



# WHITE EARTH RESERVATION

CHAIRMAN Michael Fairbanks SECRETARY-TREASURER Leonard Alan Roy  
DISTRICT I Raymond Auginaush, Sr. DISTRICT II Kathy Goodwin DISTRICT III Eugene "Umsy" Tibbetts

October 8, 2019

Arshia Javaherian, Senior Legal Counsel  
Enbridge Pipelines, Inc.  
26 East Superior Street  
Duluth, MN 55802

**RE: ORDER TO CEASE AND DESIST: Enbridge Tribal Cultural Monitor & Survey Technician Training**

Dear Arshia Javaherian and others:

The White Earth Band of Ojibwe (the "Tribe") requests that Enbridge cease and desist the Tribal Cultural Monitor & Survey Technician Training (October 7-11, 2019) being conducted in connection with 7 Bison Cultural Consulting (advertisement attached).

Enbridge was notified of White Earth Nation Research Code and Institutional Review Board (IRB) Ordinance, confirmed in a letter from you to Ms. Arsenault dated May 17, 2019. A copy of the IRB application was provided but was never submitted for review. Enbridge has failed to comply with Research Code and IRB requirements.

Enbridge was also made aware of Resolution No. 057-19-013, which affirmed that Enbridge was to consult with the White Earth THPO before engaging in activities, trainings or meetings on or near the White Earth Reservation. Enbridge did not properly consult with the White Earth THPO regarding the cultural monitor training. The White Earth THPO requested detailed information including field site locations, lists of instructors and participants, and course content. The requested information was not provided. Enbridge's failure to properly consult with the White Earth THPO is a violation of Resolution No. 057-19-013.

Any activity that disturbs or impacts the ground on or near White Earth Reservation tribal cultural sites or tribal cultural properties may violate Tribal, Federal and State laws. Therefore, no locations on the White Earth Reservation are authorized for use in the cultural monitor training without prior authorization.

**You are hereby ordered to immediately cease and desist the Enbridge Tribal Cultural Monitor & Survey Technician Training on or around White Earth Reservation for:** (1) failure to comply with the White Earth Nation Research Code and Institutional Review Board Ordinance, and (2) failure to properly consult with the White Earth THPO and provide requested information.

Failure to cease and desist until you comply will all tribal laws of the White Earth Nation will result in further legal action.

Veronica Newcomer  
Tribal Attorney  
White Earth Band of Ojibwe  
P.O. Box 238  
White Earth, MN 56591  
P: (218) 983-4649

**White Earth**  
**Para- Archaeology Certification Training**  
**Location TBD**  
**Mahnomen Minnesota**  
**October 7<sup>th</sup> – October 11<sup>th</sup>**

The survey technician/monitor training is a 5-day training designed to prepare tribal cultural monitors for field work. The training will include the laws that guide the THPO office under the National Historic Preservation Act and Tribal Historic Preservation laws. The training also familiarizes participants with a variety of material culture they might expect to find while monitoring or performing archaeological field work and the protocol for the preservation and recording of archaeological sites and artifacts. After the completion of the training each participant will be certified as a para-archeologist that meets the requirements under the guidelines from the National Park Service.

For more Information please contact:

In White Earth - Robert Durant (218) 850-9524

Emerson Bull Chief – 7 Bison Cultural Consulting (406) 208-6670

