MENOMINEE INDIAN TRIBE OF WISCONSIN
CHAIRMAN'S OFFICE
P.O. Box 910
Keshena, WI 54135-0910

May 3, 2018

Michigan Department of Environmental Quality (MDEQ)
Attention: Kristi Wilson
Water Resources Division
Upper Peninsula District Office
P.O. Box 30458
Lansing, Michigan 48909-7958

RE: MITW & Michigan DEQ Meeting

Dear MDEQ/Ms. Wilson:

Waewaenen (thank you) for the opportunity to meet with Vice Chairman Craig Corn and Legislator Joan Delabreau on behalf of the Menominee Nation on Monday, April 30, 2018 at the Island Resort Casino in Harris, Michigan. We appreciate the time MDEQ took to attend and discuss Menominee Indian Tribe's relationship with the State of Michigan and the Back Forty Project Wetland permit.

Foremost, we would like to formally request that Michigan and Menominee Indian Tribe establish a written Accord regarding the issue of consultation. As we discussed during the meeting, the Menominee's historical territory included parts of Western Michigan and Eastern Michigan directly above Wisconsin. In accordance with this history, it is highly anticipated that the issue of consultation between Michigan and the Menominee Indian Tribe as it relates to cultural and historic sites will arise again. Therefore, Menominee takes the position that both sovereigns would benefit from a written Accord establishing process so that meaningful consultation occurs early on.

Second, as discussed at the meeting, the Tribe does not believe the applicant has adequately addressed EPA's objections related to the insufficiency of the applicant's archaeological and cultural resources studies. This insufficiency relates to the entire project site, and not just the most recent expanded area. Please find the additional information as requested that relates to the Menominee cultural landscape located within the project area.

Lastly, as we have stated time and time again, the Menominee Tribe's interest is unique because our origin as a people begins as the mouth of the Menominee River, a mere 60 miles east of our present Reservation. The site remains important as the birth place of our five clans, the ancestral Bear, Eagle, Wolf, Moose and Crane. And as we discussed at the meeting, to the Menominee

people the circumstances of allowing a mine site near the area of Menominee origin would be akin to putting a mine site near the Garden of Eden. We say this not to offend but to help provide insight as to the affect a mine would have on the psyche of Menominee people. Moreover, a comprehensive cultural landscape including ancestral burial sites, ceremonial and village sites, cultural and other funerary objects are located within the footprint of the proposed site and will likely be impacted by this project if the wetland permit is approved. Respectfully, the **Tribe continues to request MDEQ deny the wetland permit**.

Waewaenen (thank you) for your careful consideration of our concerns. We request that MDEQ promptly provide a copy of any correspondence concerning the agency's decision of any sort on this matter.

Sincerely,

Douglas Cox
Chairman
Menominee Indian Tribe of Wisconsin

Cc: Menominee Tribal Legislature
Melissa Cook, Menominee Intergovernmental Affairs
Attorneys John Wilhelmi & Starlyn Tourtillott, Menominee Legal Services Department
Teresa Seidel, Director Water Resources
Kim Fish, Assistant Director Water Resources Division
Ryan McCone, District Supervisor Environment-Water Resource Division—UP
Katie Kruse, External Relations Environmental Justice & Tribal Liaison
Melanie Burdick, USEPA