



**Little River Band of Ottawa Indians**  
375 River Street  
Manistee MI 49660

**Resolution # 03-1105-363**

**Approving a Fiscal Year 2003 Subcontract Agreement with the Chippewa-Ottawa Resource Authority (CORA) for Administrative and Biological Activities**

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

WHEREAS, the Band is submitting a contract proposal and statement of work for the use of such funds to the Bureau of Indian Affairs under the authority of P.L. 93-638, as amended; and

WHEREAS, the CORA-member Bands/Tribes have committed to subcontracting \$69,000.00 each back to CORA to cover the expenses associated with various administrative tasks performed by CORA related to implementation of the Consent Decree; and

WHEREAS, the Band's representatives to CORA have also agreed to subcontract the additional amount \$46,400.00 to CORA to be authorize CORA's Board of Directors to further subcontract those funds to the Inter-Tribal Fisheries Assessment Program to perform biological services in accordance with a statement of work to be approved by CORA's Board of Directors; and

WHEREAS, a draft Subcontract Agreement with CORA has been prepared to accomplish the above purposes, which Subcontract would be added to the Scope of Work included in the Band'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 Ogema to negotiate and execute a Subcontract with CORA to secure the services described in the draft Subcontract presented and in an amount not to exceed \$115,400.00.

**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 November 5, 2003, in Manistee, Michigan, with a quorum being present for such vote.

  
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Janine M. Sam, Council Recorder

  
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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Natural Resource Commission  
CORA Executive Director  
Accounting Department  
Grants Department