



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

Resolution No. #02-0508-05

**Authorizing the Tribal Ogema, or in the absence of, the Tribal Council Speaker
to Negotiate and Execute a Professional Services Agreement
with Inter-Tribal Council of Michigan, Inc. to Prepare a Wetland
Management Plan for the Band's 1855 Reservation
(Custer and Eden Townships in Mason County)**

WHEREAS, the Band's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, the Band 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 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, the Natural Resource Commission, pursuant to Section IV.B.4. of the Natural Resource Commission Ordinance, is authorized to recommend to the Tribal Council, such ordinances or actions as may be required to better protect and manage the natural resources within the Tribe's jurisdiction; 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 territorial 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, the staff from the Inter-Tribal Council of Michigan, Inc. have, in consultation with staff from the Tribe's Natural Resource Department, proposed to prepare a Wetland Management and Protection Plan for wetland areas within the Tribe's 1855 Reservation; and

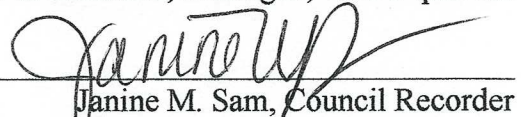
WHEREAS, the Natural Resource Commission has, pursuant to NRC Resolution No. #02-0501-01, supported the goal of entering into a contract for professional services with the Inter-Tribal Council of Michigan, Inc. (ITC) retaining the ITC to complete a Wetland Management Plan for the 1855 Reservation, which includes specific delineation, functional analysis and land-use recommendations for wetlands located on Tribally-owned lands within the Reservation;

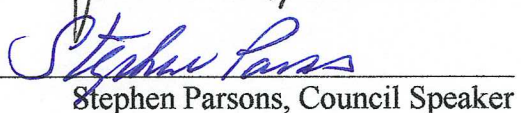
WHEREAS, the funds required to complete the wetland management plan are already designated for this purpose in the Circle of Flight grant with the Bureau of Indian Affairs and the General Assistance Program (GAP) grant from the U.S. Environmental Protection Agency.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker, to negotiate and execute a contract for professional services with the Inter-Tribal Council of Michigan, Inc. (ITC) retaining the ITC to complete a Wetland Management Plan for the 1855 Reservation, which includes specific delineation, functional analysis and land-use recommendations for wetlands located on Tribally-owned lands within the Reservation, which incorporates a scope of work consistent with that utilized in connection with the wetlands protection project for preparation of the wetlands management plan for the 1836 Reservation.

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 on May 8, 2002, at the Little River Band Community Center 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
Legal Department
Natural Resource Commission
Inter-Tribal Council of Michigan, Inc.