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

CERTIFIED MOTION # 092718-05

Request for Funds from the Bureau of Indian Affairs
Conservation Law Enforcement Officers Funds FY 2019 – FY 2023

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance and;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

WHEREAS the Little Traverse Bay Bands of Odawa Indians Natural Resources Department provides Conservation Enforcement services to the Tribal community;

WHEREAS the Little Traverse Bay Bands of Odawa Indians Natural Resources Department Conservation Officers are career law enforcement officers that have been given authority to enforce and uphold the regulations under Waganakising Odawak Tribal Code Title IV, Natural Resource Protection;

WHEREAS the Tribe's Natural Resources Department Conservation Officers also have authority under the Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty Ceded Waters of Lakes Superior, Huron and Michigan of the Chippewa Ottawa Resource Authority (CORA), the 2000 Consent Decree entered in *United State v. Michigan,* Western District of Michigan Case No. Case No. 2:73 CV 26, and Waganakising Odawak Statute 2003-009, to enforce the law with regard to Great Lakes commercial, subsistence and recreational fishing activities of members of all five CORA member tribes;

WHEREAS the United States Department of the Interior, Bureau of Indian Affairs is accepting funding proposals for Conservation Law Enforcement Officers (CLEO);

WHEREAS the following conditions apply:

1) Funding for the CLEO position will be limited to a maximum of five years, and is contingent on the availability of funding on a year to year basis within the five-year timeframe;
2) Must request to receive the funds via a PL-93-638 contract;
3) Must have enforceable fish and wildlife codes (codes and court system in place);
4) Must agree to advertise a new CLEO position within 60 days of entering into a contract for the CLEO funding with the Bureau;
5) Must agree to hire a CLEO within 180 days of entering into a contract for the CLEO funding with the Bureau;
6) Must agree that the CLEO will complete FLETC (Federal Law Enforcement Training Center) certification training (or State Certification FLETC Equivalent) within one year from hire;
7) Must agree to submit accomplishment reports by September 1st of each year they receive CLEO funding. Reports will include the following:
   a) Number of official incidents involving trust resources where the new CLEO is the primary respondent;
   b) Number of official incidents involving trust resources where the new CLEO is a respondent;
   c) Number of emergency incidents (non-trust resources) where the new CLEO is pulled off of primary duty to respond to an emergency incident;
   d) Hours spent patrolling Tribal Trust Lands;
   e) Breadth of area commonly patrolled (acres, miles of shoreline, etc.);
   f) Number of citations (broken down by type);
   g) Number of warnings;
   h) Any other measures of performance that you believe to be illustrative of the importance of this position.
8) Failure to comply with the conditions of CLEO funding can be grounds for Bureau resumption of the PL 93-638 contract of these CLEO positions.

THEREFORE, BE IT RESOLVED that the Tribal Council of the Little Traverse Bay Bands of Odawa Indians authorizes and supports the request and acceptance of funds from the United States Department of the Interior, Bureau of Indian Affairs Conservation Law Enforcement Officers (CLEO) grant to fund a Conservation Enforcement Officer with intent to receive funds under P.L.93-638 contracting.

BE IT ALSO RESOLVED that the Little Traverse Bay Bands of Odawa Indians will provide funds through the NRD Conservation Enforcement Program budget to support a full-time Conservation Officer.

FURTHER RESOLVED, that the LTBB Tribal Chair, Vice Chair, Direct Services Administrator, or another designee from the Tribal Chair is authorized to execute any documents necessary to apply for, receive, and administer funds under the grant.

CERTIFICATION

Received by the Executive Office on 9-12-18 by _____

The Executive concurs and recommend this action of the Tribal Council.

Date: 9.12.18

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Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 9.12.18 by _____

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held September 27, 2018 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, 1 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 10.02.18

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Fred Harrington, Legislative Leader

Date: 9-27-18

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Tamara Kiogima, Secretary