

Exhibit 3:

May 4, 2021 Fort McDermitt Letter to BLM



# Fort McDermitt Paiute and Shoshone Tribe

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May 4, 2021

Kathleen Rehberg  
Humboldt River Field Office  
Bureau of Land Management  
5100 East Winnemucca Boulevard  
Winnemucca, Nevada 89445

Re: Follow-up Response to BLM's April 14, 2021 Letter (5110/1780, NVW010.39) About the Historic Properties Treatment Plan for the Lithium Nevada Thacker Pass Project

Dear Ms. Rehberg:

The Fort McDermitt Paiute and Shoshone Tribes (Tribes) are providing this follow-up to our Tribal letter dated April 27, 2021 and in response the Bureau of Land Management's (BLM) letter dated April 14, 2021 regarding your request for information on whether "archaeological sites slated for treatment [in the Historic Properties Treatment Plan (HPTP)] are considered as having religious or cultural importance" to the Tribes. After further review of BLM's April 14<sup>th</sup> letter, the HPTP, and related documents, we find it necessary to offer the following additional issues of concern.

First and foremost, the Tribes are very concerned that Lithium Nevada's HPTP was developed and approved absent any Tribal input and government-to-government consultation, as required by Executive Orders, Department of Interior policy, implementing regulations of the National Historic Preservation Act, and established case law. Therefore, the HPTP is in no way reflective of the Tribal values we have on our cultural, historical, and religious resources at the Thacker Pass area, which are now being slated to be erased and destroyed—with BLM's approval—by Lithium Nevada's Project. The HPTP also is not reflective of what the Tribes would consider acceptable "treatments" of historic, cultural, and religious resources.

Second, the Tribes are surprised by the BLM's inquiry as to whether we place any value on our peoples' history and culture. We absolutely value our peoples' history and culture, even if those parts of our history and culture are remnants of what existed before the Native American holocaust and the removal of our people from our traditional/inherent territory. And we do place cultural and religious importance on our Tribes' historical and cultural resources in the Thacker Pass area. That said, however, to provide the BLM with more specifics will require additional time for the Tribes to work with our tribal experts, historians, and spiritual leaders.

Third, the Tribes are requesting an actual workable timeline to identify the cultural and social values, religious beliefs, sacred places, and traditional practices of our Tribes to the BLM, as it relates to the Lithium Nevada's HPTP and the Thacker Pass Project. The 30-day time frame

provided in the BLM's April 14<sup>th</sup> letter is unacceptable. The Tribes want to consult with the BLM and participate in this process. Yet, we have a number of concerns about the HPTP, the protection of our Tribes' historical and cultural resources, and BLM assistance that should be provided to the Tribes, as a consulting party, in helping BLM fulfill its Section 106 responsibilities.

In closing, the Tribes want to reemphasize that no decisions about the "treatment" of our historic, cultural, and religious resources should be made without Tribal input and consultation. In going forward, we want to participate in a fair, meaningful, and productive process to best protect our resources for our people and our future generations.

Sincerely,



Maxine Redstar, Chairman  
Fort McDermitt Paiute and Shoshone Tribes