants for an  
472 analysis of project impacts on fish and wildlife and Section 3.6, Cultural Resources for an analysis  
473 of project impacts on cultural resources.

##### 474 3.3.1.1 Vegetation

475 The Memorial is in the Black Hills Plateau ecoregion, which consists of a mixture of warm, dry  
476 pine forest and mixed grasslands (Shepperd and Battaglia 2002; Graham et al. 2016). Dominant  
477 tree species include ponderosa pine (*Pinus ponderosa*), white spruce (*Picea glauca*), paper birch

478 (*Betula papyrifera*), aspen (*Populus tremuloides*), and bur oak (*Quercus macrocarpa*), which  
479 occupy cool, moist areas along the fringes of meadows and open areas. Dominant understory  
480 species include graminoids such as Richardson's sedge (*Carex richardsonii*), Ross's sedge (*C.*  
481 *rossii*), and poverty oatgrass (*Danthonia spicata*), and shrubs such as common juniper (*Juniperus*  
482 *communis*) and kinnikinnick (*Arctostaphylos uva-ursi*) (Ashton et al. 2019).

483 Exotic plant species occur in low abundance (less than 1 percent cover) at the Memorial. The  
484 most common exotic species in the Memorial is Canada thistle (*Cirsium arvense*). Other exotic  
485 species include woolly mullein (*Verbascum thapsis*), houndstongue (*Cynoglossum officinale*), and  
486 smooth brome (*Bromus inermis*) (Narumalani et al. 2009; Ashton et al. 2019).

487 Ponderosa pine dominates the forested area and is a fire-adapted species (Arno 2000), evolving to  
488 be dependent on frequent low-intensity fires to control seedlings, reduce forest floor debris, and  
489 recycle forest nutrients. Historically, fire was the most important ecological process that shaped  
490 the composition and structure of plant communities in the Black Hills. These plant communities  
491 evolved with frequent wildfire, and are often dependent on fire for overall health. The historical  
492 fire regime at Mount Rushmore (1529-1893) would be characterized as frequent (fires every 2 to  
493 20 years) low-severity surface fires with occasional patches (less than 100 hectares) of passive  
494 crown fire (Brown et al. 2000). The Memorial contains the second largest area of old growth  
495 ponderosa pine forest in the Black Hills, covering 66 percent of the Memorial (Symstad and  
496 Bynum 2007).

497 Ponderosa pine is highly flammable and burns with great intensity and severity in the summer  
498 season in a typical dry year (2000, 2002, 2007, and 2012). Fire intensity is the energy output from a  
499 fire, whereas fire severity is the effect of the fire on the biological system, for example, organic  
500 matter loss in the vegetation and substrate, crown scorch, or alteration of soil properties.

### 501 3.3.1.2 Fish and Aquatic Invertebrates

502 Fish species expected to occur in the analysis area that could be impacted by fire include longnose  
503 dace (*Rhinichthys cataractae*), white sucker (*Catostomus commersonii*), mountain sucker (*C.*  
504 *platyrhynchus*), common carp (*Cyprinus carpio*), and brook trout (*Salvelinus fontinalis*) (White et  
505 al. 2002). Fish surveys in 2002 documented brook trout and longnose dace in Grizzly Bear Creek  
506 and brook trout in Beaver Dam Creek in Starling Basin. No fish were found in the small unnamed  
507 stream in Lafferty Gulch, although brook trout habitat is present (White et al. 2002). While brook  
508 trout individuals could be present in Lafferty Gulch, it is unlikely due to the ephemeral nature of  
509 the stream. Lafferty Gulch flows into Battle Creek, which is part of the Middle Cheyenne Spring  
510 Creek watershed. This watershed contains seventeen fish species, including some species that are  
511 not native to the region (Narumalani et al. 2009).

512 Aquatic invertebrates found in streams in the Memorial include mayflies (order Ephemeroptera),  
513 stoneflies (order Plecoptera), caddisflies (order Trichoptera), dragonflies and damselflies (order  
514 Odonata), and true flies (order Diptera) (Rust 2006). Surveys of aquatic invertebrates in the  
515 Memorial in 2006 found Grizzly Bear Creek had the highest quality habitat and highest diversity  
516 of aquatic invertebrates of the streams in the Memorial, while the small unnamed stream in  
517 Lafferty Gulch had the lowest diversity (Rust 2006).

### 518 3.3.1.3 Wildlife

519 A variety of wildlife inhabit the forests and grasslands of the analysis area including ungulates,  
520 small mammals, birds, reptiles, amphibians, and invertebrates; these species could be impacted by  
521 fire. Common mammal species include mule deer (*Odocoileus hemionus*), least chipmunk (*Tamias*



522 *minimus*), mountain goat (*Oreamnos americanus*), deer mouse (*Peromyscus maniculatus*), and  
523 white-footed mouse (*Peromyscus leucopus*) (Schmidt et al. 2004). Common bird species in the  
524 analysis area include American robin (*Turdus migratorius*), black-capped chickadee (*Poecile*  
525 *atricapillus*), chipping sparrow (*Spizella 17aculate17*), dark-eyed junco (*Junco hyemalis*), mourning  
526 dove (*Zenaida macroura*), and many others. Amphibians found at the Memorial include chorus  
527 (*Pseudacris 17aculate*) and northern leopard (*Lithobates pipiens*) frogs (Smith et al. 2004). Eleven  
528 bat species are present or are likely present in the analysis area including northern long-eared bat  
529 (*Myotis septentrionalis*), particularly in Starling Basin where a diverse habitat encourages a wide  
530 range of bat species (Licht 2018; Abernethy 2018).

531 For a discussion of threatened, endangered, and sensitive species, see Section 1.3, Issues  
532 Dismissed from Detailed Analysis.

#### 533 3.3.1.4 Soils

534 Soils in the analysis area could be impacted by fire. The parent material for soils in the central  
535 Black Hills is generally granite or mica schist. Granite is very hard and breaks down slowly  
536 through decomposition. Mica schist is a softer metamorphic rock that breaks down more readily  
537 and creates well-drained soils. This type of soil is ideal for ponderosa seedlings. In many areas, the  
538 bedrock beneath the soil is deeply fractured. Joints and fissures in this rock fill with water that has  
539 passed through the soil and are an important source of water for ponderosa pine root systems  
540 (NPS 2016).

541 Major soils in the analysis area are Marshbrook and Cordeston (NPS 2008). Marshbrook soils are  
542 subject to soil compaction and rutting from operation of heavy equipment. The very steep side  
543 slopes have a high erosion potential when disturbed. Erosion-control measures are needed to  
544 reduce erosion and stream sedimentation. Area soils are dominated by decomposing granite.  
545 Hydrophobicity likely follows a wildfire in coarse soils. Soil hydrophobicity causes water to  
546 collect on the surface rather than be absorbed into the soil, causing more water runoff. Four  
547 factors commonly influence the formation of a hydrophobic layer. These include a thick layer of  
548 plant litter prior to the fire, high-intensity surface and crown fires, prolonged periods of intense  
549 heat, and coarse-textured soils. Very high temperatures are required to produce the gas that  
550 penetrates the soil and forms a hydrophobic layer. The gas is forced into the soil by the heat of the  
551 fire. Soils that have large pores, such as sandy soils and decomposing granite, are more susceptible  
552 to the formation of hydrophobic layers because the soils transmit heat more readily than heavy,  
553 textured soils, such as clay. The coarse-textured soils also have larger pores that allow deeper  
554 penetration of the gas. The high concentrations of chipped material in the duff and dead and  
555 down trees from the MPB (*Dendroctonus ponderosae*) epidemic may result in prolonged heating  
556 of the soils if fire occurs. This could negatively impact soils and contribute to erosion in the short  
557 term (NPS 2008).

558 On the other hand, decomposing granite and underlying granite are not especially susceptible to  
559 chemical or physical changes due to heating from fires on the surface, even hot fires with a long,  
560 sustained residence time over a given area of ground.

#### 561 3.3.1.5 Cultural Resources

562 For a description of the affected environment for cultural resources, see Section 3.6, Cultural  
563 Resources.

## 564 3.3.1.6 Wildfire Risk Factors

565 Wildfire risk throughout the analysis area has greatly increased over the years as a result of  
566 numerous factors. Over the past 100 years, interference with natural fire regimes and aggressive  
567 fire suppression in dry forests throughout the western United States, including those in the  
568 Memorial, have resulted in substantial changes in forest structure, density, composition, and  
569 function (Arno 2000; Shepperd and Battaglia 2002; Graham et al. 2016). These changes include  
570 increased tree density, closed crowns, increased forest floor duff and debris depth, and an  
571 increase in heavy fuels on the ground in the form of dead trees and limbs. Fuel loading overall has  
572 been measured at up to 30 tons per acre—three times the historical loading for the Memorial—  
573 and is a direct contributor to fire size and severity (Narumalani et al. 2009). Forest changes can  
574 also occur from fuel treatments such as chipping, limbing, chunking, and pruning.

575 As a result of fire suppression, many stands have dense thickets of small trees and have  
576 experienced insect infestations and disease epidemics. The most recent infestation of MPB began  
577 on the north side of the Black Hills near Sturgis, South Dakota in 1996 and ended near the Custer,  
578 South Dakota area in 2016. This recent MPB epidemic was exacerbated by a robust pine engraver  
579 beetle (*Ips pini*) infestation beginning in 2009 that has affected the area over several years,  
580 particularly in younger and denser thickets of trees.

581 The NPS response to the MPB and pine engraver beetle infestation at the Memorial has been  
582 aggressive. Foresters identified infested trees, which were then either cut and chipped in place or  
583 piled and burned. The NPS sprayed living trees in developed areas with carbaryl to prevent  
584 further tree mortality (NPS 2010a). Chipping treatments used to combat the MPB infestation  
585 increased the amount of duff on the forest floor. Smoldering duff, in some places 3 feet deep, can  
586 greatly exacerbate the severity of a fire by causing hydrophobic conditions in coarser soils,  
587 including decomposed granite, and by depleting organic material and destroying seed sources.  
588 Burning also releases nutrients into the forest including nitrogen, potassium, and carbon.

589 As a result of the MPB infestation, tree mortality in the Memorial, the Black Elk Wilderness, and  
590 the Norbeck Wildlife Preserve was severe. This tree mortality greatly increased the fuel loading by  
591 restructuring the forests, from live aerial fuels to dead and down fuels. Fuel loading in the analysis  
592 area ranges from light to heavy, with 8 to 30 tons per acre throughout (Ashton et al. 2012;  
593 Narumalani et al. 2009). Fuel loading is generally three times heavier than historic levels.

594 Like the Black Elk Wilderness, the Norbeck Wildlife Preserve is predominantly old growth and  
595 mature timber with thickets of younger trees in the understory. The terrain in both the Black Elk  
596 Wilderness and the Norbeck Wildlife Preserve consists of domed granite structures, broken  
597 granite formations, steep gullies and channels, and broken and undulating terrain. In areas where  
598 the forest canopy opened in the wake of the tree mortality, new seedlings and shrubs proliferated  
599 on the ground and added to the “ladder” fuels effect that provide continuous fire material from  
600 the forest floor to the crowns of the trees.

601 The high fuel loading and potential for ladder fuels in the analysis area increase the risk of a  
602 stand-replacing fire, which is defined as a fire that consumes approximately 80 percent or more of  
603 the aboveground dominant vegetation (Arno 2000).

604 A significant wildfire has not occurred in the analysis area in more than a century. The largest fires  
605 in the Black Hills have included the McVey Fire at 20,000 acres in 1939, the Galena Fire at 18,000  
606 acres in 1988, the Jasper Fire at 80,000 acres in 2000, the Battle Creek Fire at 13,395 acres in 2002,  
607 and the Mount Rushmore 1 Fire in 2006, which are the closest large fires. The Battle Creek Fire in  
608 particular burned at high intensity and high severity. Pre-fire conditions have not returned 17

609 years later, although pine seedlings are beginning to occupy burned slopes. Because of the lack of  
610 significant wildfires in the analysis area, an escaped wildfire at the Memorial would be expected  
611 to profoundly change the vegetative structure of the Memorial's forests, resulting in stand  
612 replacement from radiant heat and long fire resident times around tree roots across much of the  
613 area and the loss of many, if not most, of the mature trees and much of the pine reproduction.  
614 While such a fire would not be expected to affect the sculpture, it would certainly affect current  
615 visual management profiles by reducing mature pine trees and cleaning out the often overly dense  
616 understory. There is high potential for large fires in the central Black Hills in July, but this is  
617 especially true in particularly dry years. 1939 was one of the driest years of the 1930s, and 1988  
618 was a substantial fire year throughout the West.

#### 619 3.3.1.6.1 *Current Fire Mitigation Activities*

620 Ecological restoration and fuel reduction programs attempt to reduce tree densities and  
621 reintroduce fire to fire-deficit landscapes. It is widely understood that treatments including  
622 mechanized tree thinning and prescribed fire can help restore more resilient forest conditions.

623 Recent efforts at the Memorial include thinning, chipping, and tree removal. These efforts have  
624 greatly reduced the potential for passive and active crown fire by increasing crown base heights.  
625 The overall risk for wildfires remains high. Figure 5 below illustrates that previous fuel reduction  
626 treatments have improved the standing fuel load but have also left heavy fuel loading in the form  
627 of chipped material and downed and dead material.

628 While efforts have been widespread, the net effect has not changed wildfire risk. Surface fuel  
629 loading has continued to increase yearly with more than 100 years of fire suppression at the  
630 Memorial. A prescribed fire would lessen the risk of damaging wildfire across the Memorial  
631 (Arno 2000). While the Memorial recently completed a Prescribed Fire Plan (NPS 2019) for two  
632 burn units in preparation for the proposed fireworks display, recent wet conditions have not  
633 allowed for implementation of the plan. The condition of the regional forest communities and  
634 lack of natural or prescribed fires at the Memorial are the greatest contributors to overall wildfire  
635 risk.

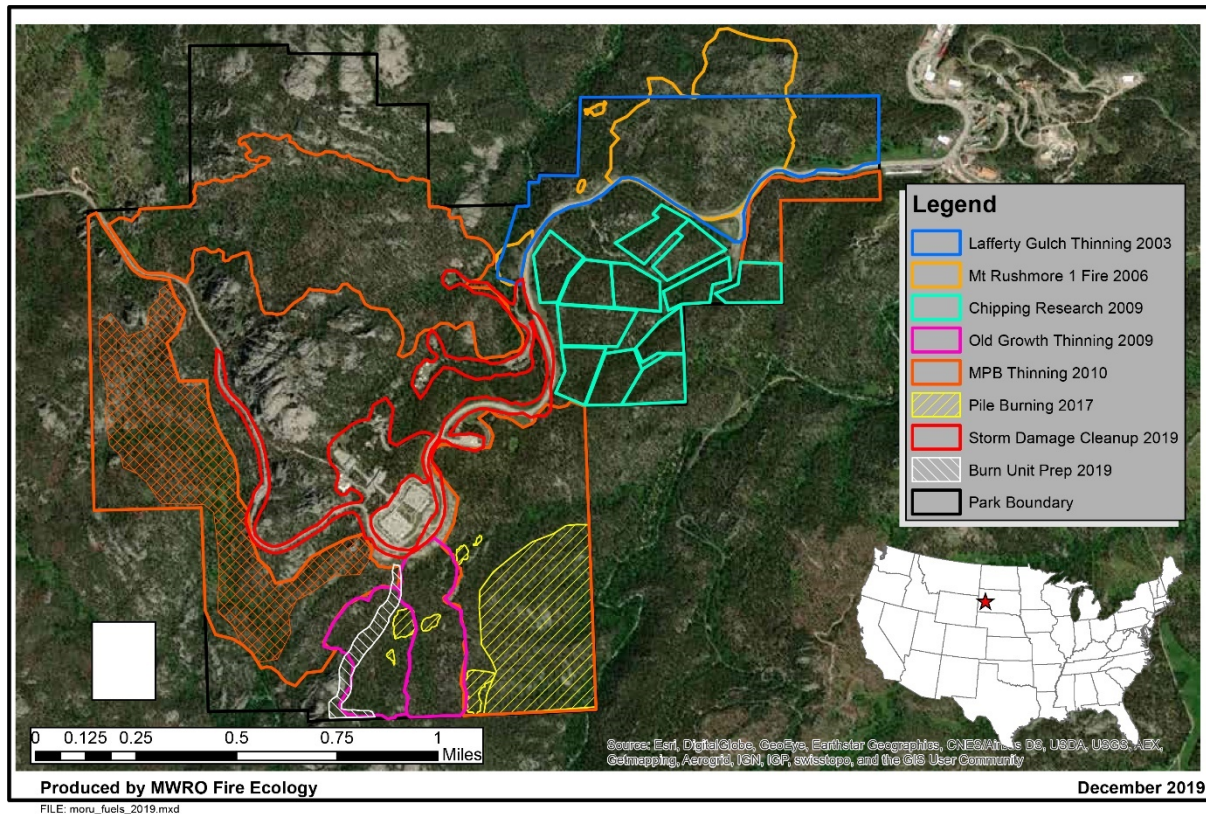


Figure 5  
 Fuel Reduction Treatments 2003-present

636  
 637 **Figure 5. Fuel Reduction Treatments 2003 to Present**  
 638

639 **3.3.1.6.2 Current Emergency Preparedness**

640 The United States Forest Service (USFS), NPS, other Department of the Interior agencies, and  
 641 tribes, along with local and state agencies, including Custer and Pennington Counties and the  
 642 South Dakota Division of Wildland Fire Suppression, participate in annual wildfire exercises  
 643 involving the Wilderness and the Memorial. The exercises are held because of the potential  
 644 catastrophic impacts of a wildfire that could escape control efforts and burn to the top of Black  
 645 Elk Peak, burn Keystone, or run across the basin to Hill City. As a result, fires are managed with a  
 646 full suppression objective, and prescribed fire has not been used as a management tool in the past  
 647 to meet natural resource objectives. All wildfires are fought aggressively and extinguished as  
 648 quickly as possible.

649 Fire response services in the area are robust, highly trained, and skilled. Interagency partners train  
 650 together, fight fire together, and offer mutual aid and support through a number of memoranda of  
 651 understanding and interagency agreements. These fire response resources are served by the  
 652 Northern Great Plains Interagency Dispatch Center with the ability to shift resources, including  
 653 people and equipment, to high-risk areas and active fires without regard to agency sponsorship.  
 654 Additionally, dispatchers can call on fire response services in four states for response within 24  
 655 hours, and nationally within 72 hours. Other air assets, including heavy and very heavy air  
 656 tankers, are available to respond based on priorities of resources threatened by a given fire. The  
 657 Memorial and surrounding area would be a high priority for local, regional, and national fire  
 658 control resources.

### 659 3.3.2 Impacts of Wildfire Risk in Alternative 1

#### 660 3.3.2.1 Determining the Scope of the Analysis

661 For the purposes of this fire impacts analysis, the Wildland Fire Decision Support System  
662 (WFDSS), an integrated computer model (model), was used. The model was developed for use in  
663 fighting modern wildfires to approximate where a wildfire would burn. The model helped to  
664 determine specific areas to assess impacts and outcomes that could realistically occur in various  
665 weather conditions. The model was used to simulate fires resulting from the fireworks displays in  
666 two representative years: a dry year in 2012 and a normal precipitation year in 2013. The model is  
667 a weather and fire behavior prediction tool that provides information on fire season duration, fire  
668 size probabilities, fire spread paths and short-term arrival times, fire danger forecasts, and  
669 economic impact assessments (Pence and Zimmerman 2011). The model helped to identify the  
670 wildfire analysis area, assess potential risks, and analyze the impacts of wildfire for the preferred  
671 alternative.

#### 672 3.3.2.2 Potential Magnitude of Wildfire from Alternative 1

673 The results of the model reveal a low probability of a high-consequence wildfire event and high  
674 probability of a low-consequence wildfire event. In other words, the chances of a major wildfire  
675 burning to the top of Keystone, South Dakota or Horsethief Campground would be quite low—  
676 less than 0.02 percent, while the chances of a more modest wildfire are much higher—in excess of  
677 60 percent. The most likely wildfire scenario would be confined entirely to the Memorial. The  
678 model shows likely containment of any unplanned fire in the vicinity of the fireworks launch site.  
679 This is consistent with the successful containment of small wildfires in previous years that  
680 resulted from fireworks displays.

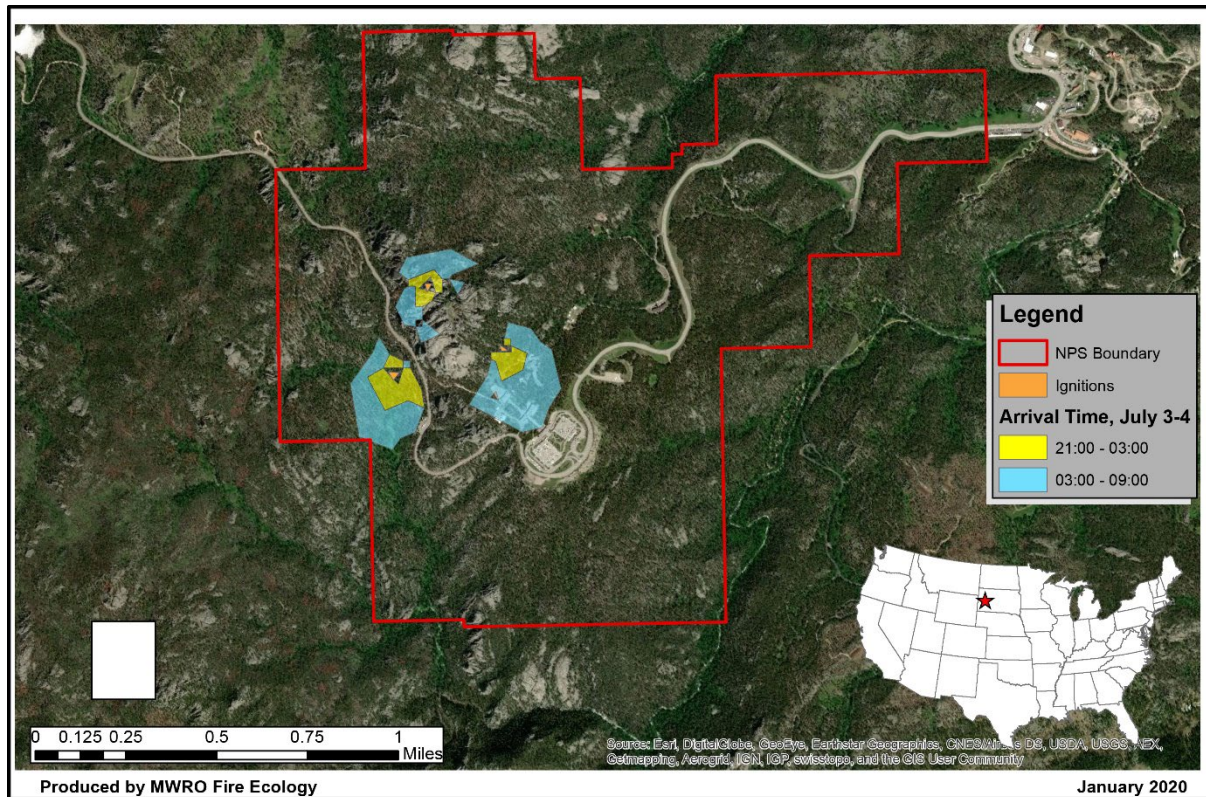
681 There is a very slight chance (0.02 percent) that an unplanned fire would exceed local emergency  
682 services capacity and burn through to Keystone, burn into the Black Elk Wilderness, burn south  
683 into Custer State Park, or burn northwest toward Horsethief Campground and Old Hill City  
684 Road. Fires would only reach the extent shown in the model if no fire suppression action  
685 occurred. Firefighters would aggressively fight any fire resulting from the fireworks show.

686 The model roughly portrays the expected size of an escaped wildfire on July 3rd in one of two  
687 climatic and fuels conditions, an average year and a dry year, with 12 hours of no fire suppression  
688 activities. The model simulates 2,000 fires in each year using slightly changed parameters for each  
689 fire to establish the probable footprint of a single escaped fire in a given year. Three ignition  
690 points were selected surrounding the sculpture for each climatic and fuel condition.

##### 691 3.3.2.2.1 Average Year

692 Figure 6 illustrates the potential escaped fire area from an ignition resulting from mortar shrapnel  
693 or unexploded ordnance from the Hall of Records area on July 3rd in an average year, with no fire  
694 suppression activities for 12 hours. Figure 6 is a gross model depiction of relative fire sizes and is  
695 for illustration only.

696 In an average year, escaped fires would be unlikely. Firefighters on hand during the fireworks  
697 displays would be able to quickly engage and extinguish any fire starts, limiting fire sizes and  
698 duration to the evening and possibly the next day following the fireworks. In this scenario, fire  
699 would be limited to local effects in the area of ignition plus impacts from fire suppression  
700 activities such as building a fireline, cutting trees to deny the fire-available fuel, and using aircraft  
701 to deliver water and fire retardant to the fire. The total of these effects would be expected to be  
702 localized and minimal, as witnessed in previous years.



703

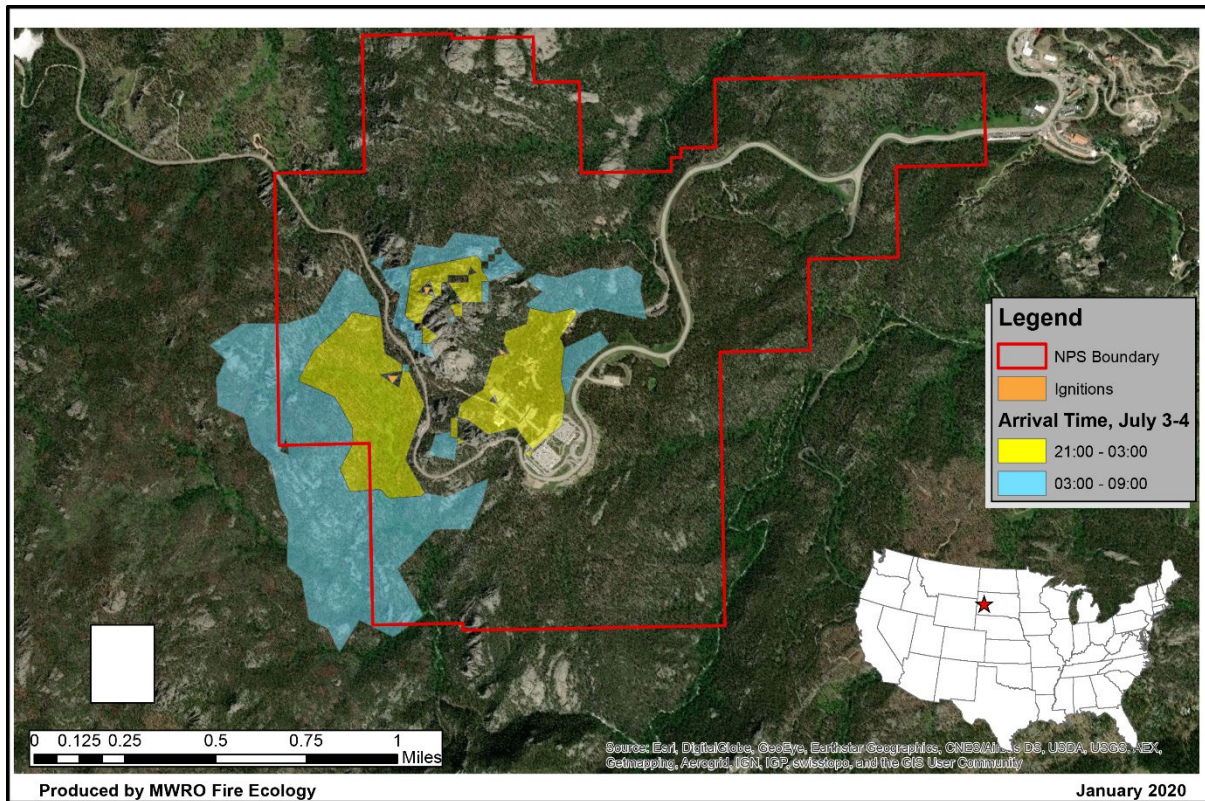
704 **Figure 6. WFDSS Wildfire Spread Average Year.**

705 Source: Cody Wienk, NPS, AFMO

706 **3.3.2.2.2 Dry Year**

707 Figure 7 illustrates the potential for an escaped fire area from an ignition resulting from mortar  
 708 shrapnel or unexploded ordnance from the Hall of Records area on July 3rd in an average year,  
 709 with no fire suppression activities for 12 hours. Figure 7 is a gross model depiction of relative fire  
 710 sizes and is for illustration only.

711 A wildfire in a dry year would be more likely to result in a high-consequence fire burning outside  
 712 the boundaries of the Memorial and toward the town of Keystone, South Dakota, up the  
 713 northeast aspect of Black Elk Peak, or into the basin near Horsethief Lake. This wildfire would be  
 714 expected to take place over 12 hours. To help prevent a wildfire occurring, a Go/No-Go decision  
 715 matrix would be developed to ensure conditions in and surrounding the Memorial are acceptable  
 716 for the event to proceed.



717  
718 **Figure 7. WFDSS Wildfire Spread Dry Year.**

719 Source: Cody Wienk, NPS, AFMO

### 720 3.3.2.3 Impacts of an Escaped Fire on July 3rd

#### 721 3.3.2.3.1 *Vegetation Impacts*

722 Wildfire acts as a “release” agent, thinning remaining trees, opening the canopy, encouraging  
723 growth of surviving trees, and stimulating new growth of understory vegetation. However,  
724 wildfires may also have unintended impacts such as killing large old growth trees and creating  
725 conditions suitable for encouraging invasive plants.

726 Most of the understory species within the analysis area are fire tolerant. A wildfire in July in a dry  
727 year would severely harm warm season vegetation species and favor cool season species such as  
728 smooth brome (an exotic invasive species). Canada thistle, the most common exotic species in the  
729 Memorial, thrives in burned or otherwise disturbed areas. In general, the post-fire succession of  
730 species would manifest as grasses and sedges, moving to shrubs, then to aspen and birch, and  
731 finally to ponderosa pine (Wright and Bailey 1982; Arno 2000). Because ponderosa pine is so  
732 aggressive and opportunistic, the species quickly dominates even severely burned areas at the  
733 elevations and in conditions found at the Memorial, except in very severe wildfires where seed  
734 sources are destroyed.

735 Surface water quantities increased by 12 percent for several years following the 1990 Cicero Peak  
736 fire in one study in Custer State Park (Neary et al. 2008). Abundant water, atypical for dry  
737 ponderosa pine forests, coupled with increased nutrients, means that living trees that survive a  
738 fire are stronger, healthier, and more vigorous. Fire-weakened trees remain a target for MPB for

739 several years following a fire. The 60,000-acre Oil Creek Fire in the Western Black Hills resulted  
740 in a total post-fire mortality from MPB of less than 200 mature trees (Carroll 2016).

741 A fire occurring within the model parameters would have environmental consequences, but flora  
742 in general would recover well over several years. Even following a severe fire, the overall impacts  
743 would not be expected to cause a major change in vegetation communities. There are several  
744 reasons for this, but primarily the broken nature of the terrain and the resulting discrete islands of  
745 trees among the granite formations throughout the Memorial would ensure some continuity for  
746 seed sources following a fire.

#### 747 3.3.2.3.2 *Fish, Aquatic Invertebrates, and Wildlife Impacts*

748 Fires affect fish and wildlife mainly through impacts on their habitat. Fires often cause short-term  
749 increases in food that contribute to increases in populations of some animals (Graham et al. 2016).  
750 Recovering grasses and shrubs greatly increase forage which, in turn, favors grazers like deer and  
751 elk, leading to proportionate increases in cougar and coyote populations. The increased visibility  
752 in the fire area allows raptors to better see and hunt prey more effectively. Woodpecker species  
753 thrive as they forage for insects that help wood decompose. These increases depend on the  
754 animals' ability to thrive in the altered, often simplified, habitat. The extent of fire impacts on  
755 animal communities generally depends on the extent of change in habitat structure and species  
756 composition. Stand-replacement fires usually cause greater changes in the vegetation  
757 communities of forests than in those of grasslands. Within forests, stand-replacement fires usually  
758 alter the wildlife community more dramatically than understory fires. Fires that leave standing or  
759 downed dead trees and patches of early successional plants provide important habitat for a range  
760 of wildlife species.

761 Fires generally kill or injure a small proportion of wildlife populations. Small mammals with  
762 limited mobility living aboveground appear to be most vulnerable to fire-caused injury and  
763 mortality, but occasionally even large mammals are killed by fire. Because mortality rates of  
764 mammals are low, direct fire-caused mortality has little influence on populations of these species  
765 as a whole. The ability of mammals to survive fire depends on their mobility and on the  
766 uniformity, severity, size, and duration of the fire. Most small mammals avoid fire by using  
767 underground tunnel systems, whereas large mammals must find a safe location in unburned  
768 patches or outside the burn. Rabbits, harvest mice, and woodrats (dusky-footed, desert, and  
769 white-throated) are more vulnerable to fire-caused mortality than deeper-nesting species,  
770 especially because their nests are constructed of dry flammable materials. Woodrats are  
771 particularly susceptible to fire mortality because of their reluctance to leave their houses even  
772 when a fire is actively burning (Wright and Bailey 1982; Arno 2000; Shepperd and Battaglia 2002;  
773 Graham et al. 2016). Many bat species roost under the bark of snags or live trees and are able to  
774 escape fire through flight. Bat species of the Northern Great Plains rear their pups in June and  
775 July (including during the Memorial's Independence Day event), and pups may not be able to  
776 escape in the event of a wildfire.

777 Fire-caused bird mortality depends on the season, uniformity, and severity of burning. Mortality  
778 of adult songbirds is rare, but mortality of nestlings and fledglings does occur. Nest destruction  
779 and mortality of young have been reported for several ground-nesting species. Wild turkeys rarely  
780 re-nest if their nests are destroyed after two to three weeks of incubation. Underground nests are  
781 likely safe from most fires. In forested areas, fire impacts on birds depend largely on fire severity.  
782 The young of ground-nesting birds in low vegetation are vulnerable even to understory fire  
783 during the nesting season. Species nesting in the canopy could be injured by intense surface



784 and/or crown fires, but these types of fire are more common in late summer than during the early  
785 nesting season.

786 There are few reports of fire-caused injury to herpetofauna, even though many of these animals,  
787 particularly amphibians, have limited mobility (Smith 2000). The vulnerability of snakes to fire  
788 may increase while they are in ecdysis (the process of shedding skin). Species in ecosystems that  
789 no longer experience high-frequency, low-severity fires may not be adapted to avoid fire.

790 The vulnerability of insects and other invertebrates to fire depends on their location at the time of  
791 the fire. While adults can burrow or fly to escape injury, species with immobile life stages that  
792 occur in surface litter or aboveground plants are more vulnerable (Smith 2000). However,  
793 aboveground microsites, such as the unburned center of a grass clump, can provide protection.

794 In general, fire impacts on wildlife under any of the model scenarios would be minimal and  
795 limited to changes in wildlife habitat in the analysis area. A low-consequence wildfire would have  
796 localized impacts on wildlife habitat and would not likely result in a reduction of the species'  
797 population in the analysis area. The surrounding forest lands and prairies would provide retreat  
798 habitat for individual species, and most wildlife species would quickly repopulate the fire area as  
799 plant regrowth occurs following a fire.

800 Wildfire can affect fish and aquatic invertebrates by altering water chemistry and flow. Water  
801 quality parameters can be compromised by wildfire, including decreases in dissolved oxygen and  
802 pH, and elevated turbidity. Large fires can increase runoff, causing increased sedimentation in  
803 streams, and post-fire flooding from runoff can change the community structure of fish and  
804 aquatic invertebrates (Bixby et al. 2015).

#### 805 3.3.2.3.3 *Soils Impacts*

806 Localized hydrophobicity would be expected from a severe wildfire in the analysis area. Wildlife  
807 walking on the surface, rainfall, and wind-driven pruning of trees would break up the  
808 hydrophobic soil, reestablishing normal hydrologic function. Long-term impacts resulting from  
809 wildfire would be insignificant due to the dominance of the granitic soils and rock formations  
810 throughout much of the Memorial. No long-lasting impacts were observed in soils in previous  
811 area fires (pers. obser. F. Carroll 2019).

812 The Battle Creek Fire occurred northwest of the Memorial (2002), and the Cicero Fire (1990) and  
813 the Galena Fire (1998) occurred southeast of the Memorial. Though these were stand-replacing,  
814 high-severity, and high-intensity wildfires, the most notable fire impacts were limited to  
815 vegetation. No long-lasting impacts were observed in soils, and hydrophobicity was short term.

#### 816 3.3.2.3.4 *Water Quality Impacts*

817 Wildfire impacts on water quality result from increased erosion from burned areas and resulting  
818 increases in sedimentation. Small escaped wildfires would not likely affect water quality in the  
819 drainage basins at the Memorial, or the larger watershed. A larger escaped fire could affect the  
820 water quality of local water supplies and systems including streams, local reservoirs, and  
821 treatment plants. In a study published in May 2016, USGS scientists noted the presence of  
822 multiple trace metals in post-fire storm water. They discovered elevated levels of iron, lead,  
823 nickel, and zinc in the streams and traced the contaminants back to a nearby wildfire (USGS  
824 2016a). In general, changes in the magnitude and timing of snowmelt runoff influence when water  
825 supply reservoirs are filled. Large fires can increase sediment loading of water supply reservoirs,  
826 shorten reservoir lifetime, and increase maintenance costs. Fires increase nutrient loading of  
827 streams with dissolved organic carbon, major ions, and metals. Post-fire erosion and transport of

828 sediment and debris to downstream water treatment plants, water supply reservoirs, and aquatic  
829 ecosystems could occur. Increased turbidity (cloudiness caused by suspended material) or  
830 heightened iron and manganese concentrations may increase chemical treatment requirements  
831 and produce larger volumes of sludge, both of which would raise operating costs. Changes in  
832 source water chemistry can alter the treatments needed to meet drinking water requirements  
833 (USGS 2016a).

834 There would be slight short-term impacts on water quantity resulting from an escaped fire.  
835 Surface water quantities in the analysis area would increase for a period following a fire, as much  
836 as 12 percent in studies conducted in Custer State Park following the Cicero Peak Fire (Neary et  
837 al. 2008). Because dead trees no longer use available water, more water is available to the system  
838 for other uses, other plants, and for increased stream flows. This is a function of fewer plants  
839 competing for the water, the ease of rain drops to penetrate the canopy following the fire, and  
840 hydrophobic soil conditions that encourage overland flow. Ponderosa pine trees easily absorb  
841 water from the ground and return sugar to the roots.

#### 842 3.3.2.3.5 *Black Elk Wilderness/Norbeck Wildlife Preserve Impacts*

843 A wildfire in either a dry or normal year is not projected to reach the Harney Lookout Tower or  
844 move over the top of Black Elk Peak toward Custer. Dominant winds in the area are from the  
845 northwest to southeast, as demonstrated by the model and by the 2002 Battle Creek Fire  
846 northwest of the Memorial. It is a USFS priority to keep any escaped fire out of the Wilderness as  
847 topography, weather, fuels, and access issues make fighting fire in the Wilderness problematic.  
848 Both the NPS and USFS have full administrative authority to fight fire in these areas as  
849 aggressively as necessary, but heavy equipment use in the Wilderness is precluded both by the  
850 terrain and the *Black Hills National Forest Land and Resource Management Plan* (USFS 2006).

851 A major fire in the Norbeck Wildlife Preserve would be expected to be stand replacing, and tree  
852 mortality would be high in July in a dry year. While there is a low probability that an escaped fire  
853 would burn for more than 24 hours following ignition, such an event would be a wind-driven fire  
854 characterized by fire burning in the crowns of the trees, killing the trees and spreading quickly by  
855 spotting and wind-driven embers. Fires escape initial attack due to high winds more than other  
856 factors. When the winds die or become calm, fires are more easily contained. Prominent examples  
857 of large fires in the area over the past 20 years demonstrate what would be expected from such  
858 fires. The forest would be badly burned in a large wildfire and replaced by grasses and shrubs for  
859 decades following the fire. The area of the 2002 Battle Creek Fire northwest of the Memorial is  
860 largely meadowland with grass and shrubs. Regrowth of pine trees is progressing but is not  
861 expected to be widespread for at least 25 more years.

#### 862 3.3.2.3.6 *Other Impacts*

863 Power and communications infrastructure is susceptible to wildfire as it is located aboveground.  
864 Both an active fire and related suppression activities would potentially compromise the  
865 infrastructure.

866 Fuel storage areas include aboveground tanks containing thousands of gallons of propane and  
867 fuel. Memorial personnel have successfully mitigated potential impacts on fuel storage through  
868 site maintenance and protection of key facilities. It is anticipated that the Memorial would  
869 successfully protect fuel storage both from the short-duration fireworks displays and from any  
870 resulting wildfire by clearing and treating fuels in the immediate vicinity and stationing rapid  
871 response teams/assets in these locations (point protection and prepositioning resources).

#### 872 3.3.2.4 Cumulative Impacts

873 Experience with extensive aerial fireworks in the analysis area, including large mortar-fired  
874 displays, has demonstrated that fireworks can be safely and successfully performed over a wide  
875 variety of changing weather conditions, in both average and dry years. While more than 20 fires  
876 were ignited by fireworks inside the Memorial over the years, all of these fires were quickly  
877 contained and resulted in localized impacts due to the availability and proximity of emergency  
878 fire response teams. A fireworks display in 2020 would contribute minimally to wildfire risk in the  
879 cumulative effects analysis area, assuming all conditions and mitigations developed by the  
880 incident management team are met and followed.

881 Forest conditions have steadily deteriorated across the region of the Black Hills of South Dakota  
882 and Wyoming, and in the Bear Lodge Mountains to the northwest. Conditions across the  
883 ponderosa pine forests of the West described in detail by Arno (2000), Shepperd and Battaglia  
884 (2002), Graham et al. (2016), and most famously by Wright and Bailey (1982) are true for the  
885 ponderosa pine forests of the analysis area. These conditions are intensified by the unique  
886 character of the adjacent Black Elk Wilderness and Norbeck Wildlife Preserve, and high level of  
887 recreational use in the area (Ashton et al. 2012).

888 Any major fire resulting from the fireworks display and affecting the Memorial would be  
889 expected to severely impact the surface vegetation, reduce or eliminate organic matter in the soil,  
890 increase hydrological damage in the short term from erosion, and add to the decline of old  
891 growth and mature trees. Fire resulting from the fireworks display would have a moderate  
892 adverse contribution to already deteriorated forest conditions. Forest recovery to pre-fire  
893 conditions would likely be slow and sporadic. Conversely, any prescribed burns that are  
894 implemented prior to the fireworks display would have a beneficial contribution to cumulative  
895 effects of wildfire in the analysis area.

### 896 3.3.3 Impacts of Wildfire in Alternative 2

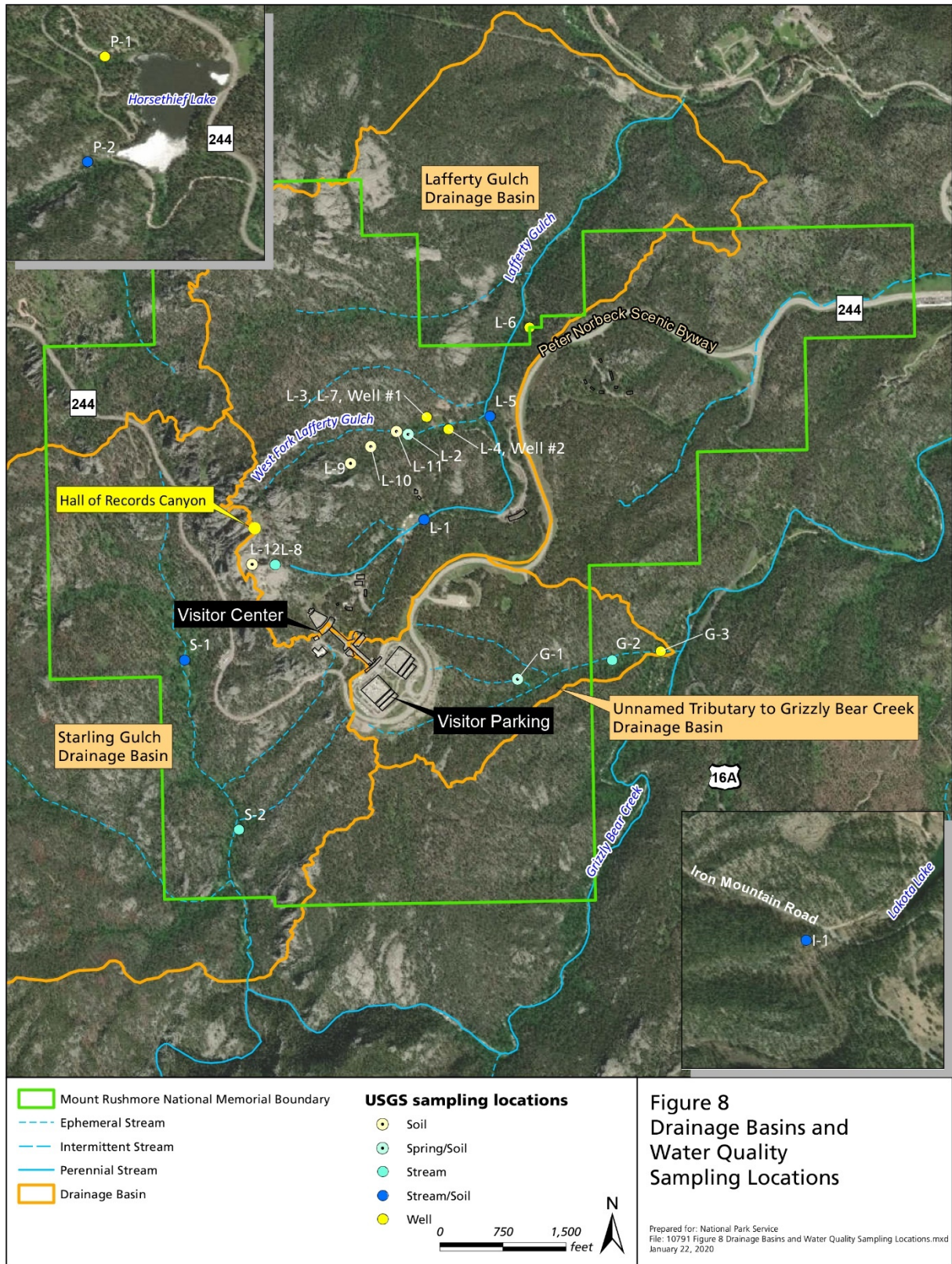
897 Under the no action alternative, there would be no potential for wildfires ignited from an  
898 Independence Day celebration fireworks event. Wildfire risks from normal operations at the  
899 Memorial are part of ongoing fire planning for the Northern Great Plains Interagency Dispatch  
900 Center and normal Memorial operations. The overall risk of a severe wildfire would range from  
901 low to high within the Memorial, depending on the weather conditions in the region and the  
902 effectiveness of prescribed burning activities.

#### 903 3.3.3.1 Cumulative Impacts

904 Previous fireworks displays have resulted in more than 20 small wildfires, each less than an acre.  
905 These small wildfires were extinguished with minimal impact on resources due to readily  
906 available emergency fire response teams and favorable weather conditions. There would be no  
907 contribution to the cumulative effects of wildfire under the no action alternative.

## 908 3.4 Environmental Contaminants

909 The analysis area for environmental contaminants includes the 1,278-acre Memorial, including  
910 the three drainage basins described below (Lafferty Gulch, Starling Gulch, and Unnamed  
911 tributary to Grizzly Bear Creek) (see Figure 8). During 1981 to 2010, annual precipitation in the  
912 Memorial averaged about 21.5 inches (USGS 2016b).



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**Figure 8. Drainage Basins and Water Quality Sampling Locations**

## 915 3.4.1 Current General Conditions – Environmental Contaminants

### 916 3.4.1.1 Water and Soil Quality

#### 917 3.4.1.1.1 Sample Sites

918 The Memorial is in the east-central region of the Black Hills and consists of Precambrian-age  
919 bedrock of granite, pegmatite sills and dikes, and schist. Three streams are present within the  
920 Memorial: Lafferty Gulch in the north, Starling Gulch in the southwest, and the Unnamed  
921 tributary to Grizzly Bear Creek in the southeast (see Figure 8). These three streams drain to the  
922 north, south, and east, respectively. Groundwater occurs in localized aquifers within the bedrock,  
923 and flow is controlled by secondary permeability caused by the fracturing and weathering of the  
924 bedrock. This combination of factors, along with surficial deposits of colluvium, can result in the  
925 rapid movement of large quantities of recharged groundwater. The groundwater system in the  
926 West Fork Lafferty Gulch is isolated due to the prevention of downgradient movement by an  
927 igneous sill, which acts as a dam.

#### 928 **Water Sampling Locations**

929 Two groundwater wells, used for drinking water production, are located within the West Fork  
930 Lafferty Gulch (Figure 8) and have been designated as Well #1 (200 feet deep) and Well #2 (500  
931 feet deep). For use in monitoring water quality, these wells have been designated as sample sites  
932 L-3 and L-4, respectively. A spring (L-2), upstream of the production wells, originates from the  
933 same groundwater source as the production wells and creates a shallow stream that flows through  
934 the West Fork Lafferty Gulch. Production water, pumped from both Wells #1 and #2, is treated at  
935 the Memorial's on-site water treatment plant via microfiltration. Samples collected at site L-7  
936 represent the water quality post-treatment. Secondary treatment consisting of reverse osmosis is  
937 used to treat perchlorate in drinking water used by the resident population.

938 Located in the main Lafferty Gulch channel (near the Memorial's northern boundary), sample  
939 site L-5 is downstream of both the spring well (L-2) and the production wells (L-3 and L-4) as  
940 well as downstream of the confluence with the West Fork Lafferty Gulch (Figure 8). Two other  
941 stream sampling sites are present within the main stem of Lafferty Gulch, L-1 and L-8. Site L-8 is  
942 the closest sampling site to the previous fireworks launch area in the Hall of Records area, while  
943 L-1 is midway between sites L-8 and L-5 in the main stem of Lafferty Gulch. Surface water  
944 samples have also been collected from two locations within Starling Gulch (S-1 and S-2) and from  
945 two locations within the Unnamed tributary to Grizzly Bear Creek (G-1, a spring, and G-2, the  
946 tributary). The geology of the spring at G-1 is similar to that present at L-2, where an igneous sill  
947 blocks the downstream flow of groundwater, resulting in surface flow.

#### 948 **Soil Sampling Locations**

949 USGS (2016b) soil sampling locations L-9, L-10, L-11, and L-12 (Figure 8) were chosen to target  
950 areas where the largest amount of firework debris was suspected. Sites L-9, L-10, and L-11 are  
951 located in the West Fork Lafferty Gulch drainage upstream from the production wells (sites L-3  
952 and L-4). Site L-12 is located within the Hall of Records area where a shallow layer of soil and  
953 weathered rock overlies the large granite outcrop.

#### 954 **Reference Sampling Locations**

955 To aid in defining background levels of perchlorate and metals, the USGS (2016b) collected soil,  
956 surface water, and groundwater from reference sites located outside of the Memorial. Figure 8  
957 displays the reference site locations P-1, P-2, and I-1.

958 **3.4.1.1.2 Firework Contaminants**

959 A firework is the combination of a fuel (typically a metal or metalloid) and an oxidizer (typically  
960 perchlorate or nitrate salts) to enhance combustion along with binders, stabilizers, and anticaking  
961 agents (PB Energy Storage Services, Inc. (PB Energy 2011)). A propellant supplies the lift during  
962 the launch of fireworks and the ignition results in the combustion of the firework. Combustion  
963 products are released to the environment and include numerous metals and metal compounds  
964 used as fuels and coloring agents as well as numerous salts used as oxidizers (PB Energy 2011).  
965 Environmental contaminants associated with fireworks include perchlorate, thiocyanate, and  
966 nitrate in addition to numerous other compounds that are released to the environment, partially  
967 due to the incomplete combustion of the fireworks. Additionally, fireworks that do not ignite  
968 when launched result in debris and unexploded ordnance (i.e., aerial shells). If this material is not  
969 retrieved, they can break down over time and release their contaminant loads to the environment.

970 **3.4.1.1.3 Perchlorate**

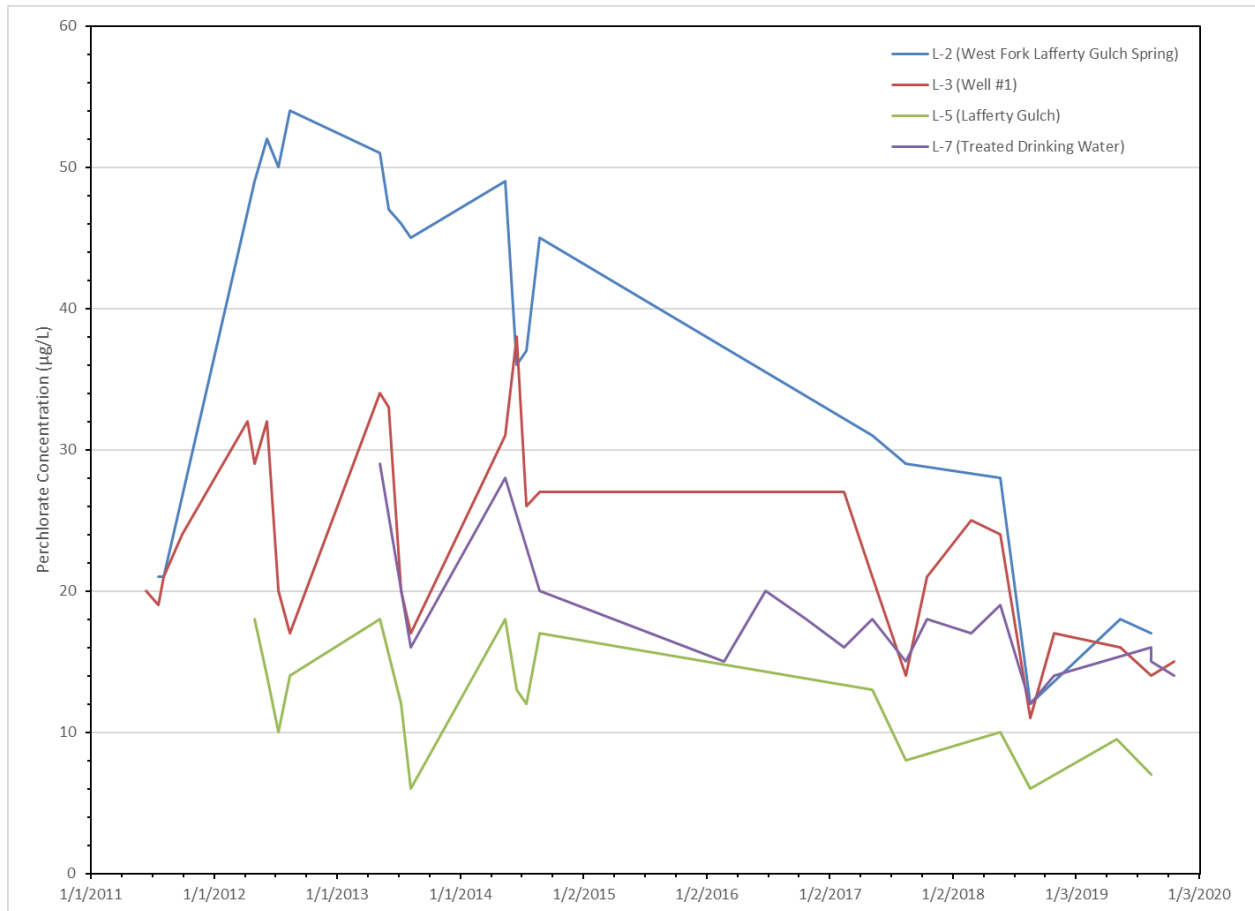
971 Perchlorate is both a naturally occurring and man-made anion that is typically found in the form  
972 of perchloric acid and salt compounds formed with ammonium, potassium, and sodium.  
973 Perchlorate is typically the oxidizer of choice in fireworks because it gives up all four of its oxygen  
974 atoms during combustion, making it the most effective oxidizer available. Currently, fireworks,  
975 used by pyrotechnic professionals and individuals alike, contain up of 70 percent potassium  
976 perchlorate (Cao et al. 2019). In the environment, perchlorate is both highly soluble and mobile in  
977 water; it is also highly stable and can take decades to degrade in both groundwaters and surface  
978 waters. In addition, perchlorate rapidly migrates through soil and into groundwater.

979 From 2011 to 2015, USGS scientists conducted a study analyzing both water and soil samples  
980 collected from sites located in the Memorial. They concluded that the past fireworks displays are  
981 the most probable source of the perchlorate contamination present at the Memorial (USGS  
982 2016b). In the soil samples collected, perchlorate concentrations were the highest (0.0023 and  
983 0.0017 milligrams per kilogram (mg/kg)) in samples collected in the West Fork Lafferty Gulch.  
984 These concentrations are approximately an order of magnitude higher than the concentrations  
985 measured at the reference sites located outside the Memorialan increase in the residence time of a  
986 contaminant. Similar to the soil sample results, water samples collected from the Lafferty Gulch  
987 basin, which includes the West Fork Lafferty Gulch, contained the highest concentrations of  
988 perchlorate (USGS 2016b). Perchlorate has been measured with varying concentrations in Well  
989 #1 (Site L-3) from 11 to 38 micrograms per liter ( $\mu\text{g/L}$ ), in finished drinking water (Site L-7) from  
990 12 to 29  $\mu\text{g/L}$ , in surface water collected at L-5 from 6 to 18  $\mu\text{g/L}$ , and in spring water collected at  
991 L-2 from 12 to 54  $\mu\text{g/L}$ .<sup>2</sup> The perchlorate monitoring data collected at individual water sample  
992 sites display an overall decreasing trend with time (Figure 9). Monitoring data displayed in Figure  
993 9 represents a mixture of data collected by the USGS (2016b) from 2011 to 2014 and NPS data  
994 collected primarily from 2016 to 2019.

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<sup>2</sup> Concentrations of contaminants reported for water are relative to a given volume (e.g. milligrams per liter or micrograms per liter) while concentrations reported for soil are relative to a given weight (e.g. milligrams per kilogram or micrograms per kilogram). There are 1,000 micrograms in 1 milligram. Units reported herein are listed as reported by the laboratory.



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**Figure 9. Perchlorate Monitoring Data**

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The U.S. Environmental Protection Agency's (EPA) Interim Drinking Water Health Advisory for perchlorate is 15 µg/L. On June 26, 2019, the EPA published a notice of proposed rulemaking in the Federal Register seeking public input on a range of options regarding the regulation of perchlorate in public drinking water systems. The EPA requested comments by August 26, 2019 on a proposed National Primary Drinking Water Regulation (NPDWR) for perchlorate, which is necessary to establish a Maximum Contaminant Level (MCL) and a health-based Maximum Contaminant Level Goal (MCLG) of 56 µg/L (EPA 2019a). Public comments were also requested for three alternative regulatory options, which include two other MCLs (18 and 90 µg/L) and the withdrawal of its 2011 determination that perchlorate meets the Safe Drinking Water Act criteria to regulate perchlorate as a contaminant in drinking water. The determination of the final NPDWR, MCL, and MCLG for perchlorate was due no later than December 19, 2019 (EPA 2019b); however, the EPA sought and was granted an extension of the consent decree. The new deadline is now June 19, 2020 (pers. comm., L Christ, EPA 2019e).

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Perchlorate data were not collected at the Memorial prior to the fireworks shows conducted from 1998 to 2009. Thus, the natural background levels of perchlorate at the Memorial prior to any of the fireworks displays is unknown. The timing and magnitude of perchlorate concentrations in environmental media at the Memorial immediately following a fireworks display are also unknown. Samples were collected prior to and immediately following a fireworks display adjacent to a lake in Oklahoma. Wilkin et al. (2007) reported (1) an increase of perchlorate in the

1018 lake's surface water, including concentrations 24 to 1,028 times the mean background level (0.043  
1019 µg/L) within 14 hours after a fireworks show, and (2) decreasing perchlorate concentrations  
1020 (toward background levels) within 20 to 80 days following the show due to natural attenuation.

#### 1021 3.4.1.1.4 Nitrate

1022 Nitrate is a naturally occurring compound, and various nitrate salts are used in the composition of  
1023 fireworks. The EPA MCL for nitrate is 10 milligrams per liter (mg/L) (EPA 2019d). Since 1991,  
1024 nitrate data have been generated from samples collected annually at site L-7, which is the finished  
1025 drinking water supply for the Memorial. Nitrate levels from 1991 to 2019 ranged from less than  
1026 0.5 to 1.35 mg/L. Nitrate data for groundwater and soils have not been collected. Limited data are  
1027 available on nitrate levels in surface water at the Memorial. Water quality sampling in 2006 found  
1028 that nitrate levels averaged 1.87 mg/L in the small unnamed stream in Lafferty Gulch, which is  
1029 known to have been impacted by past fireworks displays. In comparison, concentrations of  
1030 nitrate in Beaver Dam Creek in the Starling Basin and in Grizzly Bear Creek, both of which are  
1031 further away from past fireworks displays and thus not heavily impacted, if at all, were below 0.10  
1032 mg/L (Rust 2006). These limited data, in combination with the patterns observed in perchlorate  
1033 concentrations (USGS 2016b), suggest that past fireworks displays likely contributed to increased  
1034 nitrate levels in Lafferty Gulch.

#### 1035 3.4.1.1.5 Thiocyanate

1036 Thiocyanate is a sulfur cyanate anion. Potassium thiocyanate was listed by PB Energy (2011) as a  
1037 potential propellant used in fireworks. Thiocyanate has not been previously tested for in samples  
1038 of environmental media collected at the Memorial. A sample was collected at L-7 on December  
1039 23, 2019 and was submitted for thiocyanate analysis. Thiocyanate was not detected in the sample  
1040 collected. Thiocyanate can be photochemically degraded to other chemicals containing the  
1041 cyanate anion if exposed to sunlight (Mediavilla et al. 2019). No samples of environmental media  
1042 collected at the Memorial have been tested for cyanide.

#### 1043 3.4.1.1.6 Metals

1044 Various metals are used as fuels or coloring agents in fireworks. Metals are typically not very  
1045 water soluble; instead they absorb to particulates in the water column or to substrates (i.e., soils).  
1046 As part of the USGS study (2016b), soil samples within the Memorial, as well as reference sites  
1047 located outside the Memorial, were tested for 25 metals. The USGS reported that for 22 of the 25  
1048 metals analyzed, the concentrations in soil were greater at sites located within the Memorial than  
1049 in samples collected at reference sites outside the Memorial. The USGS found that copper and  
1050 lead (83 and 100 mg/kg, respectively) concentrations within soils collected at the sampling site (L-  
1051 8) closest to the previous fireworks launch site (Hall of Records area) were approximately an  
1052 order of magnitude greater than all of the other sample sites. In addition, titanium and barium  
1053 concentrations (1,200 and 190 mg/kg, respectively) were greatest in two sites located within the  
1054 Lafferty Gulch drainage basin (USGS 2016b).

1055 In comparison, data generated from the water samples analyzed for the same suite of 25 metals  
1056 demonstrated that metal concentrations in water at the reference sites (outside the Memorial)  
1057 had concentrations similar to the sites sampled within the Memorial. Based on these results, the  
1058 USGS (2016b) concluded that there is little evidence of metal contamination of water due to  
1059 anthropogenic factors within the Memorial.

#### 1060 3.4.1.2 Fish and Wildlife

1061 See Section 3.3, Wildfire for a description of the affected environment for fish and wildlife.



## 1062 3.4.2 Impacts of Environmental Contaminants in Alternative 1

1063 Under the preferred alternative, a fireworks show would occur at the Memorial in 2020. To  
1064 achieve compliance with national fire codes and standards, federal and state laws, and NPS  
1065 policies (Weeth 2019), the size of the display would be smaller than those previously conducted  
1066 (see Section 2.1.4, Launch Sites and Fireworks Types). While the types of fireworks used under  
1067 the preferred alternative are assumed to be of similar composition to those previously used, the  
1068 sizes of the shells would be smaller to both reduce the minimum separation distance and reduce  
1069 the contaminant loads of the fireworks as much as possible. Another change is the addition of  
1070 pyrotechnics that may not have been used in previous years, although it is assumed the  
1071 composition of these pyrotechnics would be similar to materials used in previous displays.

### 1072 3.4.2.1 Water Quality Impacts

1073 Fireworks contain contaminants that when detonated are likely to be released into the  
1074 environment. In addition, fireworks that do not detonate after launch and are not recovered can  
1075 degrade over time and release contaminants into the environment. The fireworks contaminants  
1076 perchlorate and nitrate are highly soluble and can quickly dissolve into water, while metals  
1077 generally have a lower water solubility at near neutral pH levels. The USGS (2016b) concluded  
1078 that past fireworks displays are the most probable source of perchlorate contamination present in  
1079 soil, surface water, and groundwater at the Memorial. Additionally, the USGS (2016b) noted that  
1080 the groundwater system at the Memorial is highly susceptible to contamination due to the  
1081 hydrogeologic conditions present. The total amount of environmental contaminants released as a  
1082 result of the preferred alternative is not quantifiable given its dependency on many different  
1083 factors. These factors include the number of fireworks launched, the size and type of the  
1084 fireworks used, the efficiency of combustion, and the composition and quality of the fireworks  
1085 used.

1086 The preferred alternative would result in the release of chemicals to environmental media within  
1087 the Memorial, although the amount is expected to be less than that released in previous years.  
1088 Whether future perchlorate concentrations in groundwater used for drinking water will meet  
1089 regulatory standards will be dependent on the EPA's decision regarding the regulatory standard  
1090 for perchlorate. Any increase in fireworks-related contaminant concentrations in soil, surface  
1091 water, and groundwater would be due, in part, to the size and type of fireworks used and the  
1092 duration of the fireworks event (and corresponding number of mortars launched), along with  
1093 solubility, infiltration rate, and attenuation of a given chemical. Different types of fireworks  
1094 include different chemical compositions and in varying concentrations. The combination of these  
1095 factors makes it impossible to predict with any precision the environmental impact of a fireworks  
1096 program. However, the NPS has reduced both the length of time for the fireworks display and the  
1097 size of the fireworks to be used. Previously measured levels of perchlorate at the Memorial were  
1098 the result of 10 years of fireworks shows, using larger and more shells than is proposed in the  
1099 preferred alternative. It is reasonable to assume that the first year of a smaller show would be less  
1100 impactful than the total of all previous events, and that perchlorate concentrations would fall  
1101 within or below previously measured levels. A monitoring program would also be in place to  
1102 ensure that any increase in firework-related contamination would be detected as early as possible.  
1103 Monitoring of environmental media before and after implementation of the preferred alternative  
1104 also would allow for the quantification of any changes in environmental contaminant  
1105 concentrations. The NPS and USGS have proposed to implement a collaborative study to  
1106 conduct pre- and post-display monitoring of soil, surface water, and groundwater within the  
1107 predicted impact areas from the fireworks display. This monitoring program would both evaluate  
1108 the event's impacts on the concentrations of environmental contaminants and would supplement

1109 existing groundwater and drinking water testing that currently occurs at the Memorial. The  
1110 likelihood of adverse impacts increases with the long-term continuation of fireworks events. If  
1111 perchlorate levels in future years exceed previously measured levels, this analysis would need to  
1112 be revisited.

### 1113 3.4.2.2 Human Health Impacts

#### 1114 3.4.2.2.1 Perchlorate, Nitrate, and Thiocyanate

1115 Exposure to perchlorate, nitrate, and thiocyanate can affect the metabolism, reproduction, and  
1116 development of exposed individuals by preventing the uptake of iodide by the thyroid gland,  
1117 which then uses the iodide to produce various thyroid hormones that regulate these processes  
1118 (Gholamian et al. 2011; Lumen et al. 2013; Chen et al. 2014 as cited in Acevedo-Barrios et al. 2017;  
1119 Park et al. 2016). However, health effects only occur at exposure levels considerably higher than  
1120 levels found in the environment (Tarone et al. 2010; Pleus and Corey 2018), including the levels  
1121 found at the Memorial. Nitrate and thiocyanate have the same mode of action as perchlorate  
1122 (Tarone et al. 2010; Tonacchera et al. 2004). While the effects of the three chemicals on the  
1123 thyroid gland are additive, nitrate and thiocyanate have lower potency than perchlorate (Tarone  
1124 et al. 2010). The EPA Interim Drinking Water Health Advisory for perchlorate is 15 µg/L and the  
1125 EPA MCL for nitrate is 10 mg/L (EPA 2019d). As described in Section 3.4.1.1.3, Water Quality,  
1126 perchlorate concentrations have been measured in drinking water samples that sometimes  
1127 exceeded 15 µg/L, with an overall downward trend in concentrations over time. Nitrate in  
1128 drinking water samples has not exceeded the MCL of 10 mg/L, and thiocyanate has not been  
1129 detected in the one sample collected of the finished drinking water supply for the Memorial (see  
1130 Section 3.4.1.1.5, Thiocyanate).

1131 The human route of exposure to perchlorate, nitrate, and thiocyanate at the Memorial is expected  
1132 to be through the drinking water supply. The potential exists that levels of these chemicals in  
1133 drinking water could become elevated following a fireworks display, especially when considering  
1134 the existing elevated levels of both perchlorate and nitrate in the Memorial's drinking water. As  
1135 previously described, the risk of future increases and exposure to these compounds, would  
1136 depend on many factors. These risks of exposure through drinking water at the Memorial would  
1137 be reduced by limiting the number, size, and type of fireworks. The contractor would also be  
1138 required, to the extent possible, to remove unexploded ordnance from the minimum separation  
1139 distance area (Appendix B). The risk of park employees being exposed to elevated levels of these  
1140 chemicals in drinking water would be greatly reduced because a local reverse osmosis system is  
1141 used in staff residences at the Memorial and is effective in removing these chemicals. A  
1142 monitoring program for contaminants, as described previously, would be implemented for pre-  
1143 and post-event monitoring of groundwater and surface water within the area potentially affected  
1144 by the fireworks display. Given the limited potential for exposure and proposed monitoring  
1145 measures, human health effects from perchlorate, nitrate, and thiocyanate are not expected to  
1146 occur.

#### 1147 3.4.2.2.2 Metals

1148 As previously described, the USGS (2016b) concluded that reference site metal concentrations in  
1149 water samples collected outside the Memorial had concentrations within the same range as sites  
1150 within the Memorial, suggesting little evidence of metal contamination of water due to  
1151 anthropogenic factors within the Memorial. However, sediment samples from the surface water  
1152 bodies were not collected for analysis. Given the tendency of metals to absorb to particulate  
1153 matter in the water column, any metals entering surface waters would settle out in bottom

1154 sediments. Therefore, it is unknown if metal contamination of water due to past fireworks  
1155 displays within the Memorial occurred.

1156 A possible pathway for human exposure to metals would be through the drinking water supply.  
1157 However, metals are not very water soluble at neutral pH levels and past testing has not found  
1158 elevated levels of metals in the surface waters at the Memorial (USGS 2016b). As previously  
1159 described for other contaminants, the risk of future increases and exposure to metals would  
1160 depend on many factors, and the risks of exposure through drinking water at the Memorial would  
1161 be reduced by limiting the number, size, and type of fireworks. The risk of Memorial employees  
1162 being exposed to elevated levels of metals in drinking water following a fireworks display also  
1163 would be greatly reduced because a reverse osmosis system is used in staff residences at the  
1164 Memorial. A monitoring program for contaminants, as described previously, would be  
1165 implemented for pre- and post-event monitoring for metals within the area potentially affected by  
1166 the fireworks display. Given the limited potential for exposure along with proposed monitoring  
1167 measures, human health effects from copper, lead, and other metals are not expected to occur.

### 1168 3.4.2.3 Ecological Impacts

#### 1169 3.4.2.3.1 *Perchlorate*

1170 Studies have found that perchlorate affects many species of wildlife, including mammals, birds,  
1171 amphibians, fish, and invertebrates (Srinivasan and Viraraghavan 2009; Jomaa et al. 2014; Eck  
1172 2015; Williams et al. 2015; Acevedo-Barrios et al. 2017) and perchlorate toxicity varies widely  
1173 according to species. Exposure to perchlorate can affect the metabolism, reproduction, and  
1174 development of exposed individuals and irreversible damage can occur if perchlorate interferes  
1175 with these biological processes. The mode of action of perchlorate is to prevent the uptake of  
1176 iodide by the thyroid gland, which then uses the iodide to produce various thyroid hormones that  
1177 regulate these processes (Gholamian et al. 2011; Lumen et al. 2013; Chen et al. 2014 as cited in  
1178 Acevedo-Barrios et al. 2017). Controlled laboratory studies have found that perchlorate has  
1179 limited ability to bioaccumulate in aquatic systems (Williams et al. 2015). The EPA and NPS have  
1180 not set ecological screening values for perchlorate in water or soil (NPS 2018). Perchlorate levels  
1181 in Starling Gulch were elevated compared to background levels, ranging from 0.61 to 19 µg/L,  
1182 while surface water samples from Grizzly Bear Creek showed no signs of contamination (USGS  
1183 2016b).

1184 Because elevated perchlorate concentrations were found at the site closest to the previous  
1185 fireworks launch site, future perchlorate contamination would be expected to be greatest in the  
1186 areas closest to the launch site. The degree and severity of impacts would depend on the chemical  
1187 composition and number of fireworks used, and other variables such as the degree of  
1188 combustion, as previously described for other contaminants. No fish are present in Lafferty  
1189 Gulch; however, adverse impacts on birds, mammals, amphibians, and invertebrates could result  
1190 from increased perchlorate levels following future fireworks displays. Impacts on organisms  
1191 could be expected to occur within hours after the fireworks display and attenuate over time. The  
1192 degree and severity of impacts would depend on the chemical composition and number of  
1193 fireworks used, and other variables such as the degree of combustion, as previously described.  
1194 Because the NPS has reduced both the length of time for the fireworks display and the size of the  
1195 fireworks to be used, it is assumed that the release of perchlorate to environmental media within  
1196 the Memorial would be less than previous fireworks shows and the increase in environmental  
1197 media concentrations would not exceed those measured since monitoring started in 2011. A  
1198 monitoring program would also be in place to ensure that any increase in metals contamination  
1199 would be detected as early as possible (see Section 2.1.6, Monitoring of Environmental  
1200 Contaminants).

1201 3.4.2.3.2 *Nitrate*

1202 Potential adverse impacts on aquatic life from elevated levels of nitrate could include algal  
1203 blooms, which could potentially produce harmful toxins. In addition, once these blooms die off,  
1204 algal decomposition could decrease dissolved oxygen concentrations in the aquatic environment,  
1205 which could result in an increase in fish mortality and other aquatic organisms. High levels of  
1206 nitrates could also have toxic effects on aquatic or terrestrial organisms that ingest the water.  
1207 Nitrate has the same mode of action as perchlorate, inhibition of iodide uptake by the thyroid  
1208 gland. Carmago et al. (2005) reviewed the published data on nitrate toxicity to aquatic species and  
1209 found that long-term exposure to concentrations of 10 mg/L of nitrate (the EPA drinking water  
1210 standard) can adversely affect aquatic invertebrates, fish, and amphibians. A safe level of 2 mg/L  
1211 was recommended to protect freshwater aquatic organisms (Carmago et al. 2005). The NPS has  
1212 not selected ecological screening values for nitrate (NPS 2018).

1213 As described above, water quality sampling in 2006 found that nitrate levels averaged 1.87 mg/L in  
1214 the small unnamed stream in Lafferty Gulch (Rust 2006), which is known to have been impacted  
1215 by past fireworks displays. However, while elevated, the nitrate concentrations measured in 2006  
1216 in Lafferty Gulch were below the 2.0 mg/L recommended to protect freshwater aquatic  
1217 organisms. Use of fireworks would result in the release of nitrates into the environment, which  
1218 could result in increased nitrate levels in streams in the Memorial, especially in the unnamed  
1219 stream in Lafferty Gulch, which has shown increased nitrate levels following past fireworks  
1220 displays. The amount of nitrate distributed to environmental media would be dependent on  
1221 factors discussed previously (e.g., number, size, and type of fireworks used). The NPS has limited  
1222 both the length of time for the fireworks display and the size of the fireworks to be used, which  
1223 would reduce the potential for contamination. Because the NPS has reduced both the length of  
1224 time for the fireworks display and the size of the fireworks to be used, it is assumed that the  
1225 release of nitrate to environmental media within the Memorial would be less than previous  
1226 fireworks shows and the increase in environmental media concentrations would not exceed those  
1227 measured previously. A monitoring program would also be in place to ensure that any increase in  
1228 nitrate contamination would be detected as early as possible (see Section 2.1.6, Monitoring of  
1229 Environmental Contaminants).

1230 3.4.2.3.3 *Thiocyanate*

1231 Thiocyanate can adversely affect both aquatic and terrestrial organisms if ingested. Like  
1232 perchlorate and nitrate, thiocyanate is a goitrogen that can inhibit iodide uptake by the thyroid  
1233 gland. Additional impacts on fish exposed to thiocyanate could also include reduced hemoglobin  
1234 levels via the same mechanism as perchlorate and nitrate (Lanno and Dixon 1996). The NPS has  
1235 not selected ecological screening values for thiocyanate (NPS 2018).

1236 Potential adverse impacts on mammals, fish, amphibians, and invertebrates could result from  
1237 increased thiocyanate concentrations following future fireworks displays. As described in  
1238 Chapter 3, Affected Environment and Environmental Consequences, limited sampling at the  
1239 Memorial did not detect thiocyanate in the Memorial's finished drinking water (site L-7);  
1240 however, surface water, groundwater, and soil at the Memorial have not been tested for  
1241 thiocyanate or cyanide in the event thiocyanate is photochemically degraded.

1242 As previously described, different types of fireworks include different chemical compositions in  
1243 varying concentrations. The amount of thiocyanate distributed to environmental media is  
1244 dependent on factors discussed previously (e.g., number, size, and type of fireworks used). The  
1245 combination of these factors makes it impossible to predict with any precision the amount of  
1246 thiocyanate released from a fireworks program. Because the NPS has reduced both the length of

1247 time for the fireworks display and the size of the fireworks to be used, it is assumed that the  
1248 release of thiocyanate to environmental media within the Memorial would be less than that  
1249 potentially released during previous fireworks shows. A monitoring program would also be in  
1250 place to ensure that any increase in thiocyanate contamination (or cyanide, if there is the potential  
1251 for photochemical degradation) would be detected as early as possible (see Section 2.1.6,  
1252 Monitoring of Environmental Contaminants).

#### 1253 3.4.2.3.4 *Metals*

1254 Copper is highly toxic to fish, amphibians, and invertebrates, while lead also has adverse impacts  
1255 on aquatic organisms such as developmental problems, muscular and neurological degeneration,  
1256 reproductive problems, and paralysis (EPA 2019e). Copper has low potential for  
1257 bioconcentration in fish, but high potential in mollusks, while lead does not bioaccumulate and  
1258 tends to decrease with increasing trophic levels in freshwater habitats (EPA 2019e). As previously  
1259 described, the USGS (2016b) found that concentrations of metals in surface water samples  
1260 collected at the Memorial following past fireworks displays were within the range of  
1261 concentrations collected at the reference sites outside the Memorial. This suggests that 10 years  
1262 of fireworks displays from 1998 through 2009 either did not elevate metals or elevated metals  
1263 attenuated before the first year of USGS monitoring in 2011. The potential exists that metals  
1264 could settle out of the water column and into benthic sediments, and these sediments then could  
1265 be remobilized into the water column each time these bottom sediments are disturbed by high  
1266 water flows. In addition, organisms that live or feed in benthic sediments would have increased  
1267 exposure to metals, if present.

1268 Elevated levels of copper and lead (83 and 100 mg/kg, respectively) were found in soils at the  
1269 sampling site closest to the fireworks launch site in Lafferty Gulch (USGS 2016b). These levels  
1270 exceeded the NPS ecological screening values for birds (28 mg/kg for copper and 56 mg/kg for  
1271 lead) and mammals (49 mg/kg for copper and 11 mg/kg for lead). Potential adverse impacts of  
1272 copper exposure on birds include both reduced growth rates and egg production and  
1273 developmental abnormalities. In mammals, adverse effects can include liver cirrhosis, necrosis in  
1274 the kidneys and brain, gastrointestinal distress, lesions, low blood pressure, and fetal mortality  
1275 (EPA 2019e). Potential adverse impacts on birds and mammals from lead exposure include  
1276 damage to the nervous system, kidneys, and liver; sterility; growth inhibition; developmental  
1277 retardation; and detrimental effects in blood. However, these impacts are generally the result of  
1278 exposure from ingesting lead shot, sinkers, or paint, rather than food chain exposure from  
1279 inorganic lead (EPA 2019e).

1280 Because elevated copper and lead concentrations were found at the site closest to the previous  
1281 fireworks launch site, future copper and lead contamination would be expected to be greatest in  
1282 the areas closest to the launch site. Impacts on birds and mammals from ingestion of copper and  
1283 lead would be expected to be localized near the launch site and within the fallout zone and would  
1284 affect individuals rather than populations. The degree and severity of impacts would depend on  
1285 the chemical composition and number of fireworks used, and other variables such as the degree  
1286 of combustion, as previously described for other contaminants. Because the NPS has reduced  
1287 both the length of time for the fireworks display and the size of the fireworks to be used, it is  
1288 assumed that the release of metals to environmental media within the Memorial would be less  
1289 than previous fireworks shows, and the increase in environmental media concentrations would  
1290 not exceed those measured by the USGS (2016b). A pre- and post-event surface water monitoring  
1291 program would also be in place to ensure that any increase in metals contamination would be  
1292 detected as early as possible (see Section 2.1.6, Monitoring of Environmental Contaminants).

#### 1293 3.4.2.4 Cumulative Impacts

1294 As discussed above, previous fireworks displays contributed to contamination of surface water,  
1295 groundwater, and soil with associated impacts on natural resources within the Memorial.  
1296 Potential future displays would add an additional amount of contaminants to this impacted area.  
1297 This may cause a short-term reversal and long-term extension of the natural attenuation that has  
1298 resulted in reducing perchlorate concentrations in groundwater and surface water since  
1299 fireworks ceased.

### 1300 3.4.3 Impacts of Environmental Contaminants in Alternative 2

1301 Under the no action alternative, no new contaminants would be released to the environment  
1302 from an Independence Day celebration fireworks display. Existing contaminants from previously  
1303 conducted fireworks events would continue to persist for an unknown length of time.  
1304 Unexploded ordnance within the fallout zone not previously collected likely have already  
1305 degraded and released their load of contaminants into the environment. Existing monitoring  
1306 programs at the Memorial would continue. No new impacts on human health and safety or  
1307 natural resources would be expected.

#### 1308 3.4.3.1 Cumulative Impacts

1309 As discussed above, previous fireworks displays contributed to the contamination of water  
1310 resources, which resulted in impacts on natural resources within the Memorial. There would be  
1311 no new impacts under the no action alternative.

## 1312 3.5 Human Health and Safety

1313 The analysis area for human health and safety is the 1,278-acre Memorial area. This area  
1314 encompasses the minimum separation distance for the proposed fireworks event (Figure 4);  
1315 staging and transportation areas for fireworks and associated infrastructure transport (e.g.,  
1316 elevated launch pad and fireworks racks); and visitor and staff ingress/egress points.

### 1317 3.5.1 Current General Conditions – Human Health and Safety

1318 In accordance with NPS *Management Policies 2006* and Director's Order #53 *Special Park Uses*  
1319 (NPS 2010b), fireworks events will be considered unless they pose an unacceptable risk of  
1320 wildland or structural fire, or will cause unacceptable impacts on Memorial resources or values,  
1321 or jeopardize public safety. This section analyzes impacts on visitor and fireworks operator safety  
1322 as a result of the proposed fireworks event. The affected environment description for this  
1323 resource is based on more recent Independence Day celebrations with no fireworks events (2010  
1324 through 2019) and previous fireworks displays (1998 through 2009) to provide a basis for impacts  
1325 of the preferred alternative. For a description of wildfire risk on local communities, see Section  
1326 3.3, Wildfire. For a description of human health and safety impacts from environmental  
1327 contaminants, see Section 3.4, Environmental Contaminants.

#### 1328 3.5.1.1 Visitor Health and Safety

##### 1329 3.5.1.1.1 Previous Fireworks Events (1998 through 2009)

1330 Previous fireworks events drew attendance of up to 8,300 visitors within a small area. Visitors  
1331 viewed the fireworks display and associated pre-display acts in the amphitheater (capacity of  
1332 about 1,800) and Terrace (capacity of 200), with the remainder of the visitors filling into other  
1333 areas of the Visitor Center Complex including the Avenue of Flags, Plaza, and pedestrian

1334 walkways (Figure 4) in a “standing room only” manner. This adversely impacted emergency  
1335 egress and limited the potential for emergency sheltering of visitors during dangerous weather.

1336 The Memorial maintains a parking garage with a capacity of about 1,100 vehicles, which includes  
1337 spaces for recreational vehicles. In addition to vehicular traffic, many visitors would travel from  
1338 Keystone (about 2 miles away) to the Memorial on foot on the day of the fireworks display,  
1339 resulting in a mix of pedestrian and vehicular traffic on SD 244 from Keystone. Pedestrian and  
1340 vehicular ingress and egress are from SD 244, which runs north and south into the Memorial.  
1341 Emergency response vehicles (for emergency medical and wildfire response purposes) also used  
1342 SD 244 before and during the event. Emergency response vehicle ingress and egress during visitor  
1343 arrival and departure periods was restricted because SD 244 is the only option in and out of the  
1344 Memorial.

1345 On the day of the event, the Memorial opened at 6:00 am, and visitors were lined up at the  
1346 Memorial entrance to secure a viewing spot for the evening show, which started about 9:00 pm  
1347 Following the show (usually about 10:00 pm), Memorial staff and local law enforcement  
1348 personnel hired to help with the event allowed pedestrians to leave the Memorial while visitors  
1349 with vehicles were instructed to wait until all pedestrians were off the road (typically a couple of  
1350 hours later).

#### 1351 *3.5.1.1.2 More Recent Independence Day Celebrations (2010 through 2019)*

1352 More recent Independence Day celebrations have included entertainment such as military bands,  
1353 presidential reenactments, and lights on the sculpture. The event schedule is a rotation of 45  
1354 minutes of entertainment and 45 minutes of break throughout the day until about 9:00 pm. Park  
1355 attendance during the 2010 through 2019 Independence Day celebrations ranged from 29,000 to  
1356 36,000 visitors. The entertainment schedule allowed for more frequent rotations of visitors  
1357 throughout the day, who then would likely visit the neighboring towns outside of the Memorial.  
1358 The rotation of entertainment resulted in less visitor and traffic congestion at any one time  
1359 throughout the day than the previous fireworks events, with few ingress and/or egress issues.

#### 1360 **3.5.1.2 Fireworks Operator Health and Safety**

##### 1361 *3.5.1.2.1 Previous Fireworks Events (1998 through 2009)*

1362 Previous fireworks displays were launched from the Hall of Records area, which is about 40 feet  
1363 across at the widest part of the canyon. The Weeth report Section 1123 5.1.4.7 stipulates that “The  
1364 area selected for the discharge of aerial shells shall be located so that the trajectory of the shells  
1365 shall not come within 25 ft. (7.6 m) of any overhead object.” (Weeth 2019). Based on this  
1366 guidance, and the width of the Hall of Records area, with walls that vary in depth from about 80  
1367 to 120 feet from the Hall of Records, the minimum width to ignite fireworks within the canyon is  
1368 50 feet. Furthermore, the Weeth report, which assessed each proposed launch site (Weeth 2019),  
1369 noted that “No portion of the Hall of Records, other than the small area outside the fence in the  
1370 Entry by the top of the steps, has anything that could be considered a Means of Egress, an Exit or  
1371 a Means of Escape during a fireworks display.” Other considerations such as angle of mortar  
1372 being fired, were not considered in previous displays from the Hall of Records area. Recoil can  
1373 drive the mortar into the ground or change the angle of the mortar, which created a hazardous  
1374 situation for fireworks operators during previous displays launched from the canyon.

1375 Prior to previous fireworks displays, delivery of fireworks into the Hall of Records area was  
1376 challenging and laborious based on the terrain and high elevation of the launch site. Fireworks,  
1377 mortar racks, and firing equipment were transported into the canyon using a complex rope and  
1378 pulley system, which took several days leading up to the display. A helicopter also was used at one

1379 point to transport items, but this practice was discontinued due to safety concerns such as uneven  
1380 terrain, difficult landing area, and uncertain weather conditions. The NPS staff transporting  
1381 fireworks were not trained or certified in the safe handling and transport of fireworks, per NFPA  
1382 code, and transported them within an unsafe proximity to visitors.

1383 Although local law enforcement agencies assisted with crowd and traffic control, the limited  
1384 number of Memorial staff available were needed to help with the large number of visitors  
1385 throughout that day. The total number of visitors on the event day is less than typical for a  
1386 summer day at the Memorial; however, during a typical summer day, visitors would spend 1 to 2  
1387 hours at the Memorial, and on July 3rd, visitors would arrive when the Memorial opened and  
1388 spend 16 to 17 hours at the Memorial, resulting in crowded conditions.

1389 The Weeth report (2019) concluded that many of the past practices were not in compliance with  
1390 NFPA codes and standards. Visitor and operator safety concerns outlined in the report included:

- 1391 • Inadequate separation distances to spectator viewing areas from an elevated discharge
- 1392 site, especially with wind (i.e., spectators located within the minimum separation distance)
- 1393 • Hazards of aerial shells bouncing off of overhanging canyon walls
- 1394 • Safety of the fireworks operator crew firing from within the actual Hall of Records,
- 1395 including night operations
- 1396 • Safe capacity and egress of the Visitor Center Complex for spectators

1397  
1398 Other safety concerns with previous displays includes unexploded ordnance and shell debris,  
1399 which remain in areas of the Memorial, as mortars do not always explode and fall to the ground.  
1400 Unexploded ordnance poses a safety risk to visitors who may visit or recreate in areas where  
1401 unrecovered unexploded ordnance remains. It is unknown how much debris and unexploded  
1402 ordnance from previous displays remains within forested and other areas within the Memorial.

#### 1403 3.5.1.2.2 *More Recent Independence Day Celebrations (2010 through 2019)*

1404 No fireworks events occurred from 2010 through 2019. Entertainment provided in those years  
1405 did not have unusual or hazardous operational concerns.

### 1406 3.5.2 **Impacts on Human Health and Safety of Alternative 1**

#### 1407 3.5.2.1.1 *Impacts in Comparison to Previous Fireworks Events (1998 through 2009)*

1408 Under Alternative 1, the preferred alternative, visitor attendance would be limited to about 2,000  
1409 people in the amphitheater and Terrace, which would be within design capacity of the Memorial.  
1410 Compared to previous events, during which more than 8,000 people are estimated to have been  
1411 present within the Memorial, this would result in far less crowding, especially in the plaza and  
1412 walkway areas. Parking would be limited to the capacity of the parking structure, resulting in less  
1413 vehicle/pedestrian conflict and safer, and less congested ingress and egress from the Memorial  
1414 before and after the display than during previous fireworks events. During previous fireworks  
1415 events, emergency responders were hindered by traffic to the Memorial and crowds within the  
1416 Memorial; in comparison, emergency responder access to and from the Memorial under  
1417 Alternative 1 would be greatly improved by keeping area roads and internal paths clear. All  
1418 launch locations would be closed to public access for some time before and after the event, as  
1419 fireworks are staged and cleaned up, which would improve visitor safety relative to previous  
1420 displays. The fireworks event also would be designed so the visitor viewing areas are not in the  
1421 minimum separation distance, ensuring the safety of visitors watching the display, with minimal  
1422 risk of danger from fireworks debris. As in previous years, the NPS and partners would  
1423 implement an incident management decision-making structure, including a Go/No-Go Action



1424 Plan on the day of the display to account for severe weather conditions, such as high winds or  
1425 lightning.

1426 **3.5.2.1.2 Impacts in Comparison to More Recent Independence Day Celebrations (2010 through**  
1427 **2019)**

1428 Under the preferred alternative, relative to more recent Independence Day celebrations, visitor  
1429 attendance, parking, ingress/egress, and emergency response would likely be about the same at  
1430 any one time throughout the day due to the rotation of entertainment and cycling of visitors  
1431 through the Memorial, until 3 pm when the Memorial would be closed. There would still be a  
1432 greater risk to visitor and operator safety from fireworks launching, although this risk would be  
1433 minimized by the nature of the fireworks used and safety precautions implemented per NFPA  
1434 codes and the incident management structure.

1435 **3.5.2.2 Fireworks Operator Health and Safety**

1436 **3.5.2.2.1 Impacts in Comparison to Previous Fireworks Events (1998 through 2009)**

1437 Under the preferred alternative, discharge of fireworks and/or proximate pyrotechnics would  
1438 occur at up to three areas: the Amphitheater area, using pyrotechnics of 2 inches or less; the talus  
1439 slope and Presidential Trail area, using ground level fireworks and some pyrotechnics of 2 inches  
1440 or less; and the Hall of Records area, using aerial fireworks 2 to 5 inches. By comparison, aerial  
1441 fireworks up to 12 inches in diameter were discharged at the Hall of Records area during previous  
1442 events. The use of these discharge areas is subject to the safety limitations identified in the Weeth  
1443 report (2019), and subject to future display design by a licensed fireworks operator and  
1444 operational planning by the NPS. Working within the constraints of NFPA codes would result in  
1445 acceptable operator safety during the event. Many of the safety recommendations in the Weeth  
1446 report were not practiced during previous fireworks events.

1447 The NPS would work with the certified fireworks contractor to develop a plan for staging,  
1448 igniting, and demobilizing for all locations. The NPS staff would no longer handle or transport  
1449 fireworks, unless NPS staff meet all applicable NFPA requirements. The fireworks contractor  
1450 would need to deliver and remove the fireworks and other materials using vehicles, packs, and  
1451 other means. At the Hall of Records area, this may include the use of a helicopter. Transport of  
1452 the fireworks and other materials using a rope and pulley system and helicopter would impose  
1453 some risk on the contractor; however, training and safety precautions taken in the use of these  
1454 techniques would minimize this risk. Launching fireworks from an elevated platform in the Hall  
1455 of Records area would eliminate the hazards of aerial shells striking overhanging canyon walls,  
1456 increasing safety for fireworks operators compared to previous events. However, constructing the  
1457 platform and launching from the platform would involve some fall risk, and contractors would  
1458 need to take appropriate precautions to avoid falls.

1459 As part of the event, the fireworks contractor would assign staff to monitor fireworks for any  
1460 unexploded shells, spot fires, and other concerns. The NPS would establish a quick response  
1461 wildland fire team to respond to any unplanned ignitions, as in previous years. These actions  
1462 would reduce risks associated with unexploded shells and wildfire. Memorial staff would solicit  
1463 assistance from other agencies such as the South Dakota Department of Transportation, local law  
1464 enforcement, and state emergency personnel for event traffic control, visitor management, and  
1465 emergency response.

1466 **3.5.2.2.2 *Impacts in Comparison to More Recent Independence Day Celebrations (2010 through***  
1467 ***2019)***

1468 Under the preferred alternative, fireworks operators would transport fireworks to the Hall of  
1469 Records area, resulting in some risk to operators, based on the terrain, limited accessibility of the  
1470 canyon, and handling of fireworks, compared to more recent Independence Day celebrations  
1471 where no fireworks events occurred. During the fireworks event, handling and launching of  
1472 fireworks would increase risk to operators. The requirement for operators to be certified  
1473 handlers would decrease these risks as they would be trained in the proper transport, handling,  
1474 and ignition of fireworks. Construction and use of a platform in the canyon as a launching spot  
1475 would increase risk to operators due to the height and risk of falls; proper certification by  
1476 operators also would help to mitigate this risk.

1477 **3.5.2.3 Cumulative Impacts**

1478 Previous fireworks events posed a health and safety risk to visitors, Memorial staff, and fireworks  
1479 operators. While the preferred alternative is redesigned from previous fireworks events to  
1480 address these issues, the preferred alternative may result in additional unexploded ordnance and  
1481 debris within the Memorial and may contribute to cumulative impacts on human health and  
1482 safety. Unexploded ordnance and debris from previous fireworks events would persist, which  
1483 poses a risk to visitor and Memorial staff safety. Present and future forest management actions  
1484 such as MPB mitigations and forest thinning may reduce the risk of a catastrophic wildfire,  
1485 resulting in a beneficial effect on human health and safety.

1486 **3.5.3 Impacts on Human Health and Safety of Alternative 2**

1487 Under the no action alternative, the Independence Day celebration at the Memorial would not  
1488 include a fireworks display and would be similar to recent years with various performances and  
1489 activities in the amphitheater. There would be no risk to visitor and staff health and safety from  
1490 fireworks or an increased risk of wildfire danger. There would be no increase in unexploded  
1491 ordnance within the Memorial, although unexploded ordnance from previous fireworks displays  
1492 would persist within the Memorial, posing a potential risk to visitors.

1493 **3.5.3.1 Cumulative Impacts**

1494 Past, present, and reasonably foreseeable future actions that would contribute to cumulative  
1495 effects under the no action alternative would be similar to the preferred alternative; however, in  
1496 the absence of a fireworks event in 2020, no additional health and safety impacts on visitors and  
1497 Memorial staff would occur. Unexploded ordnance and debris from previous fireworks events  
1498 would persist, which poses a risk to visitor and Memorial staff safety.

1499 **3.6 Cultural Resources**

1500 The NPS has defined the area of potential effect for cultural resources as the boundaries of the  
1501 Memorial or about 1,278 acres within the Black Hills of South Dakota. The Memorial was  
1502 established in 1925 to commemorate democratic ideals and institutions and to memorialize four  
1503 presidents who best represented those ideals – Washington, Jefferson, Lincoln, and Theodore  
1504 Roosevelt. The sculpture was the idea of Doane Robinson, State Historian for South Dakota, who  
1505 originally considered constructing the sculpture in Custer State Park. However, Danish-American  
1506 sculptor Gutzon Borglum selected Mount Rushmore and led the planning and construction of  
1507 the sculpture. Planning and execution of the sculpture took place from 1925 to 1941 (Paula S.  
1508 Reed & Associates 2016). Much of the Memorial's infrastructure was built by the Civilian  
1509 Conservation Corps in the late 1930s and early 1940s.

1510 The period of significance for the cultural resources of the Memorial extends from 3,500 BC to  
 1511 AD 1967 in recognition of the precontact archeological resources within the Memorial through  
 1512 the Mission 66 era (Historic Resources Group, Inc. 2013). Recent timeframes in the period of  
 1513 significance include sculpture construction (1925 – 1941), Mission 66 program era (1956 – 1966),  
 1514 and Parkscape USA program (1967 – 1972) (Carr et al. 2015).

### 1515 3.6.1 Current General Conditions – Cultural Resources

#### 1516 3.6.1.1 Mount Rushmore Historic District and Cultural Landscape

1517 The Memorial’s historic district was administratively nominated for listing in the National  
 1518 Register of Historic Places in 1966, affirmed for listing in 1984 under Criterion A (American  
 1519 values and federal work programs), Criterion B (Gutzon Borglum), Criterion C (work of a master  
 1520 and rustic and modern architecture), and Criterion D (archeological data) (NPS 1966, 1984). The  
 1521 historic district was updated in 2013 to encompass the entire Memorial. The 2013 nomination  
 1522 update increased the number of contributing resources from 8 to 33 (Historic Resources Group,  
 1523 Inc. 2013).

1524 Contributing buildings, structures, and objects include the original eight nominated in 1984: the  
 1525 sculpture (formerly titled “Shrine of Democracy”), Hall of Records, Sculptor’s Studio, residence,  
 1526 lift platform, historic compressor (object), one water reservoir, and stairways. Buildings,  
 1527 structures, sites, and objects listed under the 2013 updated nomination include an apartment  
 1528 building for Memorial personnel, a maintenance garage, the Flank restroom, a residence garage,  
 1529 water reservoir, a talus slope of sculpture debris below the sculptures, Observation Point (and  
 1530 associated path), Iron Mountain Road, South Dakota Highway 244, Profile view pull-off, service  
 1531 roads, stone culverts, stone retaining walls, curbing and steps, a guard shack, and the Borglum  
 1532 Memorial View Terrace. Contributing objects include sculpture tools and equipment,  
 1533 searchlights, and telephone poles. Twenty-four buildings and structures are noncontributing to  
 1534 the historic district.

1535 A Cultural Landscape Inventory was conducted in 2014, which identified Spatial Organization,  
 1536 Natural Systems and Features, Cultural Traditions, Circulation, Vegetation, Topography,  
 1537 Buildings & Structures, Small Scale Features, and Views & Vistas as contributing characteristics of  
 1538 the landscape (NPS 2014). The landscape is significant for its preservation of natural resources  
 1539 and the natural setting of the Black Hills. Exposed granite that forms the raw material for the  
 1540 sculptures, rugged terrain, and old growth ponderosa pine are integral components of the natural  
 1541 setting. The vegetation is particularly significant to the setting and feeling. Ponderosa pine was  
 1542 planted in the 1960s to better frame the view toward the sculptures and to screen the talus slope  
 1543 below the sculptures. Old growth ponderosa pine is now extremely rare for the Black Hills (see  
 1544 Section 3.3, Wildfire).

1545 The cultural landscape is also significant for its association with numerous Native American  
 1546 tribes, most notably with the Lakota Sioux who occupied the Black Hills at the time of Euro-  
 1547 American arrival. By the time of Euro-American entry into the area, the Lakota had occupied the  
 1548 Black Hills (or *paha sapa*) since the end of the 18th century. The Black Hills are the “heart of  
 1549 everything that is” (*Wamakaognaka E’Cante*) to the Lakota and is the dwelling place of the Great  
 1550 Spirit (*Wakan Tanka*). The 1868 Treaty of Fort Laramie signed between the federal government  
 1551 and the Sioux tribes established a reservation of 26 million acres, including the Black Hills, but  
 1552 persistent encroachment by white settlers slowly reduced the size of the reservation, eventually  
 1553 excluding the Black Hills. The significance of the Black Hills to tribes cannot be overstated,

1554 especially considering that the American Indian Movement of the 1970s was focused on the Black  
1555 Hills (NPS 2014). Today, 13 sovereign tribal nations are associated with the Memorial.

### 1556 3.6.1.2 Archeological Resources

1557 The updated 2013 historic district nomination includes six significant archeological sites,  
1558 including two precontact Native American artifact scatters, two mining-related sites, and  
1559 segments of the Horse Thief Lake Road (replaced by SD 244) (Historic Resources Group, Inc.  
1560 2013). The updated nomination also identifies a general area original to the carving and early  
1561 tourism period (referred to as the visitor core) that requires further study to determine what is  
1562 original and what was adaptively reused by the NPS. Cultural resource data provided by the  
1563 Midwest Archeological Center identify a total of 34 archeological resources within the Memorial  
1564 boundary. Of these, only two archeological sites date from the precontact period; the remaining  
1565 sites are historical and predominantly mining related. The number of significant archeological  
1566 resources is comparatively few given the size of the Memorial and when compared to the  
1567 surrounding region (Rom et al. 1996).

### 1568 3.6.2 Impacts on Cultural Resources of Alternative 1

1569 The preferred alternative has the potential to cause both direct and indirect impacts on  
1570 contributing resources to the historic district and cultural landscape. The 2015 *Foundation*  
1571 *Document: Mount Rushmore National Memorial* identifies fireworks as a major threat to the  
1572 sculpture. If fireworks are launched from the Hall of Records area, short-term impacts would  
1573 occur on the Hall of Records area from construction of a platform from which the fireworks  
1574 mortars would be launched from within the canyon leading to the Hall of Records. The fireworks  
1575 show would lead to the deposition of unexploded ordnance and mortar debris within the  
1576 minimum separation distance, causing adverse impacts on the historic district and cultural  
1577 landscape. Although it would be the responsibility of the fireworks contractor to remove  
1578 unexploded ordnance and fireworks debris from the minimum separation distance, the rugged  
1579 topography of the area would preclude complete recovery of unexploded ordnance and debris.  
1580 Unexploded ordnance fallout and fireworks malfunction have the potential to cause impacts on  
1581 buildings, structures, and the cultural landscape from burn marks and scorching. A fireworks  
1582 malfunction within the Hall of Records area could cause adverse impacts on the walls and the  
1583 entrance to the Hall of Records. Elevating the platform above the Hall of Records reduces the  
1584 potential for adverse impacts.

1585 Impacts on the historic district and cultural landscape could occur from unexploded ordnance  
1586 fallout, the ignition of wildfires, and the subsequent response to contain and extinguish the  
1587 wildfire. Wildfire has the potential to impact contributing resources to the historic district,  
1588 especially combustible resources such as buildings, and to adversely impact the cultural  
1589 landscape, including vegetation, natural systems, views and vistas, and cultural values and  
1590 traditions. Wildfire response could require overland access by brush trucks and the excavation of  
1591 hand lines to contain the fire. See Section 3.3, Wildfire for additional information on the impacts  
1592 of wildfire.

1593 Tribal consultation conducted by the NPS to evaluate the effects of reinstating a fireworks show  
1594 at the Memorial has identified concerns about the appropriateness of celebrating Independence  
1595 Day at the Memorial. As noted above, the Black Hills are most sacred to the Sioux tribes and there  
1596 remains significant lingering issues with the very establishment of the Memorial in an area of  
1597 profound cultural value to Sioux tribes, much less conducting an event that some may associate

1598 with the loss of traditional territory ceded through treaty. Therefore, the event itself would have  
1599 an adverse effect on the cultural values of Native American tribes.

1600 The few significant archeological resources within the Memorial would not likely be impacted by  
1601 fireworks directly, and likely would not be adversely affected by wildfire or wildfire response.  
1602 These few resources would be avoidable using specific response measures, including construction  
1603 of hand lines rather than using large mechanized equipment (see Appendix B).

#### 1604 **3.6.2.1 Cumulative Impacts**

1605 Past, present, and reasonably foreseeable future actions include past fireworks shows (1998 to  
1606 2001 and 2003 to 2009) that have left unexploded ordnance and debris across the historic district  
1607 and cultural landscape. Much of the past unexploded ordnance and debris has fallen on the talus  
1608 slope, a contributing resource to the historic district and cultural landscape. Past fireworks events  
1609 have left burn marks on top of the sculpture and embedded plastic debris. The preferred  
1610 alternative would result in additional unexploded ordnance and debris on the landscape. MPB  
1611 infestation has already led to the loss of portions of the ponderosa pine forest, increasing the risk  
1612 of wildfire and the loss of vegetation that contributes to the cultural landscape (see Section 3.3,  
1613 Wildfire). Impacts from previous displays would persist, including burn marks on the top of the  
1614 sculpture.

#### 1615 **3.6.3 Impacts on Cultural Resources of Alternative 2**

1616 Under the no action alternative, the Independence Day celebration at the Memorial would not  
1617 include a fireworks display and would be similar to recent years with various performances and  
1618 activities in the amphitheater. There would be no additional impacts on cultural resources from  
1619 unexploded ordnance or fireworks debris, or additional risk of wildfire from a fireworks display.  
1620 Impacts from previous displays would persist, including burn marks on the top of the sculpture.

#### 1621 **3.6.3.1 Cumulative Impacts**

1622 Past, present, and reasonably foreseeable future actions that would contribute to cumulative  
1623 effects under the no action alternative would be similar to the preferred alternative; however, in  
1624 the absence of a fireworks display in 2020, no additional unexploded ordnance, debris, or other  
1625 cumulative effects on cultural resources would occur.

1626

## Chapter 4. Consultation and Coordination

### 1627 4.1 Agency Consultation

1628 Personnel from the NPS Regional Office (Department of the Interior Unified Regions 3, 4, and 5);  
 1629 Mount Rushmore National Memorial; and the Environmental Quality Division were involved  
 1630 with the preparation of this EA. The NPS also coordinated with the following agencies for  
 1631 preparation of this EA:

1632 Black Hills National Forest  
 1633 South Dakota State Historic Preservation Office  
 1634 State of South Dakota Governor's Office  
 1635 U.S. Fish and Wildlife Service  
 1636 U.S. Forest Service  
 1637 U.S. Geological Survey

### 1638 4.2 Tribal Consultation

1639 The Memorial invited the following 13 tribes to consult on this project:

1640 Arapaho Tribe of the Wind River Reservation, Wyoming  
 1641 Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana  
 1642 Cheyenne River Sioux Tribe of the Cheyenne River Reservation  
 1643 Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota  
 1644 Flandreau Santee Sioux Tribe of South Dakota  
 1645 Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota  
 1646 Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation  
 1647 Oglala Sioux Tribe  
 1648 Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota  
 1649 Spirit Lake Tribe, North Dakota  
 1650 Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota  
 1651 Standing Rock Sioux Tribe of North & South Dakota  
 1652 Yankton Sioux Tribe of South Dakota

1653 Letters were sent to each tribal leader and cultural resource contact in September and December  
 1654 2019. Emails were also sent to each tribe in August, September, October, November, and  
 1655 December 2019. All 13 tribes were invited to participate in an internal scoping workshop on the  
 1656 project, held on October 21-22, 2019; no tribal representatives attended this meeting, and the  
 1657 notes were distributed to all 13 tribes. The internal administrative draft of the Environmental  
 1658 Assessment was also provided to these 13 tribes for review and comment on December 20,  
 1659 2019.

1660 A comment letter (see Appendix C) from Chairman Boyd Gorneau of the Lower Brule Sioux  
 1661 Tribe was received on January 2, 2020. Chairman Gorneau stated that the tribe “objects to the  
 1662 reintroduction of fireworks on the top of Mt. Rushmore” and “cannot countenance or agree with  
 1663 an activity that so clearly ignores the realities of our history and spiritual beliefs.”

1664 In the letter sent on December 9, 2019, the NPS invited the 13 tribes to attend a government-to-  
 1665 government consultation meeting on January 15, 2020 in Rapid City, South Dakota. Five tribes

1666 (Northern Cheyenne Tribe, Spirit Lake Tribe, Assiniboine and Sioux Tribes of Fort Peck,  
1667 Northern Arapaho, and Rosebud Sioux Tribe) attended this meeting.

1668 Several substantive comments and recommendations were recorded at the meeting. The tribes in  
1669 attendance requested that an additional cultural sites survey be conducted, involving tribal  
1670 archeologists. An additional meeting to plan for this survey is tentatively scheduled for February  
1671 20-21, 2020; all tribes traditionally associated with the Black Hills of South Dakota will be invited  
1672 to attend. The cultural sites survey would occur in March or April 2020, and an additional  
1673 government-to-government consultation meeting regarding the Independence Day event would  
1674 then be planned following the survey. The purpose of this meeting would be to develop  
1675 mitigation and avoidance strategies for any resources discovered during the tribal survey effort.

1676

## Chapter 5. List of Preparers and Contributors

- 1677 National Park Service, Mount Rushmore National Memorial
- 1678 National Park Service, Environmental Quality Division
- 1679 U.S. Department of the Interior, Unified Regions 3, 4, and 5
- 1680 ERO Resources Corporation



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## Chapter 6. References

- 1682 Abernethy, I. 2018. White-Nose Syndrome Surveillance Across Northern Great Plains National  
1683 Park Units 2018 Interim Report. CESU Cooperative Agreement P17AC01135. Wyoming  
1684 Natural Diversity Database. Prepared for the National Park Service.
- 1685 Acevedo-Barrios, R., C. Sabater-Marco, and J. Olivero-Verbel. 2017. Ecotoxicological assessment  
1686 of perchlorate using in vitro and in vivo assays. *Environmental Science and Pollution Research*  
1687 (2018) 25:13697–13708. In: Chen H.X., M.H. Ding, Q. Liu, and K.L. Peng. 2014. Change of  
1688 iodine load and thyroid homeostasis induced by ammonium perchlorate in rats. *J Huazhong*  
1689 *Univ Sci Technol (Med Sci)* 34(5):672–678.
- 1690 Arno, S.F. 2000. Chapter 5. Fire in Western Forest Ecosystems. In: J.K. Brown and J.K. Smith  
1691 (eds.), pp. 97-120, *Wildland fire in ecosystems: effects of fire on flora*. USDA Forest Service,  
1692 General Technical Report RMRS-GTR-42-vol 2.  
1693 [https://www.fs.fed.us/rm/pubs/rmrs\\_gtr042\\_2.pdf](https://www.fs.fed.us/rm/pubs/rmrs_gtr042_2.pdf).
- 1694 Ashton, I.W., C.J. Davis, and D.J. Swanson. 2019. Plant community composition and structure at  
1695 Mount Rushmore National Memorial: 2011–2017 summary report. Natural Resource Report  
1696 NPS/NGPN/NRR—2019/1951. National Park Service, Fort Collins, Colorado.
- 1697 Ashton, I.W., M. Prowatzke, M.R., Bynum, T. Shepherd, S.K., Wilson, K. Paintner-Green, and D.  
1698 Swanson. 2012. Status of Forest Structure and Fuel Loads at Mount Rushmore National  
1699 Memorial. Natural Resource Technical Report NPS/NCCN/NRTR-2012/591.  
1700 <https://irma.nps.gov/Datastore/DownloadFile/450280>.
- 1701 Bixby, R.J., S.D. Cooper, R.E. Gerstswell, L.E. Brown, C.N. Dahm, and K.A. Dwire. 2015. Fire  
1702 effects on aquatic ecosystems: an assessment of the current state of science. *Freshwater Science*  
1703 34(4):1340-1350.
- 1704 Brown, J.K. and J.K. Smith. 2000. *Wildland fire in ecosystems: effects of fire on flora*. General  
1705 Technical Report RMRS-GTR-42, Volume 2. Ogden, UT: U.S. Department of Agriculture,  
1706 Forest Service, Rocky Mountain Research Station. 257 pp.
- 1707 Cao, F., J. Jaunat, N. Sturchio, B. Cances, X. Morvan, A. Devos, V. Barbin, and P. Ollivier. 2019.  
1708 Worldwide occurrence and origin of perchlorate ion in waters: A review. *Science of the Total*  
1709 *Environment* 661:737-749.
- 1710 Carmago, J.A., A. Alonso, and A. Salamanca. 2005. Nitrate toxicity to aquatic animals: a review  
1711 with new data for freshwater invertebrates. *Chemosphere* 58:1255-1267.
- 1712 Carr, E., E. Jackson-Retondo, and L. Waren. 2015. National Register of Historic Places Multiple  
1713 Property Documentation Form. National Park Service Mission 66 Era Resources. Prepared by  
1714 the National Park Service. On file at the Office of Archeology and Historic Preservation,  
1715 Denver.
- 1716 Carroll, F.O. 2016. Wildfire Impact Analysis of the Oil Creek Fire. Unpublished.
- 1717 Carroll, F. 2019. Personal observation from Frank Carroll.
- 1718 Chen H.X., M.H. Ding, Q. Liu, and K.L. Peng. 2014. Change of iodine load and thyroid  
1719 homeostasis induced by ammonium perchlorate in rats. *J Huazhong Univ Sci Technol (Med Sci)*  
1720 34(5):672–678.

- 1721 Eck, W.S. 2015. Wildlife Toxicity Assessment for Perchlorate. In: M.A. Williams, G. Reddy, M.J.  
1722 Quinn, and M.S. Johnson (eds.). *Wildlife Toxicity Assessments for Chemicals of Military Concern*  
1723 (655 pp.). Waltham, MA: Elsevier.
- 1724 Gholamian F., M.A. Sheikh-Mohseni, and M. Salavati-Niasari. 2011. Highly selective  
1725 determination of perchlorate by a novel potentiometric sensor based on a synthesized complex  
1726 of copper. *Mater Sci Eng, C* 31(8):1688–1691. <https://doi.org/10.1016/j.msec.2011.07.017>.
- 1727 Graham, R.T., L.A. Asherin, M.A. Battaglia, T.B. Jain, and S.A. Mata. 2016. Mountain Pine Beetles:  
1728 A Century of Knowledge, Control Attempts, and Impacts Central to the Black Hills. General  
1729 Technical Report RMRS-GTR-353. Fort Collins, CO: U.S. Department of Agriculture, Forest  
1730 Service, Rocky Mountain Research Station. 193 pp.  
1731 [https://www.fs.fed.us/rm/pubs/rmrs\\_gtr353.pdf](https://www.fs.fed.us/rm/pubs/rmrs_gtr353.pdf).
- 1732 Historic Resources Group, Inc. 2013. National Register of Historic Places Registration Form.  
1733 Prepared by M.D. Gengler and L. Sargent. July.
- 1734 Jacob, J. M. 2014. Record of Observations and Recommendations for Preservation Treatments  
1735 and Monitoring of Conditions. National Park Service, Northwest Region, Historic  
1736 Architecture, Conservation, and Engineering Center.
- 1737 Jomaa B., S.A. Hermsen, M.Y. Kessels, J.H.J. van den Berg, A.C. Peijnenburg, J.M. Aarts, A.H.  
1738 Piersma, and I.M. Rietjens. 2014. Development toxicity of thyroid-active compounds in a  
1739 zebrafish embryotoxicity test. *Altex*. 31(3):303-317.
- 1740 Lanno, R.P. and D.G. Dixon. 1996. The comparative chronic toxicity of thiocyanate and cyanide  
1741 to rainbow trout. *Aquatic Toxicology* 36:(3-4)177-187.
- 1742 Licht, D.S. 2018. Acoustic Surveys of Bats at Northern Great Plains Parks, 2017 Data Report.  
1743 National Park Service, Fort Collins, Colorado.
- 1744 Lumen A., D.R. Mattie, and J.W. Fisher. 2013. Evaluation of perturbations in serum thyroid  
1745 hormones during human pregnancy due to dietary iodide and perchlorate exposure using a  
1746 biologically based dose-response model. *Toxicology Science* 133(2):320–341.  
1747 <https://doi.org/10.1093/toxsci/kft078>.
- 1748 Marriott, H. and C. Mayer. 2005. Report on Floristic Inventories of Lafferty Gulch and Starling  
1749 Basin, Mount Rushmore National Memorial, South Dakota. – T&E Leedy’s roseroot.
- 1750 Matseur, E.A., F.R. Thompson, B.E. Dickerson, M.A. Rumble, and J.J. Millsbaugh. 2018. Black-  
1751 Backed Woodpecker Abundance in the Black Hills. *The Journal of Wildlife Management*  
1752 82(5):1039-1048. Available online:  
1753 [https://www.fs.fed.us/rm/pubs\\_journals/2018/rmrs\\_2018\\_matseur\\_e001.pdf](https://www.fs.fed.us/rm/pubs_journals/2018/rmrs_2018_matseur_e001.pdf)
- 1754 Mediavilla, J.J.V., B.F. Perez, M.C.F. Cordoba, J.A. Espina, and C.O. Ania. 2019. Photochemical  
1755 Degradation of Cyanides and Thiocyanates from an Industrial Wastewater. *Molecules* 24, 1373.
- 1756 Narumalani, S., G.D. Wilson, C.K. Lockert, and P.B. Merani. 2009. Mount Rushmore National  
1757 Memorial Condition Assessment NPS/ NRPC/ WRD/NRR – 2009/115. Great Plains  
1758 Cooperative Ecosystem Studies Unit, University of Nebraska-Lincoln.  
1759 <http://npshistory.com/publications/moru/nrr-2009-115.pdf>. June.
- 1760 National Park Service (NPS). 1966. National Register of Historic Places Inventory Nomination  
1761 Form. Prepared by M.S. Lindberg. November.
- 1762 National Park Service (NPS). 1984. National Register of Historic Places Inventory Form.

- 1763 National Park Service (NPS). 2002. Inventories of Vascular Plants and Vertebrates – Study Plan  
1764 FY 2001-2004. Northern Great Plains Network. April.
- 1765 National Park Service (NPS). 2003. Finding of No Significant Impact Mount Rushmore National  
1766 Memorial Fire Management Plan.
- 1767 National Park Service (NPS). 2006. NPS Management Policies.  
1768 [https://www.nps.gov/policy/MP\\_2006.pdf](https://www.nps.gov/policy/MP_2006.pdf).
- 1769 National Park Service (NPS). 2008. Series: National Park Service Geodiversity Atlas.  
1770 <https://www.nps.gov/articles/series.htm?id=E6B9E368-1DD8-B71B-0B63AA49B7091501>.
- 1771 National Park Service (NPS). 2010a. Mount Rushmore National Memorial Mountain Pine Beetle  
1772 Resource Assessment and Action Plan.  
1773 [https://parkplanning.nps.gov/document.cfm?parkID=152&projectID=30488&documentID=3](https://parkplanning.nps.gov/document.cfm?parkID=152&projectID=30488&documentID=33582)  
1774 3582.
- 1775 National Park Service (NPS). 2010b. Director’s Order #53: Special Park Uses.  
1776 <https://www.nps.gov/policy/DOrders/DO53.htm>.
- 1777 National Park Service (NPS). 2014. Cultural Landscapes Inventory Mount Rushmore National  
1778 Memorial.
- 1779 National Park Service (NPS). 2016. Soils – Mount Rushmore National Memorial South Dakota.  
1780 <https://www.nps.gov/moru/learn/nature/soils.htm>
- 1781 National Park Service (NPS). 2018. NPS Protocol for the Selection and Use of Ecological  
1782 Screening Values for Non-Radiological Analytes. Prepared by: National Park Service  
1783 Contaminants Cleanup Branch (CCB) with technical support from: CDM Smith, Denver,  
1784 Colorado. Revision 3. November.
- 1785 National Park Service (NPS). 2019. Prescribed Burn Plan for the Presidential Trail and Xanterra.  
1786 Mount Rushmore National Memorial. October 2.
- 1787 Neary, D.G., K.C. Ryan, and L.F. DeBano. 2008. Wildland fire in ecosystems: effects of fire on  
1788 soils and water. General Technical Report RMRS-GTR-42, Volume 4. Ogden, UT. U.S.  
1789 Department of Agriculture, Forest Service, Rocky Mountain Research Station. 102 p.  
1790 [https://www.firescience.gov/projects/98-S-01/project/Soil\\_and\\_Water.pdf](https://www.firescience.gov/projects/98-S-01/project/Soil_and_Water.pdf).
- 1791 Panjabi, A. 2006. Bird Inventories and Monitoring on National Park Service Units in the Northern  
1792 Great Plains, 2002-2004. Rocky Mountain Bird Observatory, Brighton, Colorado. 68 pp.
- 1793 Park, D., K.L. Freel, K.D. Daniels, and C.R. Propper. 2016. Interactions between a small chronic  
1794 increase in diel water temperature and exposure to a common environmental contaminant on  
1795 development of Arizona tiger salamander larvae. *General and Comparative Endocrinology*  
1796 238:69-77.
- 1797 Paula S. Reed & Associates. 2016. Shrine of Democracy and Sacred Stone – Historic Resource  
1798 Study Mount Rushmore National Memorial South Dakota. Prepared by P.S. Reed and E.B.  
1799 Wallace.
- 1800 PB Energy Storage Services, Inc. (PB Energy). 2011. Common Chemical Compounds Found in  
1801 Commercial Fireworks. March 28.
- 1802 Pence, M. and T. Zimmerman. 2011. The Wildland Fire Decision Support System: Integrating  
1803 Science, Technology, and Fire Management. Fire Management Today.  
1804 [https://www.fs.fed.us/rm/pubs\\_other/rmrs\\_2011\\_pence\\_m001.pdf](https://www.fs.fed.us/rm/pubs_other/rmrs_2011_pence_m001.pdf).

- 1805 Pleus, R.C. and L.M. Corey. 2018. Environmental exposure to perchlorate: A review of toxicology  
1806 and human health. *Toxicology and Applied Pharmacology* 358:102-109.
- 1807 Poluga, S.L., A. Shakoor, and E.L. Bilderback. 2018. Rock Mass Characterization and Stability  
1808 Evaluation of Mount Rushmore National Memorial, Keystone, South Dakota. *Environmental*  
1809 *& Engineering Geoscience* 24(4):385-412.
- 1810 Rom, L., T. Church, and M. Church. 1996. Black Hills National Forest Cultural Resources  
1811 Overview. Volume 1 – Synthetic Summary. Prepared for the USDA Forest Service, Black Hills  
1812 National Forest, Custer, South Dakota.
- 1813 Rust, J. 2006. Establishing Baseline Data for Aquatic Resources in National Parks of the Northern  
1814 Great Plains Network. Thesis submitted in partial fulfillment of the requirements for the  
1815 degree of Masters of Science, South Dakota State University.
- 1816 Schmidt, C.A., P.D. Sudman, S.R. Marquardt, and D.S. Licht. 2004. Inventory of Mammals at Ten  
1817 National Park Service Units in the Northern Great Plains from 2002-2004. Northern Great  
1818 Plains Inventory and Monitoring Coordinator, National Park Service. December.
- 1819 Shepperd, W.D. and M.A. Battaglia. 2002. Ecology, Silviculture, and Management of Black Hills  
1820 Ponderosa Pine. General Technical Report RMRS-GTR-97. Fort Collins, CO: U.S. Department  
1821 of Agriculture, Forest Service, Rocky Mountain Research Station. 112 pp.  
1822 [https://www.fs.fed.us/rm/pubs/rmrs\\_gtr097.pdf](https://www.fs.fed.us/rm/pubs/rmrs_gtr097.pdf).
- 1823 Smith, J.K., ed. 2000. Wildland Fire in Ecosystems: Effects of Fire on Fauna. Gen. Tech. Rep.  
1824 RMRS-GTR-42-vol. 1. Ogden, UT: U.S. Department of Agriculture, Forest Service, Rocky  
1825 Mountain Research Station.
- 1826 Smith, B.E., J.L. Massie, and B.G. Blake. 2004. Inventory of Reptiles and Amphibians at Seven  
1827 National Park Service Units in the Northern Great Plains from 2002-2003. Northern Great  
1828 Plains Inventory and Monitoring Coordinator, National Park Service. December.
- 1829 South Dakota Department of Game, Fish, and Parks. 2014. South Dakota Wildlife Action Plan.  
1830 Available online: <https://gfp.sd.gov/wildlife-action-plan/>
- 1831 Srinivasan. A. and T. Viraraghavan. 2009. Perchlorate: Health Effects and Technologies for Its  
1832 Removal from Water Resources. *Int. J. Environ. Res. Public Health* 2009(6):1418-1442.
- 1833 Symstad A.J. and M. Bynum. 2005. The extent and significance of old-growth ponderosa pine  
1834 forest at Mount Rushmore National Memorial. Keystone, South Dakota: U.S. Geological  
1835 Survey internal report.
- 1836 Tarone, R.E., L. Lipworth, and J.K. McLaughlin. 2010. The Epidemiology of Environmental  
1837 Perchlorate Exposure and Thyroid Function: A Comprehensive Review. *Journal of*  
1838 *Occupational and Environmental Medicine* 52(6). June.
- 1839 Tonacchera, M., A. Pinchera, A. Dimida, E. Ferrarini, P. Agretti, P. Vitti, F. Santini, K. Crump, and  
1840 J. Gibbs. 2004. Relative Potencies and Additivity of Perchlorate, Thiocyanate, Nitrate, and  
1841 Iodine on the Human Inhibition of Radioactive Iodine Uptake by the Human Sodium Iodide  
1842 Symporter. *Thyroid* 14(12).
- 1843 U.S. Department of Agriculture, Forest Service (USFS). 2006. Black Hills National Forest Land  
1844 Management Plan. Rocky Mountain Region. 1997 Revision Phase II Amendment.  
1845 [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd592921.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd592921.pdf).
- 1846 U.S. Environmental Protection Agency (EPA). 2019a. Perchlorate in Drinking Water, Drinking  
1847 Water Contaminants – Standards and Regulations.

- 1848 <https://www.epa.gov/dwstandardsregulations/perchlorate-drinking-water>. Last accessed  
1849 November 12, 2019.
- 1850 U.S. Environmental Protection Agency (EPA).2019b. National Primary Drinking Water  
1851 Regulations: Regulation of Perchlorate. Available at:  
1852 <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=201810&RIN=2040-AF28>. Last  
1853 accessed on January 9, 2020.
- 1854 U.S. Environmental Protection Agency (EPA).2019c. Personal communication with L. Christ,  
1855 Chief of the Targeting and Analysis Branch, Office of Ground Water and Drinking Water.  
1856 Washington, D.C. December 4.
- 1857 U.S. Environmental Protection Agency (EPA). 2019d. National Primary Drinking Water  
1858 Regulations. [https://www.epa.gov/ground-water-and-drinking-water/national-primary-](https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations)  
1859 [drinking-water-regulations](https://www.epa.gov/ground-water-and-drinking-water/national-primary-drinking-water-regulations). Last accessed November 18, 2019.
- 1860 U.S. Environmental Protection Agency (EPA).2019e. Toxicity Profiles: a brief discussion of the  
1861 general fate and transport processes associated with selected groups of Contaminants of  
1862 Potential Ecological Concern.  
1863 <https://archive.epa.gov/reg5sfun/ecology/web/html/toxprofiles.html>.
- 1864 U.S. Fish and Wildlife Service (USFWS). 2016. Programmatic Biological Opinion on Final 4(d)  
1865 Rule for the Northern long-eared bat and Activities Excepted from Take Prohibitions, U.S.  
1866 Fish and Wildlife Service Regions 2, 3, 4, 5 and 6. January.
- 1867 U.S. Fish and Wildlife Service (USFWS). 2019. Endangered and Threatened Wildlife and Plants;  
1868 4(d) Rule for the Northern Long-Eared Bat. Volume 81. No. 9. 50 CFR Part 17.  
1869 [https://www.fws.gov/midwest/Endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.](https://www.fws.gov/midwest/Endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf)  
1870 [pdf](https://www.fws.gov/midwest/Endangered/mammals/nleb/pdf/FRnlebFinal4dRule14Jan2016.pdf). Last updated December 2, 2019.
- 1871 U.S. Geological Survey (USGS). 2016a. Monitoring the Impacts of the Rim Fire on Tuolumne  
1872 River Water Quality. [https://www.usgs.gov/centers/ca-water/science/monitoring-impacts-rim-](https://www.usgs.gov/centers/ca-water/science/monitoring-impacts-rim-fire-tuolumne-river-water-quality?qt-science_center_objects=0#qt-science_center_objects)  
1873 [fire-tuolumne-river-water-quality?qt-science\\_center\\_objects=0#qt-science\\_center\\_objects](https://www.usgs.gov/centers/ca-water/science/monitoring-impacts-rim-fire-tuolumne-river-water-quality?qt-science_center_objects=0#qt-science_center_objects).
- 1874 U.S. Geological Survey (USGS). 2016b. Perchlorate and Selected Metals in Water and Soil within  
1875 Mount Rushmore National Memorial, South Dakota, 2011-15. Scientific Investigations Report  
1876 2016–5030.
- 1877 Weeth & Associates, LLC (Weeth). 2019. Mount Rushmore (MORU) Fireworks & Pyrotechnics  
1878 Code & Best Practices Evaluation. November.
- 1879 White, R.G., W.G. Gould, and W.P. Dwyer. 2002. Fish Inventories of Five Parks in the Northern  
1880 Great Plains Network. February 12.
- 1881 Wilkin, R.T., D.F. Dennis, and N.G. Burnett. 2007. Perchlorate Behavior in a Municipal Lake  
1882 Following Fireworks Displays. *Journal of Environmental Science & Technology* 41(11):3966-  
1883 3971.
- 1884 Williams, M.A., G. Reddy, M.J. Quinn Jr., M.S. Johnson. 2015. Wildlife Toxicity Assessments for  
1885 Chemicals of Military Concern. Elsevier.
- 1886 Wright, H.A. and A.W. Bailey. 1982. Fire Ecology: United States and Southern Canada. Wiley &  
1887 Sons. 501 pp.

1

# Chapter 7. Appendices

2

# 1 Appendix A. Issues Dismissed from Detailed Analysis

2 Issues related to socioeconomics, visitor experience, percussive impacts, night skies, wilderness  
3 character, threatened and endangered species, and air quality were dismissed from detailed  
4 analysis as described below.

## 5 Socioeconomics

6 This section addresses potential socioeconomic effects of the fireworks event on local  
7 communities, Memorial visitation, and the Memorial concessioner. The preferred alternative  
8 assumes the proposed 2020 fireworks event would be a ticketed event on July 3rd for about 2,000  
9 visitors (see Section 2.1, Alternative 1 (Proposed Action and Preferred Alternative): Host an  
10 Independence Day Fireworks Event on July 3rd for an Amphitheater Audience for a description  
11 of the preferred alternative). On the day of the event, the Memorial would be open to the public  
12 until approximately 3:00 pm, with ticket holder entry to start at 5:00 pm (normal Memorial  
13 closure is 11:00 pm).

## 14 Local Communities

15 Previous fireworks events at the Memorial negatively affected local businesses in the town of  
16 Keystone. The capacity of the Memorial parking areas was quickly exceeded during these events,  
17 and visitors would park in the town of Keystone, obstructing the typical visitor turnover for local  
18 businesses throughout the day and evening. Under the preferred alternative, vehicular access  
19 along a portion of SD 244 and visitor access to the Memorial for the event would be limited to  
20 ticket holders. Nonticketed visitors would not be permitted to congregate outside the Memorial  
21 along SD 244 or walk from Keystone to view the proposed fireworks event from the nearby  
22 hillsides. These restrictions would eliminate the negative the parking and visitor turnover impacts  
23 in Keystone that were experienced with previous Memorial fireworks shows.

24 Restarting the Memorial fireworks event may affect attendance and visitor spending at other local  
25 community 4th of July events. The proposed 2020 fireworks event would occur on July 3rd and is  
26 not expected to conflict with the six nearby community fireworks displays in Pennington or  
27 Custer County. In 2018, Rapid City and nearby communities hosted fireworks displays on June  
28 28th, July 2nd, and July 4th. The town of Custer hosted Custer's Old Time Country Fourth of July  
29 Celebration fireworks display on July 4th. Therefore, the Memorial event is not anticipated to  
30 impact 4th of July activities in other nearby communities.

31 Memorial Visitation Visitors to the Memorial include those who arrive in private vehicles or  
32 commercial tour buses and visit the Memorial facilities, as well as visitors viewing the granite  
33 statues of Washington, Jefferson, Lincoln, and Roosevelt (sculpture) from various locations along  
34 SD 244. Based on the three-year (2017-2019) estimated daily visitation records, an average of  
35 28,500 visits occur on July 3rd. Memorial parking garage traffic volume data from July 3, 2019  
36 were reviewed to estimate the proportion of daily visitors that could be impacted by the 3:00 pm  
37 public Memorial closing. Approximately 51 percent of the daily visitors (14,500 visits from the  
38 three-year July 3rd average) arrived on commercial tour buses or visited the sculpture, but did not  
39 enter, the Memorial facilities. No data are available to determine the timing of commercial bus  
40 tours and visitors to the Memorial outside of the Memorial facilities. It is assumed that  
41 commercial bus tour operators would be aware of, and adapt to, the 3:00 pm public closure under  
42 the preferred alternative.

1 The remaining 49 percent of the July 3, 2019 visitors (14,000 visits from the three-year July 3rd  
2 average) arrived in private vehicles and parked in the visitor parking garage. Arrival time data  
3 from the parking garage revealed that approximately 75 percent of these visitors (10,500 visits  
4 from the three-year July 3rd average) arrived at the Memorial before 3:00 pm, with peak visitation  
5 (more than 53 percent) occurring between 8:30 am and 1:00 pm. Based on these estimates,  
6 approximately 3,500 visits from the three-year July 3rd average could have occurred after 3:00 pm  
7 from visitors arriving in private vehicles and parking in the visitor parking garage.

8 Under the preferred alternative, notice of the 3:00 pm public closure would be posted on the  
9 Memorial website and social media, as well as other local and state websites and media sources. It  
10 is assumed that most visitors and commercial bus tour operators would be aware of, and adapt to,  
11 the 3:00 pm closure by visiting earlier in the day or on a different day during their trip to the local  
12 area and, therefore, the overall impact on Memorial visitation for the 2020 event would likely be  
13 minimal. However, visitors that were unaware of, or were unable to adapt to, the 3:00 pm closure  
14 on July 3rd would be affected by the closure. The number of visitors arriving in private vehicles  
15 and parking in the visitor parking garage affected by the closure could range from a negligible  
16 amount (if most were aware and adapted to the closure) up to 3,500 visits (if no visitors were  
17 aware or were unable to adapt). It is anticipated that the proposed fireworks event would allow  
18 approximately 2,000 ticketed guests into the Memorial after 3:00 pm. Ticket holders would be  
19 members of the public and visitors of the Memorial and would thus offset all or part of the  
20 visitation impacted by the closure. Overall impacts on visitors arriving in private vehicles and  
21 parking in the visitor parking garage after 3:00 pm on the day of the closure could range from a  
22 negligible change, if most visitors are able to adapt, up to 1,500 fewer visits compared to the three-  
23 year July 3rd average if all visitors were unable to adapt.

## 24 **Park Concessioner**

25 Decreases in visitor spending on parking, food and beverage, and retail purchases at the  
26 Memorial facilities would negatively affect park concessions operations. The level of this impact  
27 would depend on the overall change in visitation to the Memorial facilities including visitors  
28 arriving by commercial tour busses and visitors arriving in private vehicles and parking in the  
29 visitor parking garage. Visitation changes to those viewing the sculpture from SD 244 would not  
30 affect Memorial concessions revenue. The average number of visitors typically arriving after 3:00  
31 pm on July 3rd by commercial tour bus is unknown. The number of visitors arriving in private  
32 vehicles and parking in the visitor parking garage affected by the closure could range from a  
33 negligible amount (if most were aware of and adapted to the closure) up to 3,500 visits (if no  
34 visitors were aware of or were unable to adapt). It is anticipated up to 2,000 event ticket holders  
35 would help offset losses in visitor spending from visitors impacted by the closure. Based on NPS  
36 concessions data, the overall change in visitor spending on Memorial concessions from a 3:00 pm  
37 closure on July 3rd could range from a negligible amount up to approximately \$51,000.

38 In summary, the limited size, duration, and parking restrictions of the proposed 2020 fireworks  
39 event would substantially reduce the potential impact on local communities compared to  
40 previous Memorial fireworks shows. Keeping the Memorial open to the public until 3:00 pm on  
41 July 3rd and efforts to notify the public of the closing would help minimize closure impacts on  
42 visitors and Memorial concessioners. Visitors aware of the closure would likely come before 3:00  
43 pm on July 3rd or on a different day during their trip to the area. However, nonticketed visitors  
44 that are unaware of the closure or are only able to visit after 3:00 pm on July 3rd would be  
45 affected.



## 1 Visitor Experience

2 Under the preferred alternative, normal operations on July 3rd would continue until  
3 approximately early afternoon, at which time the Memorial would be closed to visitors. The  
4 three-year average July 3rd visitation data for afternoon visitor arrivals suggest that approximately  
5 3,500 visitors parking in the Memorial's parking garage would be displaced, plus a small, but  
6 unspecified, number of visitors arriving by commercial bus or on foot (see Socioeconomics  
7 above). Compared to the approximately 2,000 ticketed visitors attending the proposed fireworks  
8 event, approximately 1,500 visitors could be displaced if all visitors were unaware of, or were  
9 unable to adapt to, the closure. Compared to total daily visitors (28,000 daily in the three-year  
10 average), this is a minor displacement effect. Nonticketed visitors required to leave the Memorial  
11 in the afternoon could return to the Memorial on July 4th. Therefore, adverse impacts on the  
12 visitor experience would be minimal. In addition, ticketed visitors would have a unique  
13 experience viewing fireworks at the Memorial and, if broadcasted, a large television audience.

14 Visitor viewing of the sculpture may be impacted during event preparation, as the fireworks  
15 contractor is transporting materials to the launch sites. In addition, the Wrinkled Rock Climbing  
16 trailhead, located northwest and outside of the Memorial, would be closed to the public at some  
17 point before the proposed event to prevent access by foot into the Memorial and avoid potential  
18 safety issues before, during, and after the fireworks display. The NPS would minimize potential  
19 adverse impacts on visitor experience by posting the closure in advance.

## 20 Percussive Impacts

21 Concerns about the potential percussive effects of fireworks during the 1998 to 2009 fireworks  
22 events, documented in a record of observation (Jacob 2014), led to a study of the structural  
23 stability of the sculpture (Poluga et al. 2018). This study examined a variety of rock stability  
24 characteristics, including a probabilistic analysis of the sculpture's response to seismic conditions.  
25 The study concluded:

26 . . .that the effects of seismic loading on the stability of the entire slopes on which the  
27 Memorial sculptures are located, indicates that all of the slopes are safe against failure.  
28 This study assumes that if the slopes are stable against the earthquake force modeled, the  
29 vibrations produced by air blasts from fireworks will not cause failures along the slopes.  
30 In light of these results, vibrations caused by the Fourth of July fireworks celebrations at  
31 the Memorial do not pose a threat to the stability of the Sculpture.

32 While historic structures are also susceptible to percussive effects, there has never been a known  
33 instance of effects on historic structures from fireworks. Based on this finding, the percussive  
34 impact of fireworks, and other noise-producing activities, such as a potential military overflight,  
35 are assumed to have no impact on the sculpture and other historic structures; therefore, this topic  
36 is dismissed from detailed analysis.

## 37 Night Skies

38 Every evening, the Memorial illuminates the sculpture year-round in the immediate area where  
39 the fireworks would occur under the preferred alternative. Additional impacts on night skies  
40 under the preferred alternative would be negligible and short term (about 15 to 20 minutes). For  
41 these reasons, this topic was dismissed from detailed analysis.

## 1 Wilderness Character

2 There is no designated Wilderness within the boundaries of the Memorial, but the designated  
3 USFS Black Elk Wilderness lies to the west of the Memorial. No planned activities would occur in  
4 designated Wilderness under the preferred alternative (see Section 2.1, Alternative 1 (Proposed  
5 Action and Preferred Alternative): Host an Independence Day Fireworks Event on July 3rd for an  
6 Amphitheater Audience); however, the fireworks event may affect Wilderness qualities. The five  
7 qualities of Wilderness character, as defined in the Wilderness Act of 1964, are: (1) untrammelled;  
8 (2) undeveloped; (3) natural; (4) offers outstanding opportunities for solitude or primitive and  
9 unconfined recreation; and (5) other features of scientific, educational, scenic, or historical value.  
10 Of these, the preferred alternative may result in temporary impacts on opportunities for solitude  
11 from the fireworks event. Visitors camping or recreating in the Black Elk Wilderness may  
12 experience visual and acoustic disturbances from the event; however, these disturbances would  
13 last for about 15 minutes. The NPS would minimize potential adverse impacts on the Wilderness  
14 experience for visitors by posting the event in advance.

15 In addition, there is a low probability of accidental wildfire igniting as a result of the fireworks  
16 event and affecting the Black Elk Wilderness (see Section 3.3, Wildfire for more detail on these  
17 potential effects). Therefore, no meaningful effects on Wilderness or Wilderness character are  
18 anticipated, and this topic was dismissed from detailed analysis.

## 19 Threatened, Endangered, and Sensitive Species

20 The northern long-eared bat (*Myotis septentrionalis*) is listed as threatened under the ESA and is  
21 present at the Memorial, within the proposed minimum separation distance. The bat is known to  
22 occur within the Hall of Records area minimum separation distance (Figure 4), subject to  
23 fireworks and aircraft noise, and areas subject to fire risk, as described in Section 3.3, Wildfire.  
24 However, wildfire effects are temporary, of low probability, and do not constitute incidental or  
25 purposeful take, as defined in the 2016 USFWS Programmatic Biological Opinion for the  
26 northern long-eared bat (USFWS 2016). The bats are sensitive to acoustics, but are likely to be in  
27 roosts and remain sheltered during the event. Under the preferred alternative, no tree removal is  
28 planned during preparation of launch sites or during the proposed event, and hibernating bats  
29 would not be affected. Prescribed fire activities preceding the event may involve tree removal or  
30 impacts on bats; these impacts were analyzed in previous compliance documents (NPS 2003).

31 In a letter dated August 1, 2019, NPS consulted with the USFWS under Section 7 of the ESA  
32 regarding the proposed fireworks event including the following activities: fireworks, light shows,  
33 military flyovers, music, and other similar activities with visual and acoustic effects. The NPS  
34 received a letter from the USFWS on December 4, 2019 indicating that the proposed fireworks  
35 event is consistent with activities analyzed in the northern long-eared bat Programmatic  
36 Biological Opinion (USFWS 2016, 2019). The USFWS concurred with the determination that the  
37 event may affect the northern long-eared bat, but that any take that may occur as a result is not  
38 prohibited under the northern long-eared bat 4(d) rule (USFWS 2019). Actions completed in  
39 accordance with the final rule are not likely to jeopardize the continued existence of the species.

40 The USFWS species list accessed through the Information for Planning and Consultation (IPaC)  
41 system on December 4, 2019 (USFWS 2019) indicates that four additional ESA-protected species  
42 could occur at the Memorial: the least tern (*Sterna antillarum*), the red knot (*Calidris canutus*  
43 *rufa*), the whooping crane (*Grus americana*), and Leedy's roseroot (*Rhodiola integrifolia* ssp.  
44 *Leedyi*). The Memorial does not contain habitat for these species, and they are not known to  
45 occur at the Memorial.

1 The bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*) are protected  
2 under the Bald and Golden Protection Act. Bald eagles are present at the Memorial in the winter,  
3 but would not be expected to occur at the Memorial in the summer and, thus, would not be  
4 affected by the fireworks event. Golden eagles have not been documented at the Memorial and  
5 are not expected to occur (Panjabi 2006).

6 The red knot and least tern are both shorebirds, and suitable habitat for these species does not  
7 occur at the Memorial. The only known wild population of whooping cranes nests in Canada and  
8 winters in Texas. Their migration occurs in the fall several months after the proposed fireworks  
9 event, and their migration route is not known to include the Memorial. A comprehensive bird  
10 survey of the Memorial (Panjabi 2006) and subsequent bird monitoring by Bird Conservancy of  
11 the Rockies (NPS 2016) did not find any evidence of these species. Leedy's roseroot also is not  
12 known to occur at the Memorial (NPS 2002; Marriott and Mayer 2005) and is found only in  
13 Minnesota and New York. The NPS has determined that the proposed fireworks event would  
14 have no effect on these four listed species. Additionally, the IPaC tool (USFWS 2019) indicated  
15 that no critical habitat for any of these species occurs in the project area.

16 Locally listed sensitive species were also considered in the planning process. The Black Hills  
17 National Forest Region 2 lists several sensitive species that could be impacted by actions under  
18 the preferred alternative, including the northern goshawk (*Accipiter gentilis*), black-backed  
19 woodpecker (*Picoides arcticus*), and several bat species: fringed myotis (*Myotis thysanodes*), hoary  
20 bat (*Lasiurus cinereus*), spotted bat (*Eduerma maculatum*), and Townsend's big-eared bat  
21 (*Corynorhinus townsendii*). In South Dakota, black-backed woodpeckers are also listed as a  
22 Species of Greatest Conservation Concern in the Black Hills ecoregion (South Dakota  
23 Department of Game, Fish, and Parks 2014).

24 The northern goshawk is expected to occur in the Memorial (Panjabi 2006), but there are no  
25 confirmed observations of this species (Panjabi 2006; NPS 2016). The bird breeds in the  
26 surrounding area, and the Memorial contains good potential nesting habitat for the species  
27 (mature ponderosa pine with open midstory). The black-backed woodpecker has been observed  
28 in the Memorial (NPS 2016). The species depends on forest disturbance, and in the Black Hills,  
29 higher abundance of black-backed woodpeckers is associated with MPB infestation and recent  
30 wildfire (Matseur et al. 2018). The fringed myotis, hoary bat, and Townsend's big-eared bat occur  
31 at the Memorial, but the spotted bat does not (Licht 2018; Abernethy 2018). Wildfire effects on  
32 these sensitive species are anticipated to be temporary and of low probability (see Section 3.3,  
33 Wildfire), and no tree removal is planned under the preferred alternative. Under the preferred  
34 alternative, acoustic effects on these species from aircraft and fireworks would be short-term.

35 For these reasons, this topic was dismissed from detailed analysis. General effects on wildlife and  
36 wildlife habitat are discussed in Section 3.3, Wildfire and Section 3.4, Environmental  
37 Contaminants of this EA.

## 38 Air Quality

39 Air quality may be affected by emissions from the vehicles of visitors, fireworks contractors, and  
40 NPS and event partners before, during, and after the event. These impacts would be no greater  
41 than, and possibly less than, normal Memorial operations because of the limited number of  
42 visitors on that day. There may be air quality impacts from the potential use of helicopters for  
43 event staging and teardown, and by military aircraft from a potential flyover. These impacts  
44 would be a negligible addition to regular aircraft traffic in the region. Air quality could also be  
45 affected by smoke from the fireworks display; however, these effects are expected to be short-

1 term and negligible and smoke would be expected to dissipate soon after the event. The topic was  
2 therefore dismissed from detailed analysis.

1 **Appendix B. Memorandum of Agreement Between**  
2 **the Department of the Interior of the United States of**  
3 **America and the State of South Dakota**



**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

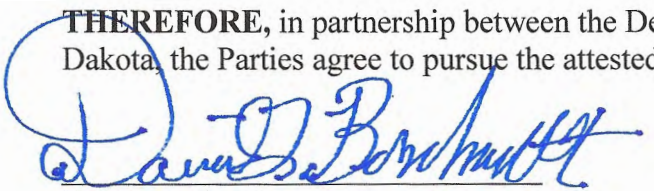
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

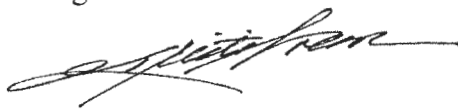
**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**

1 **Appendix C. Tribal Consultation Letters and**  
2 **Responses**

3





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Ms. Corrine Headley  
Arapaho Tribe  
P.O. Box 676  
St. Stevens, Wyoming 82524-0676

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Headley:

The National Park Service (NPS) invites the Arapaho Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Arapaho Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Arapaho Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Dean Goggles.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Dean Goggles  
Arapahoe Tribe  
P.O. Box 396  
Fort Washakie, WY 82514-0396

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Goggles:

The National Park Service (NPS) invites the Arapahoe Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Arapahoe Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Arapahoe Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Corrine Headley.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Floyd Azure  
Assiniboine and Sioux Tribes  
P.O. Box 1027  
Poplar, MT 59255

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Azure:

The National Park Service (NPS) invites the Assiniboine and Sioux Tribes to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Assiniboine and Sioux Tribes comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Assiniboine and Sioux Tribes have questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Darrell Youpee.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Harold Frazier  
Cheyenne River Sioux Tribe  
P.O. Box 590  
Eagle Butte, SD 57625

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Frazier:

The National Park Service (NPS) invites the Cheyenne River Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Cheyenne River Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Cheyenne River Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Steve Vance.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Lester Thompson  
Crow Creek Sioux Tribe  
P.O. Box 50  
Fort Thompson, SD 57339

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Thompson:

The National Park Service (NPS) invites the Crow Creek Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Crow Creek Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Crow Creek Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Merle Marks.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Anthony Reider  
Flandreau Santee Sioux Tribe  
P.O. Box 283  
Flandreau, SD 57028

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Reider:

The National Park Service (NPS) invites the Flandreau Santee Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Flandreau Santee Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Flandreau Santee Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Garrie Kills A Hundred.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Boyd Gorneau  
Lower Brule Sioux Tribe  
P.O. Box 187  
Lower Brule, SD 57548

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Gorneau:

The National Park Service (NPS) invites the Lower Brule Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Lower Brule Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Lower Brule Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Claire Green.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Llevando Fisher  
Northern Cheyenne Tribe  
P.O. Box 128  
Lame Deer, MT 59043

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Llevando:

The National Park Service (NPS) invites the Northern Cheyenne Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Northern Cheyenne Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Northern Cheyenne Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. James Walksalong.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Julian Bear Runner  
Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, SD 57770

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Bear Runner:

The National Park Service (NPS) invites the Oglala Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Oglala Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Oglala Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Thomas Brings.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Rodney Bordeaux  
Rosebud Sioux Tribe  
P.O. Box 430  
Rosebud, SD 57570

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Bordeaux:

The National Park Service (NPS) invites the Rosebud Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Rosebud Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Rosebud Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Ben Rhodd.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Ms. Ella Robertson  
Sisseton-Wahpeton Oyate  
P.O. Box 509  
Agency Village, SD 57262

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Robertson:

The National Park Service (NPS) invites the Sisseton-Wahpeton Oyate Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Sisseton-Wahpeton Oyate Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Sisseton-Wahpeton Oyate Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Dianne Desrosiers.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Ms. Myra Pearson  
Spirit Lake Tribe  
P.O. Box 359  
Fort Totten, ND 58335

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Pearson:

The National Park Service (NPS) invites the Spirit Lake Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Spirit Lake Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Spirit Lake Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Eric Longie.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Mike Faith  
Standing Rock Sioux Tribe  
P.O. Box D  
Fort Yates, ND 58538

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Faith:

The National Park Service (NPS) invites the Standing Rock Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Standing Rock Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Standing Rock Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Jon Eagle.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Robert Flying Hawk  
Yankton Sioux Tribe  
P.O. Box 1153  
Wagner, SD 57380

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Flying Hawk:

The National Park Service (NPS) invites the Yankton Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Yankton Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Yankton Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Kip Spotted Eagle.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Darrell Youpee  
Assiniboine and Sioux Tribe  
P.O. Box 1027  
501 Medicine Bear Road  
Poplar, Montana 59255

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Youpee:

The National Park Service (NPS) invites the Assiniboine and Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Assiniboine and Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Assiniboine and Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Floyd Azure.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Steve Vance  
Cheyenne River Sioux Tribe  
P.O. Box 590  
Eagle Butte, South Dakota 57625

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Vance:

The National Park Service (NPS) invites the Cheyenne River Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Cheyenne River Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Cheyenne River Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Howard Frazier.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Merle Marks  
Crow Creek Sioux Tribe  
P.O. Box 50  
100 Drifting Goose Drive  
Fort Thompson, South Dakota 57339

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Marks:

The National Park Service (NPS) invites the Crow Creek Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Crow Creek Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Crow Creek Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Lester Thompson, Jr.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

### **BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

### **AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

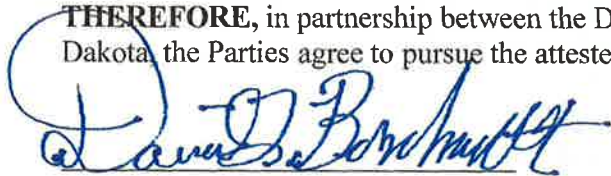
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Garrie Kills A Hundred  
Flandreau Santee Sioux Tribe  
P.O. Box 283  
603 W. Broad Avenue  
Flandreau, South Dakota 57028

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Kills A Hundred:

The National Park Service (NPS) invites the Flandreau Santee Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Flandreau Santee Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Flandreau Santee Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Anthony Reider.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

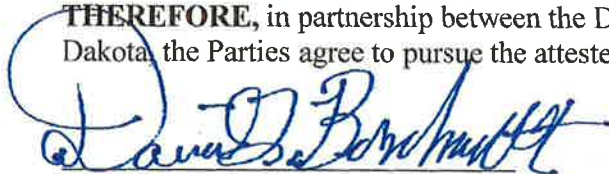
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Ms. Clair Green  
Lower Brule Sioux Tribe  
P.O. Box 187  
187 Oyate Circle  
Lower Brule, South Dakota 57548

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Green:

The National Park Service (NPS) invites the Lower Brule Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Lower Brule Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Lower Brule Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Boyd Gourneau.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

### **BETWEEN**

### **THE DEPARTMENT OF THE INTERIOR OF THE UNITED STATES OF AMERICA**

### **AND**

### **THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

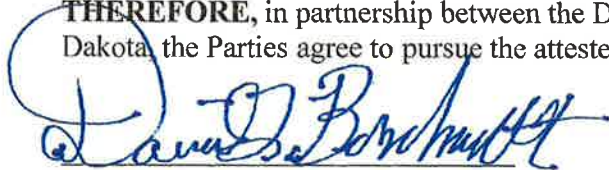
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. James Walksalong  
Northern Cheyenne Tribe  
P.O. Box 128  
Lame Deer, Montana 59043

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Walksalong:

The National Park Service (NPS) invites the Northern Cheyenne Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Northern Cheyenne Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Northern Cheyenne Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Llevando Fisher.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

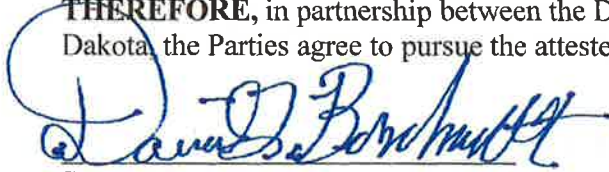
**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



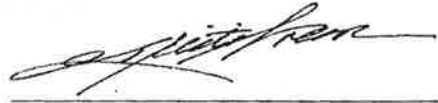
**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Thomas Brings  
Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, South Dakota 57770

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Brings:

The National Park Service (NPS) invites the Oglala Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Oglala Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Oglala Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Julian Bear Runner.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

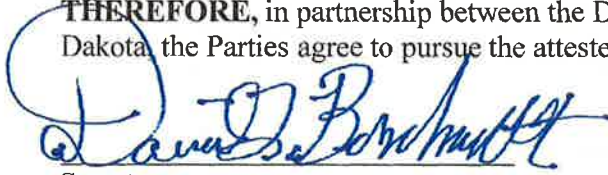
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

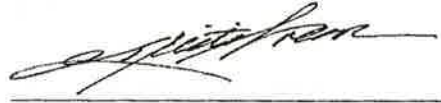
**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Ben Rhodd  
Rosebud Sioux Tribe  
P.O. Box 809  
Rosebud, South Dakota 57570

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Rhodd:

The National Park Service (NPS) invites the Rosebud Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Rosebud Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Rosebud Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Rodney Bordeaux.

Sincerely,

Denice Swarke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

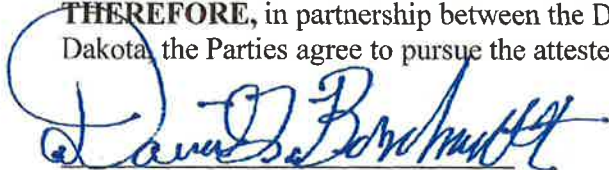
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Ms. Dianne Desrosiers  
Sisseton-Wahpeton Oyate  
P.O. Box 907  
205 Oak Street E. Ste 121  
Sisseton, South Dakota 57262

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Desrosiers:

The National Park Service (NPS) invites the Sisseton-Wahpeton Oyate to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Sisseton-Wahpeton Oyate comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Sisseton-Wahpeton Oyate has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Ella Robertson.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

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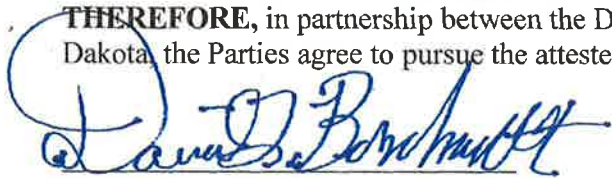
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**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Dr. Erich Longie  
Spirit Lake Tribe  
P.O. Box 76  
Fort Totten, North Dakota 58335

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Dr. Longie:

The National Park Service (NPS) invites the Spirit Lake Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Spirit Lake Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Spirit Lake Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Myra Pearson.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

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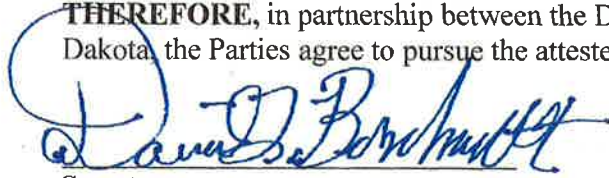
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**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

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Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Jon Eagle  
Standing Rock Sioux Tribe  
P.O Box D  
Fort Yates, North Dakota 58538

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Eagle:

The National Park Service (NPS) invites the Standing Rock Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Standing Rock Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Standing Rock Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Mike Faith.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

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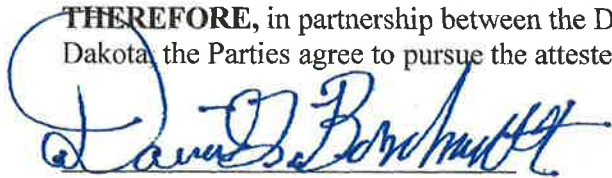
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**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

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Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Kip Spotted Eagle  
Yankton Sioux Tribe  
P.O. Box 1153  
Wagner, South Dakota 57380

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Spotted Eagle:

The National Park Service (NPS) invites the Yankton Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

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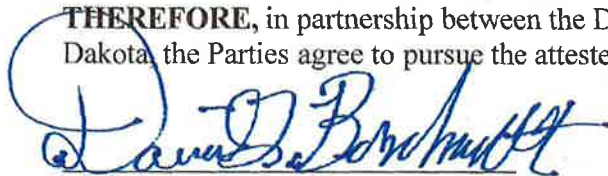
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Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Robert Flying Hawk  
Yankton Sioux Tribe  
P.O. Box 1153  
Wagner, SD 57380

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Flying Hawk:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or [Rene\\_Ohms@nps.gov](mailto:Rene_Ohms@nps.gov)) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Kip Spotted Eagle, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Robert Flying Hawk  
Yankton Sioux Tribe  
P.O. Box 1153  
Wagner, SD 57380

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Flying Hawk:

The National Park Service (NPS) invites the Yankton Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Yankton Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Kip Spotted Eagle  
Yankton Sioux Tribe  
P.O. Box 1153  
Wagner, South Dakota 57380

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Spotted Eagle:

The National Park Service (NPS) invites the Yankton Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Yankton Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Yankton Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Robert Flying Hawk.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

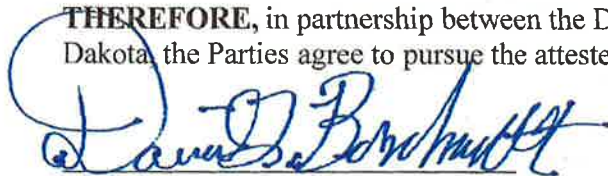
**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Mike Faith  
Standing Rock Sioux Tribe  
P.O. Box D  
Fort Yates, ND 58538

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Faith:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,

*Maureen McGee-Ballinger*

Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Jon Eagle, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Mike Faith  
Standing Rock Sioux Tribe  
P.O. Box D  
Fort Yates, ND 58538

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Faith:

The National Park Service (NPS) invites the Standing Rock Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Standing Rock Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Standing Rock Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Jon Eagle.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Jon Eagle  
Standing Rock Sioux Tribe  
P.O Box D  
Fort Yates, North Dakota 58538

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Eagle:

The National Park Service (NPS) invites the Standing Rock Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

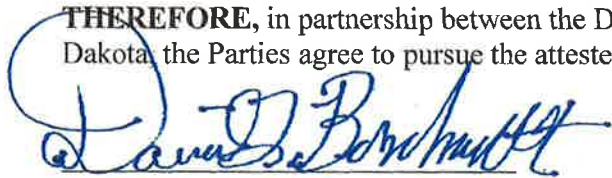
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairperson Myra Pearson  
Spirit Lake Tribe of North Dakota  
P.O. Box 359  
Fort Totten, ND 58335

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairperson Pearson:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

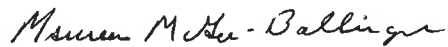
The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.



For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Erich Longie, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Ms. Myra Pearson  
Spirit Lake Tribe  
P.O. Box 359  
Fort Totten, ND 58335

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Pearson:

The National Park Service (NPS) invites the Spirit Lake Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Spirit Lake Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Spirit Lake Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Eric Longie.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Dr. Erich Longie  
Spirit Lake Tribe  
P.O. Box 76  
Fort Totten, North Dakota 58335

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Dr. Longie:

The National Park Service (NPS) invites the Spirit Lake Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

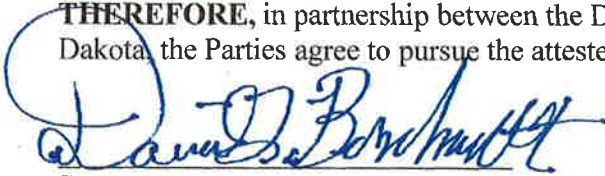
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairperson Ella Robertson  
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation  
P.O. Box 509  
Agency Village, SD 57262

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairperson Robertson:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Dianne Desrosiers, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Ms. Ella Robertson  
Sisseton-Wahpeton Oyate  
P.O. Box 509  
Agency Village, SD 57262

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Robertson:

The National Park Service (NPS) invites the Sisseton-Wahpeton Oyate Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Sisseton-Wahpeton Oyate Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Sisseton-Wahpeton Oyate Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Dianne Desrosiers.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Ms. Dianne Desrosiers  
Sisseton-Wahpeton Oyate  
P.O. Box 907  
205 Oak Street E. Ste 121  
Sisseton, South Dakota 57262

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Desrosiers:

The National Park Service (NPS) invites the Sisseton-Wahpeton Oyate to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

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OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

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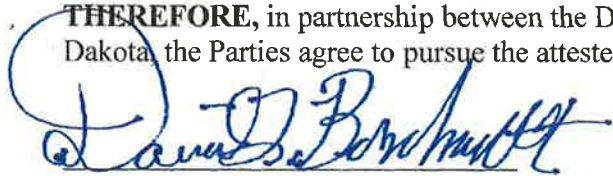
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

President Julian Bear Runner  
Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, SD 57770-2070

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear President Bear Runner:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Thomas Brings, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Julian Bear Runner  
Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, SD 57770

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Bear Runner:

The National Park Service (NPS) invites the Oglala Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Oglala Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Oglala Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Thomas Brings.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. Thomas Brings  
Oglala Sioux Tribe  
P.O. Box 2070  
Pine Ridge, South Dakota 57770

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Brings:

The National Park Service (NPS) invites the Oglala Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

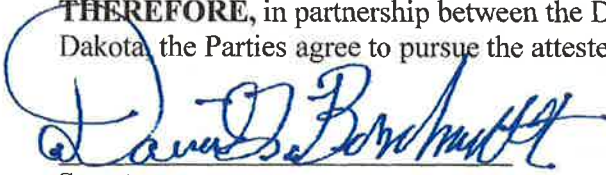
**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



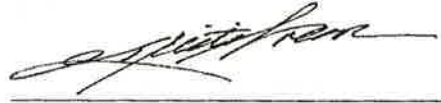
**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

President Rynalea Whiteman Pena  
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation  
P.O. Box 128  
Lame Deer, MT 59043

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear President Whiteman Pena:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or [Rene\\_Ohms@nps.gov](mailto:Rene_Ohms@nps.gov)) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Teanna Limpy, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Llevando Fisher  
Northern Cheyenne Tribe  
P.O. Box 128  
Lame Deer, MT 59043

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Llevando:

The National Park Service (NPS) invites the Northern Cheyenne Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Northern Cheyenne Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Northern Cheyenne Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. James Walksalong.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Mr. James Walksalong  
Northern Cheyenne Tribe  
P.O. Box 128  
Lame Deer, Montana 59043

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Walksalong:

The National Park Service (NPS) invites the Northern Cheyenne Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Northern Cheyenne Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Llevando Fisher.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

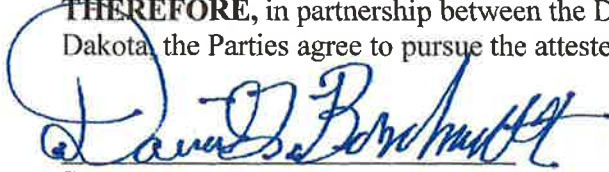
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

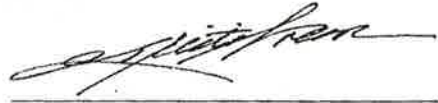
**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Boyd I. Gourneau  
Lower Brule Sioux Tribe of the Lower Brule Reservation  
P.O. Box 187  
Lower Brule, SD 57548

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Gourneau:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.



For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or [Rene\\_Ohms@nps.gov](mailto:Rene_Ohms@nps.gov)) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Clair Green, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Boyd Gorneau  
Lower Brule Sioux Tribe  
P.O. Box 187  
Lower Brule, SD 57548

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Gorneau:

The National Park Service (NPS) invites the Lower Brule Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Lower Brule Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Lower Brule Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Claire Green.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Ms. Clair Green  
Lower Brule Sioux Tribe  
P.O. Box 187  
187 Oyate Circle  
Lower Brule, South Dakota 57548

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Green:

The National Park Service (NPS) invites the Lower Brule Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

### **BETWEEN**

### **THE DEPARTMENT OF THE INTERIOR OF THE UNITED STATES OF AMERICA**

### **AND**

### **THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

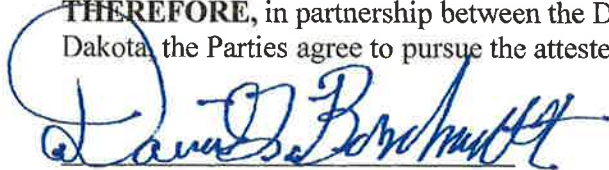
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**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

President Anthony Reider  
Flandreau Santee Sioux Tribe of South Dakota  
P.O. Box 283  
Flandreau, SD 57028

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear President Reider:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or [Rene\\_Ohms@nps.gov](mailto:Rene_Ohms@nps.gov)) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Garrie Kills A Hundred, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Anthony Reider  
Flandreau Santee Sioux Tribe  
P.O. Box 283  
Flandreau, SD 57028

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Reider:

The National Park Service (NPS) invites the Flandreau Santee Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Flandreau Santee Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Flandreau Santee Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Garrie Kills A Hundred.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Garrie Kills A Hundred  
Flandreau Santee Sioux Tribe  
P.O. Box 283  
603 W. Broad Avenue  
Flandreau, South Dakota 57028

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Kills A Hundred:

The National Park Service (NPS) invites the Flandreau Santee Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Flandreau Santee Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Flandreau Santee Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Anthony Reider.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

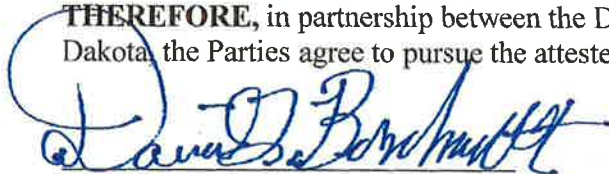
**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Lester Thompson, Jr.  
Crow Creek Sioux Tribe of the Crow Creek Reservation  
P.O. Box 50  
Fort Thompson, SD 57339

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Thompson:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Merle Marks, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Lester Thompson  
Crow Creek Sioux Tribe  
P.O. Box 50  
Fort Thompson, SD 57339

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Thompson:

The National Park Service (NPS) invites the Crow Creek Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Crow Creek Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Crow Creek Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Merle Marks.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Merle Marks  
Crow Creek Sioux Tribe  
P.O. Box 50  
100 Drifting Goose Drive  
Fort Thompson, South Dakota 57339

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Marks:

The National Park Service (NPS) invites the Crow Creek Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Crow Creek Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Crow Creek Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Lester Thompson, Jr.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

### **BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

### **AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

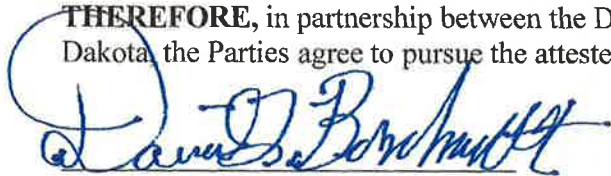
**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Lee Spoonhunter  
Arapaho Tribe of the Wind River Reservation  
P.O. Box 396  
Fort Washakie, WY 82514-0396

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Spoonhunter:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Devin Oldman, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Dean Goggles  
Arapahoe Tribe  
P.O. Box 396  
Fort Washakie, WY 82514-0396

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Goggles:

The National Park Service (NPS) invites the Arapahoe Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Arapahoe Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Arapahoe Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Ms. Corrine Headley.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 11, 2019

Ms. Corrine Headley  
Arapaho Tribe  
P.O. Box 676  
St. Stevens, Wyoming 82524-0676

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Ms. Headley:

The National Park Service (NPS) invites the Arapaho Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Arapaho Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Arapaho Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Dean Goggles.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Floyd Azure  
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation  
P.O. Box 1027  
Poplar, MT 59255

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Azure:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.



For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or Rene\_Ohms@nps.gov) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Dyan Youpee, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

I.A.2 (MORU)

September 9, 2019

Mr. Floyd Azure  
Assiniboine and Sioux Tribes  
P.O. Box 1027  
Poplar, MT 59255

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Azure:

The National Park Service (NPS) invites the Assiniboine and Sioux Tribes to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Assiniboine and Sioux Tribes comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Assiniboine and Sioux Tribes have questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Darrell Youpee.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Darrell Youpee  
Assiniboine and Sioux Tribe  
P.O. Box 1027  
501 Medicine Bear Road  
Poplar, Montana 59255

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Youpee:

The National Park Service (NPS) invites the Assiniboine and Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and audial effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Assiniboine and Sioux Tribe comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

If you have any questions or desire additional information, please contact Rene Ohms, Integrated Resource Program Manager, at (605) 574-3168 or [rene\\_ohms@nps.gov](mailto:rene_ohms@nps.gov). Rene or I will also reach out by phone to your cultural resources staff to see if the Assiniboine and Sioux Tribe has questions, comments or concerns to discuss. An identical consultation letter has been sent to Mr. Floyd Azure.

Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and



United States Department of the Interior  
National Park Service  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751



File Code: 1.A.2 (MORU)

December 3, 2019

Chairman Harold Frazier  
Cheyenne River Sioux Tribe of the Cheyenne River Reservation  
P.O. Box 590  
Eagle Butte, SD 57625

RE:

1. Initiation of Formal Government-to-Government Consultation and 30-day Review Period for a Proposal to Host Fireworks at Mount Rushmore National Memorial
2. Invitation to Comment on a Preliminary Administrative Draft Environmental Assessment; and
3. Invitation to Consult on January 15, 2020 in Rapid City, South Dakota

Dear Chairman Frazier:

This letter serves as an invitation to initiate formal Government-to-Government consultation with the National Park Service regarding a proposal to return a fireworks display to Mount Rushmore National Memorial in July 2020. The invitation is a follow-up to our letter of September 9, 2019, a copy of which is attached.

A Government-to-Government consultation meeting is scheduled for January 15, 2020, at the Mount Rushmore Society Office (830 Main Street, Rapid City, SD 57701). This invitation has been extended to all Tribes affiliated with Mount Rushmore National Memorial.

The consultation meeting will be an opportunity to provide input on the proposed action, and potential effects to: traditional resources; cultural resources under Section 106 of the National Historic Preservation Act; or any other matters related to the proposed project event. A preliminary administrative draft of the environmental assessment will be available for your review from December 20 to January 6, and will be sent to you by electronic mail.

The National Park Service will help defray costs for up to two designated representatives from your tribe to participate in this meeting. You are welcome to bring additional representatives at their own expense.

For further information and to RSVP, or if you are interested in scheduling an individual meeting, please contact Rene Ohms (605-574-3168 or [Rene\\_Ohms@nps.gov](mailto:Rene_Ohms@nps.gov)) by December 16, 2019. Additional information will be sent to you by electronic mail, including a draft agenda, logistical details, and trip reimbursement information.

The National Park Service would greatly appreciate your feedback and expertise regarding the proposed action. We look forward to hearing from you.

Sincerely,



Maureen McGee-Ballinger  
Acting Superintendent  
Mount Rushmore National Memorial

Enclosure

Cc: Steve Vance, Tribal Historic Preservation Officer  
Cc: Bert Frost, Regional Director  
Cc: Patricia Trap, Deputy Regional Director  
Cc: Reed Robinson, Regional Tribal Affairs Program Manager



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 9, 2019

Mr. Harold Frazier  
Cheyenne River Sioux Tribe  
P.O. Box 590  
Eagle Butte, SD 57625

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

Dear Mr. Frazier:

The National Park Service (NPS) invites the Cheyenne River Sioux Tribe to consult on a government-to-government basis regarding a proposal to return a fireworks display to Mount Rushmore National Memorial (Memorial) in July, 2020. This undertaking was initiated with a Memorandum of Agreement (MOA) signed by the Secretary of the Interior and the Governor of South Dakota on May 6, 2019. The MOA is enclosed with this letter, and is also available at [https://www.doi.gov/sites/doi.gov/files/uploads/12329\\_signed\\_moa.pdf](https://www.doi.gov/sites/doi.gov/files/uploads/12329_signed_moa.pdf). The proposal is subject to appropriate permitting and compliance, and has the potential for both direct physical effects and indirect visual and auidal effects. We anticipate that the area of potential effects (APE) would encompass the entire Memorial.

The NPS would greatly appreciate hearing the Cheyenne River Sioux Tribe's comments or concerns regarding this proposal's potential impacts to cultural resources, and requests your expertise and assistance in identifying resources in the APE. We wish to ensure that any concerns you may have are identified and addressed early in the planning process. Please submit comments or concerns regarding the proposed undertaking, as well as information regarding cultural resources that may be affected, at any time. We anticipate initiating an environmental assessment (EA) in October, 2019, with a thirty day public comment period in February, 2020. Comments received by January 17, 2020 will be useful to inform our analysis before the EA is released for public comment.

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated



# United States Department of the Interior

NATIONAL PARK SERVICE  
Mount Rushmore National Memorial  
Building 31, Suite 1  
13000 Highway 244  
Keystone, South Dakota 57751

REPLY REFER TO:

1.A.2 (MORU)

September 11, 2019

Mr. Steve Vance  
Cheyenne River Sioux Tribe  
P.O. Box 590  
Eagle Butte, South Dakota 57625

RE: Initiation of the Section 106 Process per 36 CFR 800.3 for a proposal to host fireworks

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Sincerely,

Denice Swanke  
Interim Superintendent

Enclosure as stated





## **MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA**

**AND**

**THE STATE OF SOUTH DAKOTA**

**WHEREAS**, Independence Day is the annual commemoration of the birth of the United States of America and the ideals on which the Nation was founded, including life, liberty, and the pursuit of happiness;

**WHEREAS**, in 1776, President John Adams said that Independence Day “ought to be solemnized with Pomp and Parade...Bonfires and Illuminations from one End of this Continent to the other from this Time forward forever more;”

**WHEREAS**, there is a long history of celebrations of American independence at Mount Rushmore National Memorial, including fireworks displays from 1998 to 2009, through cooperation among local agencies, Mount Rushmore Society, State of South Dakota, Department of the Interior, and other Federal Agencies;

**WHEREAS**, these events provide opportunities to celebrate the Nation’s founding fathers, the spirit of democracy, and provide an iconic backdrop for the enjoyment and education of a diverse local, national, and international audience;

**WHEREAS**, the significance of Independence Day holds special meaning at Mount Rushmore National Memorial, where sculpted into granite are the colossal faces of the father of the Nation, the author of the Declaration of Independence, the President who saved the Union, and the President who led that Union into the 20th century and championed conservation; and

**WHEREAS**, the State of South Dakota and the Department of the Interior have committed to an agreement to exercise their full authorities under State and Federal law to work to return fireworks to Mount Rushmore National Memorial in a safe and responsible manner on July 3, July 4, or July 5, beginning in the year 2020.

**THEREFORE**, in partnership between the Department of the Interior and the State of South Dakota, the Parties agree to pursue the attested by their signatures:



Secretary  
Department of the Interior

Date: **MAY 06 2019**



Governor  
State of South Dakota

Date: **MAY 06 2019**

Boyd I. Gourneau  
Chairman



Tribal Administration  
187 Oyate Circle  
Lower Brule, SD 57548  
Phone: (605) 473-5561  
Fax: (605) 473-5554

January 2, 2020

Maureen McGee-Ballinger, Acting Superintendent  
Mount Rushmore National Memorial  
13000 Hwy 24  
Keystone, SD 57751  
Attn: Rene\_Ohms@nps.gov

Dear Ms McGee-Ballinger:

With reference to your request for consultation and our review of the attached Draft EA on the proposed reintroduction of fireworks at Mt Rushmore, we respectfully register our objections to the reintroduction of fireworks on the top of Mt. Rushmore as part of the observance of the July 4 national holiday of the United States.

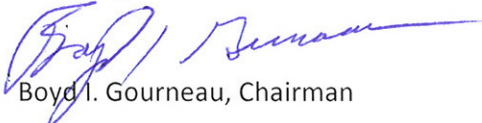
The Lower Brule Sioux Tribe regard celebrations related to the founding of the United States in this location as inappropriate for two reasons.

First, the Black Hills is the most important part of our traditional territory, and the core of this region, surrounding Black Elk Peak, is highly sacred to our people. We therefore regret the creation of the sculpture park in the first place and do not support entertainment there.

Second, the Kul Wicasa Oyate signed the treaty at Fort Laramie of April 29, 1868, 15 Stat. 635, in which the United States pledged that the Great Sioux Reservation, including the Black Hills, would be "set apart for the absolute and undisturbed use and occupation" of the Sioux Nation. Eight years later, our people were forced to relinquish our rights to the Black Hills in exchange for food and other resources, as by this time, settlers had invaded our lands and slaughtered the buffalo on which we depended, and the United States military controlled our territory. An Act passed by Congress in 1877, abrogated the Fort Laramie Treaty, and we continue to seek justice in this matter – a struggle supported by the Supreme Court judgment in 1980 (United States V. Sioux Nation of Indians, No. 79-639, decided: June 30, 1980).

We share with you the importance of the collective vision of a nation as embodied in the Constitution of the United States, and we strive to nurture and sustain our culture by engaging in mutually beneficial partnerships with the states and communities in the region we share. However, the Lower Brule Sioux Tribe simply cannot countenance or agree with an activity that so clearly ignores the realities of our history and spiritual beliefs.

Sincerely,



Boyd I. Gourneau, Chairman

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As the nation's principal conservation agency, the Department of the Interior has the responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water owned resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

NPS xxx/xxxxxxx -  
Independence Day Holiday Fireworks Event  
Environmental Assessment FIREWORKS EVENT / January 2020 / Printed on recycled paper