

Stockbridge-Munsee Community

BAND OF THE MOHICAN INDIANS
TRIBAL COUNCIL OFFICES

RESOLUTION

August 5th, 1998

No. 050-98

WHEREAS, The Stockbridge-Munsee Community, Band of Mohican Indians, is a federally recognized Indian tribe governed by the Stockbridge-Munsee Tribal Council pursuant to authority vested in the Council by a Constitution approved in November 1937; and

WHEREAS, The Stockbridge Munsee Community has the authority under its constitution and its inherent rights as a sovereign nation to pass ordinances regulating the conduct of individuals within the exterior boundaries of the reservation; and

WHEREAS, The current Stockbridge-Munsee Water Pollution Control is not responsive to tribal environmental concerns nor does it reflect tribal practices since it is based on a model ordinance; and

WHEREAS, The current water ordinance requires the participation of a group that does not exist and creates a burdensome process to classify the waters of the reservation and promulgate water quality standards; and

WHEREAS, The Stockbridge-Munsee Community is in the process of revising the current water ordinance to respond to tribal environmental concerns and reflect tribal practices; and

WHEREAS, The Stockbridge-Munsee Community is classifying the water of the reservation and establishing water quality standards as a part of the revision of the water ordinance.

NOW THEREFORE BE IT RESOLVED, that the Stockbridge-Munsee Tribal Council hereby revokes Sections 34.4, 34.5, 34.6, and 34.19 of the Stockbridge-Munsee Community Water Pollution Control Ordinance, which lay out an inapplicable process for classifying the waters of the reservation and establishing water quality standards.

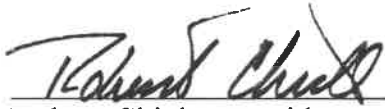
BE IT FURTHER RESOLVED, that the classification of the waters of the reservation and establishment of water quality standards will be done by the tribal Environmental

Office and Legal Office, with input from other offices, as appropriate. As required by the federal Clean Water Act, the U.S. Environmental Protection Agency will comment on the proposed standards and there will be an opportunity for the public to comment on the proposed standards. The classification and water standards will need to be approved by the Tribal Council to be finalized.

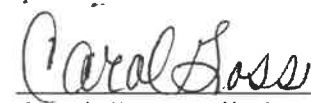
BE IT FURTHER RESOLVED, that the tribal water quality standards and the classification of the waters of the reservation will not become effective until the revision of the current water ordinance is completed and adopted by the Tribal Council.

CERTIFICATION

I, the undersigned, as Secretary of the Stockbridge-Munsee Tribal Council, hereby certify that the Council is composed of 7 members, of whom 6, constituting a quorum, were present at a meeting duly called, noticed, and held on the 5th day of August, 1998, that the foregoing resolution was duly adopted at such meeting by a vote of 5 for, 0 against, and 0 abstaining.



Robert Chicks, President
Stockbridge-Munsee Tribal Council



Carol Goss, Tribal Secretary
Stockbridge-Munsee Tribal Council