## Red Cliff Band of Lake Superior Chippewa

## Treaty Natural Resources Division Newsletter

Volume 8, Issue 3, Fall 2019

## Ganawenjigaade

It is taken care of, protected . . . We take care of, protect, keep it.



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#### **Employee of the Month**

An office is only as good as its staff, and we at the Treaty Natural Resources Division think we have some of the best. The following team members were nominated for Employee of the Month in the last three months by their fellow co-workers. Submitted by: Chad Abel, Division Administrator



#### July Employee of the Month Allissa Stutte, Farm Manager/Food System Coordinator

With the growing season fully underway and a delay in hiring seasonal employees at the tribal farm, Allissa was a one-person department throughout the busy gardening month of June. Allissa is known for being one tough cookie and for inspiring other tribal programs and TNR staff to help her support Red Cliff efforts to advance food sovereignty and the availability of local food sources. She was nominated in July for "not freaking out with the farm workload." Miigwech Allissa for carrying a heavy load!



#### August Employee of the Month Alex Breslav, Youth Science Coordinator

Alex has rejuvenated our Earth Partnership program with his sincere interest in Ojibwe language, culture and traditional use of area resources. He seems the perfect fit in helping TNR engage tribal youth about natural science and outdoor education. He was also nominated for the huge amount of help and time investment with the summer interns this year. Thanks Alex for providing the spark our youthfocused program needed!



#### September Employee of the Month Andy Edwards, Wildlife Biologist

Andy transferred from the Water Resources Program to assume the position of Wildlife Biologist early this summer. He is a steadfast employee who makes good decisions on his feet and understands how, as a tribal biologist, to engage, collaborate with and (sometimes) politely pester state and federal agencies on projects that are important to Red Cliff. He was nominated by his colleague in the Wildlife Program, Ron Nordin, for the ease in which he made the transition for both of them and for his ability to hit the ground running.





Hello,

My name is Richard Cole Peacock and I recently got the position as Red Cliff Transfer Station Manager and I am excited to work with the community and help keep things clean.

stop down and take the trash out!

## DAGWAAGIN

## It is Autumn

BINAAKWII-GIIZIS Falling Leaves Moon

GASHKADINO-GIIZIS Ice is Forming Moon

MANIDOO-GIIZISOONS Little Spirit Moon



AKANDOOWAAGAN A hunting stand or scaffold, a blind OMASHKOOZO-WIIYAAS Elk meat





MISKOBAGIZI She/he (a tree) has red leaves

DAGWAAGONG Last fall, last autumn

OKSOMINAAN A squash; a pumpkin

GISINAA It is cold (weather)

MISHIIMINAATIG An apple tree

GIIYOSE She/he hunts

## Your input wanted!

The Treaty Natural Resources Division is creating a new Comprehensive Plan that will shape management practices for the next ten years.

A vital part of this process is gathering input from you, the community! Chi Miigwech to everyone who participated in our community survey! Your thoughts, values, and ideas will help guide the creation of a ten-year plan for the division. We are hoping to have our first draft of the plan completed this winter! But before we can start writing we need to gather more community input.

The division will be hosting community listening sessions to continue to hear from the community. We are hoping to hear from elders, youth, harvesters and others! More information on these sessions is expected to be released shortly!





#### Indigenous Arts and Sciences (IAS) at Red Cliff

Alex Breslav, Red Cliff IAS Coordinator, Treaty Natural Resources

For the past few years Red Cliff, along with several other Wisconsin tribes and school districts, has been a part of a UW-administered program (Earth Partnership) aimed at helping tribal youth get involved in the arts and sciences - from an indigenous perspective. Studies have shown that building on a youth's cultural background and strengths leads to a higher rate of success in higher education and professional careers, including those in the STEM (Science, Technology, Engineering, Math) fields. Environmental and cultural learnings are always on the forefront, and there is a lot of flexibility for every community to tailor the program to its specific needs. This is how it currently takes shape here at Red Cliff...

A part-time Indigenous Arts and Sciences (IAS) Coordinator is based out of Red Cliff's Treaty Natural Resources. They work with youth directly, support on-going programs, support public school teachers (some of whom are involved with IAS too), as well as help youth connect with cultural speakers and environmental professional.

This summer, Red Cliff IAS (in conjunction with Bad River IAS) put on two week-long institutes – one for local teachers and the other one for youth, which involved field trips, hand-on environmental and cultural activities, and cultural teachings. There also has been weekly involvement with the Boys and Girls Club, monthly workshops through the Ginanda Gikendaasomin Tribal Library, participation in Ma'iingan (Wolf) and Ojibwemowin (Language) camps, cooperation with different tribal departments through participation in various tribal festivals and events (ECC Summer Fest, TPHO Archeology Expo, Clinic Fall Fest, etc), and mentorship of TNR's summer interns. During the school year Red Cliff IAS reaches out to the Bayfield school district, with the coordinator spending time with the Alternative Education class. As well as in other way when opportunities present themselves – like doing fun experiments Bayfield Elementary during the Science Week at the end of the last school year!

Something that IAS recognizes is that within every culturally-based workshop or presentation, there is a vast amount of opportunity to tie in all kinds of multidisciplinary learning. For example, if a youth is practicing bow-drill friction Ishkode (fire) making, there is opportunity to talk about Mitig (tree) identification and forest ecology, body mechanics and biology, the principles of physics that make friction fire possible, engage in storytelling, reflections of it all within the Ojibwe language.. the list can go on! It's about valuing and supporting indigenous knowledge and perspective, using that as the foundation for academic learning, human and non-human relationships, and self-knowing.

IAS is here to serve! If you think that IAS can be of assistance in your program, classroom, or event, feel free to reach out to the current coordinator, Alex Breslav – let's see what we can co-create!

Email <u>alex.breslav@redcliff-nsn.gov</u> or call (715) 779-3795

A picture can be worth a thousand words! Here are some snapshots of IAS activities this year.



Tribal Library Edible Plants Walk



Installing Ojibwemowin Signs at Frog Bay Tribal National Park with Bayfield High School's Alternative Education Class

Macroinvertebrate Sampling during the 2019 Teacher Summer Institute





Learning about wildlife monitoring from TNR wildlife technician Ron Nordin during the 2019 Youth Summer Institute

#### Cooking and burning out bowls at Language







Mike Wiggins, Bad River Chairman, speaks to a group of Red Cliff/Bad River youth about the importance of practicing treaty rights during the 2019 Youth Summer Institute

Hide Scraping station at ECC's Summer Fest



Summer TNR interns gathering Wiigoob (Basswood) inner bark for rope-making



#### **Red Cliff Tribal Fish Hatchery**

#### **Troubles with Amik**

Over the past few years the fish hatchery here in Red Cliff has had some major issues with amik (beaver). The busy amik works through the night and has caused some major issues with our drainage pond. Our helpful Wildlife and Forestry staff have trapped and relocated multiple amik out of the ponds already this year. However, being



Pictured above: Rock wall surrounding new water level control structure.



Pictured above: Graphic showing water level control structure

the perfect habitat a new one always shows up. Amik has clogged drains and caused our pond to not function properly making for a wet and muddy mess. In order to help combat this problem a new water control structure was recently installed at the hatchery's drainage pond. This new control structure allows for the hatchery to have the pond function and not allow the pesky amik to plug up the drain. Water enters the drain pipe of the structure from deep at the bottom of the pond. The water then makes its way into the structure and flows back up to

a predetermined height set with removable dam boards. The water then flows over the dam boards out

of the pond. The water level can be raised or lowered by removing or adding dam board inside the structure. The yellow rat guard on the end of the pipe makes it so no debris flows into the structure clogging the pipe. A Rock wall was also placed surrounding the structure so that nothing can remove the material used to burry the structure. Currently the structure is working and keeping amik at bay.



Pictured above: Amik in a live trap at the hatchery pond ready for relocation!

#### Fisheries Update:

The Red Cliff Fisheries and Hatchery programs are conducting a study of Brook Trout movement and survival in Gichigami (Lake Superior). We implanted Brook Trout from our hatchery with acoustic transmitters and stocked them in Gichigami June 12<sup>th</sup> of this year. The acoustic transmitters emit unique pulses of sound that communicate with the acoustic receivers we placed in Gichigami along the mainland shoreline and Oak Island. Using this technology, we have been tracking the movements of the fish and can even tell if they have been eaten! This study is ongoing but check out what we have learned so far.



#### Fisheries Update:



Locations where our Brook Trout have been detected. The size of the dot indicates the number of detections. Frog Bay and Oak Island are located near the center of the map.



Locations where predators that ate our Brook Trout have been detected. The size of the dot indicates the number of detections. Frog Bay and Oak Island are located near the center of the map.

#### A Celebration of Native Sovereignty and the Fight Against the Dakota Access Pipeline

October 2019

Resistance to the Dakota Access Pipeline (DAPL) didn't begin with Sacred Stone Camp or Oceti Sakowin. Recent native sovereignty efforts reignited struggles against colonization from coast to coast on Turtle Island. These recent epicenters of resistance helped to lay the groundwork for movements against projects like the Penokee Mine, the DAPL and the proposed Line 3 Project. This summer water protectors remembered some of the following anniversaries:

- The 29th anniversary of the 1990 Oka Crisis\* : Kanien'kehá:ka (Mohawk) indinawemaaganag (relatives) and their accomplices defended ceremonial and buri- Above: Warrior and RCMF al grounds when they were threatened by a proposed golf course and condominium expansion.
- The 24th Anniversary of the 1995 Gustafsen Lake standoff\* : Secwepemc indinawemaaganag faced a threat of eviction from their Sundance Camp by a rancher leading to an armed standoff between Secwepemc warriors and the Canadian government.
- The 24th Anniversary of the 1995 Ipperwash Crisis\* : A group of Stony Point • Band ogitchidaag and ogitchidaagkwe reclaimed stolen land that ended with a military raid and the death of two Anishinaabe. The land has since been rerecognized as Stoney Point Band reserve land.
- The 23rd Anniversary of the 1996 Bad River Train Blockade: Anishinaabe • Ogitchidaag blocked railroad tracks that crossed Bad River after reports surfaced of trains carrying sulfuric acid to the White Pine mine east of the Bad River reservation.

\*For more information on this act of resistance search "NAME in five minutes" Example "Oka Crisis in five minutes"

stand off at Oka Crisis



Above: Elder Wolverine at the **Gustafson Lake standoff** 



Above: Native youth near a barricade at the Ipperwash Crisis



Above: Anishinaabe Ogitchida blocking railroad tracks in Bad **River** 

Just as the fight against the Dakota Access Pipeline didn't begin with the Oceti Sakowin encampment, it didn't end with the eviction of the camp either. Tribes and environmental groups challenged the Environmental Impact Statement (EIS) and the lack of tribal consultation as early as 2016. Soon after, Miskwabekaang's Tribal Council passed a resolution opposing the DAPL and in support of our indinawemaaganag fighting against the Black Snake. In June of 2017, the judge determined that the US Army Corp of Engineers' (USACE) environmental review didn't adequately consider the impact an oil spill would have on tribes or their hunting and fishing rights. The USACE was then directed to conduct additional analysis. On August 20th, 2019 Miskwabekaang Tribal Council decided to continue the fight to protect the nibi and authorized the tribe to join the current lawsuit as a "friend of the court" against the Army Corp of Engineers.

#### Red Cliff Band of Lake Superior Chippewa Indians

RESOLUTION NO: 09-05-2016 A

PERTAINING TO: RESOLUTION OF SUPPORT TO THE STANDING ROCK SIOUX TRIBE'S OPPOSITION TO THE PROPOSED DAKOTA ACCESS PIPELINE.

THEFT. D CA	POSITION TO THE PROPOSED DANOTA ACCESS THE ELIVE
WHEREAS:	the Red Cliff Band of Lake Superior Chippewa Indians is a federally recognized Indian Tribe, organized under a constitution adopted April 18, 1936, and approved June 1, 1936, pursuant to Sec. 16 of the Indian Reorganization Act, said Constitution having been amended by the Band on January 28, 1991, and said amendments approved by the Secretary on July 2, 1991, in accordance with the provisions of applicable federal law; and,
WHEREAS:	the Red Cliff Tribal Council is the governing body of the Red Cliff Band of Lake Superior Chippewa (Tribe); and,
WHEREAS:	the Missouri River Tribes share a spiritual and physical connection to the land and water encompassed in the epic Missouri River basin; and,
WHEREAS:	the Missouri River Tribes' immortal relationship to that exceptional place transcends time, fostering the interconnection between past, present and future generations of their members to the animals, fish, medicinal plants, nourishing foods and important cultural places of those epic lands; and,
WHEREAS:	the Religious Freedom Restoration Act of 1993 states that "governments should not substantially burden religious exercise without compelling justification" unless it is "is in furtherance of a compelling governmental interest"; 42 U.S.C. Sec. 2000bb-1(a)(b); and,
WHEREAS:	the United States completely abdicated its fiduciary Trust Responsibility as to the reserved water rights of Missouri River Tribes; Winters v. United States; 207 U.S. 564 (1908); and,
WHEREAS:	"[i]n the history of the United States Government's treatment of Indian tribes, its failure to protect water rights for use on the Reservations it set aside for them is one of the sorrier chapters"; United States National Water Commission, Final Report to the President and to the Congress; 475 (1973); and,
WHEREAS:	relevant articles from the United Nations Declaration on the Rights of Indigenous Peoples pertaining to the proposed Dakota Access Pipeline include Article 8.2.b, Article 25, Article 26.1, Article 26.3, Article 29.2, Article 32.2; and,
WHEREAS:	the Standing Rock Sioux Tribe is one of twenty-eight (28) Native Sovereign Nations in the Missouri River basin organized as the Mini Sose Intertribal Water: Rights Coalition to seek legal, administrative, economic and physical control over their water resources; and,
WHEREAS:	the proposed Dakota Access Pipeline violates Article 2 of the 1868 Fort Laramie Treaty which guarantees that the Standing Rock Sioux Tribe shall enjoy the "undisturbed use and occupation" of their permanent homeland; and,
WHEREAS:	recent oil spills upstream from the Standing Rock Sioux Tribe's Reservation, including the release of 840,000 gallons of oil near Tioga, ND in October, 2013, and 51,000 gallons of oil released into the Yellowstone River upstream from Glendive, Montana, resulting in the shutdown of the community water system for 6,000 residents in January, 2015; demonstrate the danger to downstream communities and fish and wildlife from oil and gas pipelines; and,
WHEREAS:	the proposed Dakota Access Pipeline would cross the Missouri River immediately upstream of the Standing Rock Sioux Tribe's Reservation and community water system.
NOW THERE	FORE BE IT RESOLVED: that the Red Cliff Tribal Council supports the Standing Rock Sioux Tribe and other affected Missouri River Tribes, as well as the Great Plains Tribal Chairmen's Association, in their opposition to the permitting and construction of the proposed Dakota Access Pipeline; and,
BE IT FURTH	ER RESOLVED: that Red Cliff tribal staff are directed to take all peaceful measures permitted under the law to ensure that the concerns expressed by this Resolution are protected and upheld as the official stance of the Red Cliff Tribe; and,
BE IT FURTH	ER RESOLVED: that the Red Cliff Tribal Council calls upon the Army Corps of Engineers to reject the proposed Dakota Access Pipeline under Section 10 of the Rivers and Harbors Act of 1899; 33 U.S.C. 403; and,
	IER RESOLVED: that the Red Cliff Tribal Council calls upon the Secretary of the

#### CERTIFICATION

I, the undersigned Secretary of the Red Cliff Tribal Council, do hereby certify that the council is composed of nine members (9), of whom \_\_\_\_\_were present at a meeting duly called, convened and held this <u>05</u> day of <u>\_\_\_\_\_\_</u>2016, and that the foregoing resolution was adopted at said meeting by an affirmative vote of \_\_\_\_\_\_ members for, \_\_\_\_\_\_ against, and \_\_\_\_\_\_ members abstaining for the vote, and that said resolution has not been rescinded or amended in anyway.

Mercile Gordon, Secretary Red Cliff Tribal Council



WATER

October 2019

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 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).
- Enbridge still needs the following permits: Minnesota 401 Water Quality Permit, National Pollutant Discharge Elimination System (NPDES) Wastewater and Air Quality Permits, 10 DNR permits and a federal Wetland and Waterways Crossing Permit.
- 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. The Certificate of Need and the Route permit are no longer valid and no other state permits can be granted until an updated EIS is approved.
- State Agencies were relying on Enbridge's interpretation of "construction" (Minnesota Rules 7852.0100) and allowed Enbridge to drill along the shores of the Mississippi and clear cut the Line 3 route under the guise of "surveying" despite not having the permits to begin construction. On the ground reports state that "preconstruction" have halted since the Court of Appeals determination.
- The Minnesota DNR still has Line 3 related permit applications they need to either approve or deny. It is unclear what will happen if they do not make a decision, but many speculate that it would result in the DNR forfeiting their permitting authority.
- On September 27th, the Minnesota Pollution Control Agency (MPCA) denied Enbridge's Line 3 401 Water Quality Permit due to the Minnesota Court of Appeals' ruling that the state EIS was insufficient.



Concerned individuals halted construction at a Line 3 worksite to protect the Nibi and Manoomin





Enbridge exposed for clearing the proposed Line 3 route



Enbridge contractors drilling on the shores of the <u>Misi-ziibi</u> (Mississippi River)

#### Line 5 Updates:

• Enbridge's 66 year old pipeline transports oil and liquid natural gas from **Oodenaang** (Superior, WI) to just outside of the Aamjiwnaang First Nation near Sarnia, Ontario travelling under the Straits of Mackinac. Line 5 has had more than 30 spills totaling over 1 million gallons of oil.

• This summer Enbridge filed a lawsuit against the State of Michigan over the proposed Line 5 tunnel. MI Attorney General filed two suits to

dismiss Enbridge's suit and to decommission Line 5. Despite these suits, Enbridge contractors collected bedrock core samples in the Straits of Mackinac in preparation for the proposed Line 5 tunnel. A recent report found that an 81-foot section of Line 5 in the Straits of Mackinac is unsupported due to broken anchor supports. An agreement with Michigan requires Enbridge to anchor unsupported sections exceeding 75 feet.

- The image to the right (courtesy of Tribal Chair Mike Wiggins) shows where Line 5 (the black line) crosses the Bad River. The red dot shows where the river will erode the land and meet the pipeline. This will likely occur within 5 years. In July, Bad River filed a lawsuit against Enbridge to remove Line 5 from the reservation.
- The Town of La Pointe Board of Supervisors unanimously passed a resolution supporting Bad River's lawsuit against Enbridge and supports shutting down Line 5.
- Two integrity digs occurred in Bad River during July and August because Enbridge said it couldn't wait until the ground was frozen. Later in August Bad River discovered a 25-40 feet section of Line 5 that is "unsupported and exposed to the elements"

(pictured to the right) leading to another demand of Enbridge to stop the flow of oil through the reservation. In September there were two reports of butane-like odors were detected at a Line 5 worksite in Bad River. This was later reported to the National Response Center as a pipeline leak.

- Regional tribes and intertribal agencies have received letters from Enbridge regarding land surveys and the potential reroute of Line 5.
- Enbridge is seeking consent from land owners near Bad River in Ashland and Iron counties to conduct land surveys for a potential Line 5 reroute around the Bad River Reservation. At the September Mellen Common Council meeting Enbridge representatives requested

permission to begin land surveys on city owned parcels. All public comments opposed Line 5 and a potential reroute through Mellen. Mayor Joe Barabe vocally opposed the reroute and compared it to the fight to protect the Penokee Hills from Gogebic Taconite. At the October Common Council meeting Mellen Common Council denied Enbridge's request after a 4 to 3 vote with Mayor Barabe being the tie breaking vote.

• The Sierra Club hosted an informational session on October 1st, which Bad River Chairman Mike Wiggins and his staff updated the community on Line 5 issues. The Sierra Club also informed the rights of landowners who are being contacted by Enbridge regarding land surveys.







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#### **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 had a THPO consultation that Red Cliff sat in on (for • technical support only) with the Army Corp of Engineers (USACE) and the Michigan Department of Environment, Great Lakes and Energy (EGLE) that concluded with a site visit.
- Bad River THPO assessed that the state issued permits are not https://www.juniorminingnetwork.c Above: • in compliance with National Historic Preservation Act due to lack om/images/news/Highland\_Copper\_ of consultation and cultural reviews. 2-14-2017.jpg
- No permit application has been submitted for a portion of the proposed route of the Water Intake Structure (WIS) that will cross the Ottawa National Forest. The Michigan NPDES permit for this project has expired and an updated permit is needed. The USACE has not yet performed an Environmental Assessment or EIS for the proposed Water Intake Structure.

#### **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).
- There has been increased media attention on the Back 40 Mine focusing on concerns the EPA had with the project. EGLE (formerly MDEQ) requested additional information from Aquila for the Dam Safety Permit application.
- The Menominee Nation is still in court challenging the • USACE's failure to act as a permitting authority.
- The 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.
- Aquila Resources is attempting to make local agreements with • municipalities to support the proposed mine. This "support" has included discussions around "Community Agreements" that would prevent opposition to the mine or any action that would delay the construction timeline as well as promises of financial support to municipalities from Aquila Resources.









**Consolidated Public Hearing June 25, 2019** 





#### **PolyMet Mine Updates:**

• The proposed sulfide mine located just outside of the Boundary Waters received its 404 Wetlands Permit from the USACE on March 22nd, 2019, which was one of the last permit the company needed to begin building Minnesota's first copper-nickel mine. This is the first mine of its kind in the State and opponents are concerned that this will set the stage for many more to follow.



- Fond du Lac's legal challenge regarding land that was transferred from the US Forest Service to PolyMet has resumed. The tribe is also challenging the Air Permit, Permit to Mine, Dam Safety Permit and the NPDES Permit.
- This summer it was publicized that EPA staff concerns regarding the NPDES permit had been EPA's Great Lakes regional office and the Minnesota Pollution Control Agency (MPCA). The NPDES permit has since been place on hold by the Minnesota Court of Appeals.
- Most recently the Minnesota Court of Appeals placed a temporary holds on the mine permit and dam safety permits. This was due to the courts accepting the argument that EPA concerns were concealed during the review process, Glencore is now the majority owner of the project without having their name on any permits and that the MDNR didn't adequately research the recent Brazilian dam failure that has a similar design as the proposed PolyMet dam design.

#### **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.

#### 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.



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#### **Twin Metals Mine Updates:**

• 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.

#### **Eagle Mine Updates:**

• Eagle Mine, just east of the Keweenaw Bay Indian Community in 1842 territory, formally notified the MDEQ (now EGLE) 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 indi-

cating 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.

#### **Minntac Mine Updates:**

• Staff at Fond du Lac shared that the Minnesota courts are supportive of Tribal concerns regarding the reissuance of the Minntac's NPDES permit and the mines discharge.









#### **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 be begin collecting baseline water sample this summer.

#### Flambeau Mine Updates:

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

#### 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's preferred site is located on the Nemadji River next to an Enbridge facility. The gas is expected to come from horizontal fracturing (fracking) sites.
- The project has received preliminary approval from the Minnesota PUC and a final EIS has been developed by the Wisconsin DNR and the Public Services Commission.
- A Public Hearing will be held for the project on October 28th at 6pm and October 29th at 2pm in Superior, Wisconsin at the Belgian Club (3931 East 2nd Street).

#### Wisconsin Anti Protest Law Updates:

• State senators, including Janet Bewley, proposed an anti-protest bill (SB 386) that would create felony charges punishable with 6 years in prison and up to \$10,000 fines for being on property affiliated with infrastructure or a managing company such as Enbridge, their pipelines and offices. A similar bill (AB 426) was proposed by Wisconsin Assembly.



Lynne Deposit
 Crandon Deposit

Bend Deposit

Reef Deposit

Michigan Back 40



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#### Want to get involved and protect the Nibi?

#### **Upcoming Educational Events:**

• **Stay Tuned for Updates!** We are working with Ogichidaag and Ogichidaagkwe fighting Enbridge's Line 3 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: <u>https://www.fs.usda.gov/project/?project=44889</u>
- Contact your elected officials and tell them to vote no to the recently proposed anti-protest laws SB 386 and AB 426 in the Wisconsin Senate and Assembly.
- The Public Service Commission is holding two Public Hearings regarding the Nemadji Trail Energy Center on October 28th at 6pm and October 29th at 2pm at the Belgian Club, 3931 East 2nd Street, Superior, WI. Contact the Environmental Department if you need assistance attending either public hearing.

#### Want to join the Frontlines?

• Contact the Ginew Collective to help fight Line 3 <u>ginew@protonmail.com</u> 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 **Business of Indian Agriculture (BOIA) Training** 

#### November 4<sup>th</sup> to 7<sup>th</sup>, 2019

#### **Radisson Hotel & Conference Center** 2040 Airport Dr, Green Bay, WI 54313

**Sponsored By** 

Wisconsin Tribal Conservation Advisory Council (WTCAC)

Office of Partnerships & Public Engagement (OPPE) First Nations Development Institute (FNDI) Oneida Tribe of Indians of Wisconsin

#### Learn how to develop an Agriculture Business Plan for your Farm and learn how to take a product from the field to the store shelf.

This training session will combine the First Nations Development Institute's Business of Indian Agriculture (BOIA) Training with the Oneida Tribe of Indians of Wisconsin practical agriculture product development experience.

Learn how to develop a 3 to 5-year Business Plan that addresses Financial Management, Strategic Planning, Marketing and Value -Added Products.

#### Who Should Attend?

Red Cliff farmers, commercial fishers, or food/herbal producers interested in developing and growing their farm businesses and developing their farm business plans.

The Wisconsin Tribal Conservation Advisory Council is offering Full Scholarships to include Registration Fee, hotel rooms, per diem and travel costs for up to 20 Wisconsin Tribal Staff, Tribal Members or Tribal Farmers and Ranchers who register through this link and use voucher code WTCAC2019: <u>http://www.cvent.com/d/hyqcfw/4W</u> Registration Deadline Monday, October 14, 2019.

Contact Chad Abel at <u>chad.abel@redcliff-nsn.gov</u> or call 715/779-3750 x4351 for more info!

## **2019 Restoration Projects**



#### **Red Cliff Creek Streambank Stabilization**

This drawing shows the project area (erosion in green) and the general idea of what the project entailed: tree stumps and logs installed in the streambank with backfill placed over the top and native seeds spread across the area. This "engineered toewood" will prevent erosion from the stream and will hold the soil in place.

Now we will plant the newly graded soil and access route with 1,000 native plants grown in the Environmental Department's greenhouse, along with 30 trees, 60 shrubs, and an abundance of dogwood live stakes. This project will contribute to improved nibi quality in Red Cliff Creek by reducing sedimentation and subsequent nutrients and turbidity in the stream, which will also benefit dissolved oxygen levels. This effort will also improve stream habitat by providing woody material for fish and shade for the stream to prevent the nibi from warming. By stabilizing this area, we will also reduce the risk of invasive plant species colonizing the site.



Pre-construction photo of the eroded streambank.

Excavator clearing debris from the eroded streambank.



"Footer logs" being installed.

Installation of "root wads".



Backfilling with woody material and soil.

Post-construction photo of the stabilized streambank.

#### Mino Bimaadiziiwin Farm Wetland Restoration



The above map shows the project area for the Mino Bimaadiziiwin Farm wetland restoration. This project has two main components: suppressing reed canary grass to restore the wetland area, and deepening and diversifying the pond. Reed canary grass (RCG) is an invasive grass that rapidly takes over an area, pushing out any native species that are not able to compete.

To discourage the continued growth of RCG, we planted 20 5-gal wetland trees (white spruce and tamarack) throughout and adjacent to the wetland area, and we will be planting another 50 smaller trees this fall. Each tree has a circle of landscape fabric around it to keep RCG away and allow the tree to thrive, and we have been routinely mowing the RCG throughout the summer to suppress growth.

The goal here is to shade out the RCG, which cannot thrive in shady conditions. This results of this effort will occur over the long term, in time the RCG will begin to die back and native species will return to the site on their own. While this project design may not show immediate results, it will be more effective in the end because we are minimizing our disturbance to the site (exposed and compacted soil from equipment can benefit invasive species) and we are going to allow nature to run its course.

For the pond element of this project, we worked with a contractor to excavate out topsoil that has eroded away from the farm over the years, deepening the pond and also creating varying depth strata. In doing this, we are creating a more diverse aquatic ecosystem where aquatic species of plants and animals can thrive. Next year, a pollinator garden will be planted adjacent to the pond, a wood duck box will be installed, and rocks and woody material will be placed for additional habitat area. In the meantime, we are tarping the area surrounding the pond with heavy duty landscape fabric until fall 2020 to kill off any RCG so

native plants can be planted without competition and allowed to succeed.

These efforts will greatly contribute to improved habitat for a wide range of native species and will also protect the quality of nibi in Clayton Creek by creating better flood water storage, providing shade to the nibi and preventing it from warming, and increasing native plant species that effectively filter stormwater runoff.





Above: Tarped RCG adjacent to the pond. Left: Trees planted in the wetland area. Below: Newly excavated pond with initial tarping.



## **Free CWD Testing**

The Red Cliff Wildlife and Forestry Department is offering free CWD testing this fall. We are looking for deer that are at least 1 year old. Fawns (< 1 year old) can be infected but it may take 6 or 7 months for the infection to reach a detectable level. If you would like your deer tested for CWD you may bring your deer (or head with about 5 inches of neck attached) to the Red Cliff fish hatchery Monday-Friday from 8am to 4:30pm. Please call before bringing in your deer and ask for Andy or Ron. Phone #: 779-3795

**CWD** (Chronic wasting disease)

#### Chronic Wasting Disease is a

fatal, infectious nervous system disease of deer, moose and elk. It belongs to the family of diseases known as transmissible spongiform encephalopathies (TSEs) or prion diseases. CWD occurs only in members of the cervid or deer family—both wild and captive.

#### Ojibwemowin

Deer:	Waawaashkeshi
Doe:	Oniijaaniw
Fawn:	Gidagaakoons
Buck:	Ayaabe
Antler:	Eshkan
Moose:	Mooz

- Elk: Omashkooz
- S/he Hunts: Giiyose/ Giiwose



For more information on CWD and additional testing locations, visit the WI DNR web page. <u>https://dnr.wi.gov/topic/wildlifehabitat/cwd.html</u>

If there are any questions or concerns please feel free to contact the Wildlife and Forestry staff at (715)779-3795 or by email

Wildlife Biologist Andy Edwardsandrew.edwards@redcliff-nsn.govWildlife/Forestry Technician Ron Nordinron.nordin@redcliff-nsn.gov

## Why your deer may be dangerous even after you shoot it.....



A recent study conducted by the USGS at the National Wildlife Health Center has shown that there were elevated ammunition-associated lead levels in consumers' wild game. In the adjoining photo it shows the placement of lead from ammunition in the study's carcass (with white specks being lead). In surveys of venison distributed to food banks, results showed that 8-15% of WI donated venison to food shelves contained lead fragments.

These lead fragments are not only **harmful to humans** but are also hurting our

Wisconsin wildlife. Some of the many affected animals include *carrion* birds such as **eagles** and vultures, canines such as wolves and coyotes, and waterfowl such as ducks and geese. Lead poisoning is thought to be a factor in declining woodcock populations, a bird you may not expect to encounter lead. Some other examples of lead that animals ingest are spent shot (waterfowl, upland game), sinkers (waterfowl), mine tailings (waterfowl), and paint chips.

Lead can cause neural degeneration, kidney damage, bone damage, and inhibits blood formation and nerve transmission. The body mistakes lead for calcium and then transports it to nerve cells and other tissues.

#### What can I do to help?

Switching to ammunition that does not contain lead will greatly reduce mortality in wildlife and limit the chance of humans ingesting lead fragments. Unfortunately this ammunition does cost more but saving a few dollars to help conserve wildlife and protect human health is worth it.





On left: Lead rifle bullet with fragments produced. On right: Ammo made out of copper has no fragments. For more information please contact the Red Cliff Wardens at (715) 779-3732

## **Trapping Season:** Requires Tribal

### **Trapping Permit**

Species:	Reservation Quota or Season Limit: Season:	
Amik (Beaver)	No Limit	Oct. 15 - Apr. 30
Gidagaa-bizhiw (Bobcat)	Reservation Quota: 1 bobcat per year	Oct. 15 - Dec. 31
Ojiig (Fisher)	Reservation Quota: 20 per year	Oct. 15 - Mar. 31
Waagosh (Fox)	No Limit	Oct. 15 - Feb 28
Zhaangweshi (Mink)	No Limit	Oct. 15 - Feb 28
Wazhashk (Muskrat)	No Limit	Oct. 15 - Apr. 30
Nigig (Otter)	1 per trapper per year	Oct. 15 - Apr. 30
Esiban (Raccoon)	No Limit	Oct. 15 - Jan. 31

#### Fishing Regulations on Lake Superior: Requires Tribal ID

Species: Ogaa (walleye), ginooze (northern pike), white bass, rock bass, bluegill, crappie, pumpkinseed, bullheads, yellow bass, catfish, cisco, adikameg (whitefish), rough fish, ashigan (largemouth) and noosa'owesi (smallmouth) bass, muskellunge, trout and salmon. \*, \*\*

	Season:	Year Round		
	Bag Limit:	None		
	Size Limit:	None	* No person may fish in a refuge, as described in Tribal Codes.	
Name (Sturgeon) *, **	Season:	Year Round	*****	
	Bag Limit:	One per person per day	** No person may use more than 30 attended or unattended lines.	
	Size Limit:	None		



On Saturday Sept. 28th, community members gathered at the Raspberry River Campground for a variety of wild rice related activities.

The day started off with both traditional and modern demonstrations of wild rice processing. First, wild rice was parched over a fire in kettles, which requires continuous stirring (pictured below, left). Pictured to the right, Alex is starting a fire with a bow drill.





Next, the rice was processed with either the modern method or the traditional method. <u>Modern wild rice processing</u> consists of parching the rice, then putting it into a thrashing machine (next page), which removes the husks and blows them out the top.



<u>Traditional wild rice processing</u> includes parching, dancing on the rice, and winnowing. Dancing on the rice is done with rice moccasins (clean, never worn on the ground), in a small hole that is draped with a canvas tarp. The dancing, or sliding motion, must be done gently to prevent breaking the rice. Winnowing is done last, with the rice being placed in a winnowing basket and gently tossed into the air. This process allows the husks to blow away in the wind and the heavy rice to fall back into the basket (see picture below).



The Treaty Natural Resources Division has reseeded Frog Creek, Raspberry River, and Red Cliff Creek for the past few years. The Environmental Department has been collecting water quality parameters, specific to wild rice, such as: substrate matter, flow, depth, pH, conductivity, and a variety of nutrients. Next year, monitoring will enter into phase two and staff will conduct genetic surveys to see how effective reseeding and wild rice establishment is.

## Illegal Dumping By: Linda Nguyen, Environmental Director

Illegal dumping is a serious issue. It makes our communities and natural areas look dirty and uncared for— unpleasant to be in. More dumped items in an environment will encourage and lead to more dumping and other illegal activities. This type of activity pollutes our environment and can diminish the subsistence and cultural uses, enjoyment, and value of our natural areas. Just like litter, illegal dumping occurs across a range of situations and environments, such as the woods and vacant lots.



Some forms of illegal dumping such as chemicals, electronic waste, or construction debris like asbestos can directly cause harm or injury to humans and wildlife, or lead to soil and/or groundwater contamination. Animals can also become entangled in dumped items leading to injury and/or death. Illegal dumping can also introduce rodents and invasive species into our natural areas, block waterways and roads, cause flooding (by blocked drainage areas), and facilitate higher rates of erosion by choking out natural vegetation cover.

Littering and illegal dumping costs the Tribe and community crucial funds each year in waste management, including clean-up expenses. Let's take a stance because we deserve a clean and safe environment! It's NOT OK to use our environment as a dump!

If you come across a site, please do not disturb the site where the incident occurred, as the site may contain hazardous materials. To report a site or dumping activity, contact the Environmental Department at 715-779-3650 or Conservation Wardens at 715-779-3732.

# **Protect Our Watersheds**Does your house have hazardous waste?

Hazardous waste can be found in basements, under kitchen sinks, and dark garage corners. Hazardous materials in and around your home can affect your family and pets and can be toxic to rivers, fish, and wildlife. Follow and share these tips for reducing, recycling, and disposing of different types of hazardous materials in your home to prevent illegal dumping and presence of pollutants in our streams.





- Paints, stains and sealers
- Used motor oil and antifreeze
- Paint strippers and paint thinners
- Cleaning agents and solvents
- Drain and oven cleaners
- Fertilizers and pesticides
- Gasoline, kerosene and propane
- Batteries (button, lithium, and nicad)
- Mercury thermometers, thermostats and fluorescent lamps
- Pool chemicals

#### <u>Where can I dispose of hazardous materials?</u>

Clean beaches and healthy creeks, rivers, bays, and Lake Superior are important! Hazardous materials must never be poured or thrown into yards, sidewalks, driveways, toilets, or streets. Rain could wash the materials into the roads and drains and eventually into our waterways. Proper disposal is easy! Drop them off at designated facilities like Red Cliff Transfer Station!

> FOR MORE INFORMATION CONTACT: Red Cliff Environmental Department 715-779-3650 <u>Website:</u> http://redcliff-nsn.gov/divisions/TNRD/RCED.htm













Cans are placed in a separate container at the Transfer Station. Please watch for signs!





LIGHT BULBS & LIGHTNING FIXTURES



PAINT, OIL, GASOLINE, PESTICIDES, FLAM-MABLE LIQUIDS



FOOD WASTE



PLASTIC BAGS & OVERWRAP (PLASTIC FILM)



Styrofoam





CELLPHONES



Diapers



**Cigarette Butts** 



Clothes



Used Napkins, Utensils, or Paper Plates



Broken Mirrors/Windows

## **Attention: Users of the Red Cliff Transfer Station!**

### A few friendly reminders:



-Please be sure to not throw plastic bags in the

recycling containers at the Transfer Station. Plastic bags can be recycled at Walmart in Ashland.

-For the safety of solid waste handlers, black bags are not allowed. Please use white or clear bags.



Please tag your bags. Tags
can be purchased at the
Tribal Administration
Building and Buffalo Bay Gas
Station.

Miigwech! Environmental Department—Transfer Station For questions, please call 715-779-3650 or 715-779-0171!





The Treaty Natural Resources Division took their annual staff photo on Wednesday, August 14<sup>th</sup> prior to their Division Open House at Legendary Waters that evening. From left to right: Amanda Drinsinger, Farm Technician; Megan Nordin, Youth Intern; Ron Nordin Jr., Wildlife Technician; Olivia Stroinski, GIS/ Zoning Manager; Chad Abel, Administrator; Tanner Bresette, Water Technician; Linda Nguyen, Environmental Director; Chase Meierotto, Hatchery Manager; Allissa Stutte, Farm Manager/Food System Coordinator; Alex Breslav, Youth Science Coordinator; Mark Duffy, Chief Conservation Warden; Reed Saam, Biological Technician; Gabrielle VanBergen, Project Coordinator; Shelly Gurnoe, Office Manager; Fran Cadotte, Hatchery Technician; Zach Peterson, Conservation Warden; Noah Saperstein, Environmental Justice Specialist (behind Zach); Ernie Grooms, Air Program Manager; Lucas Cadotte, Assistant Chief Warden; Lance Bresette, Fisheries Monitor; and Ian Harding, Fish Biologist.

Missing from Photo: Andy Edwards, Wildlife Biologist and Chloe Peacock, Youth Intern.

On August 22, DNR Secretary Preston Cole met with Chairman Peterson and Vice-Chairman Gordon at tribal administration to discuss issues & opportunities to collaborate between Red Cliff and Wisconsin DNR. Following a productive meeting with Red Cliff tribal leaders, Secretary Cole joined DNR and Red Cliff Wardens on a joint patrol of Lake Superior the following day. With the adoption of the 2018 – 2028 Lake Superior Fishing Agreement between Red Cliff, Bad River and State of WI last year, the Secretary has shown a lot of interest in how the fishery is jointly managed with the Tribes.



Pictured: Secretary Cole is third from left along with Red Cliff wardens Mark Duffy and Zach Peterson as well as other DNR and warden staff.

### RED CLIFF SET TO OPEN A TRIBAL FISH PROCESSING FACILITY

The Tribe takes an important step towards economic development and local food control – by Chad Abel

What began as a dream and long talked about business opportunity is becoming a reality after years of strategic planning by Red Cliff tribal leaders and the Treaty Natural Resources Division. The Tribe will begin operating an on-reservation fish processing facility in 2020. The building will be constructed at the corner of Highway 13 and Dock Road, near the commercial fishing dock.

Despite having a robust, treaty-protected commercial fishery that has provided for generations of Red Cliff families, the Tribe has never been able to fully realize the benefits of this tribal industry. Red Cliff license holders harvest 10.61% of all Great Lakes lake trout, 17.26% of all Great lakes herring, and 5.51% of all Great Lakes whitefish but have no means to process the tribal catch on-reservation. As a result, nearly all tribal catch is sold at wholesale prices to off-reservation processors. That's all about to change thanks to planning grants by USDA-Rural Development, capital investments by the Native American Agriculture Fund and Indian Community Development Block Grant (ICDBG), and business start-up support through the Administration for Native Americans.



Red Cliff Tribal Chairman Rick Peterson is presented a check from HUD Regional Administrator Joseph Galvin at the Red Cliff commercial fishing dock back in August. HUD's ICDBG will allow for the expansion of the commercial fishing dock and improvements to Dock Road. Also pictured (from left to right) are Treaty Natural Resources Administrator Chad Abel, GLIFWC Executive Administrator Mic Isham, Rural Development State Director Frank Frassetto, Vice Chairman Nathan Gordon, Tribal Council members Steve Boyd and Chris Boyd, and United States Senator Tammy Baldwin.

The Red Cliff fish facility will be approximately 3,500 square feet and will offer a variety of value-added products like fresh and frozen fillets, smoked fish, fish spreads, and caviar. It is expected to begin operation next year with four full-time employees. Fish waste will be converted to compost for fertilizer at the tribal farm and may lead to future products as well. Chairman Rick Peterson said "The further construction of the Fishermen's Dock and fish processing plant will allow out Tribal Fisherman more opportunities in being able to sell their fish directly to markets, as well as providing more economic opportunities for our community."



## AUTUMN WORD SEARCH

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## Treaty Natural Resources Division

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Conservation Wardens	ı
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