



OFFICE OF THE CHAIR  
**MENOMINEE INDIAN  
TRIBE OF WISCONSIN**

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## Statement from the Chair

**FOR IMMEDIATE RELEASE**

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### **Menominee Indian Tribe Calls Approval of Aquila Resources “Back Forty” Mine Permit Absolute failure to protect water, environment, and Tribes Cultural Resources**

(Keshena, WI) – The Menominee Indian Tribe of Wisconsin is saddened and outraged with the final decision made today by Michigan Department of Environmental Quality to approve the Aquila Resources mine permit for the Back Forty Mine Project. This decision announced today, on the heels of the New Year’s Eve holiday, marks the age-old problem of the blatant disregard of environmental protection and releasing information during a period when people can’t respond adequately due to holiday breaks. The Michigan Department of Environmental Quality is charged with a specific duty to fulfill the mandates of the State government, which in the case are to protect and preserve the State of Michigan’s environmental and other natural resources.

According to Michigan’s own laws, Part 632, Section 63205(11) (b) states that a mining permit shall be approved only if:

*“The proposed mining operation **will not** pollute, impair, or destroy the air, water, or other natural resources or the public trust in those resources, in accordance with part 17 of this act. In making this determination, the department shall take into account the extent to which other permit determinations afford protection to natural resources ...”*

The Menominee Tribe contends that the Michigan Department of Environmental Quality has failed to uphold their purpose and mission by granting approval to Aquila Resources “Back Forty” Mine permit. Approval of a mine permit that violates Michigan and Federal law is further evidence of their blatant failure to protect the rich cultural and environmental resources of this area, which also poses negative impacts to the Great Lakes and State of Wisconsin’s environmental resources. Approval of the permit places Industry greed before the health and life-sustaining needs of the people who reside in this area and within the Great Lakes Region; the Michigan Department of Environmental Quality has demonstrated its incompetence.

Upon hearing the news of the Michigan Department of Environmental Quality’s approval of Aquila Resources “Back Forty” Mine Permit, Tribal Chairwoman, Joan Delabreau, stated the following:

*“The approved desecration of our ancestors’ burial sites is absolutely disgraceful. What’s more egregious is the fact that the State of Michigan is knowingly permitting a foreign-company the right to destroy the water and environmental quality, which poses additional consequences for all within the Great Lakes Basin and demonstrates the continued incompetence of the Department. The Tribe will continue to fight for the protection of our ancestors and the water & environmental quality.”*

Aquila Resources, Inc. applied for approval from the Michigan Department of Environmental Quality to create an open-pit mine to extract gold, copper, and zinc next on the Menominee River in Stephenson, Michigan. The site of the mine encompasses a large area to include over 24 sites of historical and cultural significance to the Menominee Indian Tribe.

While the Back Forty Mine Permit and Air Quality permit have been approved; Aquila Resources must still receive approval on a Wetlands permit and National Pollutant Discharge Elimination System permit. The Wetlands permit was previously withdrawn after the United States Environmental Protection Agency issued a federal objection in August 2016 citing among several reasons, Aquila Resources omission of regulated wetlands within the permit. To date, this permit has not been resubmitted to the Michigan Department of Environmental Quality. Any mining activity cannot move forward without an “approved” wetlands permit.

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