



Little River Band of Ottawa Indians
375 River Street
Manistee MI 49660
(231) 723-8288

Resolution No. #02-0306-12

**Approving the Chippewa-Ottawa Resource Authority (CORA)
Request for Supplemental Appropriations for Fiscal Year 2003**

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 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 property rights and other attributes of sovereignty 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, 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 Band and it is the responsibility of the United States, as Trustee for the Band 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, CORA representatives of each of the member Tribes have recommended approval and submission of a request for additional appropriations to support the regulatory, biological assessment and enforcement activities of CORA and its member Bands/Tribes, which will, among other things, provide base funding for those programs for the Little River Band.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves and supports the Chippewa-Ottawa Resource Authority FY-2003 Appropriations Request for re-occurring funds in the amount of \$3,447,547.00 to be distributed and used by the five (5) CORA-member Bands/Tribes for implementing the mandates and obligations prescribed by the 2000 Consent Decree, which appropriations request includes base funding for the Little River Band's biological and enforcement programs in the amount of \$614,998.00.


IT IS FURTHER RESOLVED THAT the Tribal Council approves and supports the allocation of up to \$130,000.00 of the \$614,998.00 programmed for the Little River Band for support of CORA's administrative, biological and other programmatic functions.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 1 ABSENT, and 0 ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Community Center on March 6, 2002, in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Natural Resource Commission
ITEAN Consulting (Larry Rosenthal)
CORA Executive Director

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