

United Tribes of Michigan

5453 Hughston Rd, Harbor Springs, Michigan 49740
Phone: 517-802-8650 --- Email: fettawa@charter.net

Frank Ettawageshik, Executive Director

RESOLUTION # 043 05-05-2016

United Tribes of Michigan Opposes the Back Forty Mine Development

WHEREAS, the membership of United Tribes of Michigan (UTM) is open to all of the twelve federally recognized tribes located in Michigan; and

WHEREAS, the organization provides a forum for the Tribes in Michigan to address issues of common concern and is committed to join forces to advance, protect, preserve and enhance the mutual interests, treaty rights, sovereignty, and cultural way of life of the sovereign Indian Tribes of Michigan throughout the next seven generations; and

WHEREAS, UTM accepts the mission to engage, as a matter of mutual concern, issues that impact the health, security, safety, and general welfare of Native Americans; and


WHEREAS, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) provides that our "free, prior, and informed consent" needs to be obtained on issues that would impact our lands, territories, resources and peoples; and

WHEREAS, historical precedent has demonstrated that the proposed project known as the Back Forty Mine will threaten the health of the Menominee River watershed and the downstream life that depends upon it. A high likelihood exists that sufficient environmental degradation will occur to affect the culture, foods and lifeways of the Menominee Indian Tribe of Wisconsin (Tribe) who have said that they do not consent to this proposed mining operation by formal resolution of the Menominee Tribal Legislature (copy attached); and

WHEREAS, the Tribe's concerns have been repeatedly voiced in the permitting process, and in public media, for the several years that the process has been going on.

THEREFORE, BE IT RESOLVED, that the United Tribes of Michigan supports the efforts of the Menominee Tribe of Wisconsin to protect the Menominee River Watershed and stands with the Tribe in demanding the denial of all permits associated with the proposed Back Forty Mine.

Adopted by a vote of 9 in favor, 0 against, 0 abstaining, at a meeting of the United Tribes of Michigan held on May 5, 2016 at Bay Mills Indian Community.


Chairman Homer A. Mandoka
UTM President



**MENOMINEE INDIAN TRIBE OF WISCONSIN
RESOLUTION NO. 15-93
OPPOSITION TO MINING ACTIVITY THAT THREATENS
MENOMINEE CULTURAL RESOURCES AT TRIBES PLACE OF ORIGIN**

WHEREAS, we, the Menominee people, are indigenous to what is now known as the State of Wisconsin, our place of origin was at the mouth of the Menominee River where the five clans of the Menominee were created and include the Awāēhsaeh (Bear), Kenēw (Eagle), Mahwāēw (Wolf), Mōs (Moose), and Otāēchiah (Crane), and we continue to live on our ancestral land that was granted by the Māēcawāēhtok (Great Spirit); and

WHEREAS, the Menominee Indian Tribe of Wisconsin (the "Tribe") is a federally recognized Indian Tribe as provided by the Menominee Restoration Act, Act Dec. 22, 1973, Pub. L No. 93-197, 87 Stat. 770, which appears generally as 25 U.S.C. §§ 903 et seq.; and

WHEREAS, the Tribe, acting through its duly elected governing body, the Menominee Tribal Legislature (the "Legislature"), has powers to make and enforce laws, negotiate with Federal, State and Local governments and otherwise exercise its powers consistent with the limitations imposed by its Constitution and Bylaws; and

WHEREAS, Aquila Resources, Inc. is seeking approval from Michigan DEQ to mine gold, zinc, copper, silver and other minerals upstream from the mouth of the Menominee River on Michigan's Upper Peninsula, known as the "Back Forty Project";

WHEREAS, the location on the Menominee River is historically and culturally significant to the Menominee people due to the existence of cultural properties by way of raised agricultural fields, funerary objects, multiple mounds, burial sites, and villages and is an area that is the place of origin for the Menominee People; and

WHEREAS, Aquila Resources, Inc. will utilize open-pit mining for extraction and removal processes, a process which has historically caused detrimental impacts to water, environment, wildlife, animals, and cultural properties as demonstrated with other mines of similar nature; and

WHEREAS, the Menominee Tribe has demonstrated its stewardship to protect the Tribal Culture and Resources, neighboring Tribal Nations, water, environment, wildlife, and animals that occupy these lands within our historical range;

NOW, THEREFORE, BE IT RESOLVED, that by this Tribal Resolution, the Menominee Indian Tribe declares

1. The Tribe's opposition to mining activity within the Tribe's historical range, specifically that mining activity that threatens the Tribe's place of origin at the mouth of the Menominee River;
2. The Tribe is dedicated to committing resources and technical support to protect the Tribe's cultural and historical resources within its historical range;
3. The Tribe is dedicated to assisting our neighboring Tribes in protecting the environment, water, wildlife, animals and cultural properties; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Menominee Tribal Legislature hereby directs the Chairman of the Tribe to take necessary action to become involved in the Back Forty Project permitting process, to include the following:

1. Attending relevant meetings pertaining to the issue;
2. Submitting comments on the project permit by the February 2, 2016 deadline;
3. Contacting the Native American Liaison of the Detroit Corps of Engineers to intercede on the Tribe's behalf; and
4. Explore contact with other potential federal agencies that may intercede.

CERTIFICATION

We, the undersigned officers of the Menominee Tribal Legislature hereby certify that the foregoing resolution was duly adopted at a meeting held on December 03, 2015 with a quorum present, by a vote of 7 for, 0 opposed, 0 abstentions and 1 absent.

The undersigned further certify that the foregoing resolution has not been amended or rescinded in any way.

MENOMINEE INDIAN TRIBE OF WISCONSIN



GARY BESAW, TRIBAL CHAIRMAN
MENOMINEE TRIBAL LEGISLATURE



CRAIG CORN, SECRETARY
MENOMINEE TRIBAL LEGISLATURE

DATE: December 17, 2015