



Little River Band of Ottawa Indians

2608 Government Center Drive
Manistee, MI 49660

Moved to
Open Session
09/30/20

Resolution #20-0917-251

Ratification of the EQIP Funds from USDA-NRCS for the Pine River Bank Stabilization Project Program Contract

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, the Tribe achieved Treatment as Sovereign (TAS) for Clean Water Act Section 319 on June 8, 2015 and the authority to conduct non-point source pollution mitigation in the Big Manistee River Watershed; and

WHEREAS, the United States Department of Agriculture Natural Resources Conservation Services Environmental Quality Incentives Program (USDA-NRCS EQIP) has available funding to assist with improving habitat, water quality, on lands used for timber and other agriculture; and

WHEREAS, the Natural Resource Department, with the support of this funding will be able to conduct the installation of a series of instream habitat structures in

accordance with the stream habitat improvement and management practice along
the Pine River in the Pere Marquette State Forest; and

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WHEREAS, reducing non-point source pollution, increased sedimentation and
establishing fish habitat will protect the Pine River, and all life that utilize the
river system; and

WHEREAS, reducing non-point source pollution, increased sedimentation, and
establishing fish habitat will promote a healthy fishery for the Tribe to exercise
their hunting, fishing and gathering rights under the 1836 Treaty of Washington;
and

WHEREAS, the Tribal Council has received a contract from the Natural Resource
Department to assist in remediation of the Pine River Bank Stabilization; and

WHEREAS, the contract has been reviewed by the Unified Legal Department; and

WHEREAS, nothing in this Contract shall be construed to be a waiver of the sovereign
immunity of the Little River Band of Ottawa Indians or any of its subordinate
enterprises or entities and

NOW THEREFORE IT IS RESOLVED that the Tribal Council authorizes the Ogema to
ratify the USDA-NRCS EQIP Program Contract for funds for the Pine River stream bank
stabilization project.

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, 0 ABSTAINING, and 1 ABSENT, at a
Regular Session of the Little River Band of Ottawa Indians Tribal Council held on
September 17, 2020, at the Little River Band's Government Center in Manistee,
Michigan, with a quorum being present for such vote.


Gary DiPiazza, Council Recorder


Ron Pete, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court