



Little River Band of Ottawa Indians

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RESOLUTION NO. #99-0116-02

APPROVING TRIBAL MEMBERSHIP IN CHIPPEWA-OTTAWA RESOURCE AUTHORITY (CORA)
AND DELEGATING CERTAIN POWERS TO
CORA TO REGULATE EXERCISE OF GREAT LAKES TREATY FISHING AND
INLAND HUNTING, FISHING, TRAPPING AND GATHERING RIGHTS BY TRIBAL MEMBERS
PURSUANT TO ARTICLE V, VI AND VII OF THE CORA CHARTER

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, nine (9) of the nineteen (19) 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, 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, the Tribal Council and Natural Resource Commission has determined that it is in the best interests of its members to ensure the conservation and wise utilization of the Great Lakes fishery resources and inland natural resources reserved by the Tribe in the 1836 Treaty; and

WHEREAS, the Tribal Council and Natural Resource Commission have determined that the establishment of a Chippewa-Ottawa Resource Authority (CORA) will provide a mechanism for coordinated Tribal efforts to regulate and manage the treaty-reserved resources of the Great Lakes and inland lands and waters by the member-Tribes delegating to CORA the power to:

- a. develop protocols for the management, preservation and enhancement of resources and the habitats of resources in the Treaty ceded lands and waters, which are designed to permit the harvest of resources by members of the Tribe; and
- b. promulgate regulations, including emergency regulations, governing the exercise of the treaty fishing rights on the Great Lakes and exercise of treaty rights on inland lands and waters by the member Tribes; and
- c. coordinating the activities of the fishery law enforcement programs of the member Tribes; and

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- d. to receive reports from CORA, tribal, federal and state biologists and to develop methods of limiting harvest of species when necessary to protect natural resource populations and their habitats; and
- e. applying for, receiving and expending, federal, tribal, state and private funds for the purpose of conservation, enhancement, utilization and protection of the treaty fishery resources of the Great Lakes; and
- f. to participate in intertribal, interstate and international bodies created for the purposes of preservation and enhancement of natural resources and their habitats.

NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians supports membership in the Chippewa-Ottawa Resource Authority (CORA) and delegates the aforesaid powers and responsibilities to CORA, CORA's Great Lakes Resources Committee and CORA's Inland Lands and Waters Resources Committee as provided in Articles V, VI and VII of the CORA Charter.

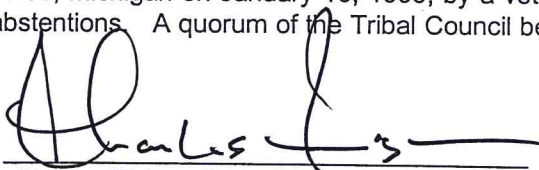
BE IT FURTHER RESOLVED that the Tribal Council of the Little River Band of Ottawa Indians expressly reserves the power to promulgate additional and more restrictive regulations governing treaty fishing activities on the Great Lakes and inland lands and waters consistent with the Reservation of Powers provided in Article IX of the CORA Charter and any Management Plans or protocols adopted by CORA and other Tribes regulating natural resources in the Treaty ceded lands and waters.

BE IT FURTHER RESOLVED that the Tribal Council of the Little River Band of Ottawa Indians requests the assistance of CORA, its Board and member Tribes to secure sufficient financial resources and technical assistance necessary to permit the Little River Ottawa to develop and sustain adequate biological services and conservation enforcement services programs and authorizes Tribal Council Chairperson and/or Tribal Ogema, or his/her designee, to undertake any and all action to access the necessary resources and to execute any contract documents concerning the use of such funds pursuant to the provisions of P.L. 93-638 or other authority.

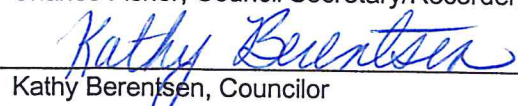
Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a Special Session held for this purpose in Manistee, Michigan on January 16, 1999, by a vote of 4 in favor, 0 opposed, 3 absent, and 0 abstentions. A quorum of the Tribal Council being present for such vote.

Date: 1/16/99


Charles Fisher, Council Secretary/Recorder

Attest:


Kathy Berentsen, Councilor