



Little River Band of Ottawa Indians
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #18-0314-092

Resolution in Opposition to the Nestlé Waters North America Inc. 's Permit Application to extract groundwater within the Ceded Territory

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new 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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, our ancestors reserved the right to hunt, fish and gather within the territories ceded under the 1836 Treaty of Washington ('1836 Ceded Territory'), and is a right which we as Aníshinaábek continue to exercise; and

WHEREAS, the Tribe as a co-manager of the shared 1836 Ceded Territory resources and has a responsibility to be wise stewards of the lands and waters under its protection for the benefit of future generations; and

WHEREAS, the Nestlé Waters North America Inc. has submitted a permit application to extract groundwater at a rate of 400 gallons per minute for private sale at the White Pine Spring well site.

WHEREAS, the White Pine Spring well site and predicted impacted areas are located within the 1836 Ceded Territory; and

WHEREAS, a withdrawal of this magnitude at this location will have long term impairments to the surrounding streams, rivers, and wetlands; and

WHEREAS, impairments to the streams, rivers, and wetlands will cause permanent adverse impacts to organisms who inhabit them; and

WHEREAS these adverse impacts will permanently disrupt our traditional way of life, and rights to hunt, fish and gather in the 1836 Ceded Territory; and

WHEREAS, the Little River Band of Ottawa Indians have a sacred, reciprocal and unique connection to the water; and

WHEREAS, the water is a part of the Little River Band of Ottawa Indians way of life which comes with duties and responsibility to ensure our sacred water is respected, protected and nurtured.


NOW, THEREFORE, IT IS RESOLVED that the Little River Band of Ottawa Indians by this resolution states that it is in opposition to the Nestlé Waters North America Inc.'s permit application to extract groundwater within the ceded territory.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on March 14, 2018, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Gary Di Piazza, Acting Council Recorder



Sandra Lewis, Acting Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court