



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

RESOLUTION NO. #01-1114-02__

AUTHORIZING THE TRIBAL OGEMA, OR IN THE ABSENCE OF, THE TRIBAL COUNCIL SPEAKER TO EXECUTE PARTNERSHIP AGREEMENTS WITH LOCAL WATERSHED COUNCILS WITHIN THE 1836 CEDED TERRITORY

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with property rights secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Tribe adopted a 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 Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Little River Band of Ottawa Indians reserved certain rights to hunt, fish, trap and gather natural resources from the lands and waters in those portions of Michigan which were ceded under the 1836 Treaty. These treaty based rights were confirmed, in part, by United States v. Michigan, 471 F.Supp 192 (W.D. Mich. 1979); *affirmed*, 653 F.2d 277 (6th Cir. 1981); *certiorari denied*, 454 U.S. 1124, 102 S.Ct. 971 (1981), and reaffirmed by P.L. 103-324 section 5, and are protected by the United States Constitution (Art. 1, §8, cl. 3 and Art. 6, cl. 2); and

WHEREAS, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in his/her absence, the Tribal Council Speaker, is authorized to represent the Tribe in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, staff from the Tribe's Natural Resource Department have presented information from certain watershed councils interested in protecting and enhancing the water quality, fisheries, wildlife, forestry and free flowing characteristics of critical watersheds within the 1836 Ceded Territory; and

WHEREAS, the goals of those watershed councils and their respective participation agreements have been reviewed by the Natural Resource Commission and the Commission has, by resolution, stated its support for the goals, objectives and programs described in those documents; and

WHEREAS, the Natural Resource Commission has presented a resolution requesting support from the Tribal Council and asked that the Tribal Ogema be authorized to execute partnership agreements with each of the watershed councils described below.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians affirms its support for the goals of the watershed councils presented by Natural Resource Commission and Natural Resource Department staff, and approves the Tribe becoming participating members of the watershed councils described below.

IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker to execute the partnership agreement(s) with the following Watershed Councils:

Lower Manistee River Watershed Restoration Project Partnership Agreement

Pere Marquette Watershed Council, Inc.

Bear Creek Watershed Restoration Project Partnership Agreement

Pine River Watershed Restoration Project Partnership Agreement

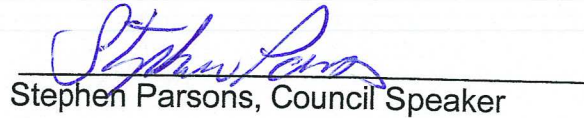
Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its Regular Session held at the Little River Band Community Center in Manistee, Michigan on November 14, 2001, by a vote of 8 in favor, 0 opposed, 1 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.



Janine M. Sam, Council Recorder

Attest:



Stephen Parsons, Council Speaker

Distribution: Council Records
Tribal Ogema
Natural Resource Commission