

Exhibit IV

THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS

**The Sibley and Lansing Parcels
Fee-to-Trust Acquisition Submission**

**Supplemental Information
Concerning the Consolidation and
Enhancement of Tribal Lands**

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TABLE OF CONTENTS

INTRODUCTION2

PART I: THE MICHIGAN INDIAN LAND CLAIMS SETTLEMENT ACT1

**PART II: THE SIBLEY AND LANSING PARCELS CONSOLIDATE, ENHANCE
TRIBAL LANDS, AND ADDRESS SOCIAL WELFARE, HEALTH AND CULTURAL
NEEDS.....2**

**A. Acquisition of the Sibley and Lansing Parcels Consolidates, Enhances Tribal
Lands..... 2**

1. Consolidation..... 3

 a. The Sibley Parcel Consolidates Tribal Lands 3

 b. The Lansing Parcels Consolidate Tribal Lands 3

2. Enhancement..... 4

 a. The Sibley and Lansing Parcels Enhance Lands in General 5

 b. The Sibley Parcel Enhances Nearby Tribal Land 10

 c. The Lansing Parcels Enhance Nearby Tribal Land 11

**B. Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health
and Cultural Needs..... 11**

 1.Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health and
Cultural Needs for the Thousands of Members Living Nearby Each Parcel..... 12

 2.Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health and
Cultural Needs for the 15,000 Members Living in the Upper Peninsula..... 15

CONCLUSION..... 18

INTRODUCTION

On June 10, 2014 the Sault Ste. Marie Tribe of Chippewa Indians of Michigan ("the Tribe" or "Sault Tribe") presented to the Bureau of Indian Affairs two fee-to-trust submissions. The first is for +/- 71 acres of land located in New Boston (Huron Charter Township), Wayne County Michigan, known as "the Sibley Parcel" ("Sibley fee-to-trust submission"). The second is for +/- 2.26 acres composed of two parcels in Lansing, Michigan known as the "Corner Parcel" and the "Showcase Parcel" (together, the "Lansing Parcels") ("Lansing fee-to-trust submission"). The information provided herein supplements the 2014 fee-to-trust submissions and responds to Midwest Regional Director Diane Rosen's October 17, 2014 letter to the Hon. Aaron Payment, Chairman of the Sault Ste. Marie Tribe. The Tribe asks that this submission be included in the record for the Sibley and Lansing fee-to-trust submissions.

More particularly, this supplement provides the additional information requested by Director Rosen demonstrating that acquisition of the Sibley and Lansing Parcels serves to consolidate tribal lands, to enhance tribal lands, and to provide for the social welfare, health and cultural needs of Sault Tribe members, consistent with sections 108(c)(4) and (5) of the Michigan Indian Lands Claim Settlement Act, Pub. L. 105-143, 111 Stat. 2652 (1997) ("MILCSA"). Because the Tribe has complied with these provisions, MILCSA imposes on the Secretary a mandatory duty to accept trust title to the Sibley Parcel.

Following in **Part I** is a brief overview of the history of MILCSA and its purposes. In **Part II**, the Tribe submits additional information demonstrating that acquisition of the Sibley and Lansing Parcels *consolidates* existing tribal lands, *enhances* existing tribal lands, and is critical to the *social welfare, health and cultural* needs of the nearly 4,500 Sault members who live within a 50-mile radius of the Sibley Parcel and the more than 2,600 Sault members who live within a 50-mile radius of the Lansing Parcels, none of whom currently are able to receive tribal services without traveling hundreds of miles to Sault reservation lands in the Upper Peninsula.

PART I: THE MICHIGAN INDIAN LAND CLAIMS SETTLEMENT ACT

The history of the Sault Tribe is one marked by a remarkable multi-generational effort to rebuild a land base after the complete, devastating loss of tribal land caused by the United States' unconscionable actions in the nineteenth century -- actions which resulted in the Sault Tribe losing *all* of its tribal lands. By the time the Indian Claims Commission ("ICC") was created in 1946, the Tribe was entirely landless. Nevertheless, the ICC provided the Tribe with the opportunity to take the first step in the long journey towards securing land for its people.

Two of the Sault Tribe's various ICC Petitions -- Dockets 18-E (later consolidated with Docket 58) and Docket 18-R -- contained title, possessory interest and related unjust compensation claims for which the ICC issued judgments in favor of the Sault Tribe.¹ The Sault Tribe used these

¹ Among other things, the ICC found that the United States failed to acknowledge the full breadth of the land to which the Sault Tribe held "original Indian" (aboriginal) and/or recognized (treaty) title, and accordingly failed to compensate the Sault Tribe for all of its ceded lands. 7 Ind. Cl. Comm. 576, 614 (May 20, 1959); 22 Ind. Cl. Comm. 85, 90 (Nov. 19,

judgments to work with Congress to craft a settlement of its land claims that (among other things) would help the Tribe begin to rebuild a land base, and that settlement was enacted into law as part of MILCSA. *See* MILCSA § 102(a). MILCSA includes the mandatory land acquisition provision that is the subject of this supplemental submission and that directly addresses the land loss caused by the United States in the nineteenth century.

More specifically, MILCSA created the Self-Sufficiency Fund (§ 108(a)), and authorized the Tribe (through its Board of Directors) to use the "interest and other investment income" of the Fund for certain purposes. These purposes include the expenditure of funds for the "consolidation or enhancement of tribal lands" (§ 108(c)(5)), and for "educational, social welfare, health, cultural, or charitable purposes which benefit the members of the Sault Ste. Marie Tribe" (§ 108(c)(4)). MILCSA then requires the Secretary to accept trust title to lands purchased with interest or income from the Fund: "Any lands acquired using amounts from interest or other income of the Self-Sufficiency Fund shall be held in trust by the Secretary for the benefit of the tribe." MILCSA § 108(f). In other words, MILCSA imposes on the Secretary a mandatory duty to acquire in trust for the Tribe any lands that meet the statutory requirements.

PART II: THE SIBLEY AND LANSING PARCELS BOTH CONSOLIDATE AND ENHANCE TRIBAL LANDS AND ALSO ADDRESS SOCIAL WELFARE, HEALTH AND CULTURAL NEEDS

A. Acquisition of the Sibley and Lansing Parcels Both Consolidates and Enhances Tribal Lands

As the Department has acknowledged in other contexts, to meet the requirements of section 108(c)(5), the Tribe must demonstrate that acquisition of the Sibley and Lansing Parcels consolidates tribal lands *or* enhances tribal lands -- these acquisitions need not do both. *See* Letter from the Solicitor to the National Indian Gaming Commission dated December 21, 2010 ("*Bay Mills Op.*") at 5-6.² Nevertheless, as demonstrated below, acquisition of the Sibley and Lansing parcels (individually and collectively) satisfies both parts of MILCSA § 108(c)(5) because the acquisitions will both consolidate and enhance tribal lands.

1969); 24 Ind. Cl. Comm. 50, 51-52, 54 (Oct. 28, 1970). Similarly, the Commission found that the amount of compensation originally paid to the Sault Tribe for the vast bulk of the land it ceded to the United States was unconscionably low. 26 Ind. Cl. Comm. 550, 551 (Dec. 29, 1971); 32 Ind. Cl. Comm. 303, 309 (Dec. 26, 1973). These actions effected a taking of property rights without just compensation as required under both the Indian Claims Commission Act and the Takings Clause of the United States Constitution. MILCSA also settled ICC Dkt. No. 364, which included additional claims based on the Treaty with the Ottawas and Chippewas of 1855 (11 Stat. 621) (dated July 31, 1855).

² In the Bay Mills Opinion, the Solicitor acknowledges that the disjunctive "or" in section 108(c)(5) has a different meaning than the conjunctive "and" that appears in the phrase "consolidation and enhancement" in section 107(a)(3) of MILCSA relating to the Bay Mills Indian Community. *Bay Mills Op.* at 6 ("Because Congress chose to use the word *or* in an otherwise similar section of the statute for the Sault Ste. Marie Tribe, but used the word *and* with regard to the Bay Mills Indian Community, I must assume that the distinction was intentional and that it makes a difference.").

1. Consolidation

Looking to the plain meaning of the word "consolidate" to interpret MILCSA, the Department previously has relied on *Webster's New Twentieth Century Unabridged Dictionary*, which defines "consolidate" as "'to unite (various units) into one mass or body.'" *Bay Mills Op.* at 4. Similarly, as the Tribe pointed out in its 2014 fee-to-trust submissions, the *New Oxford American Dictionary* 363 (2d ed. 2005) defines "consolidate" as "reinforce or strengthen []one's position" or "combine (a number of things) into a single more effective or coherent whole." Sibley fee-to-trust submission at 6; Lansing fee-to-trust submission at 6.

a. The Sibley Parcel Consolidates Tribal Lands

The Sault Tribe holds title to a seven-acre parcel of land that it purchased with Self-Sufficiency Fund principal pursuant to MILCSA § 108(b)(2)(4).³ This existing seven-acre parcel is located in Huron Charter Township (a small political subdivision within Wayne County), within two miles of the Sibley Parcel. Acquisition of the Sibley Parcel therefore will bring "various units" (*i.e.*, the Sibley Parcel and the existing seven-acre parcel) together to create a critical mass of tribal lands within Huron Charter Township. As *Webster's New Twentieth Century Unabridged Dictionary* would say, the acquisition will bring them together "into one mass or body." Or, as the *New Oxford American Dictionary* might put it, acquisition of the Sibley Parcel will "reinforce" *and* "strengthen" the Tribe's "position" in Huron Charter Township, thereby providing for a land base that is a "more effective or coherent whole." This is in part because there are thousands of Sault tribal members in the immediate area who do not have adequate access to tribal employment or tribal services (*see* discussion in Subsection B below), and the existing seven-acre parcel is not large enough to serve the needs of such a large population base. Acquisition of the 71-acre Sibley Parcel therefore "strengthens" the Tribe's "position" because it will be significantly easier to provide services to thousands of local tribal members from a parcel of this size. Further, the acquisition of the Sibley Parcel so near to the existing seven acres unquestionably creates a more coherent and effective geographic land base. *See also* Sibley fee-to-trust submission, n. 3.

b. The Lansing Parcels Consolidate Tribal Lands

The Lansing Parcels include the Corner Parcel already purchased by the Tribe with Self-Sufficiency Fund interest and income, and the Showcase Parcel which the Tribe will acquire using Fund interest and income pursuant to a purchase agreement with the City of Lansing. The Lansing Parcels are located less than three hundred feet from one another. Consistent with the Department's interpretation of "consolidate," the acquisition of these parcels in trust plainly serves to "unite (various units) into one mass or body." *See Bay Mills Op.* at 4 (*quoting Webster's New Twentieth Century Unabridged Dictionary*). Independently, like the acquisition of the Sibley Parcel, acquisition of the Lansing Parcels reinforces and strengthens the Tribe's position in the area by providing the more

³ *See* Deed to Restricted Indian Land dated July 13, 2010, provided at Tab 1. The Department has made clear that the nearby land need not be trust land -- for example the Department confirmed that consolidation with fee land falls within the meaning of MILCSA. *See Bay Mills Op.* at 4.

than 2,600 Sault members living in the Lansing area with employment opportunities and reasonable access to tribal lands from which to obtain tribal services.

In sum, use of Self Sufficiency Fund interest or income to acquire the Sibley and Lansing Parcels satisfies MILCSA's terms by achieving a "consolidation ... of tribal lands" in Huron Charter Township and Lansing respectively, and so triggers the Secretary's mandatory duty to take the lands into trust.

2. Enhancement

Like "consolidation," the term "enhancement" is not expressly defined in MILCSA. It should therefore be given its ordinary meaning. *Bay Mills Op.* at 4. In its opinion in Bay Mills, the Department looked to *Webster's New Twentieth Century Unabridged Dictionary* for a definition of "enhance." *Webster's* primary definition is "'to make greater, as in cost, value, attractiveness, etc.; heighten; intensify; augment.'" *Bay Mills Op.* at 4. The Department, however, read a geographic proximity requirement into this definition, stating in the Bay Mills opinion that a land acquisition will constitute an "enhancement of tribal lands" only if it "somehow enhance[s] (*i.e.*, make[s] greater the value or attractiveness [of]) some other tribal landholding *already in existence*." *Id.* at 6 (emphasis added). Applying that reasoning to the Bay Mills fact pattern, the Department found that "[b]ecause the Vanderbilt site is very far from all other tribal landholdings, it cannot be said to enhance any of them. Therefore, even under an interpretation where *enhancement* includes the addition of new land, there must be some connection to benefitting existing tribal landholdings." *Id.* (emphasis in original).

However, the District Court reviewing the Bay Mills Vanderbilt matter rejected such a reading of the statute. In *Michigan v. Bay Mills Indian Community*, the court construed "enhance" in accord with common dictionary definitions to mean "'to improve or make greater' or 'to augment,'" and found that an acquisition, even though located more than 100 miles from preexisting tribal lands, "[o]bviously ... is an enhancement of tribal landholdings, as the additional land augmented, or made greater, the total land possessed by" the tribe. No. 10-CV-01273, slip op. 10-11 & n.10 (W.D. Mich. Mar. 29, 2011), *rev'd on other grounds*, 695 F.3d 406 (6th Cir. 2012), *aff'd*, 134 S. Ct. 2024 (2014).

The Tribe appreciates that the Department may be concerned with an interpretation of MILCSA that would appear to allow for unlimited land acquisition. But the Tribe's acquisitions here are limited in a manner fully consistent with both the letter and spirit of MILCSA. The Tribe already has a significant nexus to the areas in which the acquired parcels are located because a substantial number of the Tribe's members reside in both areas. Because of that strong nexus, each acquisition will provide direct and concrete benefits to nearby members. The same could not necessarily be said for acquisitions elsewhere in the State.

Accordingly, as set forth below, acquisition of the Sibley and Lansing parcels will enhance the Tribe's lands by making the Tribe's overall land base greater in size, consistent with the plain meaning of the statute and the District Court's holding in *Michigan v. Bay Mills Indian Community*. Furthermore, and even though MILCSA does not require such a showing, the Tribe also demonstrates below that acquisition of the Sibley and Lansing parcels will enhance (make greater in

size, and make greater in value) the Tribe's existing land base near those parcels, consistent with the Department's interpretation of "enhancement" in its Bay Mills decision.

a. The Sibley and Lansing Parcels Enhance Lands in General

Acquisition of the Sibley and Lansing parcels clearly is an "enhancement" of the Tribe's lands overall, under any reasonable definition of that term. The Tribe's general, overall need for additional trust land is acute. Current acreage in the Upper Peninsula is woefully inadequate, with only 2,200 acres of trust land serving approximately 15,000 members in the Upper Peninsula, and the Tribe has *no* trust lands in the Lower Peninsula from which to provide employment and tribal services to the approximately 14,500 members who live there. *See* Affidavit of Tribal Registrar Julie Salo, dated April 20, 2015 at Tab 2.⁴ The Tribe's severe lack of adequate land perpetuates the same injustices that MILCSA Section 108's land-acquisition provisions were designed to rectify.

A comparison of the size of other Michigan Tribes' trust land bases, based on population numbers, starkly illustrates that the Sault Tribe is land-poor. According to publicly available information, the Sault Tribe holds less land in trust per member than any other tribe in Michigan, and on the whole the vast majority of other Michigan tribes benefit from significantly greater land holdings when viewed on a per capita basis. This disparity is graphically illustrated in the two charts that follow (Figures 1 and 2). These figures were compiled using the best information available to the Tribe; however, we understand that the Department may have more accurate information and would welcome additional input in this regard.

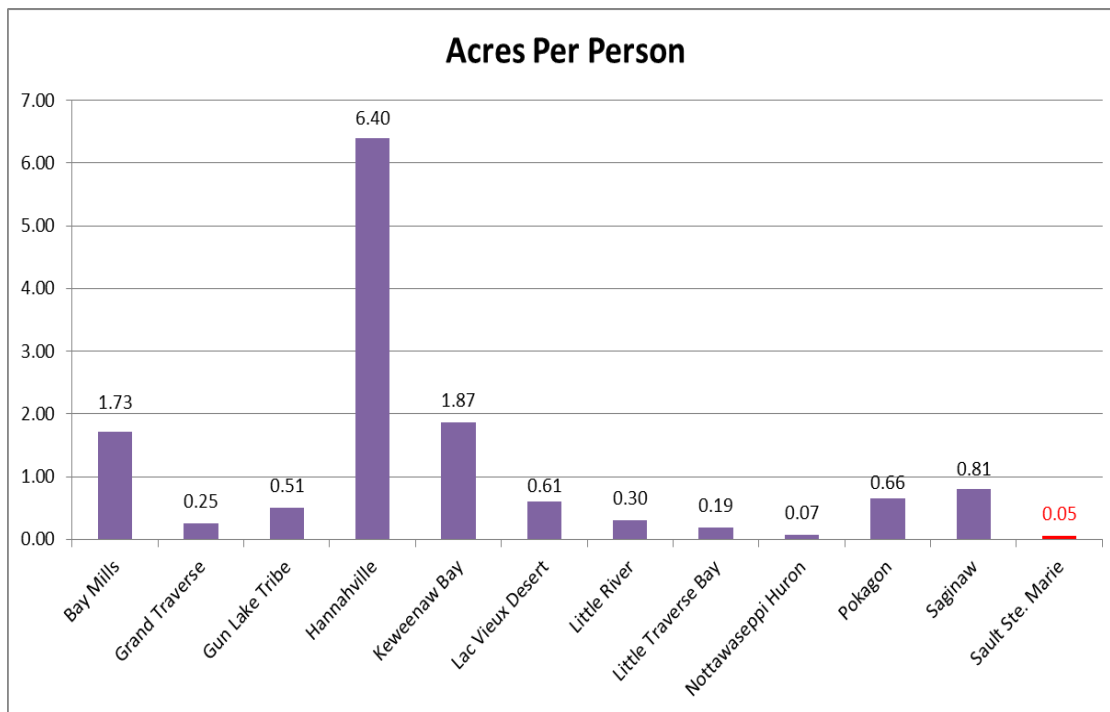


Figure 1: Acres Held in Trust per Person for Michigan Tribes (based on data in Figure 2)

⁴ An additional $\pm 12,000$ Sault tribal members live outside of the state.

Tribe	Land In Trust	Tribal Population	Acres Per Person
Bay Mills Chippewa Indian Community	3,549 acres ⁱ	2,057 ⁱⁱ	1.73 acres
Grand Traverse Bay Band of Ottawa and Chippewa Indians	1,012 acres ⁱⁱⁱ	3,985 ^{iv}	0.25 acres
Hannahville Indian Community	5,700 acres ^v	891 ^{vi}	6.40 acres
Nottawaseppi Huron Band of the Potawatomi Indians	79 acres ^{vii}	1,100 ^{viii}	0.07 acres
Keweenaw Bay Indian Community	6,200 acres ^{ix}	3,310 ^x	1.87 acres
Lac Vieux Desert Band of Lake Superior Chippewa Indians	328 acres ^{xi}	535 ^{xii}	0.61 acres
Little River Band of Ottawa Indians	1,200 acres ^{xiii}	4,000 ^{xiv}	0.30 acres
Little Traverse Bay Bands of Odawa Indians	848 acres ^{xv}	4,570 ^{xvi}	0.19 acres
Match-e-be-nash-she-wish Band of Potawatomi Indians of Michigan (Gun Lake)	147 acres ^{xvii}	290 ^{xviii}	0.51 acres
Pokagon Band of Potawatomi Indians	2,883 acres ^{xix}	4,400 ^{xx}	0.66 acres
Saginaw Chippewa Indian Tribe	2,224 acres ^{xxi}	2,754 ^{xxii}	0.81 acres
Sault Ste. Marie Tribe of Chippewa Indians	2,200 acres^{xxiii}	42,230^{xxiv}	0.05 acres

Figure 2: Michigan Tribes' Acreage and Population
(See for Tab 3 for data sources)

So for example, as indicated in Figure 2, the federal government holds 2,200 acres of tribal trust land for approximately 42,000 Sault members -- equating to about .05 acres per person,⁵ whereas for the Saginaw Chippewa, the federal government holds 2,224 acres of trust land for 2,754 members -- about 0.81 acres per person. In other words, each acre of Saginaw Chippewa trust land serves about one member, whereas each acre of Sault trust land has to serve *twenty* Sault members. Accordingly, enhancement (augmentation) of tribal lands through acquisitions such as the Sibley and Lansing Parcels is desperately needed. These acquisitions help to address the enormous disparity between the size of the Tribe's existing trust land base and that of other Michigan tribes.

⁵ Or more accurately, .0427 acres per member. See 2014 fee-to-trust submission at 2.

The Sibley and Lansing acquisitions will also enhance -- that is, make more valuable -- existing tribal lands in the Upper Peninsula. The planned economic development for these acquisitions will generate revenue needed to address badly overdue maintenance and repair on tribal buildings and infrastructure on the Tribe's Upper Peninsula reservation lands -- including the Tribe's existing gaming facilities in the Upper Peninsula, where current revenues are inadequate to cover basic capital costs.⁶ Data included in Figures 3, 4 and 5 below show the overall decline in the Sault Tribe's revenue over the last several years, a decline that exacerbates the already devastating effects of a poor local economy. The current state of economic affairs threatens the Tribe's ability to maintain the current level of tribal and local employment at its existing gaming facilities.

The revenue generation benefits projected from the Sibley and Lansing Parcels cannot be achieved through acquisition and development of additional Upper Peninsula lands. As detailed by the Chief Financial Officer for the Tribe's Kewadin Casinos, from 2003 to 2014 the Tribe suffered a staggering 24.5% decrease in gaming revenue and a 28.1% decrease in Earnings Before Interest Taxes Depreciation and Amortization (EBITDA) at its gaming facilities in the Upper Peninsula. *See* Figures 4-5; Affidavit of Rick McDowell, dated April 16, 2015, at ¶ 6, provided at Tab 5. Competition from the State Lottery, coupled with new casinos in Western Michigan and in higher populated areas in the Lower Peninsula, are largely responsible for the Tribe's decline in EBITDA. *Id.* at ¶ 7-8. This decline has required the Tribe to undertake substantial cost-reduction initiatives, including workforce reduction, eliminating employee benefits, delaying basic building maintenance such as roof, siding and carpet repairs, and delaying implementation of a new player database system, to the point where that system is at the end of its life and may not be supported by the Tribe's vendors. *Id.* at ¶ 10. Even more pressing for the Tribe (and as discussed further in Subsection B below), declining revenues have led to a projected decrease in tribal governmental program support by as much as two million dollars per year. *Id.* at ¶ 11.

⁶ The Department similarly found that the Menominee Tribe's plan to open a casino in Kenosha, Wisconsin, 160 miles from the Tribe's reservation, would "increase year-round tourism to...the existing reservation" and that "the Tribe intends to cross-market the proposed Kenosha Project with its existing on-reservation gaming facility...*which will be enhanced and upgraded in order to draw additional visitors to the Tribe's Reservation.*" Letter from Assistant Secretary Kevin Washburn to the Hon. Scott Walker, Governor of Wisconsin dated August 23, 2013 at 24 (emphasis added).

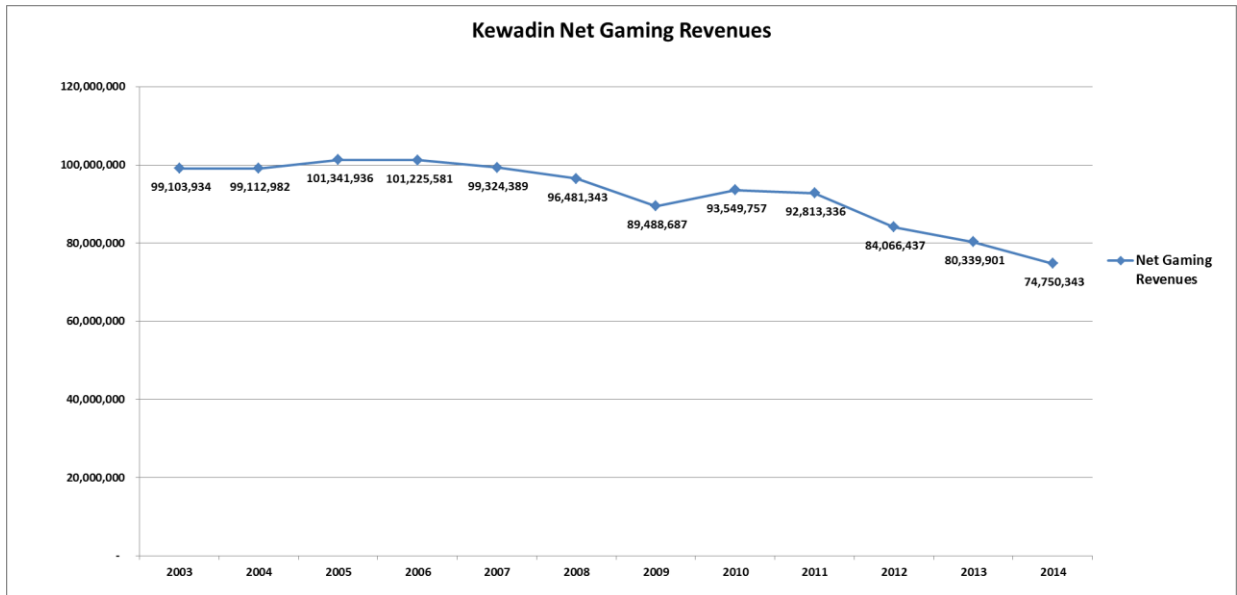


Figure 3: Decline in Sault Gaming Revenue in the Upper Peninsula

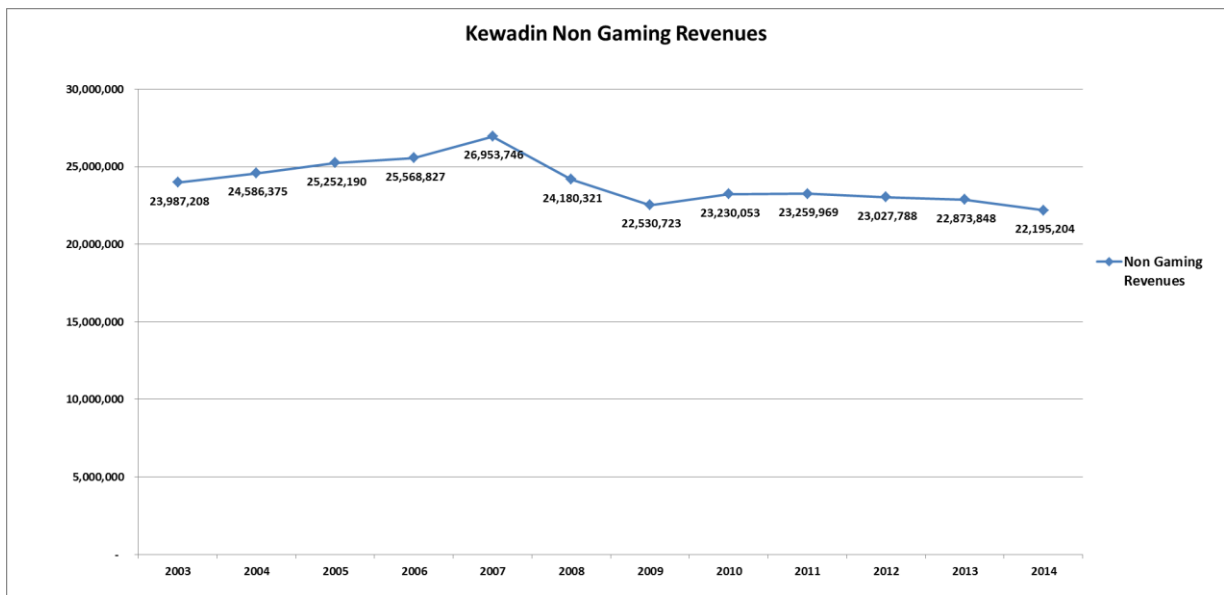


Figure 4: Drop in the Sault Tribe's Non-Gaming Revenue

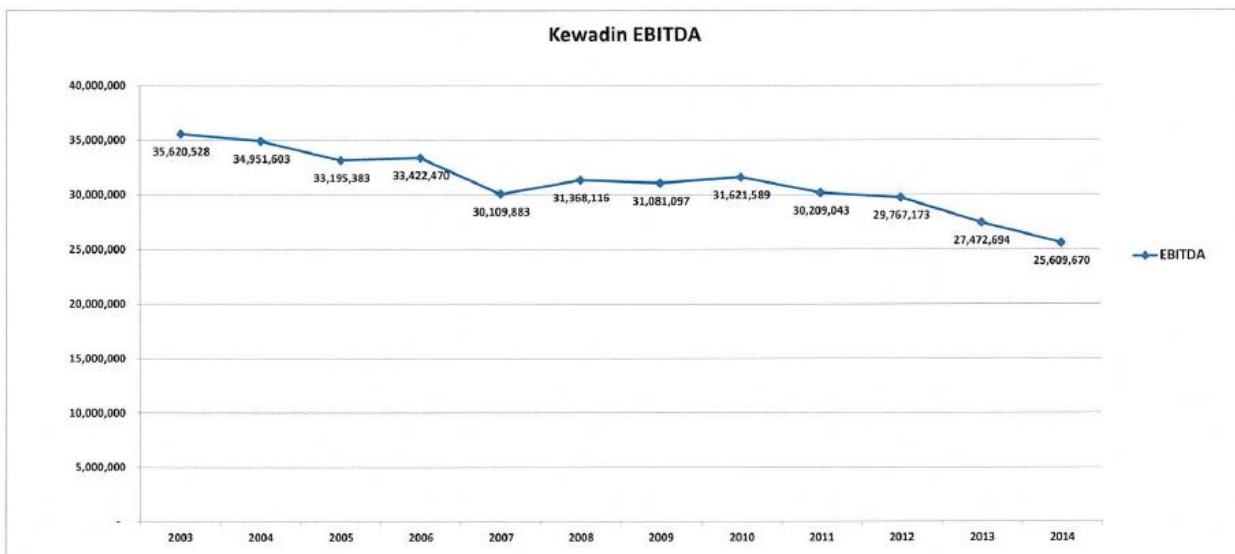


Figure 5: Decline in EBITDA over the Last Decade

In contrast, during this same period, the Michigan Lottery experienced significant growth in revenue (see Figure 6).

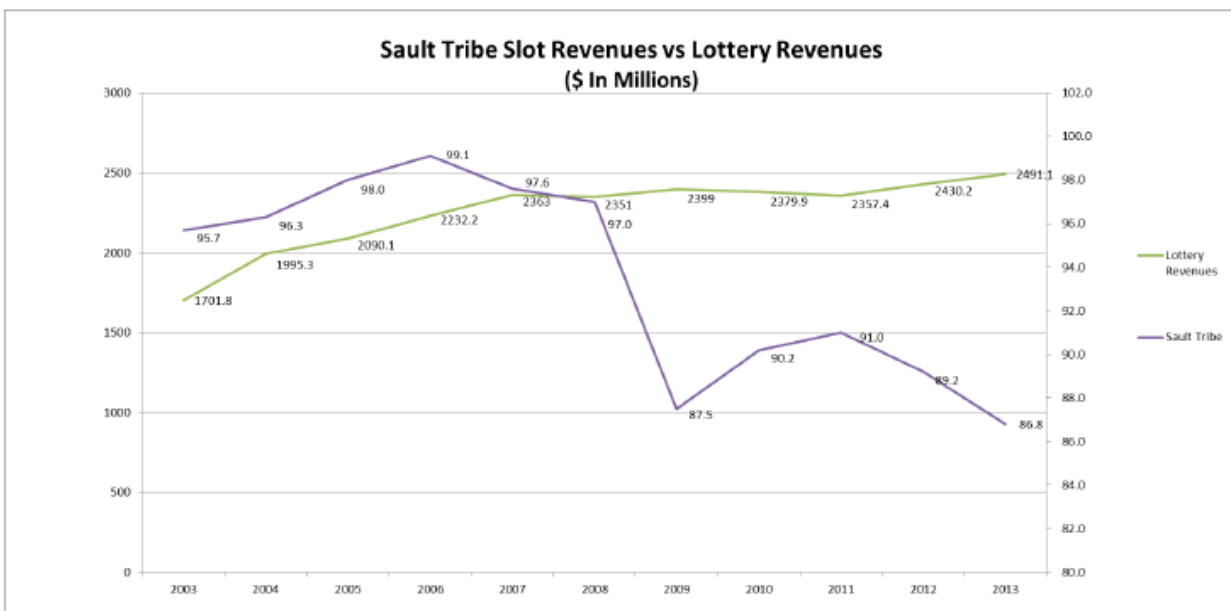


Figure 6: Sault Slot Revenues Adversely Affected by State Lottery Sales

Due to The combination of its substantial tribal membership and limited resources generated in the Upper Peninsula, in 2013 the Sault Tribe generated by far the lowest gaming revenues per tribal member of any tribe in Michigan - less than a quarter of the revenue generated by Keweenaw Bay,

and only a tiny fraction of the revenue generated by tribes with gaming facilities currently operating in the Lower Peninsula. This marked disparity is reflected in public data, and is illustrated below in Figure 7. Pursuant to its tribal-state gaming compact, each Michigan tribe shares 2% of net win on Class III slot machines either with local governments in the immediate vicinity of each tribal gaming facility or with the State's Local Revenue Sharing Board.⁷ While the reporting periods vary for each tribe, these figures give an accurate picture of each tribe's Class III gaming revenue.

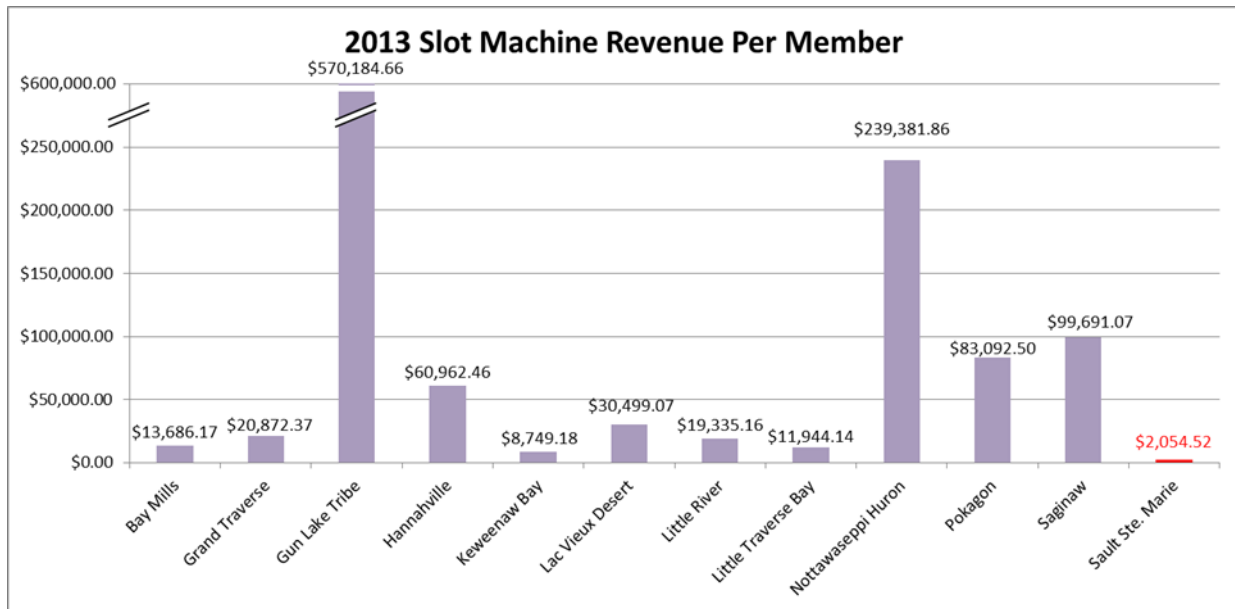


Figure 7: Per Capita Slot Revenue As Compared With Other MI Tribes

Based on the plain language definition of "enhancement" and on the district court's ruling in *Michigan v. Bay Mills Indian Community*, acquisition of the Sibley and Lansing Parcels will provide an "enhancement of tribal lands" because it will augment the Tribe's landholdings and because it will enhance the value of the Tribe's Upper Peninsula lands by generating much-needed revenues that will permit the Tribe to improve and invest in those lands—outcomes fully consistent with MILCSA's stated purposes.

b. The Sibley Parcel Enhances Nearby Tribal Land

In addition, acquisition of the Sibley Parcel enhances nearby tribal land. As discussed in subpart 1 above, the Sibley Parcel is only two miles from, and is located within the same township as, the existing seven-acre parcel already owned by the Tribe. Accordingly, acquisition of the 71-acre Sibley Parcel clearly *enhances (augments, makes greater) the size* of the Tribe's existing lands in Huron Charter Township, which squarely addresses the Department's proximity concern.

Further, acquisition of the Sibley Parcel *enhances (augments, makes greater) the value* of the existing seven-acre parcel. The seven acres will become part of the critical mass of tribal lands which eventually will be available to provide employment and tribal services to the Tribe's significant

⁷ See Report on Receipts and Distribution by Local Revenue Sharing Boards, 2013, attached as Tab 4.

down-state population, and this makes the seven acres inherently more valuable to the Tribe. Currently, the Tribe does not have the financial resources to develop the seven acres absent financial assistance from the economic development project contemplated for the Sibley Parcel.

Acquisition of the Sibley Parcel thereby will significantly enhance the value to the Tribe of the existing seven-acre parcel because it creates a critical mass of tribal lands within Huron Charter Township from which the Tribe can better serve the nearby Sault population, and because it will generate the revenue needed to develop and place into trust the 7-acre parcel.

c. The Lansing Parcels Enhance Nearby Tribal Land

Similarly, acquisition of the Showcase Parcel enhances both the size and value of the much smaller Corner Parcel - land already owned by the Tribe. Pursuant to the Comprehensive Development agreement with the City of Lansing, these parcels are to be developed in tandem, allowing mutual enhancement of both properties. *See* Ex. 3 to Lansing fee-to-trust submission. A temporary gaming facility first will be built on the Corner Parcel. *Id.* at Recital H. This development will allow the construction of the much larger permanent facility on the Showcase Parcel, which will in turn allow construction on the Corner Parcel, in partnership with the City of Lansing, of either a "boutique casino" or mutually agreeable re-use. *Id.*

* * *

In sum, there can be no doubt that acquisition of the Sibley and Lansing Parcels will be an "enhancement of tribal lands" within the meaning of MILCSA under any reasonable interpretation of that phrase, including the interpretation articulated in the Department's Bay Mills decision. The acquisition will not only increase the Tribe's overall lands, but will generate revenue that will allow the Tribe to enhance -- make better -- its existing nearby lands in Huron Township and Lansing respectively. Indeed, the fact that the acquisitions will directly advance MILCSA's stated purposes further reinforces why the acquisitions trigger the Secretary's mandatory duty.

B. Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health and Cultural Needs

MILCSA also allows Self-Sufficiency Fund interest or income to be used "for educational, *social welfare, health, cultural*, or charitable purposes which benefit the members of the Sault Ste. Marie Tribe". MILCSA § 108(c)(4) (emphasis added). For the reasons discussed in subsection 1 below, using Self-Sufficiency interest or income to acquire the Sibley and Lansing parcels will directly address the unmet social welfare, health and cultural needs of the large number of Sault members who live in the immediate area. Currently, these members have no realistic access to tribal employment opportunities or tribal services. Further, as discussed in subsection 2, acquisition of these parcels will enable the Tribe to engage in economic development that will generate the revenue it needs to address the significant unmet social welfare, health and cultural needs of Sault members resident in the Upper Peninsula. The fact that expenditure of Self-Sufficiency Fund interest or income to acquire the Sibley Parcel for these purposes satisfies MILCSA § 108(c)(4) is an additional,

and independent, reason why the Secretary's mandatory duty to acquire the land in trust under section 108(f) has been triggered.

1. Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health and Cultural Needs for the Thousands of Members Living Nearby Each Parcel

The Tribe estimates that about 14,500 (more than a third) of its 42,000 members live in the Lower Peninsula of Michigan [See Salo Affidavit at Tab 2]. This population base is almost three times greater than the *total* membership of the next largest tribe in Michigan (Little Traverse Band: 4,570 members). Moreover, the Tribe estimates that approximately 4,500 members live within a 50-mile radius of the Sibley Parcel, which is greater than the population of most other Michigan tribes. Finally, the Tribe estimates that approximately 2,600 members live within a 50-mile-radius of the Lansing Parcels, which is only slightly fewer than the total membership of the entire Saginaw Chippewa Tribe (2,754). *See* Figure 2, Michigan Tribes' Acreage and Population at p. 7 above, as well as the Sault membership population map which follows.

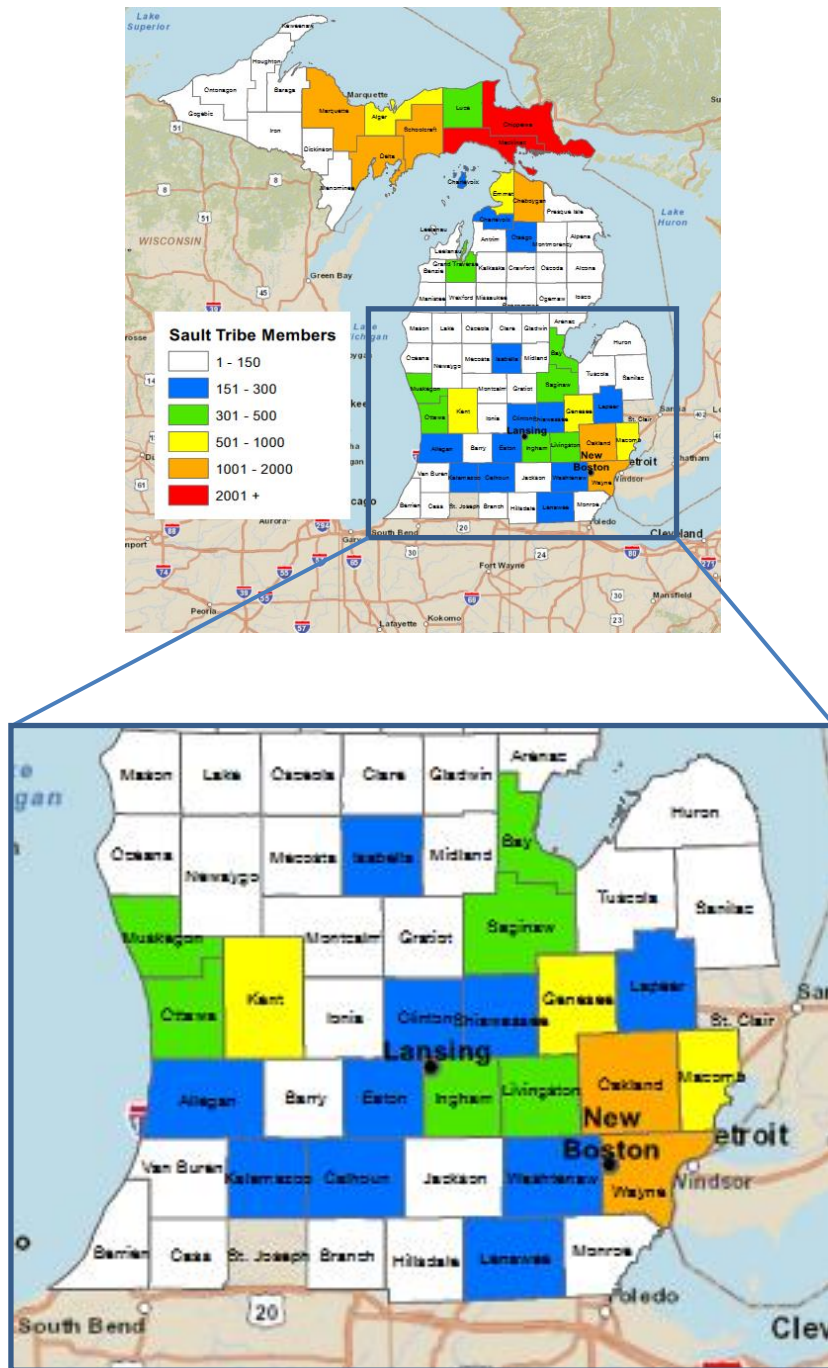


Figure 8: Sault Member Population Distribution in Michigan

The federal government played a long and central role in the Sault diaspora that resulted in so many members living in the southeastern portion of Michigan and within a 50-mile radius around each of the parcels. First, as is true of all tribes that have been without a federally reserved land base for a long period of time -- especially those that also have had to cope with long periods of administrative termination -- Sault tribal members became more widely dispersed than is the case with tribes that have had long-standing reserved lands.

In addition, the Bureau's mid-twentieth century implementation of the "Voluntary Relocation Program" exacerbated the early patterns of migration caused by the extinguishment of Sault tribal land title in the nineteenth century.⁸ Put into place pursuant to the Indian Relocation Act of 1956, Pub. L. 84-959, 70 Stat. 986 (codified at 25 U.S.C. § 309), the Relocation Program was a component of the era's termination policy.⁹ Through the Relocation Program, the Bureau of Indian Affairs actively encouraged individual Indians, including Sault Ste. Marie members, to leave their rural homes to find work in urban areas. These relocation efforts led to the migration of more than 100,000 Native Americans. R. David Edmunds, *Native Americans and the United States, Canada and Mexico*, reprinted in P. Deloria & N. Salisbury, *A Companion to Native American History* 402-03 (2004). Tribal members were relocated to "Chicago, Seattle, Denver, Los Angeles, *Detroit*, San Francisco, and Minneapolis-St. Paul, among other cities." Donald F. Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* 387 (1986)(emphasis added). By the 1950s, relocation had become one of the Bureau's highest priorities, and in 1954 the Bureau reported that in order to concentrate on providing relocation services, placement activities which do not involve relocation have been progressively decreased. Bureau of Indian Affairs, Comm'r Ind. Aff., Ann. Rep. (1954), *excerpted in* Francis Paul Prucha, *Documents of United States Indian Policy* 238-39 (3rd ed. 2000). Relocation program participants received virtually no federal assistance beyond a one-way ticket to the city and a subsistence allowance until their first paycheck, were cut off from the federal services that would have been available to them as reservation residents, and were far from their tribal community and land base. *See* Donald F. Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* 387 (1986); Joan Ablon, *American Indian Relocation: Problems of Dependency and Management in the City*, 24 *Phylon* 159, 362-71 (Winter 1965).

Relocation programs were deemed a failure, and ended with the passage of the Indian Self-Determination and Education Assistance Act of 1975, Pub. L. No. 93-638, 88 Stat. 2203 (codified at 25 U.S.C. § 450 *et seq.*). Nevertheless, many individual tribal members and families could not finance a return to their homes, and so remained in the cities, often in cultural isolation and dire poverty. Cohen's Handbook of Federal Indian Law, § 1.06 (2012). It has been estimated that between 30% and 70% of relocated Native Americans returned to their reservations. Roger L. Nichols, *The American Indian: Past and Present* 260-61 (1992). The corresponding percentage of those members that did not return correlates to the proportion of Sault members who now live in Michigan's Lower Peninsula, and a large proportion of these Sault members reside in the Detroit Metropolitan area and surrounding counties (*i.e.*, near the Sibley Parcel and Huron Charter Township) and the Lansing area and surrounding counties (*i.e.*, near the Lansing Parcels). These members live hundreds of miles from the Sault Tribe's meager trust lands in the Upper Peninsula, and as a result they have no tribal employment opportunities and access to tribal services is very difficult.

⁸ *See also* 2014 fee-to-trust submission at 7.

⁹ Relocation programs were based on the assumption that after World War II, there were not enough reservation resources to support the return of Indian men and women of service age who had been in the military, or engaged in defense contracting. *Cohen's Handbook of Federal Indian Law*, § 1.06 (2012). Other Indians voluntarily moved from their reservation to the city for promises of employment and economic opportunity. *Id.*

The Sault Tribe respectfully urges that the United States' historical role in creating the Sault Tribe's landlessness and the resulting dispersal of its members, and the United States' targeted efforts urging Sault members to relocate to the Detroit area to enter that workforce, should be considered in the context of the implementation of MILCSA provisions designed to address the unmet social welfare, health and cultural needs of the Sault people. Simply put, the planned economic development on the Sibley and Lansing Parcels will provide the opportunity for employment for thousands of members of the Tribe that live close by. *See* McDowell Affidavit at ¶ 12-13. The reality is that the Sault Tribe will never be able to provide meaningful employment opportunities or services to this substantial component of its population base without securing nearby trust land on which to engage in economic development. Accordingly, acquisition of these parcels is crucial to improving the Sault Tribe's ability to address the social welfare, health and cultural needs of this large portion of its membership.¹⁰

2. Acquisition of the Sibley and Lansing Parcels Addresses Social Welfare, Health and Cultural Needs for the 15,000 Members Living in the Upper Peninsula

Even in the Upper Peninsula, the Sault Tribe is struggling to meet the needs of the Sault population that lives there. Years of landlessness caused tribal members to disperse widely even in the Upper Peninsula, which is evident from the fact that the Tribe's service area covers seven Upper Peninsula counties and evident from the wide dispersal of the lands held in trust for the Tribe there. *See* Figure 9 on page 17 (the Tribe's fee and trust lands are circled in blue); Salo Affidavit at Tab 2.

The Tribe holds only approximately 2,257 acres of land in trust within these seven counties, of which only about 190 acres benefit from a reservation proclamation.¹¹ Although the Tribe runs gaming operations in the Upper Peninsula, as discussed in subpart A of this supplemental submission, these facilities operate in very small markets and do not generate enough governmental income to allow the Tribe to provide adequate services to its members in the Upper Peninsula. *See* again Figure 7 above, which illustrates how little income is being derived from the Tribe's Upper Peninsula gaming operations.

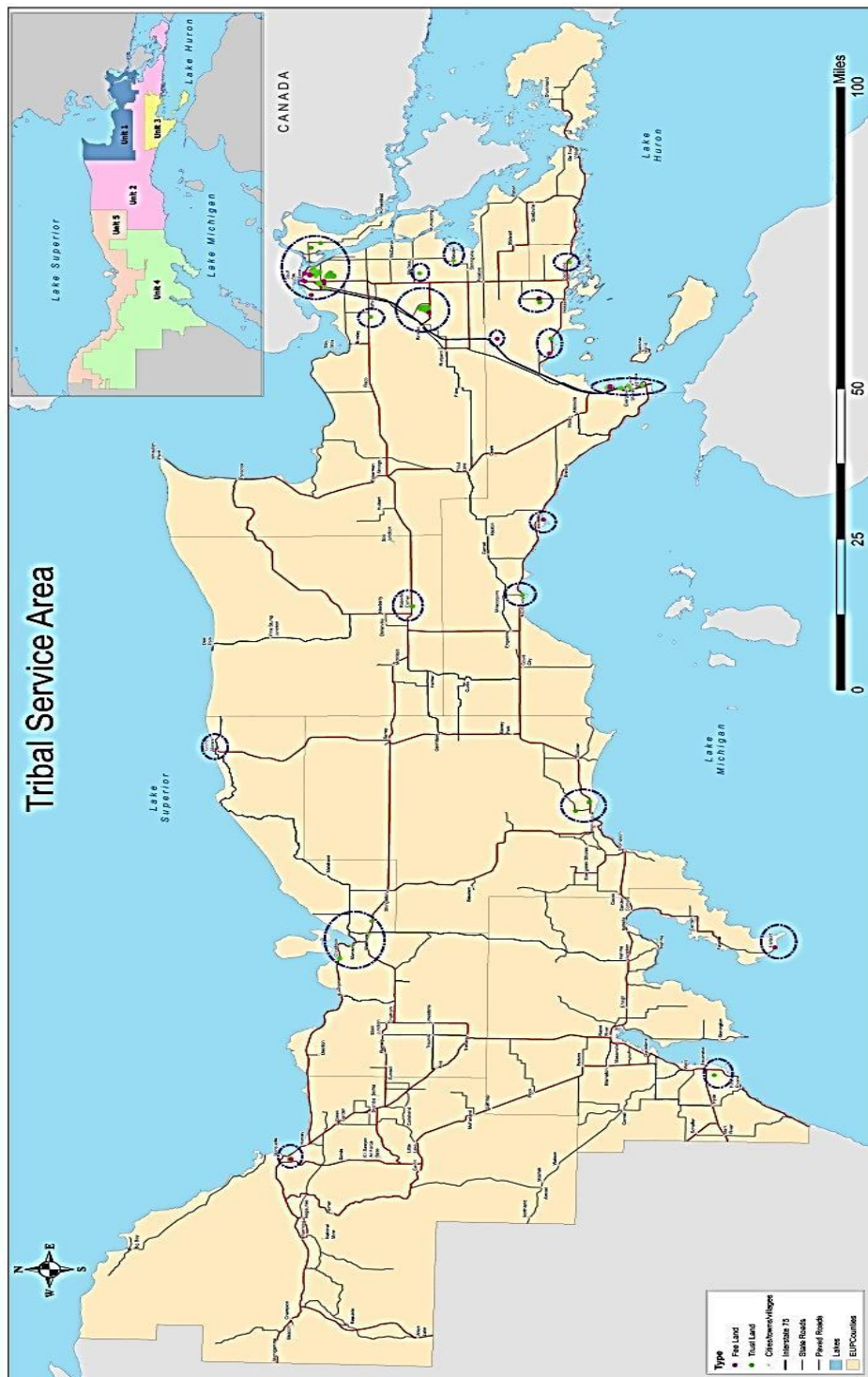
As a result, the Tribe is struggling to provide basic services for its members. These programs include vital services for cultural activities, elder meal programs, education programs, day care, and food assistance for low-income families. *See* McDowell Affidavit at ¶ 11. The Director of the Sault Tribe's Tribal Housing Authority further reports in a sworn affidavit that the Housing Authority currently has 272 housing applications pending, but is unable to fill all of these requests due to limited housing stock availability. *See* Affidavit of Joni Talentino, Director, Sault Ste. Marie

¹⁰ This fact underscores the appropriateness of the Tribe's interpretation of "enhancement" described above in Section II.A.2. at p 4, which, given the significant nexus between the Tribe's population and these parcels, is fully consistent with the letter and spirit of MILCSA.

¹¹ This is problematic for the Tribe as well, as so many federal grants are dependent on lands having reservation status. *See, e.g.*, 25 U.S.C. § 1521 (Indian Business Development Program); 25 C.F.R. Part 273 (Johnson O'Malley Act Education Grants); 25 C.F.R. Part 26 (Employment Assistance for Adult Indians Program); 25 C.F.R. Part 27 (Vocational Training for Adult Indians Program); 7 C.F.R. Part 253-54 (USDA Food Distribution Program on Indian Reservations).

Band of Chippewa Tribal Housing Authority, dated March 25, 2015 at ¶ 7 (provided at Tab 6.) For the roughly 15,000 Sault members who live in the Upper Peninsula, the Tribe has been able to provide only 388 housing units within its low-rent housing program, 72 housing units within its lease-to-purchase program, and 50 units within its elder housing program. *Id.* at ¶ 4-7. Absent "significant enhancement and new construction of housing stock on the Tribe's lands," it is unlikely that the Tribe will be able to meet these significant unmet needs. *Id.* at ¶ 8.

Figure 9: Widely Dispersed Tribal Lands in Seven County Service Area



The social welfare of Upper Peninsula members can also be measured by a recent report prepared as part of the Tribe's Healthy Tradition Project. The report, "Family Mealtime Survey

Project" (September 30, 2012) analyzed the results of a food and nutrition survey conducted among Upper Peninsula Sault members. Among other things, the report found significant economic pressure on Sault families affects family eating habits. "The majority (52%) of respondents ran short on food at least once in the previous month; among single parent households, nearly 20% ran short three or more times in the past month." *Id.* at 12.

In sum, without a source of new revenue to fund crucial governmental services, the social welfare and health of Sault members in the Upper Peninsula will continue to be woefully underserved. Use of Self-Sufficiency Fund interest or income to acquire these parcels -- *i.e.*, land on which significant revenue for improved governmental services can be generated -- unquestionably is a use "for educational, *social welfare, health, cultural*, or charitable purposes which benefit the members of the Sault Ste. Marie Tribe." For this additional reason, acquisition of the parcels with Self-Sufficiency Fund interest or income triggers the Secretary's mandatory obligation to acquire trust title to the properties.

CONCLUSION

The land acquisition provisions of MILCSA were intended in no small part to help address the catastrophic land loss resulting from the federal government's unconscionable dealings in a series of nineteenth century treaties whereby the Sault Tribe lost all of its homelands. Section 108(f) of MILCSA requires the Secretary to accept trust title to certain land that is acquired with Self-Sufficiency Fund interest or income. More specifically, the Secretary is required to accept trust title where the expenditure of Self-Sufficiency interest or income complies with MILCSA section 108(c), which permits the Tribe to use the Self-Sufficiency Fund, *inter alia*, for the "consolidation or enhancement of tribal lands" (§ 108(c)(5)), or "for educational, *social welfare, health, cultural*, or charitable purposes which benefit the members of the Sault Ste. Marie Tribe" (§ 108(c)(4)).

For the reasons discussed herein, use of Self-Sufficiency interest or income to acquire the Sibley and Lansing Parcels clearly consolidates tribal lands, enhances tribal lands, and helps to address the significant unmet social welfare, health and cultural needs of Sault members both in the Upper Peninsula and in the areas of the Lower Peninsula which surround these Parcels. Accordingly, the Secretary has a mandatory obligation to accept trust title to the Sibley and Lansing Parcels.

For further information or questions regarding this submission, please contact Mr. John Wernet, General Counsel, Sault Ste. Marie Tribe of Chippewa Indians, at 906-635-6050 or jwernet@saulttribe.net.

SOURCES FOR MICHIGAN TRIBES' ACREAGE AND POPULATION

(Figure 2)

- ⁱ U.S. Department of Justice, Bureau of Justice Assistance, *Bay Mills Indian Community - Construction of a Multi-Purpose Justice Center* (available at https://www.bja.gov/programs/tribal_corrections/69.html)
- ⁱⁱ <http://www.baymills.org/about-us.php>.
- ⁱⁱⁱ Grand Traverse Band of Ottawa and Chippewa Indians, *Submission on Carcieri's Under Federal Jurisdiction Requirement in Connection with Pending Fee-to-Trust Applications*, at 1 (available at <https://turtletalk.files.wordpress.com/2010/08/gtb-submission-to-interior-re-under-federal-jurisdiction.pdf>.)
- ^{iv} *Id.*
- ^v Barr et al., *Hannahville Indian Community Forestland Acquisition & Forest-Based Business Planning Initiative*, at 2 (available at <http://deepblue.lib.umich.edu/bitstream/handle/2027.42/90933/HIC%20Forestland%20Acquisition%20Masters%20Project.pdf?sequence=1>).
- ^{vi} <http://www.hannahville.net/about-us/>
- ^{vii} Land Acquisitions; Notawaseppi Huron Band of Potawatomi Indians of Michigan, 67 Fed. Reg. 51867 (Aug. 9, 2002). This figure does not include an additional ±40 acres of land within the Tribe's Pine Creek Reservation, which acreage would increase the number of acres per person for the Nottawaseppi Tribe.
- ^{viii} <http://www.firekeeperscasino.com/news/the-nottawaseppi-huron-band-of-the-potawatomi-to-distribute-218-million>
- ^{ix} Bureau of Indian Affairs, *Keweenaw Bay Indian Community Determination Factsheet*, (available at <http://www.bia.gov/cs/groups/public/documents/text/idc015845.pdf>).
- ^x *Id.*
- ^{xi} Department of Health and Human Services, Administration for Native Americans, *Lac Vieux Desert Band of Lake Superior Chippewa Indians* (available at https://www.acf.hhs.gov/sites/default/files/ana/michigan_4.pdf).
- ^{xii} *Id.*
- ^{xiii} Lee Allen, *Casino Veteran Wendell Long Relocates from Arizona to Northern Michigan to Manage Little River Casino Resort*, INDIAN COUNTRY TODAY (Apr. 8, 2013) (available at <http://indiancountrytodaymedianetwork.com/2013/04/08/casino-veteran-wendell-long-relocates-arizona-northern-michigan-manage-little-river>).
- ^{xiv} *Id.*
- ^{xv} ICTMN Staff, *To Finance a Community Farming Project, Michigan Tribe Taps Indian Land Capital Company*, INDIAN COUNTRY TODAY (Jan. 16, 2014) (available at <http://indiancountrytodaymedianetwork.com/2014/01/16/finance-community-farming-project-michigan-tribe-taps-indian-land-capital-company-153127>).
- ^{xvi} *Id.*
- ^{xvii} Congressional Budget Office Cost Estimate, S. 1603, Gun Lake Trust Land Reaffirmation Act (June 17, 2014) (available at <https://www.cbo.gov/publication/45451>).
- ^{xviii} http://efotg.sc.egov.usda.gov/references/public/MI/Overview_for_Gun_Lake_Tribe1.pdf.
- ^{xix} Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino Project in the City of South Bend, St. Joseph County, IN, 77 Fed. Reg. 51558, 51559 (Aug. 24, 2002).
- ^{xx} *Id.*
- ^{xxi} H.R. Rep. 110-275 at 2 (June 30, 2007).
- ^{xxii} *Id.*
- ^{xxiii} See Tab 2
- ^{xxiv} *Id.*

**THE SAULT STE. MARIE TRIBE
OF CHIPPEWA INDIANS OF MICHIGAN**

**THE SIBLEY AND LANSING PARCELS
FEE-TO-TRUST ACQUISITION SUBMISSION
SUPPLEMENTAL INFORMATION
CONCERNING THE CONSOLIDATION AND
ENHANCEMENT OF TRIBAL LANDS**

TABLE OF ATTACHMENTS

April 22, 2015

Tab	Description of Attachment
1	Deed to Restricted Indian Land dated July 13, 2010.
2	Affidavit of Sault Ste. Marie Tribal Registrar Julie Salo, dated April 20, 2015
3	Sources for Michigan Tribes' Acreage and Population
4	Michigan Department of Treasury, Receipts and Distribution of Indian Casino Revenue by Local Revenue Sharing Boards Report, 2013 (September 2014)
5	Affidavit of Rick McDowell, Chief Financial Officer, Kewadin Casinos dated April 16, 2015
6	Affidavit of Joni Talentino, Director, Sault Ste. Marie Tribal Housing Authority, dated March 25, 2015

TAB 1

DEED TO RESTRICTED LAND

DATED JULY 13, 2010

JUL-29-2010 08:40

9064662556

9064662556

P.03/12

2010 JUL 13 PM 2:51

**P.A. 327 OF 1968
AFFIDAVIT FILED**

METROPOLITAN

5-5446
(1956 Rev.)

Bernard J. Youngblood
Wayne County Register of Deeds
July 13, 2010 02:51 PM
Liber 48644 Page 1058-1062
#2010272190 DD FEE: \$27.00



Purchase Restricted

No. _____

(Sault Ste. Marie Indian Reservation)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, made and entered into this 25th day of April, 2010, BETWEEN Post It Stables, Inc., whose address is 9000 Page Avenue, Jackson, Michigan 49201, Grantor and party of the first part and the Sault Ste. Marie Tribe of Chippewa Indians, whose address is 523 Ashmun Street, Sault Ste. Marie, Michigan 49783, Grantee and party of the second part, as Indian lands are held.

WITNESSETH, That said party of the first part, for and in consideration of the sum of One Dollar and otherwise set forth on the Real Estate Transfer Valuation Affidavit filed herewith, and subject to the exceptions set forth on Exhibit A attached hereto, in hand paid, the receipt of which is hereby acknowledged, does by these presents hereby grant, bargain, sell, remise, release a lien and confirm and convey unto said party of the second part, its successors and assigns, FOREVER, all that certain parcel of land, its surface and subsurface, in the following-described real estate and premises situated in the Township of Huron, County of Wayne and State of Michigan, to wit:

This is to certify that there are no tax liens or taxes on this property and that taxes are paid for FIVE YEARS previous to date of this instrument EXCEPT _____

No. 2658 Ronald W. Young Date 7-13-10
WAYNE COUNTY TREASURER Clerk LG

DETROIT 4150625.1 PARCEL A

476192-BH

706

PART OF TAX ID PARCEL 75-013-99-0001-~~204~~ Part of the Northeast 1/4 of Section 4, Town 4 South, Range 9 East, Huron Township, Wayne County, Michigan, more particularly described as: **75-013-99-0005-704**

PARCEL A DESCRIPTION: **75-013-99-0005-006**

Part of the Northeast 1/4 of Section 4, Town 4 South, Range 9 East, Huron Township, Wayne County, Michigan, more particularly described as:

Beginning at a point on the West line of Vining Road (120 Feet wide), said point distant, South 87°48'07" West, a distance of 60.00 Feet along the North line of said Section and South 01°56'57" East, a distance of 1323.80 Feet from the Northeast corner of said Section 4; continuing thence South 01°56'57" East, a distance of 80.00 Feet; thence South 88°03'09" West, a distance of 410.53 Feet; thence South 01°56'53" East, a distance of 289.92 Feet; thence South 77°38'07" West, a distance of 404.94 Feet; thence North 12°21'53" West, a distance of 179.41 Feet; thence North 45°51'30" East, a distance of 397.07 Feet; thence North 88°03'09" East, a distance of 547.06 Feet to the Point of Beginning, containing 3.83 acres, more or less, and designated as PARCEL A on the attached CERTIFICATE OF SURVEY; and being subject to an Ingress-Egress Easement described as follows:

EASEMENT FOR PARCEL B OVER PARCEL A

Beginning at a point on the West line of Vining Road (120 Feet wide), said point distant, South 87°48'07" West, a distance of 60.00 Feet along the North line of said Section and South 01°56'57" East, a distance of 1323.80 Feet from the Northeast corner of Section 4, Town 4 South, Range 9 East, Huron Township, Wayne County, Michigan; continuing thence South 01°56'57" East, a distance of 80.00 Feet; thence South 88°03'09" West, a distance of 410.53 Feet; thence South 49°18'23" West, a distance of 62.98 Feet; thence South 04°47'47" East to the North line of the above described Parcel B, a distance of 257.50 Feet; thence South 77°38'07" West along said North line of Parcel B, a distance of 61.54 Feet; thence North 04°47'47" West, a distance of 388.21 Feet; thence North 88°03'09" East, a distance of 526.66 Feet to the Point of Beginning. Containing 1.41 acres, more or less and being subject to the senior rights of existing easements of record, if any.

Together with all and singular the hereditaments and the appurtenances thereunto belonging or in anywise appertaining: **in restricted fee for the Sault Saint Marie Tribe of Chippewa Indians, To Have and to Hold** the said premises, as herein described, with the appurtenances, unto the party of the second part and to its successors and assigns FOREVER. And the said party of the first part, for itself, its successors, assigns and administrators, does covenant, grant, bargain and

agree to and with the said party of the second part, its successors and assigns, that at the time of delivery of these presents he is well seized of the above granted premises in fee simple; that they are free from all encumbrances, except as set forth on Exhibit A attached hereto, and that it will, and its successors, assigns and administrators shall **Warrant and Defend** the same against all lawful claims whatsoever.

The above-described land is being purchased by the Sault Ste. Marie Tribe of Chippewa Indians pursuant to the provisions of the Michigan Indian Land Claims Settlement Act (MILCSA), Pub. L. 105-143, 111 Stat. 2652 (Dec. 15, 1997) wherein:

1. Congress mandated the creation of a trust fund for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians which is known as the "Self-Sufficiency Fund."
2. The Self-Sufficiency Fund consists of the Sault Ste. Marie Tribe of Chippewa Indian's share of the judgment funds transferred by the Secretary to the Tribe's Board of Directors pursuant to Section 108, subsection (e) of the Act, and such amounts of the interest and other income of the Self-Sufficiency Fund as the board of directors may choose to add to the principal as well as any other funds that the board of directors of the Sault Ste. Marie Tribe of Chippewa Indians chooses to add to the principal.
3. Section 108, subsection (b) (1) of the MILCSA mandates that the principal of the Self-Sufficiency Fund shall be used exclusively for investments or expenditures which the board of directors of the Tribe determines are reasonably related to economic development beneficial to the tribe, the development of tribal resources, are otherwise financially beneficial to the tribe and its members or that will consolidate or enhance tribal landholdings.
4. The Act mandates that any lands acquired using amounts from the principal of the Self-Sufficiency Fund shall be held as Indian lands are held.
5. Section 108 (a) (2) of the Act empowers the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians to act as the trustee of the Self-Sufficiency Fund with a charge to administer the Fund in accordance with the provisions of the Act.
6. By Tribal Resolution No. ~~2009-262~~, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, acting as Trustee for the Self-Sufficiency Fund, authorized the use of principal from the Self-Sufficiency Fund to purchase the above-described real property after having determined that using principal from the Self-Sufficiency Fund to purchase the above-described real property is reasonably related to economic development beneficial to the tribe, to the development of tribal resources, is otherwise financially beneficial to the tribe and its members, and will consolidate or enhance tribal landholdings.

The real property described herein is held as Indian lands are held, pursuant to Section 108 of the Michigan Indian Land Claims Settlement Act, Pub. L. No. 105-143, 111 Stat. 2652 (Dec. 15, 1997), is subject to the jurisdiction of the Sault Ste. Marie Tribe of Chippewa Indians, is exempt

from taxation and no conveyance or transfer of any interest in the herein described real property shall be valid unless approved of the Secretary of the Interior or his authorized representative in the Bureau of Indian Affairs.

Grantor grants to Grantee the right to make zero (0) division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

This deed is exempt from Michigan transfer tax by virtue of MCLA 207.505(5) (a).

IN WITNESS WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

POST IT STABLES, INC.

By:

Jerry D. Campbell, Secretary

* AKA J. D. CAMPBELL

WITNESSES:

Janice E. Morley [SEAL]
JANICE E. MORLEY

Carl W. Hirstein [SEAL]
CARL W. HIRSTEIN

STATE OF MICHIGAN)

COUNTY OF WAYNE)

On April 28th, 2010, before me, a Notary Public, in and for said County, personally appeared Jerry D. Campbell, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

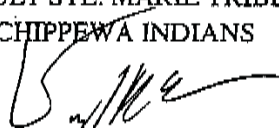
A. Maria Sorensen
Notary Public, State of Michigan, County of Wayne
My Commission Expires 6/26/2010
Acting in the County of Wayne

[Signature]
Notary Public, _____ County, _____
My commission expires:

* AKA J. D. CAMPBELL, SECRETARY OF POST IT STABLES, INC.

IN WITNESS WHEREOF, pursuant to the Sault Ste. Marie Tribe of Chippewa Indians Resolution No. 2009-262, the said party of the second part has hereunto set his hand and seal the day and year first above written, certifying the above-described real property was purchased with principal from the Self-Sufficiency Fund created by the Michigan Indian Land Claims Settlement Act, Pub. L. No. 105-143, 111 Stat. 2652 (Dec. 15, 1997).

SAULT STE. MARIE TRIBE
OF CHIPPEWA INDIANS



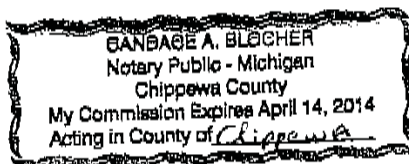
Darwin McCoy, Chairman

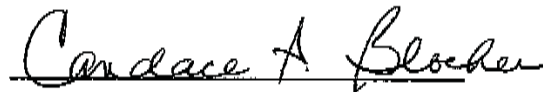
STATE OF MICHIGAN)

)

COUNTY OF Chippewa)

On April 30, 2010, before me, a Notary Public, in and for said County, personally appeared Darwin McCoy, * to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.





Notary Public, _____ County, Michigan
My commission expires:

* CHAIRMAN OF SAULT STE. MARIE TRIBE OF
CHIPPEWA INDIANS

JUL-29-2010 08:41

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P.08/12

2010 JUL 13 PM 2:40
P.A. 327 OF 1966
AFFIDAVIT FILED

Bernard J. Youngblood
 Wayne County Register of Deeds
 July 13, 2010 02:40 PM
 Liber 48644 Page 1053-1057
 #2010272189 DD FEE: \$27.00



METROPOLITAN

5-5446
 (1956 Rev.)

Purchase Restricted
 No. _____
 (Sault Ste. Marie Indian Reservation)

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF INDIAN AFFAIRS

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, made and entered into this 28th day of April, 2010, BETWEEN Post It Stables, Inc., whose address is 9000 Page Avenue, Jackson, Michigan 49201, Grantor and party of the first part and the Sault Ste. Marie Tribe of Chippewa Indians, whose address is 523 Ashmun Street, Sault Ste. Marie, Michigan 49783, Grantee and party of the second part, as Indian lands are held.

WITNESSETH, That said party of the first part, for and in consideration of the sum of ~~One Dollar and other uses~~ ²⁵ set forth on the Real Estate Transfer Valuation Affidavit filed herewith, and subject to the exceptions set forth on Exhibit A attached hereto, in hand paid, the receipt of which is hereby acknowledged, does by these presents hereby grant, bargain, sell, remise, release a lien and confirm and convey unto said party of the second part, its successors and assigns, FOREVER, all that certain parcel of land, its surface and subsurface, in the following-described real estate and premises situated in the Township of Huron, County of Wayne and State of Michigan, to wit:

DETROIT.4150666.1

This is to certify that there are no tax liens or taxes on this property and that taxes are paid for FIVE YEARS previous to date of this instrument EXCEPT
 No. 7618 Reynolds, Wayne Date 7-15-10
 WAYNE COUNTY TREASURER Clerk LG

476192-BH

PART OF TAX ID PARCEL 75-013-99-0001-~~704~~⁷⁰⁶ Part of the Northeast 1/4 of Section 4, Town 4 South, Range 9 East, Huron Township, Wayne County, Michigan, more particularly described as: 75-013-99-0006-000

PARCEL B DESCRIPTION: 75-013-99-0005-704/
75-013-99-0005-006

Commencing at the Northeast corner of said Section 4; thence South 87°48'07" West along the North line of said Section, a distance of 60.00 Feet to the West line of Vining Road (120 Feet wide); thence South 01°56'57" East along said West line, a distance of 1403.80 Feet; thence South 88°03'09" West, a distance of 410.53 Feet; thence South 01°56'53" East, a distance of 289.92 Feet to the Point of Beginning; continuing thence South 01°56'53" East, a distance of 370.35 Feet; thence South 77°38'07" West, a distance of 337.98 Feet; thence North 12°21'53" West, a distance of 364.24 Feet; thence North 77°38'07" East, a distance of 404.94 Feet to the Point of Beginning. Containing 3.11 acres, more or less, and designated as Parcel B in the attached CERTIFICATE OF SURVEY. Together with a variable width Ingress-Egress Easement across land designated as Parcel A in the attached CERTIFICATE OF SURVEY, more particularly described as:

EASEMENT FOR PARCEL B OVER PARCEL A

Beginning at a point on the West line of Vining Road (120 Feet wide), said point distant, South 87°48'07" West, a distance of 60.00 Feet along the North line of said Section and South 01°56'57" East, a distance of 1323.80 Feet from the Northeast corner of Section 4, Town 4 South, Range 9 East, Huron Township, Wayne County, Michigan; continuing thence South 01°56'57" East, a distance of 80.00 Feet; thence South 88°03'09" West, a distance of 410.53 Feet; thence South 49°18'23" West, a distance of 62.98 Feet; thence South 04°47'47" East to the North line of the above described Parcel B, a distance of 257.50 Feet; thence South 77°38'07" West along said North line of Parcel B, a distance of 61.54 Feet; thence North 04°47'47" West, a distance of 388.21 Feet; thence North 88°03'09" East, a distance of 526.66 Feet to the Point of Beginning. Containing 1.41 acres, more or less and being subject to the senior rights of existing easements of record, if any.

Together with all and singular the hereditaments and the appurtenances thereunto belonging or in anywise appertaining: **in restricted fee for the Sault Saint Marie Tribe of Chippewa Indians, To Have and to Hold** the said premises, as herein described, with the appurtenances, unto the party of the second part and to its successors and assigns FOREVER. And the said party of the first part, for itself, its successors, assigns and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of delivery of these presents he is well seized of the above granted premises in fee simple; that they

Parcel B

are free from all encumbrances, except as set forth on Exhibit A attached hereto, and that it will, and its successors, assigns and administrators shall ***Warrant and Defend*** the same against all lawful claims whatsoever.

The above-described land is being purchased by the Sault Ste. Marie Tribe of Chippewa Indians pursuant to the provisions of the Michigan Indian Land Claims Settlement Act (MILCSA), Pub. L. 105-143, 111 Stat. 2652 (Dec. 15, 1997) wherein:

1. Congress mandated the creation of a trust fund for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians which is known as the "Self-Sufficiency Fund."
2. The Self-Sufficiency Fund consists of the Sault Ste. Marie Tribe of Chippewa Indian's share of the judgment funds transferred by the Secretary to the Tribe's Board of Directors pursuant to Section 108, subsection (e) of the Act, and such amounts of the interest and other income of the Self-Sufficiency Fund as the board of directors may choose to add to the principal as well as any other funds that the board of directors of the Sault Ste. Marie Tribe of Chippewa Indians chooses to add to the principal.
3. Section 108, subsection (b) (1) of the MILCSA mandates that the principal of the Self-Sufficiency Fund shall be used exclusively for investments or expenditures which the board of directors of the Tribe determines are reasonably related to economic development beneficial to the tribe, the development of tribal resources, are otherwise financially beneficial to the tribe and its members or that will consolidate or enhance tribal landholdings.
4. The Act mandates that any lands acquired using amounts from the principal of the Self-Sufficiency Fund shall be held as Indian lands are held.
5. Section 108 (a) (2) of the Act empowers the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians to act as the trustee of the Self-Sufficiency Fund with a charge to administer the Fund in accordance with the provisions of the Act.
6. By Tribal Resolution No. 2009-262, the Board of Directors of the Sault Ste. Marie Tribe of Chippewa Indians, acting as Trustee for the Self-Sufficiency Fund, authorized the use of principal from the Self-Sufficiency Fund to purchase the above-described real property after having determined that using principal from the Self-Sufficiency Fund to purchase the above-described real property is reasonably related to economic development beneficial to the tribe, to the development of tribal resources, is otherwise financially beneficial to the tribe and its members, and will consolidate or enhance tribal landholdings.

The real property described herein is held as Indian lands are held, pursuant to Section 108 of the Michigan Indian Land Claims Settlement Act, Pub. L. No. 105-143, 111 Stat. 2652 (Dec. 15, 1997), is subject to the jurisdiction of the Sault Ste. Marie Tribe of Chippewa Indians, is exempt from taxation and no conveyance or transfer of any interest in the herein described real property

shall be valid unless approved of the Secretary of the Interior or his authorized representative in the Bureau of Indian Affairs.

Grantor grants to Grantee the right to make zero (0) division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

This deed is exempt from Michigan transfer tax by virtue of MCLA 207.505(5) (a).

IN WITNESS WHEREOF the said party of the first part has hereunto set his hand and seal the day and year first above written.

POST IT STABLES, INC.

By: J. D. Campbell

Jerry D. Campbell, Secretary * AKA J. D. CAMPBELL

WITNESSES:

Janice L. McElroy [SEAL]
JANICE L. MCELROY

Carl W. Herstein [SEAL]
CARL W. HERSTEIN

STATE OF MICHIGAN)

COUNTY OF WAYNE)

On APRIL 28, 2010, before me, a Notary Public, in and for said County, personally appeared Jerry D. Campbell, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.


A. Maria Sorensen
Notary Public, State of Michigan, County of Wayne
My Commission Expires 6/26/2010
Acting in the County of WAYNE

[Signature]
Notary Public, _____ County, _____
My commission expires: _____

* AKA J. D. CAMPBELL, SECRETARY OF POST IT STABLES, INC.

IN WITNESS WHEREOF, pursuant to the Sault Ste. Marie Tribe of Chippewa Indians Resolution No. 2009-262, the said party of the second part has hereunto set his hand and seal the day and year first above written, certifying the above-described real property was purchased with principal from the Self-Sufficiency Fund created by the Michigan Indian Land Claims Settlement Act, Pub. L. No. 105-143, 111 Stat. 2652 (Dec. 15, 1997).

SAULT STE. MARIE TRIBE
OF CHIPPEWA INDIANS

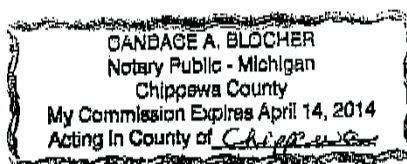



Darwin McCoy, Chairman

STATE OF MICHIGAN)

COUNTY OF Chippewa)

On April 30, 2010, before me, a Notary Public, in and for said County, personally appeared Darwin McCoy, * to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.




Notary Public, _____ County, Michigan
My commission expires:

* CHAIRMAN OF SAULT STE. MARIE TRIBE OF
CHIPPEWA INDIANS

TAB 2

AFFIDAVIT

OF

SAULT STE. MARIE TRIBAL REGISTRAR JULIE SALO

DATED APRIL 20, 2015

AFFIDAVIT OF JULIE M. SALO

STATE OF MICHIGAN)
) ss.
COUNTY OF CHIPPEWA)

Julie M. Salo, Tribal Registrar for the Sault Ste. Marie Tribe of Chippewa Indians, being first duly sworn deposes and says as follows:

1. I am employed by the Sault Ste. Marie Tribe of Chippewa Indians as the Tribal Registrar, an officer with duties spelled out in the Tribal Code.
2. As part of my duties as an employee of the Tribe, I have the duty of maintaining a current membership roll in which shall be listed all persons who are members of the Sault Ste. Marie Tribe of Chippewa Indians. I also am familiar with the size and location of the Tribe's trust and fee lands.
3. As of the date of this affidavit, the tribal enrollment is 42,230 total members.
4. I have reviewed the attachments to this affidavit and can attest to their accuracy as of the date of this affidavit.
5. I am competent to testify as to the statements set forth herein if called upon to do so at trial.

Julie M. Salo

Subscribed and sworn to before me this 20th day of April, 2015.

Melissa K. Morehouse
Melissa K. Morehouse, Notary Public
Chippewa County, Michigan
My Commission Expires: 7/4/2017

MELISSA K. MOREHOUSE
Notary Public, State of Michigan
County of Chippewa
My Commission Expires 07-04-2017
Acting in the County of Chippewa



1. Each of the seven counties in the service area

County	# of Members
Alger	580
Chippewa	7152
Delta	1254
Luce	468
Mackinac	2805
Marquette	1138
Schoolcraft	1140
Total	14537

2. By county for the rest of the UP

County	# of Members
Baraga	33
Dickinson	93
Gogebic	24
Houghton	45
Iron	54
Keweenaw	1
Menominee	96
Ontonagon	24
Total	370
Total UP	14907

3. By county for the Lower Peninsula

County	CountOfClientKey
Alcona	21
Allegan	183
Alpena	96
Antrim	66
Arenac	72
Barry	74
Bay	396
Benzie	52
Berrien	89
Branch	35
Calhoun	160
Cass	33
Charlevoix	164
Cheboygan	1056
Clare	78
Clinton	179
Crawford	37
Eaton	178
Emmet	525
Genesee	763
Gladwin	49
Grand Traverse	396
Gratiot	93
Hillsdale	39
Huron	84

Ingham	360
Ionia	80
Iosco	64
Isabella	193
Jackson	133
Kalamazoo	252
Kalkaska	67
Kent	837
Lake	4
Lapeer	180
Leelanau	31
Lenawee	152
Livingston	357
Macomb	760
Manistee	95
Mason	67
Mecosta	79
Midland	147
Missaukee	27
Monroe	161
Montcalm	92
Montmorency	30
Muskegon	346
Newaygo	95
Oakland	1450
Oceana	88
Ogemaw	87
Osceola	73
Oscoda	13
Otsego	180
Ottawa	335
Presque Isle	110
Roscommon	89
Saginaw	391
Saint Clair	161
Saint Joseph	50
Sanilac	66
Shiawassee	154
Tuscola	131
Van Buren	90
Washtenaw	276
Wayne	1287
Wexford	83
Total LP	14641

Total MI 29548

4. Total number outside of Michigan (just one collective n

Total Outside Michigan 12682

Total Membership 42230

ZipCode	City	Distance	# of Members
48933	Lansing	0.13	5
48915	East Lansing	0.73	15
48912	Lansing	1.71	20
48910	Lansing	2.56	47
48911	Lansing	3.57	54
48906	Lansing	3.61	66
48825	East Lansing	3.86	1
48917	Lansing	4	47
48823	East Lansing	6.31	33
48842	Holt	6.45	36
48805	Okemos	6.55	1
48821	Dimondale	8.03	19
48864	Okemos	8.03	26
48808	Bath	8.64	7
48820	Dewitt	8.76	24
48840	Haslett	9.67	19
48837	Grand Ledge	10.88	57
48876	Pottersville	11.17	3
48854	Mason	11.53	39
48822	Eagle	12.59	4
48848	Laingsburg	12.86	16
48895	Williamston	14.9	12
48827	Eaton Rapids	16.47	19
48894	Westphalia	17.61	13
48813	Charlotte	17.61	18
48872	Perry	18.28	6
48879	St Johns	18.55	46
48819	Dansville	19.12	11
49251	Leslie	19.57	11
48892	Webberville	20.11	15
48866	Ovid	20.5	4
48875	Portland	20.62	24
48890	Sunfield	20.87	1
48835	Fowler	21.85	13
48857	Morrice	22.15	1
48873	Pewamo	22.99	5
49096	Vermontville	23.48	7
49284	Springport	24.39	2
# of members 0-25 miles			747
49285	Stockbridge	25.03	15
48836	Fowlerville	25.59	67
48831	Elsie	25.94	1
49272	Pleasant Lake	26.06	2
48414	Muskegon	26.44	4
48853	Maple Rapids	26.49	1
48867	Owosso	26.5	48
49076	Olivet	28.89	2
49259	Munith	29.41	10
48418	Byron	29.54	6
48429	Durand	30.02	39
49269	Parma	30.08	5
48476	Vernon	30.09	4
48849	Lake Odessa	30.24	4

48871	Perrinton	30.37	1
48846	Ionia	30.58	15
48874	Pompeii	31.46	2
48806	Ashley	31.55	4
48137	Gregory	31.56	7
49073	Nashville	31.7	8
49202	Jackson	32.49	17
49224	Albion	32.53	5
48817	Corunna	32.97	24
48844	Howell	32.98	4
49201	Jackson	33.91	29
48855	Howell	34.03	34
48649	Oakley	34.45	4
49204	Jackson	34.55	5
48843	Howell	34.62	105
49021	Bellevue	34.65	4
48811	Carson City	34.93	6
48834	Fenwick	35.69	2
48881	Saranac	35.77	15
49240	Grass Lake	35.78	11
48449	Lennon	35.79	6
48436	Gaines	35.89	18
48815	Clarksville	36.2	3
48169	Pinckney	36.38	21
48865	Orleans	36.72	1
49254	Michigan Center	36.77	1
49283	Spring Arbor	36.8	2
49203	Jackson	36.85	27
48451	Linden	37.09	48
48847	Ithaca	37.62	16
48614	Grant	37.74	2
49068	Marshall	38.08	22
48616	Chesaning	38.67	20
48460	New Lothrop	38.72	6
49058	Hastings	39.38	25
48118	Chelsea	39.43	20
48473	Swartz Creek	39.53	40
49050	Dowling	39.54	3
49017	Battle Creek	40.25	23
48809	Belding	40.28	13
49014	Battle Creek	40.8	24
48430	Fenton	41.14	95
48818	Crystal	41.28	1
48143	Lakeland	41.5	3
48884	Sheridan	41.74	9
48114	Brighton	42.18	43
49245	Homer	42.46	2
48130	Dexter	42.46	30
48139	Hamburg	42.58	1
48433	Flushing	42.62	42
49246	Horton	42.75	2
48353	Hartland	42.95	8
48655	St Charles	43.01	22
48532	Flint	43.04	11
48116	Brighton	43.04	64
49302	Alto	43.61	17
49241	Hanover	43.64	1

49263	Onsted	44.02	3
49037	Battle Creek	44.51	15
49331	Lowell	44.55	24
49033	Scresco	44.71	1
48189	Whitmore Lake	44.76	36
49046	Delton	44.77	14
48801	Alma	44.95	12
48507	Flint	45.54	35
48504	Flint	46.06	18
48457	Montrose	46.08	16
49333	Middleville	46.11	19
48380	Milford	46.39	7
48357	Highland	46.78	8
49230	Brooklyn	47.32	16
49092	Tekonsha	47.57	1
49015	Battle Creek	47.64	48
49060	Hickory Corners	47.79	5
48439	Grand Blanc	47.83	59
49249	Jerome	47.91	4
49012	Augusta	47.93	7
48158	Manchester	47.95	13
48417	Burt	47.97	13
48832	Elwell	47.98	9
48103	Ann Arbor	48.07	26
48502	Flint	48.08	1
48503	Flint	48.13	29
48877	Riverdale	48.19	6
48529	Burton	48.22	32
48637	Merrill	48.31	9
48615	Breckenridge	48.42	13
48891	Vestaburg	48.6	3
48480	Grand Blanc	48.65	3
48888	Stanton	48.74	10
49233	Cement City	48.77	3
48838	Greenville	48.92	23
48442	Holly	49.29	50
48356	Highland	49.33	6
48505	Flint	49.41	17
49250	Jonesville	49.42	8
49301	Ada	49.46	15
48852	McBrides	49.56	1
48880	St Louis	49.68	30
48381	Milford	49.75	11
49281	Jackson	49.85	1
# of members 26-50 miles			1882

2629

Total # of Members
42230

(# State of Michigan)
21798

Zip Code	City	Distance	# of Members
48164	Huron Township	0	3
48164	New Boston	0	16
48111	Belleville	5.12	49
48134	Flat Rock	5.12	31
48174	Brownstown	5.4	3
48174	Romulus	5.4	28
48117	Carleton	6.77	9
48184	Wayne	8.93	22
48180	Taylor	8.99	43
48183	Brownstown	9.01	6
48183	Trenton	9.01	33
48183	Woodhaven	9.01	20
48191	Willis	9.11	7
48173	Rockwood	9.17	19
48193	Brownstown	9.66	3
48193	Riverview	9.66	9
48190	Whittaker	10.34	4
48190	Whittaker	10.34	1
48186	Westland	10.83	66
48195	Southgate	10.86	27
48195	South Gate	10.86	5
48188	Canton	11.55	40
48188	Canton Twp	11.55	3
48141	Inkster	11.75	2
48166	Newport	11.98	21
48138	Grosse Ile	12.12	13
48125	Dearborn Heights	12.62	38
48197	Ypsilanti	12.65	61
48192	Brownstown	12.96	2
48192	Riverview	12.96	5
48192	Wyandotte	12.96	53
48101	Allen Park	12.97	40
48162	Monroe	12.98	38
48146	New Boston	13.3	1
48146	Lincoln Park	13.3	50
48135	Garden City	13.48	49
48185	Westland	13.76	87
48124	Dearborn	13.9	47
48198	Ypsilanti	14.21	25
48187	Canton	14.37	47
48187	Canton Twp	14.37	1
48160	Milan	14.63	30
48128	Dearborn	14.65	2
48122	Melvindale	14.87	9
48127	Dearborn Heights	15.15	19
48229	Ecorse	15.22	6
48217	Detroit	15.7	3
48161	Monroe	15.81	17
48120	Dearborn	16.07	1
48150	Livonia	16.32	33
48150	Plymouth	16.32	1
48218	River Rouge	16.39	6
48126	Dearborn	16.91	7
48126	Dearborn Heights	16.91	1
48121	Dearborn Heights	17.12	1
48170	Plymouth	17.52	47
48239	Redford Twp	17.61	4
48239	Redford	17.61	29
48228	Detroit	17.83	9
48154	Livonia	18.28	43
48108	Ann Arbor	18.31	10
48209	Detroit	18.44	24
48131	Dundee	18.86	12
48104	Ann Arbor	19.08	20

48223	Detroit	19.48	7
48210	Detroit	19.65	7
48168	Northville	20.21	12
48152	Livonia	20.25	36
48240	Redford	20.62	34
48240	Redford Twp	20.62	3
48216	Detroit	20.73	1
48113	Ann Arbor	20.82	2
48105	Ann Arbor	21.09	5
48219	Detroit	21.41	4
48176	Saline	21.77	13
48157	Luna Pier	22.07	2
48167	Northville	22.26	21
48226	Detroit	22.34	2
48201	Detroit	22.47	2
48201	Jackson	22.47	1
48235	Detroit	22.66	1
48335	Farmington Hills	22.76	5
48335	Farmington	22.76	14
48336	Farmington Hills	22.89	31
48336	Farmington	22.89	1
48375	Novi	23.11	12
48202	Detroit	23.17	1
48221	Detroit	23.93	1
48374	Novi	24.17	14
48075	Southfield	24.34	1
48133	Erie	24.49	16
48203	High Land Park	24.53	1
48211	Detroit	24.59	1
48178	South Lyon	24.76	38
49229	Britton	24.83	2
48207	Detroit	24.98	1
# of members 0-25 miles			1653
48103	Ann Arbor	25.31	26
48237	Oak Park	25.52	14
48212	Hamtramck	25.55	4
48331	Farmington Hills	25.71	11
48182	Temperance	25.72	11
48182	Livonia	25.72	1
48334	Farmington Hills	25.89	7
48220	Ferndale	26.03	32
48377	Novi	26.05	17
48214	Detroit	26.27	1
49238	Deerfield	26.39	2
48070	Huntington Woods	26.72	4
48234	Detroit	27.03	6
48213	Detroit	27.19	1
48030	Hazel Park	27.2	32
48025	Franklin	27.32	1
48025	Beverly Hills	27.32	1
48072	Berkley	27.5	18
48068	Royal Oak	27.66	1
48165	New Hudson	27.7	3
48067	Royal Oak	27.74	19
48393	Wixom	27.8	11
48189	Whitmore Lake	27.96	36
49286	Tecumseh	28.18	25
48322	West Bloomfield	28.3	6
48091	Warren	28.92	40
48301	Bloomfield Hills	28.93	8
48301	Bloomfield	28.93	3

48144	Lambertville	28.97	4
49236	Clinton	29.2	21
48073	Royal Oak	29.25	33
48390	Walled Lake	29.34	44
48390	Commerce Twp	29.34	10
48390	Wolverine Lake	29.34	2
48390	Commerce	29.34	6
48205	Detroit	29.49	2
48230	Grosse Pointe Park	29.54	3
48071	Madison Heights	29.59	26
48009	Birmingham	29.89	16
48012	Birmingham	29.99	1
48130	Dexter	30.1	30
48224	Detroit	30.11	6
48015	Centerline	30.28	2
48015	Center Line	30.28	7
48323	West Bloomfield	30.43	3
49276	Riga	30.44	3
43611	Toledo	30.59	11
43612	Toledo	30.61	1
48017	Clawson	30.62	11
48139	Hamburg	30.68	1
48089	Warren	30.92	24
48084	Troy	31.23	12
48381	Milford	31.36	11
48092	Warren	31.36	22
48225	Harper Woods	31.5	9
48143	Lakeland	31.55	3
48302	Bloomfield Hills	31.6	12
43613	Toledo	31.67	8
48382	Commerce Twp	31.67	28
48382	Milford	31.67	1
48382	Commerce	31.67	13
48382	St Clair Shores	31.67	2
48116	Brighton	31.96	64
48324	West Bloomfield	31.97	14
43608	Toledo	31.98	2
48303	Bloomfield Hills	31.99	1
48236	Grosse Pte Farms	32.16	2
48236	Grosse Pointe Woods	32.16	2
48236	Grosse Pointe Farms	32.16	2
48236	Gross Pte Farms	32.16	2
48236	Grosse Pointe Farm	32.16	2
48158	Manchester	32.27	13
48304	Bloomfield Hills	32.34	10
48083	Troy	32.41	16
48021	Eastpointe	32.42	37
43623	Toledo	32.6	5
48093	Warren	32.73	21
48093	Troy	32.73	2
49228	Blissfield	32.79	4
43616	Oregon	32.86	8
48320	Keego Harbor	33.12	7
48320	Sylvan Lake	33.12	2
49268	Palmyra	33.14	2
43605	Toledo	33.47	2
43606	Toledo	33.52	1
48088	Warren	33.64	13
48380	Milford	33.7	7
48098	Troy	33.98	8
48080	St Clair Shores	34.03	20
48310	Sterling Heights	34.06	14
48118	Chelsea	34.74	20
48066	Roseville	34.93	78
48341	Pontiac	34.94	13

43560	Sylvania	34.99	10
48085	Troy	35.16	17
48312	Sterling Heights	35.32	16
48321	Auburn Hills	35.34	1
48327	Waterford	35.4	57
48081	St Clair Shores	35.43	19
48081	Saint Clair	35.43	1
48328	Waterford	35.54	45
48114	Brighton	35.78	43
48342	Pontiac	35.97	21
48026	Frazier	36.01	1
48026	Fraser	36.01	25
48169	Pinckney	36.09	21
43615	Toledo	36.4	10
48386	White Lake	36.61	41
48386	Milford	36.61	1
43609	Toledo	36.7	3
48383	White Lake	36.75	27
48383	Whitelake	36.75	3
48314	Sterling Heights	37.2	7
48326	Auburn Hills	37.2	15
48326	Lake Angelus	37.2	1
48340	Pontiac	37.34	38
48356	Highland	37.36	6
43619	Northwood	37.41	4
48082	St Clair Shores	37.58	19
48313	Sterling Heights	37.61	19
48309	Rochester Hills	37.76	9
48035	Clinton Township	37.92	5
48035	Clinton Twp	37.92	24
48035	Troy	37.92	3
48357	Highland	38.03	8
49221	Adrian	38.12	50
48329	Waterford	38.38	74
43614	Toledo	38.77	5
48307	Rochester	38.89	13
48307	Rochester Hills	38.89	4
48307	Rochester Hills	38.89	29
48353	Hartland	39.05	8
43528	Holland	39.09	2
43460	Rosford	39.23	3
43447	Millbury	39.28	5
48317	Utica	39.33	9
48317	Shelby Twp	39.33	19
43465	Walbridge	39.65	2
48038	Clinton Twp	39.87	37
48038	Clinton Township	39.87	1
48843	Howell	40.24	105
48036	Clinton Twp	40.38	7
49263	Onsted	40.48	1
49263	Norvell	40.48	2
48137	Gregory	40.78	7
48346	Clarkston	40.81	61
49265	Onsted	40.94	10
48359	Lake Orion	41.37	16
48359	Orion Township	41.37	1
48359	Orion	41.37	18
43537	Maumee	41.41	8
48046	Mount Clemens	41.43	1
48043	Mount Clemens	41.46	12
48043	Mt Clemens	41.46	6
48315	Shelby Twp	42.18	10
48315	Shelby	42.18	1
43551	Perrysburg	42.2	4
48316	Shelby Twp	42.24	13

49240	Grass Lake	42.28	11
49230	Brooklyn	42.56	16
48844	Howell	42.69	4
48360	Lake Orion	42.72	8
48360	Orion	42.72	3
48045	Mount Clemens	42.89	3
48045	Harrison	42.89	2
48045	Harrison Twp	42.89	15
48044	Macomb	42.94	25
48044	Macomb Twp	42.94	5
48306	Oakland Twp	43.04	4
48306	Rochester Hills	43.04	8
48306	Rochester	43.04	8
48350	Davisburg	43.2	25
48348	Clarkston	43.29	44
43542	Monclova	43.66	2
49279	Sandcreek	44.37	1
48042	Macomb	44.57	8
48042	Macomb Twp	44.57	16
48362	Lake Orion	44.93	14
48363	Oakland	45.54	11
48094	Washington	45.54	24
48361	Lake Orion	45.65	2
48442	Holly	45.75	50
49235	Clayton	46.16	4
49253	Manitou Beach	46.34	8
48855	Howell	46.54	34
49259	Munith	46.76	10
43533	Lyons	47.24	1
48430	Fenton	47.56	95
48051	Chesterfield	47.68	16
48051	New Baltimore	47.68	2
48051	Oxford	47.68	1
48051	Chesterfield Twp	47.68	2
49254	Michigan Center	47.82	1
49285	Stockbridge	47.94	15
43452	Port Clinton	48.06	5
43571	Whitehouse	48.1	4
48095	Washington	48.17	6
48095	Waterford	48.17	1
48047	New Baltimore	48.86	32
48047	Chesterfield	48.86	12
48462	Midland	49.17	1
48462	Ortonville	49.17	59
49233	Cement City	49.2	3
49220	Addison	49.49	10
48096	Ray Township	49.64	3
49256	Morenci	49.94	3
# of members 26-50 miles			2824

Total Members

4477

Total # of Members
42230

18 State of Michigan
21798

Ex. IV, p. 46

TAB 3

SOURCES

FOR

MICHIGAN TRIBES' ACREAGE AND POPULATION

SOURCES FOR MICHIGAN TRIBES' ACREAGE AND POPULATION

(Figure 2)

- ⁱ U.S. Department of Justice, Bureau of Justice Assistance, *Bay Mills Indian Community - Construction of a Multi-Purpose Justice Center* (available at https://www.bja.gov/programs/tribal_corrections/69.html)
- ⁱⁱ <http://www.baymills.org/about-us.php>.
- ⁱⁱⁱ Grand Traverse Band of Ottawa and Chippewa Indians, *Submission on Carcieri's Under Federal Jurisdiction Requirement in Connection with Pending Fee-to-Trust Applications*, at 1 (available at <https://turtletalk.files.wordpress.com/2010/08/gtb-submission-to-interior-re-under-federal-jurisdiction.pdf>.)
- ^{iv} *Id.*
- ^v Barr et al., *Hannaville Indian Community Forestland Acquisition & Forest-Based Business Planning Initiative*, at 2 (available at <http://deepblue.lib.umich.edu/bitstream/handle/2027.42/90933/HIC%20Forestland%20Acquisition%20Masters%20Project.pdf?sequence=1>).
- ^{vi} <http://www.hannaville.net/about-us/>
- ^{vii} Land Acquisitions; Nottawaseppi Huron Band of Potawatomi Indians of Michigan, 67 Fed. Reg. 51867 (Aug. 9, 2002). This figure does not include an additional ±40 acres of land within the Tribe's Pine Creek Reservation, which acreage would increase the number of acres per person for the Nottawaseppi Tribe.
- ^{viii} <http://www.firekeeperscasino.com/news/the-nottawaseppi-huron-band-of-the-potawatomi-to-distribute-218-million>
- ^{ix} Bureau of Indian Affairs, *Keweenaw Bay Indian Community Determination Factsheet*, (available at <http://www.bia.gov/cs/groups/public/documents/text/idc015845.pdf>).
- ^x *Id.*
- ^{xi} Department of Health and Human Services, Administration for Native Americans, *Lac Vieux Desert Band of Lake Superior Chippewa Indians* (available at https://www.acf.hhs.gov/sites/default/files/ana/michigan_4.pdf).
- ^{xii} *Id.*
- ^{xiii} Lee Allen, *Casino Veteran Wendell Long Relocates from Arizona to Northern Michigan to Manage Little River Casino Resort*, INDIAN COUNTRY TODAY (Apr. 8, 2013) (available at <http://indiancountrytodaymedianetwork.com/2013/04/08/casino-veteran-wendell-long-relocates-arizona-northern-michigan-manage-little-river>).
- ^{xiv} *Id.*
- ^{xv} ICTMN Staff, *To Finance a Community Farming Project, Michigan Tribe Taps Indian Land Capital Company*, INDIAN COUNTRY TODAY (Jan. 16, 2014) (available at <http://indiancountrytodaymedianetwork.com/2014/01/16/finance-community-farming-project-michigan-tribe-taps-indian-land-capital-company-153127>).
- ^{xvi} *Id.*
- ^{xvii} Congressional Budget Office Cost Estimate, S. 1603, Gun Lake Trust Land Reaffirmation Act (June 17, 2014) (available at <https://www.cbo.gov/publication/45451>).
- ^{xviii} http://efotg.sc.egov.usda.gov/references/public/MI/Overview_for_Gun_Lake_Tribe1.pdf.
- ^{xix} Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Pokagon Band Tribal Village Fee-to-Trust Acquisition and Casino Project in the City of South Bend, St. Joseph County, IN, 77 Fed. Reg. 51558, 51559 (Aug. 24, 2002).
- ^{xx} *Id.*
- ^{xxi} H.R. Rep. 110-275 at 2 (June 30, 2007).
- ^{xxii} *Id.*
- ^{xxiii} See Tab 2
- ^{xxiv} *Id.*

TAB 4

**MICHIGAN DEPARTMENT OF TREASURY
RECEIPTS AND DISTRIBUTION
OF INDIAN CASINO REVENUE
BY LOCAL REVENUE SHARING BOARDS REPORT, 2013
(SEPTEMBER, 2014)**

Receipts and Distribution of Indian Casino Revenue by Local Revenue Sharing Boards 2013



**Michigan Department of Treasury
Office of Revenue and Tax Analysis
September 2014**

Receipts and Distribution of Indian Casino Revenue by Local Revenue Sharing Boards 2013

**Michigan Department of Treasury
Office of Revenue and Tax Analysis
September 2014**

Report required by Section 973 (6) of Public Act 59 of 2013.

Acknowledgements

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This report is available electronically at the Department of Treasury's Website:
http://www.michigan.gov/treasury/0,4679,7-121-1751_2197_21371_62373---,00.html

**Receipts and Distribution of Indian Casino Revenue
by Local Revenue Sharing Boards Report
2013**

Section 973 (6) of Public Act 59 of 2013 requires Treasury to report to the House and Senate Appropriations Committees and the State Budget Director on the receipts and distribution of Indian Casino revenues by local revenue sharing boards (local government units).

Under the Consent Judgment, the seven tribes who signed the August 1993 Tribal-State Gaming Compact are required to pay 2 percent of their net win to local units of government in the immediate vicinity of each tribal casino, where net win is defined as the total amount wagered on each electronic game of chance, minus the total amount paid to players for winning wagers at said electronic machines. The seven tribes who signed the Consent Judgment are: Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Hannahville Indian Community, Keweenaw Bay Indian Community, Lac Vieux Desert Band of Lake Superior Chippewa, Saginaw Chippewa Indian Tribe and the Sault Ste. Marie Tribe of Chippewa Indians.

Under the December 1998 Compact agreement, the four tribes who gained the right to open a casino in Michigan are required to pay 2 percent of their net win to the Local Revenue Sharing Board (LRSB). The LRSB's sole function is to determine and make allocations of the tribal payments to all local units of government that incur costs for hosting the casinos. The four tribes who signed the Compact are: Little River Band of Ottawa, Little Traverse Bay Band of Odawa, Nottawaseppi Huron Band of Potawatomi, and the Pokagon Band of Potawatomi.

The May 2007 Compact between the State of Michigan and the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (known as the Gun Lake Tribe) also provides the requirement of 2 percent of net win to be paid to local units of government.

In 2013, twelve tribes operated casinos in Michigan, under the 1993, 1998, or 2007 Compacts. Historical data through 2012 on the 2 percent payments made by these tribes to their respective local units of government was obtained from the Michigan Gaming Control Board (MGCB) website (http://www.michigan.gov/documents/2_percent_Payments_76617_7.pdf, 07/31/2014 release). The 2 percent payment information for 2013 was obtained from the LRSB (directly) and tribes (directly or online), where distribution figures for some entities reflect net payment amounts after investment earnings, undistributed previous years' funds and other fund transfers.

From 1994 through 2013, Native American Tribes operating casinos in Michigan have made total payments of \$350.1 million to local units of government. In 2013, those payments totaled \$30.0 million.

Table 1
Indian Casinos Revenue to Local Governments
1994 to 2013

<u>Year</u>	<u>Bay Mills Mills Indian Community</u>	<u>Grand Traverse Band of Ottawa and Chippewa Indians</u>	<u>Gun Lake Tribe of Match-E-Be- Nash-She-Wish Band of Pottawatomi Indians</u>	<u>Hannahville Indian Community</u>	<u>Keweenaw Bay Indian Community</u>	<u>Lac Vieux Desert Band of Lake Superior Chippewa</u>	<u>Little River Band of Ottawa Indians</u>	<u>Little Traverse Bay Band of Odawa Indians</u>	<u>Nottawaseppi Huron Band of Odawa Indians</u>	<u>Pokagon Band of Potawatomi Indians</u>	<u>Saginaw Chippewa Indian Tribe</u>	<u>Sault Ste. Marie Tribe of Chippewa Indians</u>	<u>Total Payments</u>
1994	\$30,218	\$369,552	n.a.	\$220,035	\$206,001	\$94,985	n.a.	n.a.	n.a.	n.a.	\$1,696,111	\$984,321	\$3,601,223
1995	154,587	541,252	n.a.	293,201	360,407	131,946	n.a.	n.a.	n.a.	n.a.	3,388,876	1,710,403	\$6,580,674
1996	358,282	829,460	n.a.	334,616	391,579	152,551	n.a.	n.a.	n.a.	n.a.	4,177,890	2,030,778	\$8,275,156
1997	388,091	1,168,407	n.a.	353,091	510,129	282,522	n.a.	n.a.	n.a.	n.a.	5,493,602	1,851,505	\$10,047,347
1998	471,124	1,699,952	n.a.	347,644	467,178	308,392	n.a.	n.a.	n.a.	n.a.	6,659,672	2,018,592	\$11,972,553
1999	481,454	1,830,855	n.a.	554,543	503,557	307,166	337,155	n.a.	n.a.	n.a.	7,362,008	2,114,801	\$13,491,540
2000	478,992	1,799,013	n.a.	592,396	555,265	328,213	1,189,043	599,421	n.a.	n.a.	7,353,827	1,978,515	\$14,874,685
2001	488,297	1,908,023	n.a.	632,746	583,549	350,243	1,484,142	839,415	n.a.	n.a.	7,150,869	2,004,084	\$15,441,367
2002	532,809	1,983,770	n.a.	694,402	594,198	400,464	1,715,218	978,898	n.a.	n.a.	7,683,494	1,932,658	\$16,515,912
2003	528,220	1,827,910	n.a.	707,674	624,866	447,648	1,955,582	1,338,605	n.a.	n.a.	7,716,455	1,913,192	\$17,060,152
2004	561,724	1,865,481	n.a.	738,641	627,800	466,167	2,129,030	1,079,947	n.a.	n.a.	7,726,614	1,926,099	\$17,121,504
2005	572,540	1,887,741	n.a.	931,032	673,472	504,480	2,140,802	1,137,338	n.a.	n.a.	7,732,270	1,960,729	\$17,540,404
2006	622,334	1,807,757	n.a.	937,561	591,597	475,382	2,167,563	1,179,263	n.a.	n.a.	7,899,977	1,982,291	\$17,663,724
2007	654,396	1,702,142	n.a.	1,026,129	665,649	464,389	2,214,587	1,419,522	n.a.	n.a.	7,329,998	1,951,265	\$17,428,076
2008	669,908	1,714,510	n.a.	1,080,135	640,649	431,465	2,026,306	1,294,721	n.a.	6,184,938	7,345,959	1,939,846	\$23,328,437
2009	595,261	1,740,662	n.a.	1,006,300	618,503	411,763	2,423,437	1,133,075	1,933,683	6,228,653	6,730,619	1,750,245	\$24,572,201
2010	610,027	1,725,445	n.a.	1,045,598	612,271	393,900	2,134,374	1,122,734	4,861,655	5,727,152	6,175,184	1,804,907	\$26,213,247
2011	615,817	1,707,642	\$2,075,313	1,102,020	614,402	365,555	2,079,649	1,096,555	4,867,041	6,232,033	5,861,197	1,819,786	\$28,437,009
2012	599,281	1,736,196	\$3,277,564	1,153,457	612,137	346,520	1,861,166	1,117,794	4,946,182	6,682,110	5,827,143	1,784,699	\$29,944,249
2013	\$563,049	\$1,663,528	\$3,307,071	\$1,086,351	\$579,196	\$326,340	\$1,546,813	\$1,091,694	\$5,266,401	\$7,312,140	\$5,490,984	\$1,735,251	\$29,968,818
Total	\$9,976,410	\$31,509,300	\$8,659,948	\$14,837,572	\$11,032,404	\$6,990,090	\$27,404,867	\$15,428,982	\$21,874,962	\$38,367,025	\$126,802,749	\$37,193,967	\$350,078,277

Source:

. Data for 1994 through 2012: from Michigan Gaming Control Board (MGCB) webpage, 07/31/2014 version of 2% Payment to Local Governments table.
Data for 2013: from Tribes (directly or online) and the Local Revenue Sharing Boards (LRSB).

Table 2
Indian Casinos Revenue to Local Governments
2013 Receipts

Tribes	2013		
	1st Semi-Annual Payment	2nd Semi-Annual Payment	Total Payments
Bay Mills	\$266,130	\$296,919	\$563,049
Grand Traverse	\$754,233	\$909,295	\$1,663,528
Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians	\$1,622,724	\$1,684,347	\$3,307,071
Hannahville	\$527,354	\$558,997	\$1,086,351
Keweenaw Bay	\$279,340	\$299,856	\$579,196
Lac Vieux Desert	\$180,735	\$145,605	\$326,340
Little River	\$732,150	\$814,662	\$1,546,813
Little Traverse Bay	\$601,403	\$490,291	\$1,091,694
Nottawaseppi Huron Band (1)	n.a.	n.a.	\$5,266,401
Pokagon Band (1)	n.a.	n.a.	\$7,312,140
Saginaw Chippewa (2)	\$2,881,511	\$2,609,474	\$5,490,984
Sault Ste. Marie	\$774,078	\$961,174	\$1,735,251
Total Payments	\$8,619,659	\$8,770,619	\$29,968,818

Note:

- (1). Tribe or LRSB did not provide data on semi-annual payments, only on total payments for 2013.
- (2). Information obtained from following webpages (08/01/2014 download):
Fall 2013 and Spring 2014 Isabella and Saganing 2% Distributions.
<http://www.sagchip.org/council/index.htm>

Source: Native American Tribes, Local Revenue Sharing Boards, and websites.

Table 3
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Receipts	Bay Mills Indian Community	Nottawaseppi Huron Band (*)
1 st Semi-Annual Payment	\$266,130	n.a.
2 nd Semi-Annual Payment	\$296,919	n.a.
Total	\$563,049	\$5,266,401 (**)
Distribution		
Total	\$563,049	\$5,208,545 (**)
Bay Mills Township	\$140,762	
Superior Township	140,762	
Chippewa County	140,762	
Ambulance Service	140,762	
Athens Area Schools		\$97,555
Athens Township		162,763
Battle Creek Schools		30,809
Calhoun County Administration		535,901
Calhoun County Consolidated Dispatch Auth		5,067
Calhoun County ISD		530,290
Calhoun County Medical Care Facility		21,209
Calhoun County Road Department		48,592
Calhoun County Senior Services Office		63,679
Calhoun County Veterans Service Office		8,545
City of Battle Creek		92,427
City of Marshall		92,427
Emmett Charter Township		607,393
Harper Creek Community Schools		2,135,544
Kellogg Community College		308,789
Lakeview Schools		20,539
Marshall Public Schools		30,809
Marshall Township		154,045
Pennfield Schools		20,539
Rehman Robson		3,000
Union City Schools		20,539
Village of Athens		51,348
Willard Library		166,736

Notes: (*) LRSB did not provide information on semi-annual payments, only total payments.

(**) Difference between receipts and distributions refers to delay from time payments are received until the time they are awarded and distributed.

Source: Bay Mills Indian Community.
FireKeepers Local Revenue Sharing Board .

Table 4
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Grand Traverse Band of Ottawa and Chippewa			
Receipts	Indians		
1 st Semi-Annual Payment	\$754,233		
2 nd Semi-Annual Payment	\$909,295		
Total	\$1,663,528	Total Distribution	\$1,663,528
Acme Township	\$16,892	Grand Traverse Co. Brd of Commissioners	\$262,138
Antrim County	25,550	Grand Traverse Metro Fire Department	23,860
Benzie Central Schools	15,000	Grand Traverse Sheriff's Office	25,000
Benzie Conservation District	6,000	Green Lake Township EMS	5,000
Benzie County	38,325	Homestead Township Fire Department	27,609
Benzie County Commission	15,000	Inland Township Fire Department	6,000
Benzie County Road Commission	3,600	Leelanau County	127,750
Benzie County Sheriff's Office	35,054	Leelanau County Board of Commissioners	79,519
Benzonia Township	20,360	Leelanau Montessori Pblc Schl Acdmy	15,000
Boyne City Public Schools	12,000	Leelanau Township	61,399
Central Lake Fire Department	13,993	Leland Township	11,447
Central Lake Public Schools	9,834	Mayfield Township	13,000
Charlevoix County	25,550	Northport Public School	45,000
Charlevoix Emmet Intrmdt Schl Dstrct	9,000	Northwest Academy	10,000
Charlevoix Public Schools	17,000	Northwestern Michigan College	15,000
Charter Township of Garfield	5,000	Peninsula Township	8,960
City of Boyne City	71,392	Peninsula Township Fire Department	7,904
City of Charlevoix	38,416	St. James Township Board	7,000
City of Frankfort	17,788	Star Township Fire Department	13,993
East Bay EMS	7,000	Suttons Bay Bingham Fire & Rescue	36,044
East Jordan Public School	13,000	Suttons Bay Public School	159,547
Elk Rapids Public School	26,000	Traverse Bay Area Intrmdt Schl Dstrct	20,500
Elk Rapids Township EMS	29,640	Traverse Bay Intrmdt Schl Dstrct (TBAISD)	21,500
Elmwood Township Fire & Rescue	7,025	Traverse City Area Public Schools	120,000
Glen Arbor Township	9,500	Village of Fife Lake	18,900
Glen Lake Fire Department	23,539	Village of Honor	10,000

Source: The Grand Traverse Band of Ottawa and Chippewa Indians.

Table 5
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Receipts	Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians
1 st Semi-Annual Payment	\$1,622,724
2 nd Semi-Annual Payment	\$1,684,347
Total	\$3,307,071
Total Distribution	\$3,307,070
AAESA	\$241,046
Administration	34,000
Allegan County	595,851
Allegan County Sherriff Deputies	49,019
City Of Wayland	26,623
Dorr Township	26,623
Hopkins Township	26,623
Leighton Township	26,623
Martin Township	26,623
Wayland Area EMS	7,570
Wayland Schools	1,458,618
Wayland Township	587,397
Wayland Township Engineering Fees	206
Wayland Township Sherriff Deputies	173,625
Yankee Springs	26,623

Source: Gun Lake Tribal Gaming Authority.

Table 6
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

<u>Receipts</u>	<u>Hannahville Indian Community</u>
1 st Semi-Annual Payment	\$527,354
2 nd Semi-Annual Payment	\$558,997
Total	\$1,086,351
Total Distribution	\$1,086,351
Bark River Harris School	\$49,810
Bark River Township	31,900
Bay College	120,500
Carney Nadeau Public School	13,875
City of Escanaba	40,500
City of Gladstone	50,000
City of Menominee	20,000
City of Stephenson	3,000
Dagget Township	3,000
Delta Conservation District	40,000
Delta County	260,478
Delta Schoolcraft ISD	8,571
Escanaba Public Schools	2,250
Escanaba Township	20,000
Gladstone Public Schools	\$55,205
Gourley Township	8,000
Harris Township	8,000
Menominee County	101,550
Nah Tah Wahsh Pblc Schl Acdmy	131,892
North Menominee Schools	6,120
Rapid River Schools	16,700
Upper Peninsula State Fair Athrty	75,000
Wells Township	20,000

Source: Hannahville Indian Community.

Table 7
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

<u>Receipts</u>	<u>Lac Vieux Desert Band of Lake Superior Chippewa</u>	<u>Keweenaw Bay Indian Community</u>
1 st Semi-Annual Payment	\$180,735	\$279,340
2 nd Semi-Annual Payment	\$145,605	\$299,856
Total	\$326,340	\$579,196
<u>Distribution</u>		
Total	\$326,340	\$579,196
Ironwood Area Schools	\$14,812	
Watersmeet School	68,860	
Watersmeet Township	242,668	
Baraga Area Schools		\$74,755
Baraga County		62,094
Baraga Township		25,013
Baraga Township/Bay Ambulance		25,000
Chocolay Township/Fr Dpt., Plc Dpt., Pblc Wrks Dpt.		81,135
City of Marquette/Beacon House		10,000
City of Marquette/Fire Department		7,500
City of Marquette/Great Lakes Recovery Center		17,886
City of Marquette/Lake Superior Hospice		4,200
City of Marquette/MSU Cllg of Hmn Mdcn Mrqtt		9,560
City of Marquette/NMU CNAS		18,315
City of Marquette/NMU NASA		13,500
City of Marquette/Room At The Inn		10,000
City of Marquette/U.P. Children's Museum		5,000
City of Marquette/Women's Cntr Crss Intrvntn Srvc		5,000
City of Marquette/YMCA		10,000
Forsyth Township/Mchgn Stt Police UPSET in Gwinn		40,000
Forsyth Township/Police Patrol Car		17,000
Ishpeming School District/Title VII Ind. Ed.		5,000
L'Anse Area Schools		37,310
L'Anse Township		4,206
Marquette Charter Township		34,000
Marquette Charter Twp Brd of Trsts/Nrth Str Acdm		6,000
Marquette County/Aging Services		5,000
Marquette County/AMCAB - Meals on Wheels		15,000
Marquette County/Dental Outreach Program		5,815
Marquette County/Ishpeming Carnegie Library		5,000
Marquette County/Juvenile Treatment Court Program		3,600
Village of Baraga		19,229
Village of L'Anse		3,079

Source: Lac Vieux Desert Band of Lake Superior Indians.
Keweenaw Bay Tribal Community.

Table 8
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Receipts	Little River Band of Ottawa Indians
1 st Semi-Annual Payment	\$732,150
2 nd Semi-Annual Payment	\$814,662
Total (*)	\$1,546,813
Total Distribution (*)	\$1,633,790
Administrative Fees	\$35,020
Bear Lake & Onekama Twp Fire Depts.	4,400
Bear Lake Twp, Onekama Twp, Arcadia Twp	9,250
Brown Twp	10,000
City of Manistee	21,900
City of Manistee Fire Dept.	12,000
City of Manistee Police Dept.	9,130
Cleon Township Fire Dept.	9,500
Cleon Twp	9,600
Filer Township Fire Dept.	29,428
Manistee Area Public Schools	756,823
Manistee Co. Firefighters Assoc.	11,525
Manistee Co. Medical Care Facility	3,918
Manistee Co. Sheriff	20,000
Manistee County	312,964
Manistee County Child Advocacy Center	590
Manistee County Clerk	\$25,500
Manistee County Sheriff	13,895
Manistee Intermediate School District	85,412
Manistee Township	68,960
Manistee Township Fire Dept.	20,000
Manistee Twp & Village of Eastlake	11,500
Onkama Twp	5,000
Village of Eastlake Fire Dept.	10,500
Village of Onkama	5,200
West Shore Community College	114,775
West Shore Medical Center	17,000

Note: (*) Due to 6 month delay from the time payments are received until the time they are distributed, the actual revenue and expenses do not balance.
Report does not include unused grant funds reimbursed to the Revenue Sharing Board in 2013.

Source: Manistee Local Revenue Sharing Board.

Table 9
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Receipts	Little Traverse Bay Band of Odawa Indians
1 st Semi-Annual Payment	\$601,403
2 nd Semi-Annual Payment	\$490,291
Total	\$1,091,694
Total Distribution	\$1,131,318
Administration	\$5,283
Bear Creek	46,700
Char-Em Intermediate	67,057
City of Petoskey	33,000
Cross Village Township	5,000
Emmet County	222,550
Emmet County Sheriff's Department	79,612
Greenwood Cemetery	11,332
Littlefield Township	1,500
Mackinaw City Public Schools	8,000
North Central Michigan College	67,309
Petoskey Public Schools	466,872
Resort Township	53,254
Resort-Bear Creek Fire	56,850
Springvale Township Fire	1,000
Village of Pellston	6,000

Source: Emmet County Local Revenue Sharing Board.

Table 10
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Receipts	Pokagon Band of Potawatomi (*)
1 st Semi-Annual Payment	n.a.
2 nd Semi-Annual Payment	n.a.
Total	\$7,312,140
Total Distribution	\$7,312,140
Admin. Pokagon Band-Dowagiac Area LRSB	\$7,321
Berrien County	892,382
Berrien RESA	269,260
Budget Account	35,000
Cass County	20,043
Cass District Library	2,747
Chikaming Township	178,566
City of Dowagiac	4,709
City of Hartford	112,307
Dowagiac Union Schools	47,503
Grand Beach Village	35,713
Hartford Public Library	29,638
Hartford Public Schools	365,511
Hartford Township	262,525
Lake Michigan College	207,280
Lewis Cass Intermediate School District	6,325
Michiana Village	35,713
New Buffalo Area Schools	2,132,254
New Buffalo City	357,133
New Buffalo Library	54,468
New Buffalo Twp	1,539,882
Pokagon Township	87,604
Southwestern Michigan College	6,762
Three Oaks Twp	178,566
Three Oaks Village	89,283
Van Buren County	161,639
Van Buren County Sheriff Dept	87,406
Van Buren I.S.D.	104,597

Note: (*) LRSB did not provide information on semi-annual payments,
only total payments.

Source: Pokagon-New Buffalo Area Local Revenue Sharing Board.
Pokagon-Hartford Area Local Revenue Sharing Board.
Pokagon-Dowagiac Area Local Revenue Sharing Board.

Table 11
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

<u>Receipts</u>	<u>Saginaw Chippewa Indian Tribe</u>		
1 st Semi-Annual Payment	\$2,881,511		
2 nd Semi-Annual Payment	\$2,609,474		
Total	\$5,490,984	Total Distribution	\$5,490,984
Arenac County	\$398,969	Isabella/Gratiot RESD & S	\$28,689
Arenac Eastern School District	157,689	Lincoln Township	5,609
Arenac Township	2,109	Mason Township	3,761
AuGres Township	27,909	Morey Public Schools	21,276
AuGres-Sims School District	82,806	Mt Pleasant Public Schools	942,253
Beal City Public Schools	20,543	Nottawa Township	22,000
Chippewa Hills Public Schools	60,435	Pinconning Area Schools	88,885
Chippewa Township	297,108	Pinconning Township	110,724
City of Augres	45,000	Shepherd Public Schools	471,521
City of Mt Pleasant	839,535	Sims Township	2,109
City of Omer	41,197	Standish Township	60,637
City of Pinconning	16,314	Standish-Sterling School District	91,539
City of Standish	55,000	Turner Township	62,109
Deep River Township	8,109	Union Township	250,179
Deerfield Township	22,000	Village of Shepherd	30,000
Denver Township	96,000	Village of Twining	49,900
Isabella County	1,016,162	Whitney Township	5,009
Isabella Township	32,000	Wise Township	25,900

Source: Saginaw Chippewa Indian Tribe website (08/01/2014 download).
 Fall 2013 and Spring 2014 Isabella and Saganing 2% Distributions.
<http://www.sagchip.org/2percent/index.aspx>

Table 12
Indian Casinos Revenue to Local Governments
2013 Receipts and Distribution

Sault Ste. Marie Tribe of Chippewa			
Receipts	Indians		
1 st Semi-Annual Payment	\$774,078		
2 nd Semi-Annual Payment	\$961,174		
Total	\$1,735,251	Total Distribution	\$1,735,251
Alger County	\$7,500	Luce County Sheriff Department	\$17,000
Alger County Sheriff's Office	16,000	Mackinac County	22,000
Autrain Township	10,000	Mackinac County Probate	17,500
Bay De Noc Community College	21,000	Mackinac County Sheriff Dept.	22,500
Big Bay De Noc School	2,000	Manistique Area Public Schools	4,559
Brevort Township	2,000	Manistique Township	7,000
Chippewa County	30,000	Manistique, City of	5,000
Chippewa County Health Department	18,111	Marquette Area Public Schools	5,000
Chippewa County Probate	7,500	Marquette County	16,000
Chippewa County Sheriff Department	50,000	Marquette, City of	18,109
Clark Township	25,938	McMillan Township	5,000
Consolidated Community Schools	86,372	Moran Township Schools	12,594
Delta County Sheriff Department	16,000	Munising Public Schools	23,998
DeTour Village	6,609	Munising Township	10,000
Engadine Consolidated Schools	2,640	Munising, City of	23,500
Escanaba Area Public Schools	3,559	Nah Tah Wahsk School Academy	48,400
Escanaba, City of	15,000	Newberry, Village of	6,000
EUP Intermediate Schools	10,597	Newton Township	1,000
Forsyth Township	4,000	North Star Academy	2,500
Gladstone Area Public Schools	3,559	Rapid River Public Schools	14,972
Hendricks Township	5,596	Sault Area Public Schools	81,716
Hudson Township	10,700	Sault Ste. Marie, City of	436,429
Hulbert Township	5,000	Schoolcraft County	8,000
Ishpeming Area Public Schools	3,559	Schoolcraft County Sheriff	16,000
Kinross Charter Township	48,500	Skandia West Branch	4,000
Lake Superior State University	136,300	St. Ignace Area Schools	47,341
LaSalle High School	3,000	St. Ignace Township	20,000
Les Cheneaux Comm Schools	12,125	St. Ignace, City of	235,970
Luce County	10,000	Sugar Island Township	30,000

Source: Sault Ste. Marie Tribe of Chippewa.

TAB 5

AFFIDAVIT

OF

RICK McDOWELL,

CHIEF FINANCIAL OFFICER,

KEWADIN CASINOS

DATED APRIL 16, 2015

8. Based upon my experience with the gaming industry within the State of Michigan, and in the gaming industry generally, it is my opinion that the increasing numbers of casinos in Lower Michigan's populous areas have caused fewer customers to visit Kewadin Casinos' Upper Peninsula properties over this same period.
9. Based upon my experience with the gaming industry within the State of Michigan, and in the gaming industry generally, I anticipate and expect that the past decline in gaming revenue and income for the Sault Tribe will continue into the foreseeable future unless the Tribe is able to acquire gaming operation outside of its current markets.
10. In an effort to keep EBITDA from declining, Kewadin Casinos has undertaken many initiatives to reduce costs. These activities include eliminating employee benefits, such as 401k matching; reducing the number of employees; delaying building maintenance (roof, siding repairs & carpet) and other capital expenditures; and deferring the replacement of the Casinos' Slot Data System and Casino Market Place (player data base system), to the point where the systems are at end of life and may no longer be supported by the vendors.
11. The Casino operations currently in place in the Upper Peninsula can no longer support the same level of contributions to the Tribe's governmental programs as previously maintained. As such, payments to support tribal governmental programs may need to be reduced one or two million dollars per year in the foreseeable future. These programs include vital services to the Tribe's members, including the Tribe's cultural activities, elder meal programs, education programs including day care for the children, and the food assistance program for low income families.
12. The property proposed to be taken into trust in Lansing, Michigan, is 48 miles from the nearest casino, is within a one-hour drive for over one-million adults over the age of 21, is surrounded by substantial stable commercial and industrial operations, and enjoys a substantial non-casino visitor base estimated to be in excess of 4.7 million visits annually. The Tribe anticipates that many visitors and employees will be members of the Tribe; thousands of members of the Tribe live in the Lansing area. Both in terms of simple economic utility of the property, and also in terms of suitability for gaming development, the property in Lansing is substantially superior to any property currently in the Tribe's portfolio.
13. The property proposed to be taken into trust in New Boston, Michigan, borders on a major highway with Average Annual Daily Traffic levels in excess of 100,000 vehicles. More than 1.4 million adults live within 30 minutes of the New Boston Property, and more than 3 million within an hour, which could make the site the closest casino for more than one-half of a million adults—including, again, thousands of members of the Tribe who reside in the area. The proximity to a

major international airport, and the major highways, and industrial and commercial centers around the New Boston area all are vastly superior in quality to any property currently in the Tribe's inventory.

14. Based upon my expertise in the gaming industry both within Michigan and within the gaming industry generally, it is my opinion that both the Lansing property and the New Boston property is substantially superior in economic capacity and gaming capacity to any property available to the tribe for gaming or economic activity currently.
15. It is my opinion that both properties, together and separately will substantially enhance the Tribe's current land holdings. In particular, the two trust acquisitions will allow the operation of casinos that, in turn, will enable the Tribe to make substantial improvements to its existing facilities on tribal lands in the Upper Peninsula. As described above, the declining revenues from existing facilities has caused the Tribe to defer capital expenditures that could be financed by revenues from new facilities in more populous areas. The proportion of gaming revenues devoted to providing vital member services on existing Tribal lands could also be augmented from new facilities. Indeed, one of the primary purposes of the trust acquisitions is to enable needed revenue streams to ensure that the Tribe is able to maintain and improve the value of the Tribe's existing land holdings.
16. I am competent to testify as to the statements set forth herein if called upon to do so at trial.

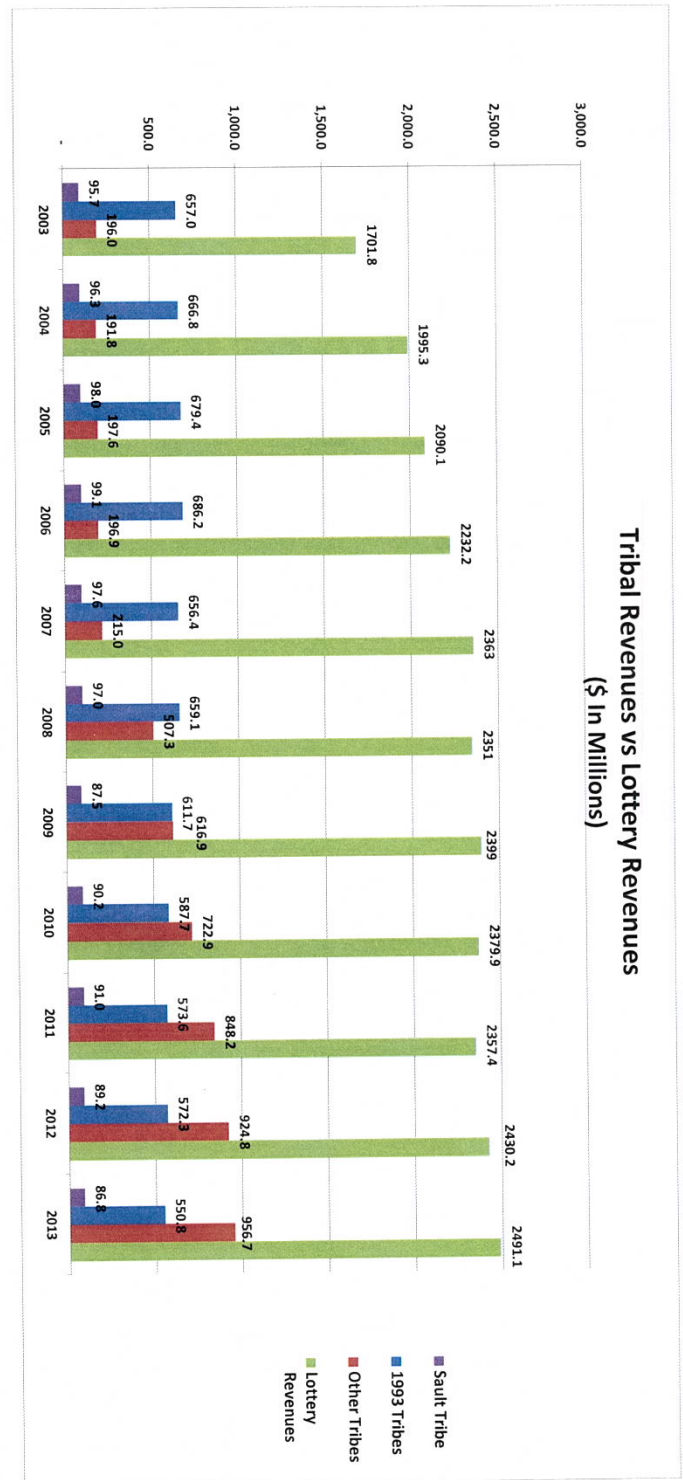
Rich McDowell

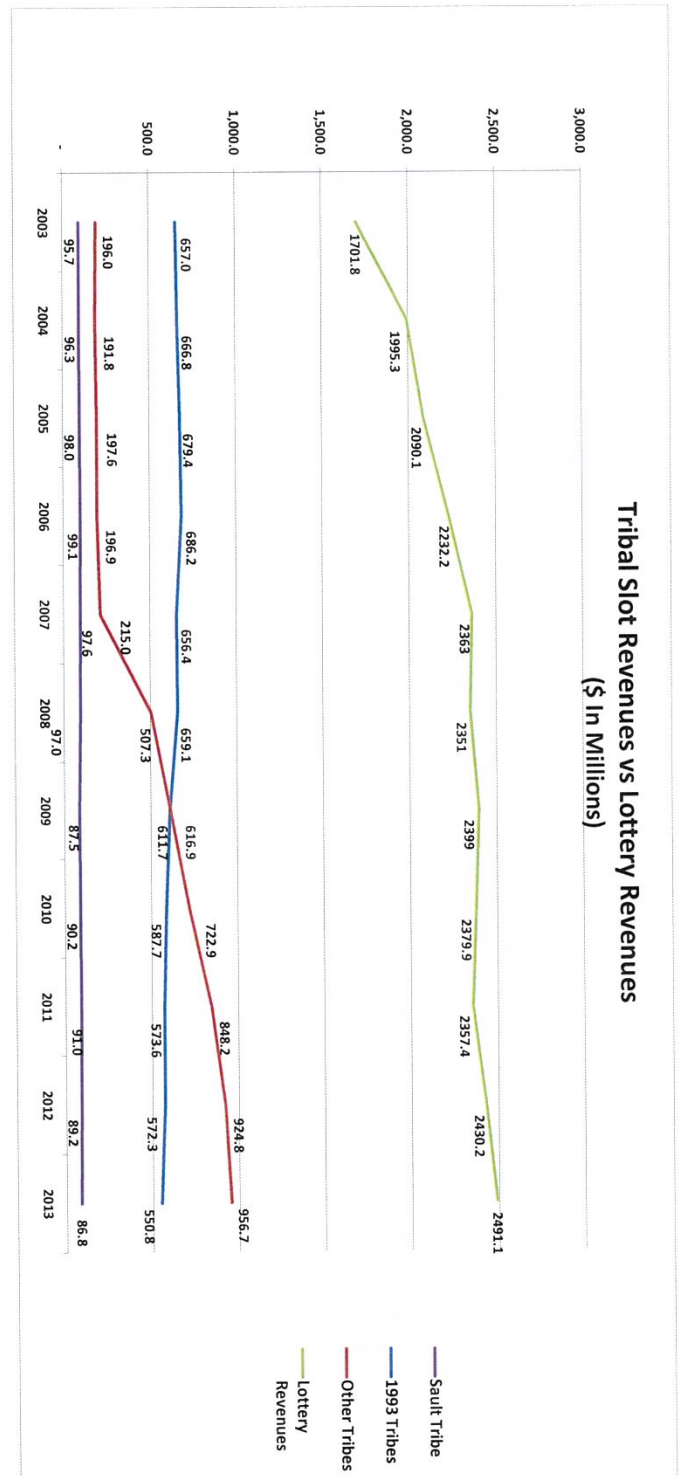
Subscribed and sworn to before me this 16 day of April, 2015.

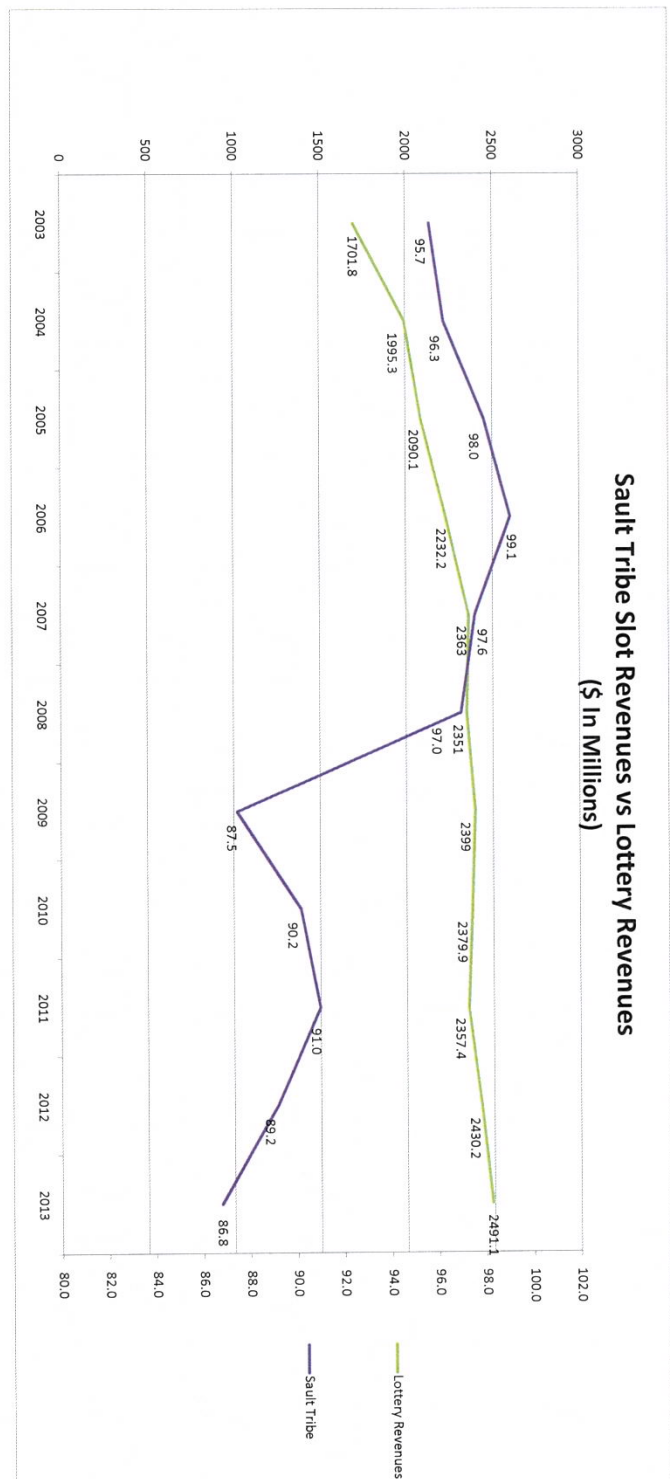
Candace Blocher

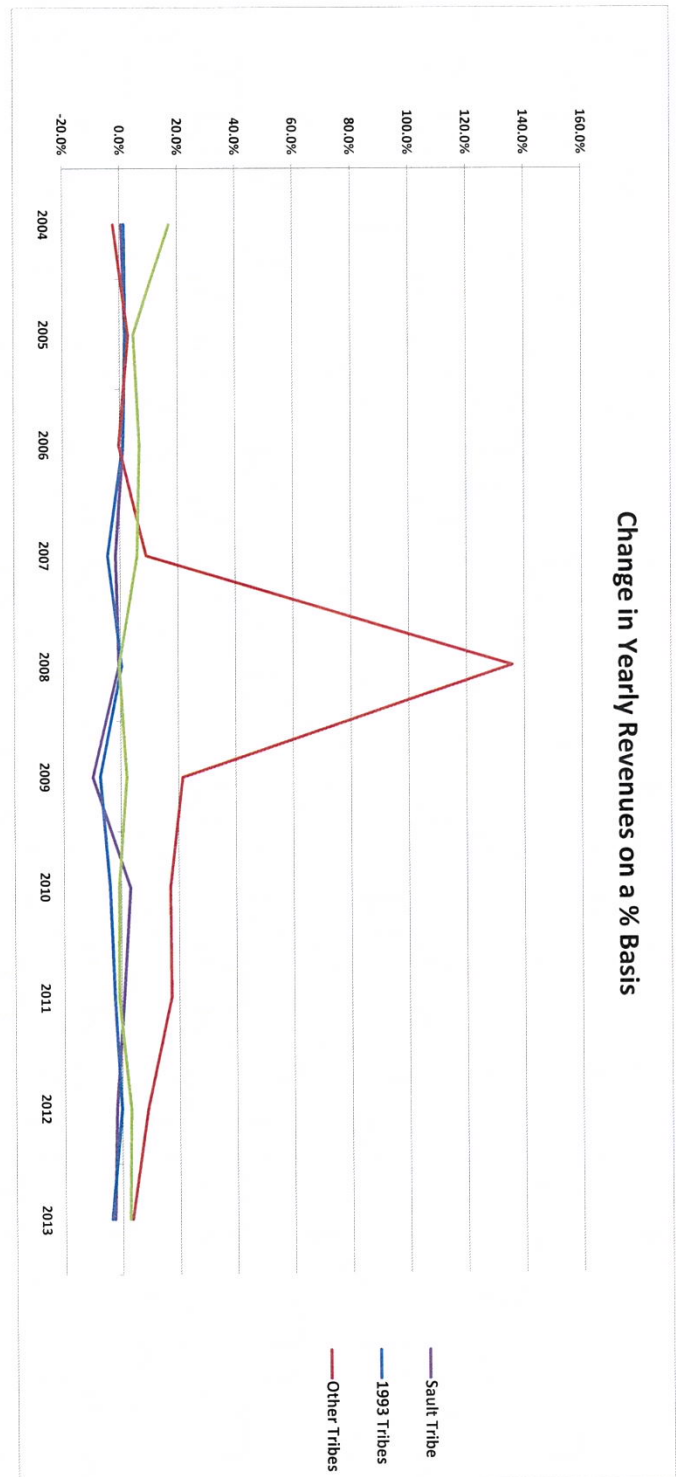
Candace Blocher, Notary Public
Chippewa County, Michigan
My Commission Expires: 04/14/2021

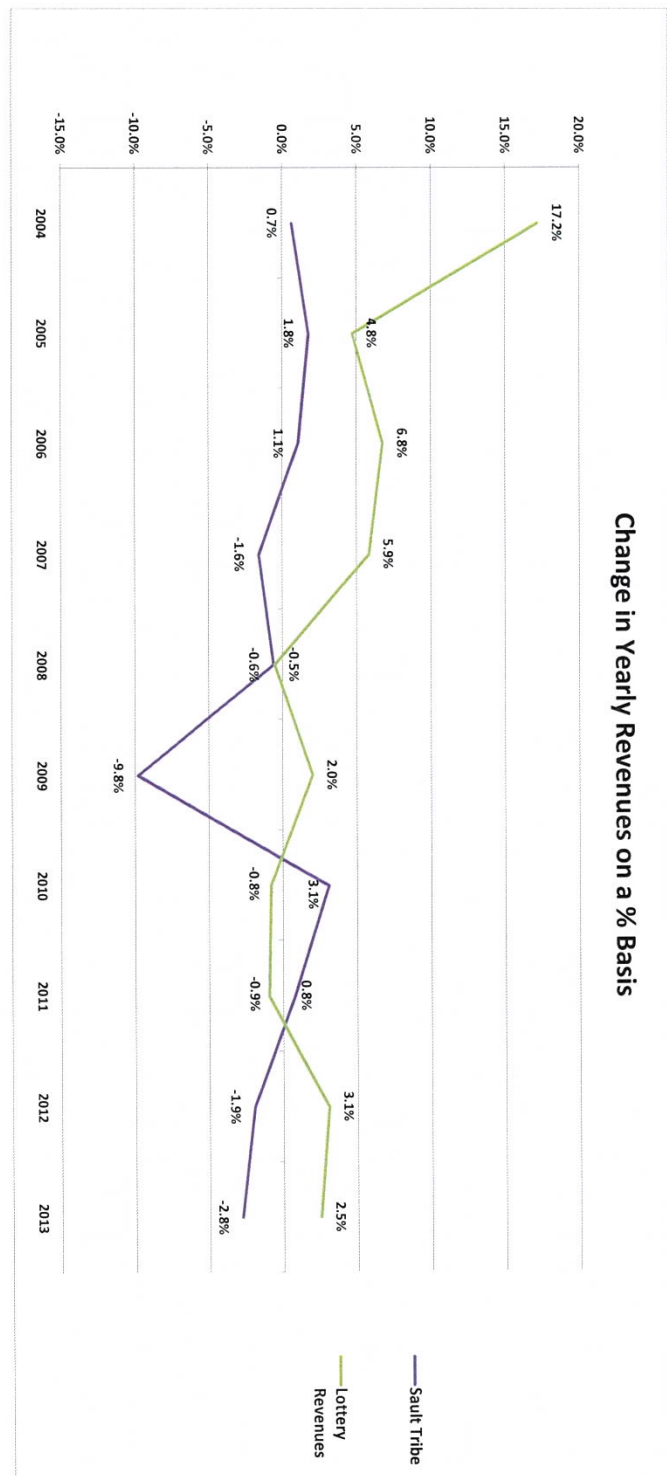
CANDACE A. BLOCHER Notary Public - Michigan Chippewa County My Commission Expires April 14, 2021 Acting in County of _____

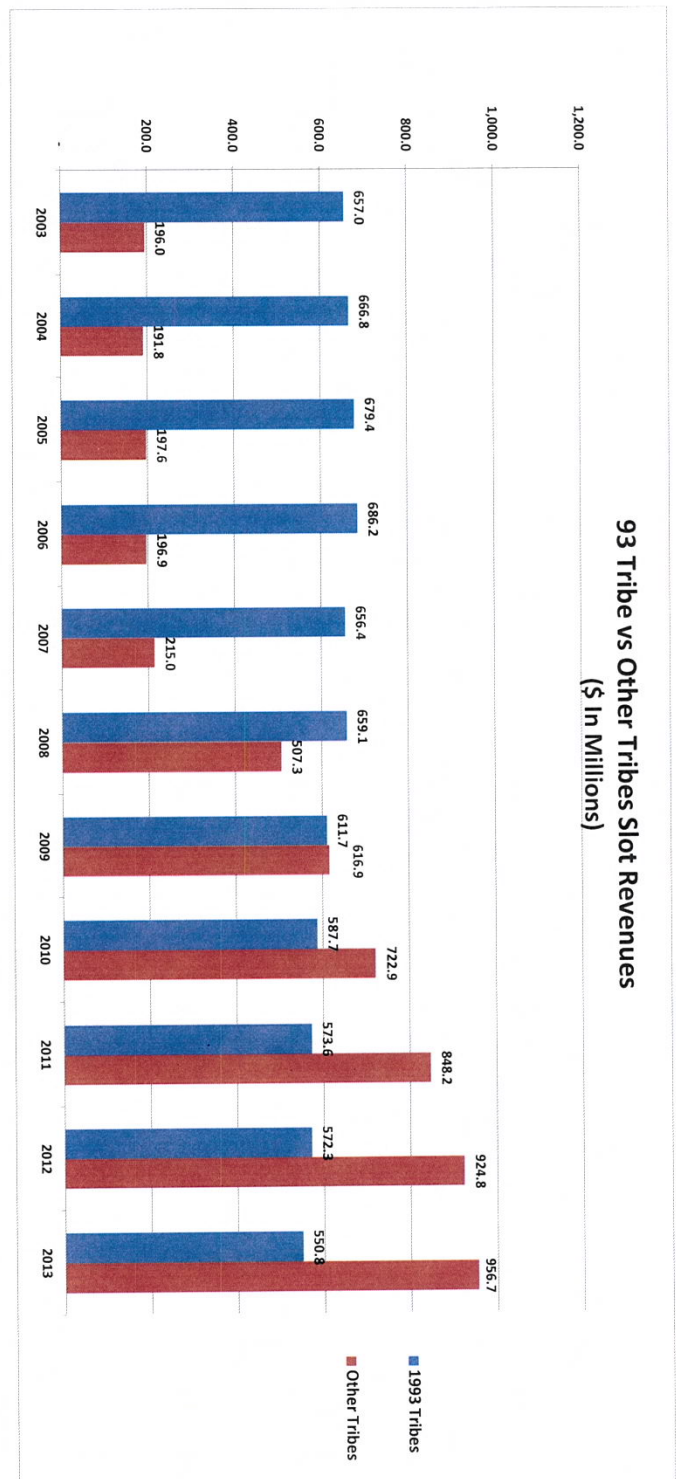


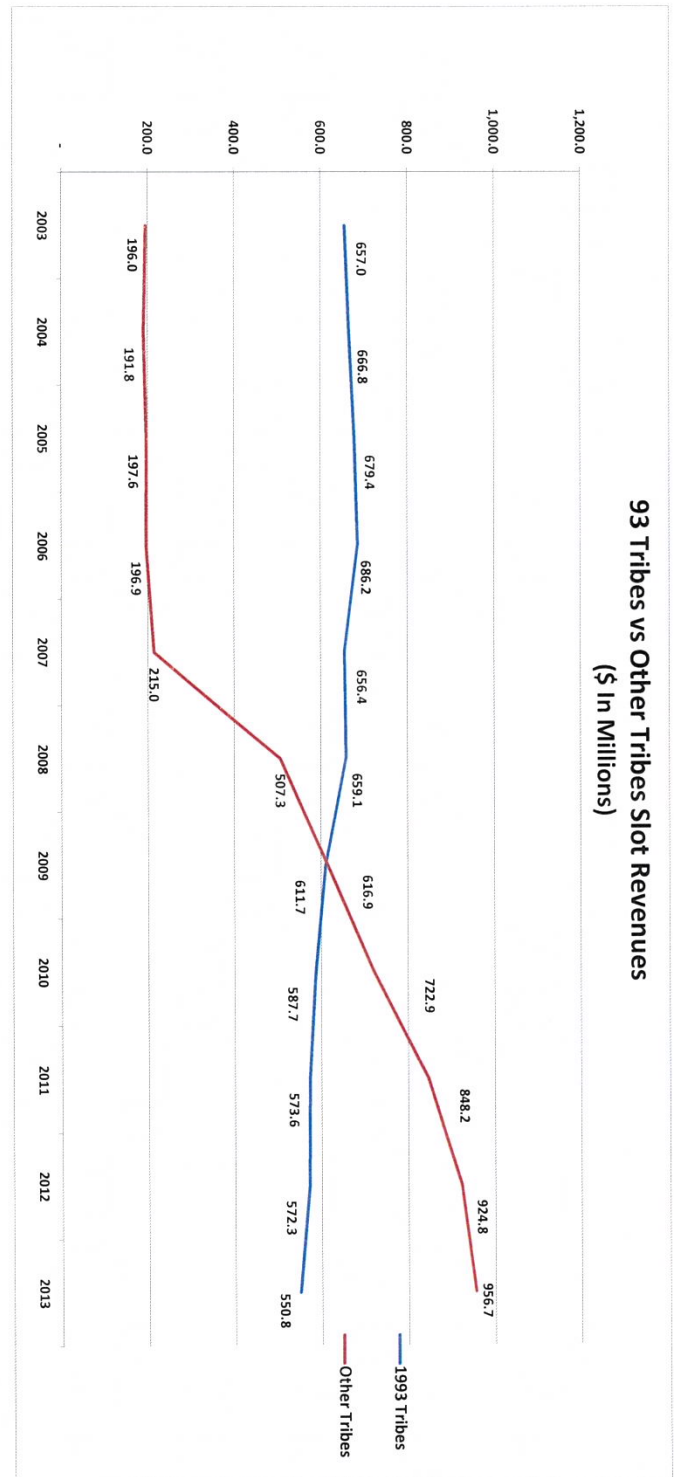


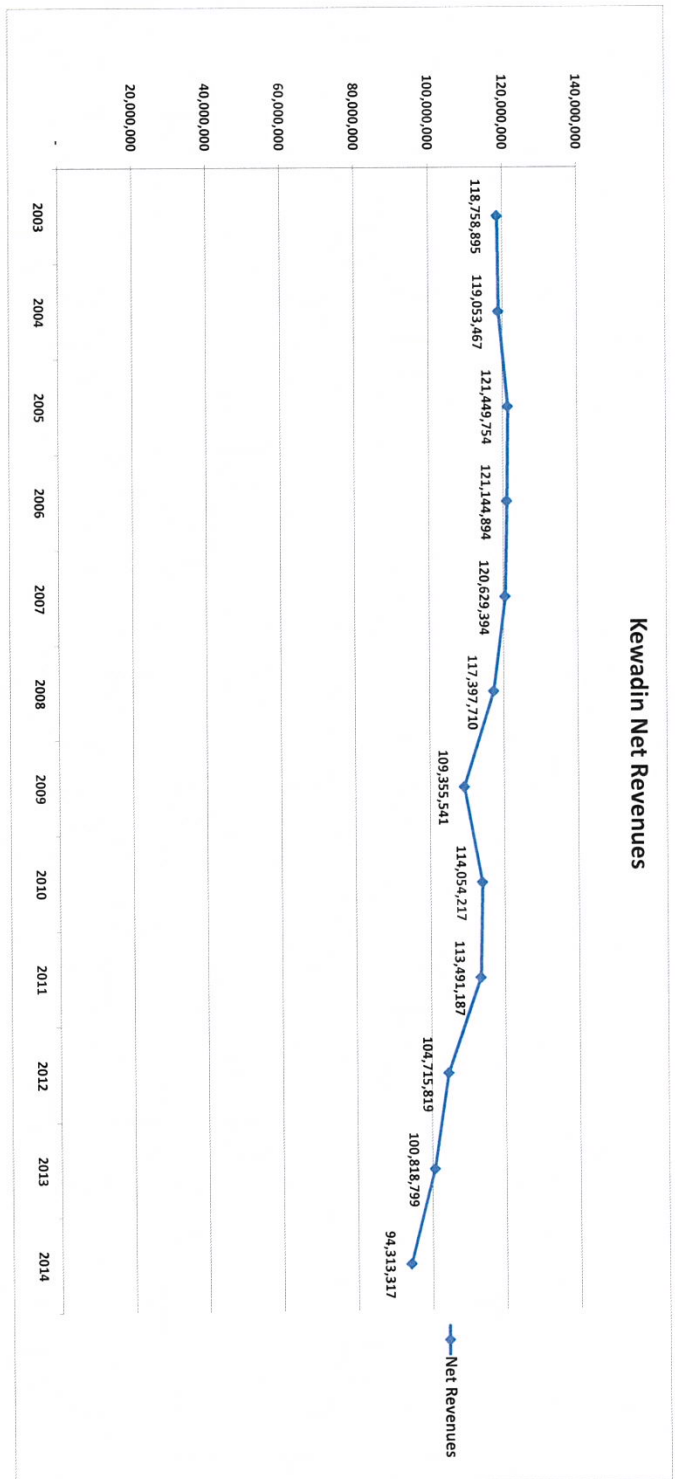


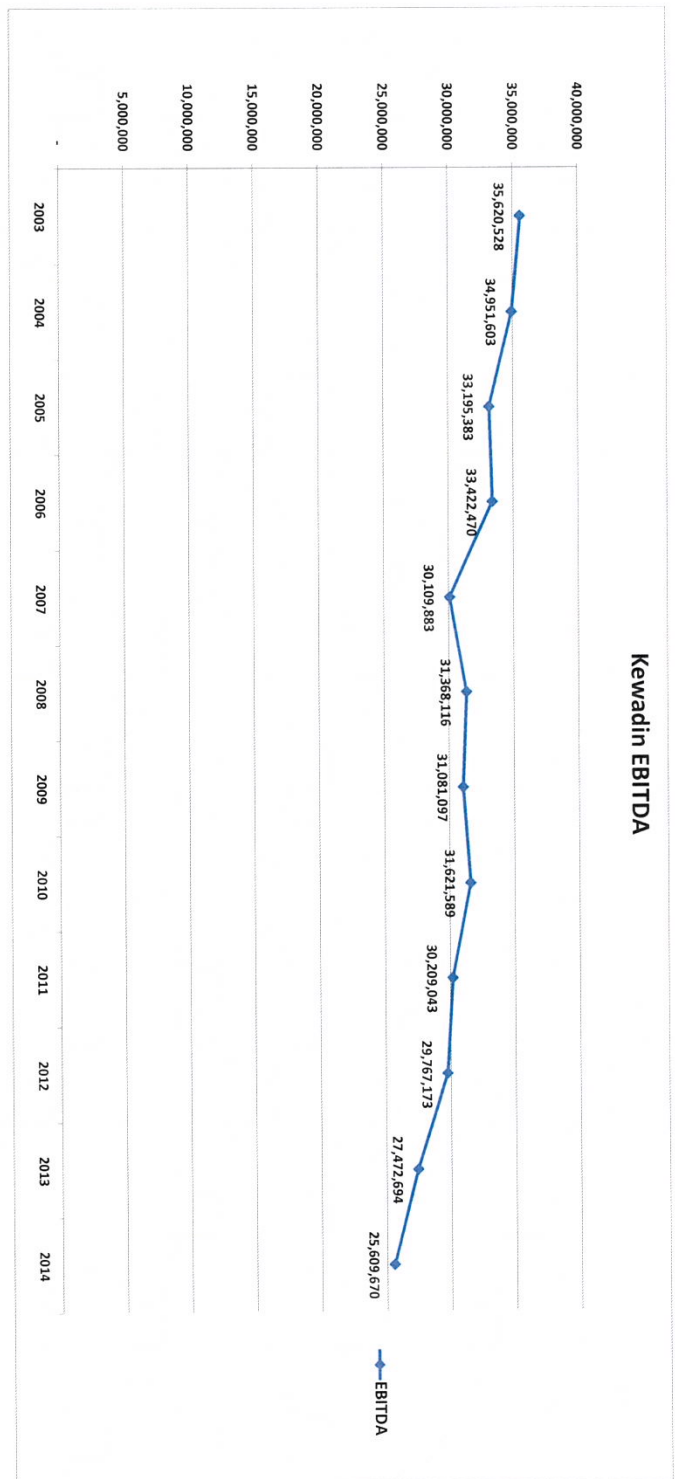


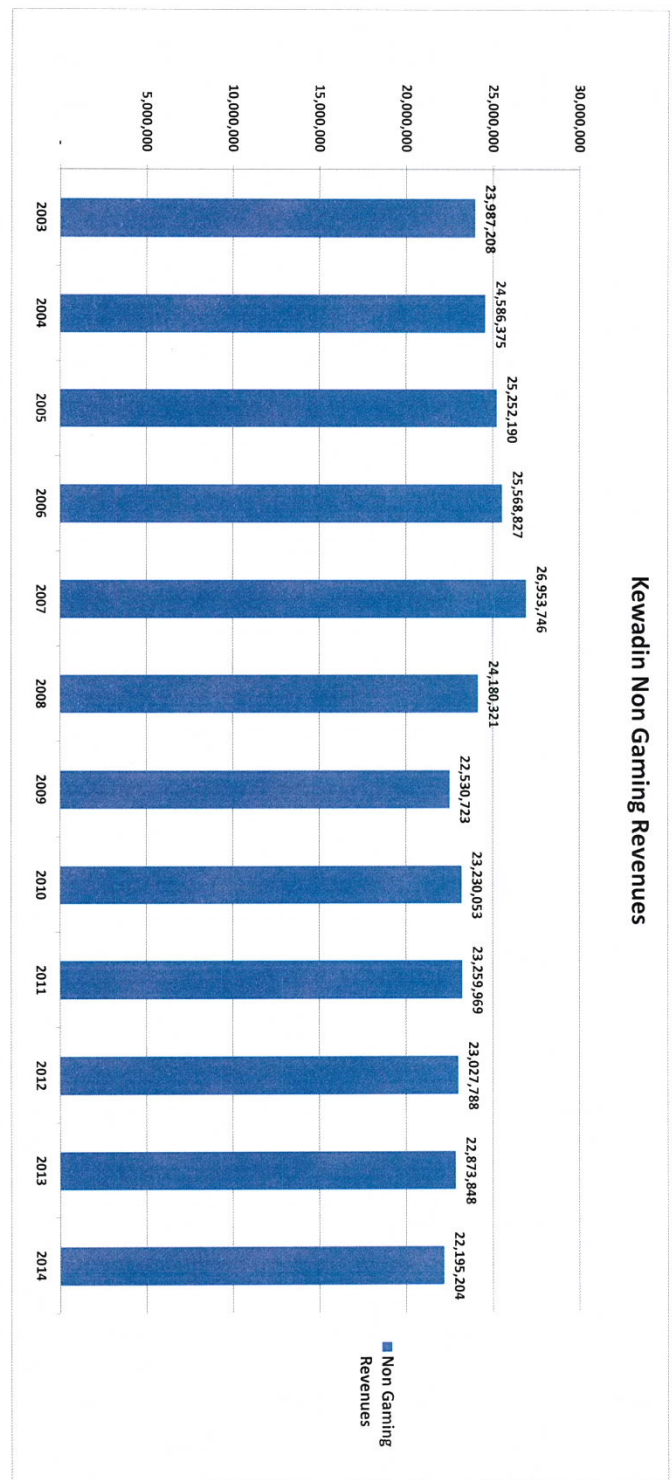












TAB 6

AFFIDAVIT

OF

JONI TALENTINO, DIRECTOR

SAULT STE. MARIE TRIBAL HOUSING AUTHORITY

DATED MARCH 25, 2015

AFFIDAVIT OF JONI TALENTINO

STATE OF MICHIGAN)
) ss.
COUNTY OF CHIPPEWA)

Joni Talentino, being first duly sworn deposes and says as follows:

1. I am employed by the Sault Ste. Marie Tribe of Chippewa Indians as Director of the Sault Ste. Marie Tribal Housing Authority. I have worked for the Tribe for 24 years.
2. The Sault Ste. Marie Tribal Housing Authority provides a variety of forms of housing assistance to members of the Tribe as part of the Tribe's exercise of government authority. In particular, the Housing Authority directly operates a limited number of housing units on Tribal lands for low-income or elderly members who would otherwise have difficulty obtaining housing. The Housing Authority also operates a lease-to-purchase program, also for low-income members. A substantial portion of the Tribe's members qualify for this assistance.
3. As part of my duties as an employee of the Tribe, I have reviewed the occupancy rates for each of the Tribe's income-assisted housing programs. All the programs are at or near capacity, with waiting lists that significantly exceed current and expected future vacancies.
4. Currently the Housing Authority operates 388 housing units within the low-rent housing program. Of these, 11 are unoccupied as of February 10, 2015.
5. Currently the Housing Authority operates 72 housing units within the lease-to-purchase housing program. Of these, 4 are unoccupied as of February 10, 2015.
6. Currently the Housing Authority operates 50 housing units within the Elder housing program. Of these, 1 is unoccupied as of February 10, 2015.
7. The Housing Authority of the Tribe Currently has 272 applications for housing assistance pending. Of these applications, 38 applicants are elders and 33 are in the "near elder" category.
8. The Tribe's Housing Authority is presently unable to service the several hundred pending housing applications because of the limited stock of available housing.

Absent significant enhancement and new construction of housing stock on the Tribe's lands, it is unlikely that the Housing Authority will be able to provide housing services to these members in the near future.

9. The Housing Authority has explored many alternative funding sources and has not been successful in identifying viable alternative funding arrangements to increase housing stock other than through competitive grant and tax funded programs which the Housing Authority has little success in obtaining. Revenue from the Tribe through increased gaming revenue is the most viable means of increasing housing services availability.
10. I am competent to testify as to the statements set forth herein if called upon to do so at trial.

Joni Valentino

Subscribed and sworn to before me this 25 day of March, 2015.

Candace Blocher

Candace Blocher, Notary Public
Chippewa County, Michigan
My Commission Expires: 04/14/2021

