

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

7500 Odawa Circle
Harbor Springs, MI 49740

RESOLUTION # 030704-01

Opposition to Northern Lights Project Proposal for Coal Fired Power Plant

- WHEREAS** the Little Traverse Bay Bands of Odawa Indians (“LTBB” or “Tribe”) is a sovereign tribal government that entered into numerous treaties with the United States, and the United States Congress reaffirmed LTBB’s status as a federally recognized Indian Tribe **on September 21, 1994 in Public Law 103-324, as amended;**
- WHEREAS** LTBB reserved rights to hunt, fish and gather in the territory ceded in the Treaty of Washington of 1836 (7 Stat. 491) which encompasses a large portion of the western lower peninsula and eastern upper peninsula in the State of Michigan;
- WHEREAS** the continuing vitality of LTBB’s 1836 Treaty right to subsistence and commercial fishing in the Great Lakes has been upheld by the Federal Court in *United States v. Michigan*, Federal Court for the Western District of Michigan Case No. 2:73 CV 26;
- WHEREAS** the Great Lakes and inland waters provided the Tribe with food, water, and transportation for hundreds of years, and remain a cornerstone of LTBB’s culture, physical and spiritual well-being. Preserving the environmental quality of the Great Lakes, inland lakes, rivers, streams and ground water and their resources, as well as air quality, for the present and future generations is absolutely essential to LTBB;
- WHEREAS** **the Tribe has been notified of the proposed development of a coal fired power plant, known as the Northern Lights Project, by the Tondu Corporation on the current sight of the General Chemical Plant which is located in Manistee Michigan off Manistee Lake;**
- WHEREAS** the Northern Lights Project would result in the introduction of toxic substances into the environment, including mercury, which would harm the health and safety of the Great Lakes fishery;
- WHEREAS** **the Conservation Department of the Little River Band of Ottawa Indians has identified the rehabilitation of the Sturgeon species into the Manistee River and ultimately Manistee Lake in recent years, and the Little River Band is in the process of re-introducing wild rice plants into Manistee Lake which plantings are taking root and improving;**

WHEREAS changes to the waste discharge into the Manistee Lake and River systems will very likely detrimentally affect the rehabilitated Sturgeon population and re-introduced plant life;

THEREFORE BE IT RESOLVED that the Little Traverse Bay Bands of Odawa Indians opposes the issuance of a Special Use Permit by the City of Manistee, Air Quality Permits by state and/or federal agencies, and other permits that would allow construction of the proposed Northern Lights Project.

Certification

As Tribal Chairman and Tribal Secretary, we certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on March 7, 2004 at which a quorum was present, by a vote of ____ in favor, ____ opposed, ____ abstentions, and ____ absent as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	_____	_____	_____	_____
Frank Ettawageshik	_____	_____	_____	_____
Fred Harrington, Jr.	_____	_____	_____	_____
Beatrice Law	_____	_____	_____	_____
Dexter McNamara	_____	_____	_____	_____
Rita Shananaquet	_____	_____	_____	_____
Alice Yellowbank	_____	_____	_____	_____

Date: _____

Frank Ettawageshik, Tribal Chairman

Dexter McNamara, Tribal Secretary