



## Little River Band of Ottawa Indians

2608 Government Center Drive  
Manistee, MI 49660

Moved to  
Open Session  
09/30/20

### Resolution #20-0917-252

#### *Ratification of the EQIP Funds from USDA-NRCS for the Custer 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 Tribal Council is vested with the authority, under Article IV, Section 7(b), to ratify and authorize agreements to be entered into by the Tribe with federal governments; and

WHEREAS, the Tribal Council has received a contract from the Natural Resource Department to make improvements to the Tribe's Custer 80 property; and

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

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