



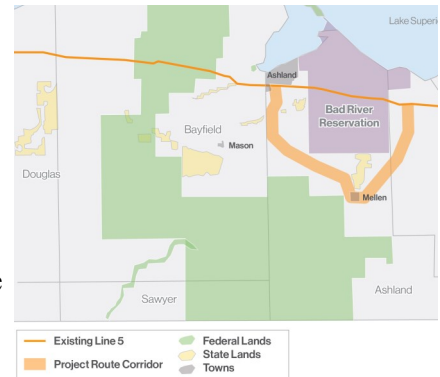
Gi-Ganawemaanaan Nibi: We Are Protecting the Water

January 2020

Nibi Akawe Mashkiki, water is the first medicine. **Nibi Bimaadiziwin**, water is life. Any threat to water is a threat to all life, the Anishinaabeg, **giigoonh** (fish), **mashkiki** (medicines) and all of our other **indinawemaaganag** (relatives). As industry continues to try to destroy the **aki** (land) and **nibi** (water) people continue to resist.

Line 5 Updates:

- Enbridge's 66 year old pipeline moves oil and natural gas from **Oodenaang** (Superior, WI) to near the Aamjiwnaang First Nation near Sarnia, Ontario travelling under the Straits of Mackinac. Line 5 has had over 30 spills totaling over 1 million gallons of oil.
- Enbridge is preparing to reroute the pipeline directly around the Bad River Reservation in response to Bad River's lawsuit.
- Enbridge is seeking consent from land owners to survey land for a potential Line 5 reroute directly around the Bad River Reservation. There have been several reports of surveyors trespassing on private land.
- Mellen Common Council denied Enbridge's request to do land surveys on city owned parcels after hearing from community members. A couple months later the City of Mellen sold one of the parcels to Enbridge. The land deal may not be binding because Mellen acquired the land for the purpose of turning it into a public park.
- The Sierra Club, Bad River and others are working with landowners to resist Enbridge's pressure and intimidation to allow land surveys.
- A Michigan Court of Claims ruled that Enbridge is able to build a tunnel for Line 5 in the Straits of Mackinac per Public Act 359. Michigan's leadership plan to appeal this decision. Attorney Generals in Wisconsin, Minnesota and California have filed amicus briefs supporting Michigan's lawsuit claiming the State has an obligation to protect the public's rights in public waters and decommission Line 5.
- A report of Enbridge's Financial Assurance focusing on Line 5 in the Straits of Mackinac was completed for the State of Michigan. It found that Enbridge assets are tied up in various projects and are not readily available in the event of a spill. Additionally, the relationship between Enbridge Energy and Enbridge Inc. is setup in a way that shields the parent company from any spill related costs.



Enbridge's proposed reroute



The land Mellen wants to sell to Enbridge



Gi-Ganawemaanaan Nibi: We Are Protecting the Water

Line 3 Updates:

- A proposed tar sands pipeline that would cross over 200 water ways and the heart of **Manoomin** (wild rice) nibi from the Cree, Chipewyan and Metis territory known as Alberta, Canada to **Oodenaang** (Superior, WI).
- A Minnesota Court of Appeals determined the state's Environmental Impact Statement (EIS) failed to include the impact of a potential oil spill in the **Anishinaabe Gichigami** (Lake Superior) basin. A new EIS (this is now the third version of the EIS for this project) was released for public comment in early December.
- After the Public Utilities Commission has reviewed public comments they will make a decision whether or not to accept the newest version of the EIS. If accepted, the Commissioners will the vote to issue the Certificate of Need for the Line 3 Expansion Project as well as vote to Approve the Route.
- The Minnesota DNR has about to a dozen Line 3 related permit applications they have been reviewing since March 2018. The DNR is expecting Enbridge to submit revised permit applications shortly.
- On September 27th, the Minnesota Pollution Control Agency (MPCA) denied Enbridge's 401 Water Quality Permit due to the Minnesota Court of Appeals' ruling that the state EIS was insufficient. Enbridge has since reapplied for a Water Quality 401 Certificate. Enbridge resubmitted this past November. The MPCA has several other permits they are currently reviewing as well.
- White Earth issued Cease and Desist in response to Enbridge conducting a training on reservation regarding cultural surveys for the Line 3 corridor without Tribal consent.
- Water protectors marched on Enbridge's Clearbrook Terminal, which is a key facility for Line 3 and the transporting of tar sands, twice this fall.



Over 200 people march on Enbridge's Clearbrook Terminal on Indigenous Peoples Day to oppose Line 3



Water Protectors return to the Clearbrook Terminal in late November to oppose Line 3

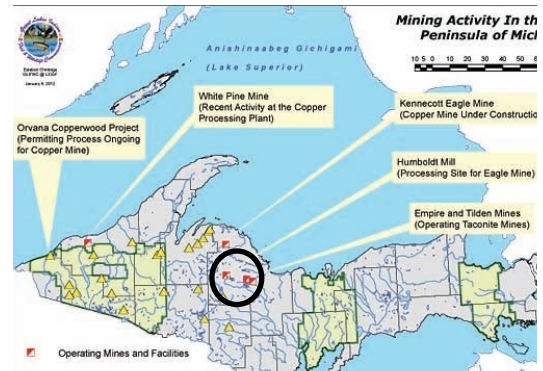


Gi-Ganawemaanaan Nibi: We Are Protecting the Water

Nibi Akawe Mashkiki, water is the first medicine. **Nibi Bimaadiziwin**, water is life. Any threat to water is a threat to all life, the Anishinaabeg, **giigoonh** (fish), **mashkiki** (medicines) and all of our other **indinawemaaganag** (relatives). As industry continues to try to destroy the **aki** (land) and **nibi** (water) people continue to resist.

Tilden Mine Updates:

- The EPA has cited Tilden Mine for continued Clean Air Act violations and filed a suit against the company. An out of court settlement is expected and would likely result in the Tilden Mine being fined far less than what the EPA initially called for.
- The Tilden Mine has submitted a permit application to enlarge their existing dam. Keweenaw Bay is concerned about this expansion due to dam safety and the potential of a spill.



Humboldt Mill Updates:

- GLIFWC has been conducting water quality testing down stream of the Humboldt Mill's new discharge location. They have found increased levels of water conductivity and are researching the source of the increased conductivity.

Eagle Mine Updates:

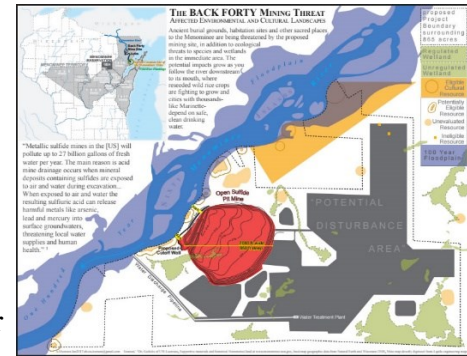
- Eagle Mine, just east of Keweenaw Bay Indian Community in 1842 territory, formally notified the Michigan Department of Environmental Quality (now EGLE, Environmental, Great Lakes and Energy) of a discharge in June, 2018 at the Humboldt Mill processing facility. In November, 2018 Eagle Mine again notified MDEQ (now EGLE) of a "chronic toxicity exceedance". In March, 2019 Eagle Mine reported a sulfuric acid discharge due to a forklift puncturing a tote. A report on the discharges and chronic toxicity exceedance was published this summer indicating Eagle Mine is handling the situation in accordance with Michigan standards.
- Eagle Mine has submitted two Permit To Install (air use permit) applications. Comment periods are expected to open after EGLE reviews the documents.
- The nickel and copper mine recently announced that the life of the mine will be extended from 2023 to 2025.



Gi-Ganawemaanaan Nibi: We Are Protecting the Water

Back 40 Mine Updates:

- The Back 40 Mine is a proposed sulfide mine on the shores of the **Manoominkaani-ziibi** (Menominee River), upstream of the birth of the Menominee People and **Boojwiikwed** (Green Bay) proposed by Aquila Resources.
- The Menominee Nation is still in court challenging the USACE's failure to act as a permitting authority.
- Coalition to SAVE the Menominee River Inc. continues their contested case over the issued Wetlands Permit in Lansing, Michigan. The Coalition has also filed a federal case against the EPA and USACE.
- The Menominee Nation is working towards recognizing the Rights of the Menominee River to ensure that it is protected for generations yet to come.
- In mid December Michigan Department of Environmental, Great Lakes and Energy (EGLE) approved Aquila Resources Air Permit and Amended Mining Permit, however mining permit approval has many conditions associated with it.
- EGLE recently received additional information that had been requested from Aquila Resources regarding the company's Part 315 Dam Safety Permit. EGLE is expecting a new Dam Safety Permit to be submitted by Aquila Resources, which allow for yet another round of public comment.



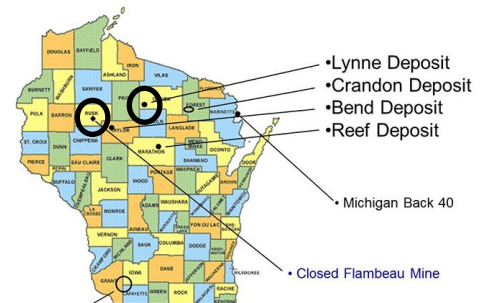
noback40.org/Documents/MineSiteMap.jpg

Aquila Resources Exploration Updates:

- Aquila Resources, the company that owns the proposed Back 40 Mine, has received Prospect Mining permits from the BLM for land in the Chequamegon-Nicolet National Forest north of Perkinstown.

Lynne Mine Updates:

- Lac du Flambeau has reached out to Oneida County Board to discuss their mining ordinance.
- GLIFWC will begin collecting baseline water sample this summer.
- In November, 2018 62% of participating voters in Lynne voted against mining on County forest land. Earlier this month the County Board voted on a resolution to prohibit metallic mining. The resolution was blocked by an 11 to 8 vote in support of mining.



Flambeau Mine Updates:

- The Flambeau Mine Company has requested to make their water quality monitoring requirements less stringent for the closed Flambeau Mine.

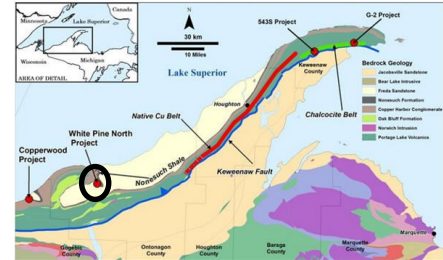


Gi-Ganawemaanaan Nibi: We Are Protecting the Water

Nibi Akawe Mashkiki, water is the first medicine. **Nibi Bimaadiziwin**, water is life. Any threat to water is a threat to all life, the Anishinaabeg, **giigoonh** (fish), **mashkiki** (medicines) and all of our other **indinawemaaganag** (relatives). As industry continues to try to destroy the **aki** (land) and **nibi** (water) people continue to resist.

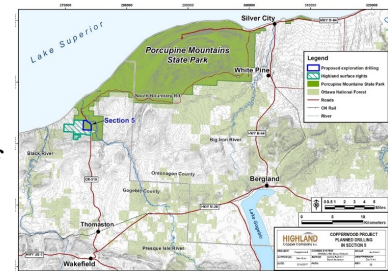
White Pine Mine Updates:

- The White Pine Mine sparked the historic Anishinaabe rail-road blockade in Bad River and closed in 1995.
- Highland Copper, the company that owns the Copperwood Project, purchased White Pine in 2014/15. The Preliminary Economic Assessment was recently released and indicated that once copper is at \$3/lb it would be economically viable to begin mining.



Copperwood Mine Updates:

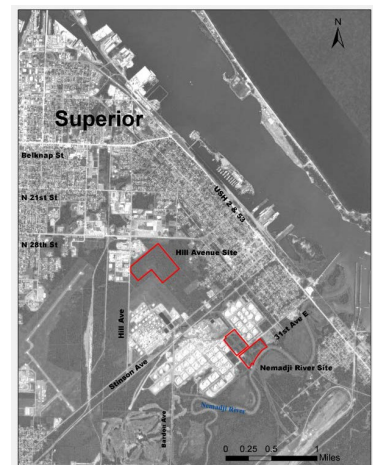
- The Copperwood Mine is a proposed copper mine near the shores of Anishinaabe Gichigami just outside of the Porcupine State Park.
- Bad River THPO assessed that the state issued permits are not in compliance with National Historic Preservation Act due to lack of consultation and cultural reviews.
- Currently a portion of the proposed route of the Water Intake Structure (WIS) is expected to cross the Ottawa National Forest, but no application has been submitted. The Army Corp has not yet performed an environmental review for the proposed Water Intake Structure and an updated NPDES permit is needed.



https://www.juniorminingnetwork.com/images/news/Highland_Copper_2-14-2017.jpg

Nemadji Trail Energy Center Updates:

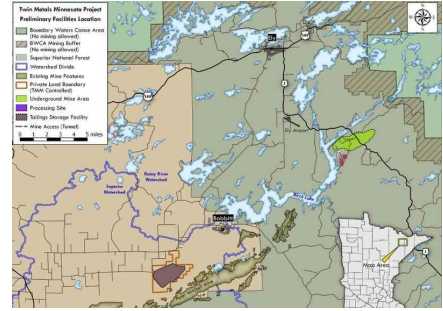
- Dairyland Power Cooperative and a subsidiary of Minnesota Power have proposed a natural gas powerplant in **Oodenaang** (Superior, WI). The project site is located on the Nemadji River next to an Enbridge facility and is expected to run on gas from horizontal fracturing (fracking) sites.
- A final EIS has been developed by the Wisconsin DNR and the Public Services Commission (PSC). Public hearings on the EIS and project application were held in Superior. Many public comments in support of the project came from union representatives, business owners and elected officials supporting the project for financial reasons while comments opposed to the project came from community members concerned about the health and environmental impacts.



Gi-Ganawemaanaan Nibi: We Are Protecting the Water

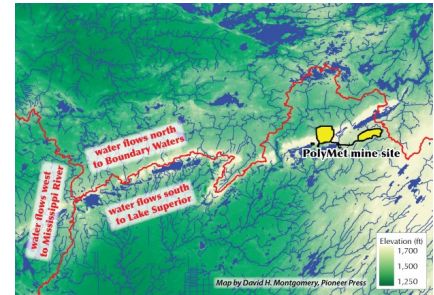
Twin Metals Mine Updates:

- Twin Metals is expected to be an underground metal mine in Northeastern Minnesota. Very few project details are known at this time, but a Mine Plan is expected to be submitted soon.
- The Bureau of Land Management (BLM) is expecting Twin Metals to submit a Mine Plan this fall. The BLM, Minnesota DNR and any tribes interested in being Cooperating Agencies will then begin to develop an EIS, which is expected to take at least one year to develop. Once a Mine Plan has been submitted the BLM will begin tribal consultations.
- The Minnesota DNR announced that they will conduct a state-level Environmental Impact Statement (EIS). The BLM and USFS are expected to conduct a federal EIS based on discrepancy for state and federal EIS requirements.
- A state issued Water Quality Certification must be approved (which requires an EIS to first be completed) before any BLM permits can be applied for due to conditions of the land lease.



PolyMet Mine Updates:

- The proposed sulfide mine located just outside of the Boundary Waters had received most of its permits, however legal challenges and investigations are causing many to be put on hold.
- Fond du Lac challenged the land that was transferred from the US Forest Service to PolyMet. The tribe is also challenging the Air Permit, Permit to Mine, Dam Safety Permit and the NPDES Permit.
- Minnesota Court of Appeals placed a temporary holds on the mine permit, dam safety permits and NPDES permit due to several concerns including the fact that EPA comments were concealed during the review process.
- A Minnesota Court of Appeals recently ordered a forensic search of three former MPCA officials regarding concealed EPA staff comments.



Minntac Mine Updates:

- The Minnesota Court of Appeals reversed Minnesota Pollution Control Agency's decision to renew the mine's Waste Water Discharge permit. The permit originally expired in 1992 and the discharge has been exceeding Minnesota standards for sulfate discharge in manoomin waters based on data collected by 1854 Treaty Authority. Fond du Lac and Water Legacy were leading the legal challenge.





Gi-Ganawemaanaan Nibi: We Are Protecting the Water

Nibi Akawe Mashkiki, water is the first medicine. **Nibi Bimaadiziwin**, water is life. Any threat to water is a threat to all life, the Anishinaabeg, **giigoonh** (fish), **mashkiki** (medicines) and all of our other **indinawemaaganag** (relatives). As industry continues to try to destroy the **aki** (land) and **nibi** (water) people continue to resist.

Want to get involved and protect the Nibi?

Upcoming Educational Events:

- **Stay Tuned for Updates!** We are working with Ogichidaag and Ogichidakweag fighting Enbridge pipelines to come to the community and share their stories of resistance!

Opportunities to Comment to the Federal or State Agencies:

- The U.S. Forest Service is **still** accepting public comments regarding Chequamegon-Nicolet National Forest's expired Line 5 Special Use Permit, for details go to: <https://www.fs.usda.gov/project/?project=44889>
- Information on Enbridge's Line 3 EIS and the comment period that ends January 16th can be found here: <https://mn.gov/commerce/energyfacilities/line3/>
- Want to sign up with MN DNR and MCA for Line 3 updates? Check out these websites:

<https://www.dnr.state.mn.us/line3/index.html>

<https://www.pca.state.mn.us/regulations/enbridge-line-3-pipeline-replacement-project>

Want to join the Frontlines?

- Contact the Ginew Collective to help fight Line 3 ginew@protonmail.com or www.facebook.com/ginewcollective/

For more information about any these projects, please contact our
Environmental Justice Specialist at noah.saperstein@redcliff-nsn.gov
or (715) 779 3650 ext. 4315