



Waganakising Odawak

Little Traverse Bay Bands of Odawa Indians

Regina Gasco- Bentley, Tribal Chairperson

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Phone 231-242-1401 • Fax 231-242-1411

June 20, 2017

Environmental Protection Agency
1200 Pennsylvania Avenue, N.W
Washington, DC 20460

Re: *Executive Order 13778*; Restoring the Rule of Law, Federalism, and economic Growth by reviewing the 'Waters of the United States' Rule

To Whom It May Concern:

The Little Traverse Bay Bands of Odawa Indians (LTBB) appreciates the opportunity to provide comments about the implementation of Executive Order 13778 and the evaluation of the Waters of the United States Rule. As a Sovereign nation and co-manager of our shared natural resources, LTBB is concerned about and opposed to rescinding any existing regulation that protects our shared natural resources.

Our traditional way of life, and rights to hunt, fish and gather in the Ceded Territory was reserved in the 1836 Treaty of Washington and reaffirmed by the Federal Court in the case of *United States v. Michigan* (WD MI Case 2: 73 CV 26). LTBB is party to the 2000 Great Lakes and 2007 Inland Consent Decrees entered in that case. We oppose any reductions in water quality protections because it could result in diminishing our rights, and our quality of life.

All water is important to us, to our way of life, and to the ecosystems that support our hunting, fishing and gathering rights. Protecting navigable waters means protecting all water within that ecosystem. This includes things like intermittent streams, ditches, vernal pools, and any other wetland areas because all water within a watershed are connected and support the life that moves among and depends upon these various parts of the watershed. Also, any kind of pollution that starts in one of these smaller or maybe temporary bodies of water does eventually end up in the navigable body of water. The current Waters of the United States (WOTUS) rule is based on a scientific document that shows evidence of hydrologic connections between all types of surface waters including connections between surface and subsurface waters. Any new WOTUS rule should continue to be based upon the scientific evidence already presented in the "Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence," report from 2015 by the EPA.

The information we have been provided so far does not give details about how the new rule and interpretation will be written. LTBB requests further consultation after this information is drafted. At that point we will be able to provide more extensive feedback about the impacts to LTBB and our Treaty Rights as related to the water.

The sustainable management and protection of natural resources is an important priority for LTBB. For the sake of our quality of life, and for the preservation of our treaty rights, existing protections should be strengthened instead of weakened in any way.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Regina Gasco-Bentley". The signature is written in dark ink and is positioned above the printed name.

Regina Gasco-Bentley
Tribal Chairperson