

Exhibit 2:

April 19, 2021 Winnemucca Indian Colony Letter to BLM



WINNEMUCCA INDIAN COLONY

Council:
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Kathleen Rehberg, Field Manager
Humboldt River Field Office
DOI Bureau of Land Management
5100 East Winnemucca Boulevard
Winnemucca, NV 89445



April 19, 2021

Dear Field Manager Rehberg:

*re: Winnemucca Indian Colony Opposition to
Lithium Nevada Thacker Pass Project*

The Winnemucca Indian Colony Council thanks you for the April 14, 2021 letter, Certified No. 9171 9690 0935 0249 5275 49, BLM File No. 5110/1780 (NVW010.39), regarding the Lithium Nevada Thacker Pass Project. This is the first communication that our Colony has received, to the best of our knowledge, from BLM or others in regard to this proposed project.

Our Colony Council hereby **expresses our opposition to this project**, at least until the Winnemucca Indian Colony has the opportunity to review and assess for ourselves the sufficiency of the data collected and the operational plans of the project.

Our Colony has been actively working to reclaim our trust lands, especially over the past two to three years. As the proposed project is located in the aboriginal lands of the members of the Winnemucca Indian Colony and our ancestors, we do have an interest in how these lands are impacted. As neighboring landowners, we have influences on each other's land and natural resources in the management of our lands. We believe that this proposed project may negatively impact our land and our people.

Our Colony Council has been working aggressively over the past couple years to make improvements on our lands and in our community. We have been cleaning up the massive amounts of solid and hazardous waste that has accumulated over the past few decades on our trust lands. We are working to remove the three or more criminal drug enterprises currently operating on the Colony. We are initiating our economic development plan in hopes of becoming financially self-sufficient in the next few years. We are very concerned about the protection and conservation of our land, water, wildlife, and other natural resources. We want to become effective caretakers of our natural resources and trust assets.

We are concerned about the fact that surface water flowing through Water Canyon Creek over the past 40-50 years has been diverted and has nearly dried up the drainage except during snowmelt and active rain storms. Groundwater has been pumped and diverted from Colony trust lands to the City of Winnemucca, private irrigators, and other users. BLM has been active in many of these water transfers and diversions from our trust lands.

Our Colony Council intends to document the history of natural resources, including water use, on and around the trust lands.

The Winnemucca Indian Colony is very concerned about the protection and conservation of our aboriginal lands that are under the jurisdiction and influence of the BLM. We believe there may be archeological sites, religious and traditional sites, and areas of cultural importance to our Colony that may be desecrated or destroyed. We are concerned that BLM has not adequately complied with its own Tribal Consultation Policy and Handbook, 1780-1, and more specifically with implementation of Environmental Protection Agency's Environmental Justice Program to include tribes and tribal members to effectively provide for environmental and public health protection in Indian Country in areas of Environmental Justice.

We are surprised and concerned that both, the BLM and the Nevada State Historic Preservation Office, have approved the Historic Properties Treatment Plan (HPTP) to mitigate impacts to archaeological sites in the mine's Plan of Operations (PoO) boundary without any talks or discussions with the Winnemucca Indian Colony. We are concerned that you document "Final Formatted LNC Thacker HPTP" on page 47, states that consultation was held with the Winnemucca Indian Colony beginning in 2017 and continues to date. We believe that it is not true, and that BLM or others have NOT consulted with the Winnemucca Indian Colony regarding this proposed project. Please provide dates and individual names of anyone in the Winnemucca Indian Colony or documents, positions taken, who may have discussed this project with BLM or its representatives.

The Winnemucca Indian Colony Council hereby goes on record to raise questions and comments, and presented issues with this proposed project. We raise questions to include:

- a) The Area of Potential Impact (APE) states that adverse impacts to at least 57 historic properties will occur. Our Colony requests that collections, testing and curation not be conducted until tribal elders can participate in the determination of significance prior to the intrusion and removal of such properties.
- b) Mitigation agreements should be sought before collection, testing, desecration of potentially sacred objects and properties.
- c) No curation of historic properties associated with our Colony members and our ancestors should be made prior to consultation and agreement is reached with the Colony.
- d) Avoidance of any disturbance or impacts to historic resources prior to discussions with the Colony or its representatives should be assured by BLM to prevent desecration of sacred trust assets.
- e) Environmental desecration of cultural and traditional sites of the Winnemucca Indian Colony and the aboriginal lands of its members and ancestors should be avoided
- f) Negative impacts to flora and fauna should be avoided. The loss of plants and animals used by Native Americans for traditional uses, medicinal, ceremonial, food, clothing, and other uses have not been adequately assessed.
- g) Environmental Justice - the industrial and mineral developments injure Native Americans and do not contribute to tribal interests or values. A thorough investigation of environmental justice impacts to Native Americans, and particularly the Winnemucca Indian Colony, should be conducted.

- h) Native American representation should be included as Cooperating Agencies in the Environmental Assessment in order to represent Native American interests. Bureau of Indian Affairs, InterTribal Council of Nevada, or other regional professionals should be involved to assure protection of trust assets. The BLM Humboldt River Field Office has not been including Native American organizations as Cooperating Agencies in its Environmental Assessments.
- i) Over the past 20+ years, the BLM has approved multiple projects which divert surface water and ground water from the Winnemucca Indian Colony to the City of Winnemucca, private irrigators, land developers and others, impacting the Water Canyon Creek to the point of drying up. The proposed Lithium Nevada Thacker Pass Project is located between Quinn River and Kings River, each of which are in our aboriginal territory and have cultural and traditional significance to the Winnemucca Indian Colony. The potential adverse impacts should be fully evaluated prior to approval of any disturbances.
- j) What effect, if any, will the operation of this proposed project have on the Quinn River and Kings River flows and what impact will be on the ground water levels in the aquifer?

Thank you for considering our concerns on the impacts of the proposed project to the Winnemucca Indian Colony members and our ancestors. Thank you for registering our opposition to this project until sufficient consultation is completed to resolve the unmitigated concerns.

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Judy Rojo, Chairwoman
Winnemucca Indian Colony Council