

**LEECH LAKE BAND OF OJIBWE**  
**TRIBAL COUNCIL AGENDA ITEM REQUEST**

Date Submitted: 06/07/01 Meeting Date: 06/21/01

Division and Program: DRM - Environmental Program

Division Director Signature: J. P. Ryb 6-19-01

Subject: Adopting a Resolution

Executive Summary:  
(Interim Water Quality Standards)

**Type of Action:**

- RESOLUTION
- INFORMATIONAL
- APPROVAL
- NO ACTION NECESSARY
- OTHER (explain)

*In the event that the Division Director is unable to attend a delegate must be sent to the meeting.*

Date Received by Administration: \_\_\_\_\_

Deputy Director Signature: \_\_\_\_\_

Accounting Signature: \_\_\_\_\_  
(required on budget agenda items)

Council Action: approved June 21, 2001

Following each meeting Sharon Brown will return copies indicating action to:

Deputy Director	Date Sent:	<u>6/22/01</u>	
Division Director	Date Sent:	<u>6/22/01</u>	<u>Gerald W.</u>
Accounting (if required)	Date Sent:	<u>6/22/01</u>	<u>John E.</u>

5/22/01



# Leech Lake Band of Ojibwe

*Eli O. Hunt, Chairman*

*Linda G. Johnston, Secretary/Treasurer*

District I Representative  
*Peter D. White*

District II Representative  
*Lyman L. Losh*

District III Representative  
*Richard Robinson, Jr.*

## LEECH LAKE TRIBAL COUNCIL

### RESOLUTION NO. 01 - 120

**RE:** Interim Tribal Water Quality Standards

**WHEREAS,** Article I, Section 3 of the Revised Constitution and the by-laws of the Minnesota Chippewa Tribe, approved by the Assistant Secretary of the Interior on March 3, 1964, empowers the Tribe “to conserve and develop Tribal resources and to promote the general welfare of the members of the Tribe; (and) to preserve and maintain justice for its members”, and

**WHEREAS,** Article III, Section 2, establishes the Tribal Council of the Leech Lake Band to serve as the governing body of the Leech Lake Reservation, and

**WHEREAS,** the Leech Lake Tribal Council has been advised by the Division of Resource Management (DRM) that the pollution of the waters under jurisdiction of the Leech Lake Band Constitutes a menace to public health and welfare, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational, cultural, and other legitimate beneficial uses of water.

**WHEREAS,** the EPA has acknowledged its responsibility to Indian Tribes under federal environmental laws and its “Policy for the Administration of Environmental Programs on Indian Reservations” (1984), and in March 1994, EPA Administrator Carol Browner formally reaffirmed the 1984 EPA Indian Policy, which among other things, specifies that the EPA will: recognize Tribal Governments as primary parties for environmental issues on reservations; encourage and assist Tribes in assuming responsibility for reservation regulatory and program management and work directly with Tribes in the implementation of Tribal environmental programs.

**WHEREAS,** the Leech Lake Tribal Council finds that protecting, maintaining, and improving the quality of waters of the reservation for public water supplies, for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, recreational, and other beneficial uses of water.



**WHEREAS,** the DRM has further advised the Leech Lake Tribal Council that it is necessary for the Leech Lake Band to exercise its sovereign power to adopt water quality standards that will be protective of the health and welfare of persons residing and doing business on the Leech Lake Reservation (Reservation Population) as well as the economic integrity of the Tribe and the quality of the land, waters and resources of the Leech Lake Reservation (Reservation Environment).

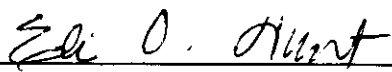
**WHEREAS,** the Reservation Attorney and Special Environmental Counsel concur with the DRM and have advised the Leech Lake Tribal Council that the Committee possesses the inherent governmental authority to enact such Tribal laws as may be necessary to address water pollution and may exercise its sovereign authority to protect the health and welfare of the Reservation Population and “to conserve and develop Tribal resources and to promote the conservation and development of individual Indian trust property, to promote the general welfare of the members of the Tribe; (and) to preserve and maintain justice for its members.”

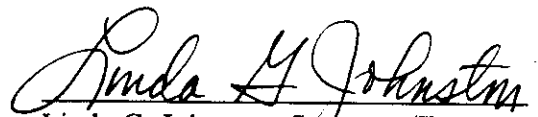
**NOW, THEREFORE, BE IT RESOLVED,** that the Leech Lake Tribal Council hereby adopts as a matter of Tribal law, certain Interim Tribal Water Quality Standards (TWQS) which shall be the same as the standards enumerated in the current Minnesota State Rules for Water, in particular, Minn. Rules Chapter 7050, for those classes of surface waters located within the exterior boundaries of the Reservation.

**BE IT FURTHER RESOLVED,** the Leech Lake Tribal Council finds that the Interim Water Quality Standards adopted by this Resolution as Tribal law to protect the health of the Reservation Population and the quality of the Reservation Environment, are hereby made effective immediately and are applicable with equal force and effect to all members of the Reservation populations, both members and non-members, whose acts or omissions may adversely affect the quality of the surface and groundwater which comprise the Reservation Environment.

**BE IT FINALLY RESOLVED** that the Chairman of the Leech Lake Band of Ojibwe is directed it take such further action as may be necessary to implement this Resolution.

**WE DO HEREBY CERTIFY,** that the foregoing Resolution was duly presented and adopted by of vote of 3 For 0 Against, and 0 Silent at a Special Meeting of the Leech Lake Tribal Council, a quorum being present, held on June 21<sup>st</sup>, 2001 at the Sugar Point Community Center -Sugar Point, Minnesota.

  
Eli O. Hunt, Chairman  
LEECH LAKE TRIBAL COUNCIL

  
Linda G. Johnston, Secretary/Treasurer  
LEECH LAKE TRIBAL COUNCIL