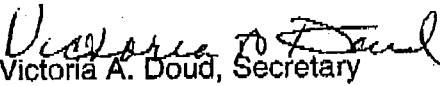


RESOLUTION NO. 222(04)

- WHEREAS,** Resolution No. 170(04) supported a rulemaking petition the Midwest Environmental Advocates submitted to the DNR to upgrade high quality northern rivers to Exceptional or Outstanding Resource Water status; and
- WHEREAS,** the Staff Attorney for the Midwest Environmental Advocates learned that the LdF Tribal Council had questions on the effect the proposed rulemaking petition may have on treaty rights in the ceded territories; and
- WHEREAS,** after review, harvesting fish or wild rice under treaty rights are not among the activities regulated by Exceptional or Outstanding Resource Water status; and
- WHEREAS,** the on and off reservation water resources of the Lac du Flambeau Band are critical to the health, welfare, and cultural integrity of the Band; and
- WHEREAS,** the River Alliance and other conservation organizations within the State of Wisconsin propose to petition the Wisconsin Department of Natural Resources to raise the regulatory status of approximately 460 of Wisconsin's highest quality river segments in the twenty northern-most counties to Exceptional Resource Waters (ERWs) or Outstanding Resource Waters (ORWs) through an Administrative Rulemaking under Section 229.12 of the Wisconsin Statutes; and
- WHEREAS,** the proposed rulemaking would not include rivers flowing within or through the Lac du Flambeau Indian Reservation, since the Lac du Flambeau Band exerts its jurisdictions through their own codes and ordinances; now, therefore be it
- RESOLVED,** by this Council, in Regular Session assembled, hereby supports the proposal put forth by the River Alliance and other conservation groups, excluding waters flowing through or within the exterior boundaries of the reservation, as mentioned herein, since it will assist in protecting and preserving waters within the Band's Ceded Territory.

CERTIFICATION

I, the undersigned, as Secretary of the Lac du Flambeau Band of Lake Superior Chippewa Indians, a tribal government operating under a Constitution adopted pursuant to Section 16 of the Indian Reorganization Act, 25 U.S.C., s. 476, do hereby certify that the Tribal Council of the Band is composed of twelve members, of whom nine constituting a quorum, were present at a Regular Meeting, duly called, noticed, convened, and held on the 9th of August, 2004, and that the foregoing resolution was duly adopted at said meeting by an affirmative vote of eight members, none against, none abstaining, and that the said resolution has not been rescinded or amended in any way.


Victoria A. Doud, Secretary
Lac du Flambeau Band of Lake
Superior Chippewa Indians