



**MENOMINEE INDIAN TRIBE OF WISCONSIN
RESOLUTION NO. 19-52**

**RECOGNITION OF THE RIGHTS OF THE
MENOMINEE RIVER**

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 Otāēqciāh (Crane), and we continue to live on our ancestral land that was granted by Māēc-Awāētōk (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, at one time, the Tribe occupied a land base estimated at 10 million acres including lands now known as Wisconsin and Upper Michigan; and

WHEREAS, through a series of seven treaties entered into with the United States, the Tribe witnessed its land base erode to little more than 235,000 acres comprising its present day Reservation; and

WHEREAS, the Tribe's sacred place of origin exists within the 1836 treaty territory, at the mouth of the Menominee River, a mere 60 miles East of its present Reservation; and

WHEREAS, as a result of the Tribe's undeniable ties and long occupation of the Menominee River area, there are numerous Menominee sacred sites and burial mounds along the Menominee River; and

WHEREAS, the location of 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 which constitute a cultural landscape of historic significance; and

WHEREAS, it is the Tribe's position that any disturbance or unanticipated discoveries stemming from such sites necessitates that all activity shall cease, the area be secured and protected, the Menominee Tribal Historic Preservation Officer be contacted, and the Menominee Indian Tribe of Wisconsin's concurrence be obtained; and

WHEREAS, the Tribe is committed to responsible stewardship to protect the Tribe's cultural resources, water, environment, wildlife, and animals that occupy lands within the Tribe's historical range; and

WHEREAS, the Tribe understands and recognizes that water is essential to life, and that the Menominee River is, in fact, the very origin of life for the Menominee people; and

WHEREAS, the Menominee River also provides life to Michigan and Wisconsin residents and all natural wildlife within the Great Lakes ecosystem; and

WHEREAS, the Menominee River faces significant threats from climate change; pollution; the proposed open-pit mine known as the "Back Forty Project" which is poised to cause harmful impacts to water, humans, wildlife, animals, environment, and cultural properties as demonstrated with other mines of similar nature; and

WHEREAS, the Tribe recognizes that we live at a time of unprecedented species extinction, ecosystem collapse, and global warming; and

WHEREAS, the Tribe recognizes that environmental laws which regulate the use and exploitation of nature are incapable of protecting the Menominee River and Mother Earth; and

WHEREAS, the Tribe recognizes to protect the Menominee River, it must secure the highest protections for the river through the recognition of the river's inherent and legal rights;

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

1. The Menominee River possesses inherent and legal rights including the right to naturally exist, flourish, regenerate, and evolve; the right to restoration, recovery, and preservation; the right to abundant, pure, clean, unpolluted water; the right to natural groundwater recharge and surface water recharge; the right to a healthy natural environment and natural biodiversity; the right to natural water flow; the right to carry out its natural ecosystem functions; and the right to be free of activities or practices, as well as obstructions, that interfere with or infringe upon these rights; and
2. The Tribe is dedicated to recognizing and protecting the inherent and legal rights of the Menominee River and assisting our neighboring Tribes, as well as other governments, to recognize and protect the legal rights of the Menominee River.

CERTIFICATION

We, the undersigned officers of the Menominee Tribal Legislature hereby certify that the foregoing resolution was duly adopted at a meeting held on January 16, 2020 with a quorum present by a vote of 7 for, 0 opposed, 0 abstentions and 0 absent.

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



**DOUGLAS COX, TRIBAL CHAIRMAN
MENOMINEE TRIBAL LEGISLATURE**

DATE: January 16, 2020



**PERSHING FRECHETTE, TRIBAL SECRETARY
MENOMINEE TRIBAL LEGISLATURE**