BAD RIVER BAND OF LAKE SUPERIOR
TRIBE OF CHIPPEWA INDIANS
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Opposition to AB 426

AB 426 irreparably suffers from a number of substantive and procedural flaws that allow for the destruction of the environmental health and integrity of the Bad River Watershed. The bill was tailor-made to serve Gogebic Taconite's interest in operating a 4.5 mile long, open-pit iron-ore mine that would be centered within the headwaters of the Bad River, the life blood of the Kakagon-Bad River Sloughs.

The Kakagon-Bad River Sloughs is a unique treasure, and the largest intact wetlands complex remaining in the Lake Superior basin. Our ancestors passed down teachings about how to protect this pristine, internationally significant wetland. Carrying out these teachings has enabled us to feed ourselves for hundreds of years by sustainably harvesting fish and wild rice. Additionally, these intact wetlands filter and enrich billions of gallons of water that flow into Lake Superior from the Bad River watershed – an uncompensated environmental benefit the Bad River Band provides to the United States and Canada.

AB 426 conflicts with federal environmental laws, Treaty Rights, and the Wisconsin Constitution, and as a result threaten the viability of the Kakagon-Bad River Sloughs. From AB 426's beginning stages, the public has been kept in the dark while industry lobbyists had full access to the drafting process, and the bill's provisions reflect as much. Among other things, AB 426:

- Weaken environmental protections for the water, air, land, and wetlands resources on which our Tribe and our way of life depend by essentially exempting one industry from Wisconsin's environmental laws and standards.
- Fail to require DNR consultation with Tribal governments during the permitting process and limit Tribal government participation in or compensation from local impact committees.
- Require DNR to complete its review of exploration and mining applications under unreasonably short and arbitrary timelines that prevent DNR from verifying company-provided data and provide for an automatic approval of the application if the DNR does not meet the timelines.
- Create a legal right for the mining company to conceal information about the ore body discovered during exploration, such as the presence of dangerous sulfide minerals. Long-term damage to wild rice and fish cannot be avoided when mining activities expose sulfide rock. It is unconscionable to hide information about the presence of such dangerous minerals from the public as confidential business information. Failing to protect water resources from toxic waste will trigger federal review and may constitute violations of trust obligations under the Chippewa Treaties.

We urge you to *vote no* on AB 426 to prevent the poisoning of a region's water supply and the destruction of the Bad River Nation's homeland, and to uphold the integrity of Wisconsin's legislative process.