



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

Resolution # 02-0410-04

Expressing Opposition to Granting Discharge Permit for Manistee River

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized Indian Tribe, as reaffirmed under Pub. L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Tribal Council has, pursuant to Tribal Ordinance No. 96-500-01, created a Natural Resource Commission and delegated to such Commission the authority to regulate the use of natural resources within the Tribe's jurisdiction; and

WHEREAS, the Natural Resource Commission, pursuant to Section IV.B.1 of the Natural Resource Commission Ordinance, is authorized to oppose the issuance of the State of Michigan Department of Environmental Quality discharge permit # MI0001171; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(a)(2) under the Constitution to exercise its powers to promote the public health and welfare; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(j) to take action to carry out the sovereign legislative powers of the Tribe, of which protecting the treaty hunting, fishing, trapping, and gathering rights of the members is an essential element; and

WHEREAS, the Conservation Department has monitored the proposed issuance of a discharge permit into Manistee River and Assessed the impact of the proposed discharge on the quality of water, fish populations (including migration, spawning, and catch levels), and the flora in and around the River; and

WHEREAS, it is the recommendation of the water quality specialist and the inland fisheries biologist that issuance of a permit for an additional point source to discharge into the River would be detrimental to the entire River ecosystem including various threatened species; and

WHEREAS, the Natural Resource Commission has reviewed the recommendation of the Conservation Department and concurs with the assessment that issuance of a discharge permit will have a negative impact on Manistee River; and

WHEREAS, the Tribal Council also concurs with these assessments;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby expresses its recommendation that the Department of Environmental Quality deny issuance of "discharge permit # MI0001171" because of the resulting negative impact on the water quality, disturbance of fish habitats (including migration and spawning of threatened species), and flora in the around Manistee River.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Community Center on April 10, 2002, in Manistee, Michigan, with a quorum being present for such vote.



Janine Sam, Council Recorder

Attest:



Stephen Parsons, Tribal Council Speaker