

**Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle
Harbor Springs, MI 49740**

TRIBAL RESOLUTION # 081023- 02

**Revoking the Delegation of Authority to the Chippewa Ottawa Resource Authority to
Register Fishing Vessels, Snowmobiles, and Vehicles Used for the Exercise of Treaty
Fishing**

WHEREAS the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians (“LTBB” or “Tribe”), and its citizens are vested with inherent sovereignty and the right to self-governance;

WHEREAS LTBB is a federally recognized Indian Tribe under Public Law 103-324, and is a party to the Treaty of Detroit of 1855 (11 Stat. 621) and the Treaty of Washington of March 28, 1836 (7 Stat. 491), in which LTBB reserved, among other rights, the right of its Citizens to harvest fish in the waters of Lakes Superior, Michigan and Huron;

WHEREAS these treaty-reserved fishing rights were recognized by the Consent Decree entered on August 7, 2000 in *United States, et al. v. State of Michigan*, Case No. 2:73 CV 26, (W.D. MI.) that formalized a regulatory scheme under which LTBB, along with four other tribes comprising the Chippewa Ottawa Resource Authority (“CORA”) manage and regulate the treaty fishery, and in Sections VI(A)(5)(d) and VI(A)(6)(D), register fishing vessels utilized by their citizens in carrying out treaty-protected fishing activities;

WHEREAS the Consent Decree contemplated certain management and regulatory functions being performed by CORA, which in 2005 requested LTBB to authorize it to register fishing vessels and other vehicles used to exercise treaty fishing rights on the Great Lakes;

WHEREAS at a meeting held January 11, 2006, the LTBB Natural Resource Commission supported CORA’s request to register fishing vessels and requested the approval of the Tribal Council;

WHEREAS by Resolution #012206-05, the Tribal Council delegated the authority to “CORA to register LTBB Tribal citizens’ commercial/subsistence vessels, ORVs, snowmobiles and research vessels, and also those vessels utilized by the Tribe in carrying out management and enforcement activities, with the authorization effective until rescinded by further action by the Tribe”;

WHEREAS the Natural Resources Protection Statute, WOS 2008-012, at section VI(C) vests the Natural Resources Department with authority to “[i]ssue NRC authorized permits, licenses and collect costs for such, including registration of vessels and vehicles used principally for exercise of Treaty Rights”; and

WHEREAS at a meeting on May 24, 2023, the Natural Resource Commission discussed the Natural Resource Department’s capability to efficiently register vehicles and vessels, with the discussion culminating in a motion recommending the Tribal Council rescind the authority delegated by Tribal Resolution #012206-05 to CORA to register boats, snowmobiles and off-road recreational vehicles.

THEREFORE, BE IT RESOLVED that effective September 1, 2023, the Tribal Council revokes the authority delegated to CORA by Tribal Council Resolution #012206-05.

BE IT FURTHER RESOLVED that the Tribal Council directs the LTBB Natural Resources Department to exercise its statutory authority to register LTBB Tribal citizens’ and Tribal Government’s boats, snowmobiles and off-road vehicles that are used to carry out Treaty rights harvesting, research, management and enforcement activities.

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal 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 August 10, 2023 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima				X
Tamara Munson	X			
William Ortiz	X			
Aaron Otto	X			
Melissa Pamp	X			
Jordan Shananaquet	X			
Leroy Shomin	X			
Emily Proctor	X			
Marcella Reyes	X			

Date: 08/15/2023

Marcella R. Reyes
Marcella Reyes, Legislative Leader

Date: 08/15/2023

Emily Proctor
Emily Proctor, Tribal Council Secretary

Received by the Executive Office on 8-15-2023 by Lakota Worthington

Pursuant to Article VII, Section D, Subsection 1 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: 08/18/2023

Regina Gasco Bentley
Regina Gasco Bentley, Tribal Chairperson

Received from the Executive on

08.10.2023 by Binder Rokee