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First name: Millard

Last name: Myers

Organization: 1854 Treaty Authority (Inter-Tribal)

Title: Executive Director

Comments: 1854 Treaty Aut.hority

December 9, 2021

Bryan Newland

4428 HAINES ROAD [bull] DULUTH, MN 55811-1524

218.722.8907 [bull] 800.775.8799 [bull] FAX 218.722.7003

www.1854treatyauthority.org

Principal Deputy Assistant Secretary

Office of the Assistant Secretary-Indian Affairs

U.S. Department of the Interior

1849 C Street, NW

Washington, DC 20240

By email only: Bryan.Newland@bia.gov

Meryl Herrell

Deputy Under Secretary

Natural Resources and Environment

U.S. Department of Agriculture

1400 Independence Ave. S.W.

Washington, DC 20250

By email only: Meryl.Harrell@usda.gov

Re: Support for Bois Forte Band and Grand Portage Band Opposition to the Proposed Special

Use Permit for Lutsen Mountain Ski Resort Expansion

Honorable Principal Deputy Assistant Secretary Newland and Deputy Under Secretary Harrell:

The 1854 Treaty Authority is an inter-tribal natural resource management agency governed by

the Bois Forte Band of Chippewa and Grand Portage Band of Lake Superior Chippewa. The organization is charged to preserve, protect, and enhance treaty rights and related resources in the 1854 Ceded Territory. This Ceded Territory encompasses present-day northeastern Minnesota including most of the Superior National Forest.

The proposed Lutsen Mountain Ski Resort Expansion project seeks a special use permit on U.S. Forest Service land entirely within the 1854 Ceded Territory. Tribes have retained usufructuary rights in this territory and continue to exercise these rights today. The project would further restrict reserved property rights. The loss (or lost use) of federal and public lands within the Ceded Territory has caused significant adverse economic and cultural impacts to Tribes. The federal government has a trust responsibility to maintain treaty resources and consult with tribes. A consortium of the Grand Portage and Bois Forte Bands of the Lake Superior Chippewa on a government-to-government basis. Tribes are co-managers and stewards of these lands and have a legal interest in protecting natural resources for present and future generations. The proposed expansion of the project onto Superior National Forest lands conflicts with principles of co-management and compromises treaty rights.

The 1854 Treaty Authority supports the Bois Forte Band and Grand Portage Band in their submitted comments and opposition to the proposed expansion of the Lutsen Mountain Ski Resort.

Sincerely,

Jo~~

1854 Treaty Authority Board of Directors Chairman

c: Randy Moore

Chief, Forest Service

US Department of Agriculture

Sidney R. Yates Federal Building

201 14th Street, SW

Washington, DC 20024

By email only: randy.moore@usday.gov

Gina Owens

Regional Forester, Eastern Region

626 E. Wisconsin Ave.

Milwaukee, WI 53202

By email only: gina.owens@usda.gov

Constance Cummins, Forest Supervisor

Superior National Forest

8901 Grand Avenue Place

Duluth, MN 55808

By email only: constance.cummins@usda.gov

Juan Martinez, Tribal Liaison

Superior National Forest

8901 Grand Avenue Place

Duluth, MN 55808

By email only: juan.martinez2@usda.gov