



Pride of the Ojibwa

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COPY

RESOLUTION NO. 12-84

RESOLUTION FOR THE RATIFICATION OF MEMORANDUM OF UNDERSTANDING REGARDING TRIBAL-USDA-FOREST SERVICE RELATIONS ON NATIONAL FOREST LANDS WITHIN THE TERRITORIES CEDED IN TREATIES OF 1836, 1837, AND 1842

- WHEREAS,** the Lac Courte Oreilles Band of Lake Superior Chippewa Indians ("Tribe") is a federally recognized Indian tribe organized pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. 461, *et. seq.*;
- WHEREAS,** the Tribal Governing Board serves as the governing body of Lac Courte Oreilles Band of Lake Superior Chippewa Indians pursuant to Article III, Section 1 of the Amended Constitution and Bylaws of the Lac Courte Oreilles Band of Lake Superior Chippewa Indians;
- WHEREAS,** the Tribe is a signatory or successor to the Treaty of 1837, 7 Stat. 536, and the Treaty of 1842, 7 Stat. 591; and
- WHEREAS,** the Tribe holds the right to hunt, fish, and gather on lands and waters ceded in the Treaty of 1837 and the Treaty of 1842, which such rights were reaffirmed by the United States District Court for the Western District of Wisconsin in *Lac Courte Oreilles, et al. v. Wisconsin, et al.*; and
- WHEREAS,** the Tribe previously ratified the document entitled *Memorandum of Understanding Regarding Tribal-USDA-Forest Service Relations on National Forest Lands within the Territories Ceded in Treaties of 1836, 1837, and 1842* [hereafter *MOU*], including Appendix A [Model Off-Reservation National Forest Gathering Code] and Appendix B [Tribal Self-Regulation Agreement] to that document, and thereby enacted the Tribe's Off-Reservation National Forest Gathering Code; and
- WHEREAS,** the Voigt Intertribal Task Force ("Task Force") and the Tribe's Task Force Representative(s), acting pursuant to the Tribe's delegation to serve as the *MOU's* "keeper of the process" on behalf of the Tribe and other *MOU* signatory Tribes, has been working with the USDA-Forest Service in implementing the *MOU*; and

WHEREAS, through their initial efforts to implement the *MOU*, the Task Force and the USDA-Forest Service have determined that the *MOU* can be improved and clarified as reflected in the attached enclosures; and

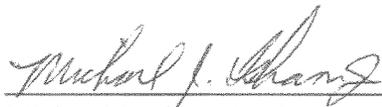
WHEREAS, the Tribe recognizes that the changes to the *MOU* jointly proposed by the Voigt Intertribal Task Force and the USDA-Forest Service are intended to reinforce and enhance the consistency of the tribal off-reservation ceded territory regulatory system across various state and federal properties, and will serve to further solidify the relationship between the Tribe, other *MOU* signatory Tribes and the USDA-Forest Service.

NOW THEREFORE BE IT RESOLVED that the Tribal Governing Board hereby ratifies the amendments to the *MOU* including *MOU* Appendix A [Off-Reservation National Forest Gathering Code], *MOU* Appendix B [Tribal Self-Regulation Agreement], and the establishment of *MOU* Appendix C [Tribal Timber Harvest Framework Agreement], as recommended on March 1, 2012, by the Task Force and reflected in the attached enclosures, and directs the Tribe to provide proper Notice of Ratification of these amendments as provided in the *MOU*.

BE IT FURTHER RESOLVED that the Tribal Governing Board hereby affirms that in all other respects the *MOU* shall remain the same and the actions and delegations set forth in the *MOU* as previously ratified, shall remain effective.

CERTIFICATION

I, the undersigned, as Secretary/Treasurer of the Tribal Governing Board, hereby certify that the Board is composed of seven members, of whom 6 being present, constituted a quorum at a meeting thereof, duly called, convened, and held on this 29th day of October, 2012; that the foregoing Resolution was duly adopted at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that said Resolution has not been rescinded or amended in any way.



Michael J. Isham Jr., Secretary/Treasurer
Lac Courte Oreilles Band of Lake Superior
Chippewa Indians