

Little River Band of Ottawa Indians
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RESOLUTIONS NO. 98-0308-02

Authorizing the Natural Resource Commission
to License Tribal Members to Engage in
Hunting of Wild Turkeys Pursuant to
Tribal Regulations

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; and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and the political successor to, certain 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 rights to hunt, fish, trap and gather natural resources from the lands and waters in those portions of Michigan which were ceded under the 1836 Treaty. These treaty based rights were confirmed by United States v. Michigan, 471 F. Supp 192 (W. D. Mich. 1979); affirmed, 653 F. 2nd 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).

WHEREAS, the Tribal Council has, pursuant to Little River Band of Ottawa Indians Ordinance Number 96-500-01, adopted May 5, 1996, created a Natural Resource Commission and authorized such Commission to recommend to the Tribal Council, Ordinances as may be required to regulate and manage natural resources which may be utilized by Tribal members; and

WHEREAS, the Tribal Council has, pursuant to Little River Band of Ottawa Indians Ordinance Number 96-500-02, adopted the Uniform Conservation Code of Ottawa and Chippewa of Northern Michigan, subject to the limitations defined in Tribal Council Resolution Number #96-0922-01; and

WHEREAS, Tribal Ordinance Number #96-500-02 authorized the Natural Resource Commission to develop regulations for the conduct of one or more ceremonial hunts and to issue subsistence hunting and fishing licenses and permits to Tribal Elders; and

WHEREAS, the Natural Resource Commission is authorized to promulgate rules for the purpose of implementing Ordinances which authorize and regulate hunting, fishing, trapping or gathering activities of Tribal members; and

WHEREAS, the Natural Resource Commission wishes to extend Tribally – regulated harvesting opportunities to all Tribal members by receiving Tribal Council authorization to license Tribal members to engage in a spring wild turkey hunting season on lands ceded in the Treaty of 1836; and

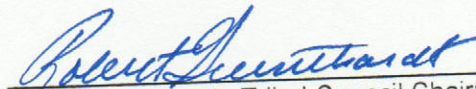
WHEREAS, the Tribal Council has determined that it is in the interests of the Tribe to honor, promote and maintain the Tribe's traditional and physical relationship to the natural environment, and its Tribal members traditional use of the resources within the territory ceded in the 1836 Treaty, which were reserved by its ancestors; and

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Natural Resource Commission to issue licenses which authorize Tribal members to engage in a Spring wild turkey hunting season in accordance with regulations promulgated by the Natural Resource Commission. The regulations shall at a minimum define and limit the lands that will be allowed as open for hunting, sex and other requirements of the wild turkeys for harvest, dates and hours of hunting, gear restrictions, and any other limits which are reasonably necessary for conservation of the resource and public safety.

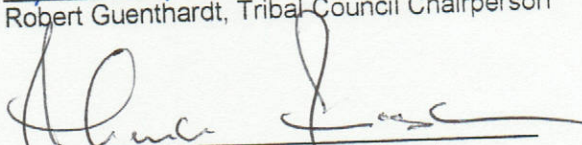
Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at its regular meeting held on March 8, 1998 by a vote of 7 for, 0 opposed, 0 abstaining, and 0 absent, a quorum being present for such vote.

Date: 3-8-98


Robert Guenthardt, Tribal Council Chairperson

Attest:


Charles Fisher, Tribal Council Secretary