Resolution # 09-0617-164

Approving a subcontract in the amount of $46,400 with the Inter-Tribal Fisheries Assessment Program (ITFAP), Sault Ste. Marie Tribe of Chippewa Indians for Biological Services for FY 2009

WHEREAS, the status of the Gaá Čching Ziibi Daáwaa Aníšchinaábeek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(b) to ratify agreements and contracts negotiated on behalf of the Tribe with the federal government; and

WHEREAS, the Tribal Ogema is authorized under Article VI, Section 5(a) to negotiate and execute contracts on behalf of the Tribe, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, management and protection of the Band's treaty-reserved property interests in the fisheries of the treaty-ceded waters of the Great Lakes, is a critical priority of the Tribe and it is the responsibility of the United States, as Trustee for the Tribe and other 1836 Treaty Bands/Tribes; and
WHEREAS, the Chippewa Ottawa Resource Authority ("CORA") was established by the five Bands/Tribes who are parties to *United States v Michigan* to administer the intertribal protection, management and regulation of the fish, wildlife and other natural resources within the area ceded under the 1836 Treaty;

WHEREAS, the CORA-member Bands/Tribes, together with the United States, are signatories to a Consent Decree settling the Great Lakes fisheries portion of the *United States v Michigan* [2:73-CIV-26 (W.D. Mich)] treaty rights litigation; and

WHEREAS, the 2000 Consent Decree includes terms and conditions which requires CORA and its member Bands/Tribes to carry increased roles and responsibilities with respect to the regulation, biological assessment, and enforcement of treaty fishing activities and protection of the Great Lakes’ fishery resources; and

WHEREAS, the Tribe has received an appropriation of funds from the United States to assist the Tribe in carrying out its administrative, biological and enforcement responsibilities under the Consent Decree; and

WHEREAS, the Tribe’s representatives to CORA have agreed to subcontract an amount $46,400 to the Inter-Tribal Fisheries and Assessment Program (ITFAP) to perform biological services in accordance with a statement of work defined in the subcontract; and

WHEREAS, the subcontract submitted to the Tribe by CORA is designed to accomplish the above purposes, which subcontract would be added to the Scope of Work included in the Tribe’s P.L. 93-638 Contract with the Bureau of Indian Affairs.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogemaw to execute the subcontract for ITFAP with the Sault Ste. Marie Tribe of Chippewa Indians and to secure the services described in the subcontract presented and in an amount not to exceed $46,400.
CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with _7_ FOR, _0_ AGAINST, _0_ ABSTAIN, and _2_ ABSENT, at a Regular Session of the Little River Band of Ottawa Indians’ Tribal Council held at the Little River Band’s Dome Room on June 17, 2009 in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Janice M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Natural Resource Department: Attn: Archie Martell
CORA Executive Director
Grants Department – Attn – Melissa Waitner