

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

COPY
Stene

SEP 12 2007

REPLY TO THE ATTENTION OF:

WU-16J

Ms. Summer Sky Cohen
Tribal Historic Preservation Officer
Keweenaw Bay Indian Community
16429 Beartown Road
Baraga, Michigan 49908

Re: Request for Consultation

Dear Ms. Cohen:

Your e-mail message, dated July 9, 2007, to Mr. Luis Luna, Assistant Administrator of the Office of Administration and Resources Management, has been referred to U.S. EPA's Region 5 Water Division for reply. As you may know, the Water Division is presently reviewing an application for an Underground Injection Control (UIC) permit related to the mining activity referred to in your message. Since we are responsible for ensuring compliance with the National Historic Preservation Act (NHPA) in connection with this permit, it is appropriate that we respond to your message.

Your message raises concerns about potential effects of mine activities on Ojibwa cultural properties. You request that the Keweenaw Bay Indian Community (KBIC) be consulted with respect to these potential effects.

As we consider our obligations under the NHPA, we agree that it would be most appropriate for the Region to consult with KBIC about potential historic properties which may be subject to NHPA. Our goal during this consultation is to hear from the Tribe on the following issues related to the mining project:

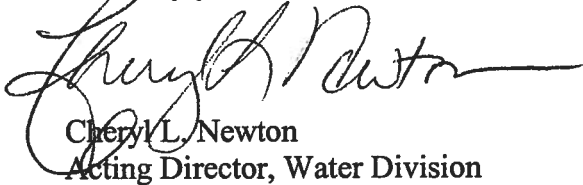
- Any concerns about historic properties;
- Identification and evaluation of historic properties, including those of traditional religious and cultural importance;
- Views regarding the effects on such properties, and, if applicable;
- Suggestions for resolution of any adverse effects.

Representatives of our office would be available to meet with you and other Tribal representatives at your convenience. I have asked Ross Micham of the UIC program to contact you to arrange a mutually convenient time and place for the consultation. We would also be happy to receive any further information about the cultural properties in advance of our meeting. Any material should be sent to:

Ross Micham
Water Division (Mail Code: WU-16J)
U.S. EPA, Region 5
77 West Jackson Blvd.
Chicago, Illinois 60604-3590

We look forward to our discussions with you on these issues. If you have any questions or comments, please feel free to contact me or Ross Micham. Ross can be reached at: (312) 886-4237.

Sincerely yours,



Cheryl L. Newton
Acting Director, Water Division

cc: President Susan LaFornier, KBIC
John Baker, Tribal Attorney, KBIC