

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS  
7500 Odawa Circle  
Harbor Springs, MI 49740

TRIBAL RESOLUTION # 121805-09

Approval of Memorandum of Understanding with  
United States Forest Service to Address Treaty Rights and Gathering Activity

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians (LTBB) reserved rights to hunt, fish and gather on all lands not required for settlement in the territory ceded in the Treaty of Washington of 1836 (7 Stat. 491);

**WHEREAS** the ceded territory where these Treaty reserved rights exist includes, but is not limited to, United States National Forest land under the jurisdiction of the United States Forest Service (USFS);

**WHEREAS** LTBB is a member of the Chippewa Ottawa Resource Authority (CORA) the purpose of which is to ensure, through inter-tribal coordination and cooperation, the conservation and wise utilization of the natural resources reserved to the Tribes in the 1836 Treaty. The other CORA member Tribes are the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, and the Little River Band of Ottawa Indians;

**WHEREAS** the USFS, LTBB and other CORA member Tribes have negotiated a Memorandum of Understanding (MOU) to address treaty rights gathering activity within the National Forests that are located in the 1836 Treaty ceded territory;

**WHEREAS** the MOU recognizes the inland reserved treaty rights of the 1836 Treaty Tribes, respects tribal sovereignty and the government-to-government relationship between the Tribes and the United States, and the duty of the USFS as an executive agency of the United States to carry out the trust responsibility of the United States to Indian tribes;

**WHEREAS** the reserved Treaty rights exist by virtue of the 1836 Treaty. They are not dependent on entering into this MOU and cannot be abridged or limited by rescinding the MOU once executed;

**THEREFORE BE IT RESOLVED** that the Little Traverse Bay Bands of Odawa Indians approves entering into the MOU between LTBB, other CORA member tribes and USFS, and authorizes Tribal Chairman Frank Ettawageshik to execute the MOU by and on behalf of LTBB.

**CERTIFICATION**

As Tribal Council Secretary and Legislative Leader, 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 December 18, 2005 at which a quorum was present, by a vote of 9 in favor, 0 opposed, 0 abstentions, and 0 absent as recorded by this roll call:

	<u>In Favor</u>	<u>Opposed</u>	<u>Abstained</u>	<u>Absent</u>
Regina Gasco Bentley	X			
Fred Harrington, Jr.	X			
Mary Roberts	X			
Rita Shananaquet	X			
Alice Yellowbank	X			
Dexter McNamara	X			
Shirley Oldman	X			
Melvin L. Kiogima	X			
Beatrice A. Law	X			

Date: \_\_\_\_\_

\_\_\_\_\_  
Melvin L. Kiogima, Secretary

Date: \_\_\_\_\_

\_\_\_\_\_  
Beatrice A. Law, Legislative Leader

Pursuant to Article VII, Section D, Subsection I of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: \_\_\_\_\_

\_\_\_\_\_  
Frank Ettawageshik, Tribal Chairperson