

RESOLUTION NUMBER TMBC627-11-11 OF THE DULY ELECTED AND CERTIFIED
BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA

- WHEREAS, the Turtle Mountain Band of Chippewa, hereinafter referred to as the Tribe, is an unincorporated Band of Indians acting under a revised Constitution and Bylaws approved by the Secretary of the Interior on June 16, 1959, and amendments thereto approved; and
- WHEREAS, the Turtle Mountain Constitution and Bylaws was adopted by the tribal citizens to promote the general welfare of tribal citizens, and
- WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to represent the Band and to negotiate with the Federal, State, and local governments and with private persons, and
- WHEREAS, Article IX (a) Section 3 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council to regulate and license all business and professional activities conducted upon the reservation, and
- WHEREAS, Article II Section 1 of the Turtle Mountain Constitution and Bylaws extends jurisdiction of the tribe to land on the Turtle Mountain Reservation in the State of North Dakota and to such other lands as may be acquired by or in behalf of said Tribe and be added thereto under the laws of the United States, and
- WHEREAS, the Turtle Mountain Band of Chippewa is responsible for protecting Mother Earth from any pollutants that may cause harm to its citizens, land, water, and air; and
- WHEREAS, the emerging oil industry is expanding throughout the state and will eventually include Rolette County which encompasses the Turtle Mountain Band of Chippewa reservation and its jurisdictions; and
- WHEREAS, the oil industry is using a process called hydraulic fracturing (FRACKING) to extract oil that requires the use of hazardous chemicals that could contaminate water resources that is vital for the tribe's livelihood and sustainability; and
- WHEREAS, the FRACKING process could endanger tribal water resources and the waters of the Shell Valley aquifer which is the tribe's main resource for fresh water on the Turtle Mountain reservation, and
- WHEREAS, it is critical that Turtle Mountain tribal citizens-at-large are educated on the consequence of oil exploration and any other development that can cause any environmental concerns now and in the future; now
- THEREFORE BE IT RESOLVED that the Turtle Mountain Band of Chippewa prohibits in perpetuity any hydraulic fracturing (FRACKING) or any other process that is toxic on lands adjoining the Shell Valley aquifer or its tributaries, or flowing water that has the

potential to channel to the Shell Valley aquifer and water resources, lakes, underground springs, and wetlands where tribal citizens reside on or near the Turtle Mountain Reservation; and

THEREFORE BE IT FURTHER RESOLVED that the Turtle Mountain Band of Chippewa supports the efforts of tribal citizens to promote a public service campaign to inform our tribal membership of any environmental concerns pertaining to oil development and other initiatives effecting Mother Earth; and

THEREFORE BE IT FURTHER RESOLVED that the Turtle Mountain Band of Chippewa directs the Bureau of Indian Affairs to cancel their Advertisement for the sale of Oil and Gas Leases that was posted in the Turtle Mountain Times and other newspapers November 21, 2011 on Allotted Indian Lands in Rolette County, North Dakota and assure that all future bids include the tribal resolution informing the bidders that fracking is immediately banned in accordance with this resolution, and

BE IT FURTHER RESOLVED that the tribe will work to develop similar laws and agreements with communities who are considering to utilize hydraulic fracturing (FRACKING) or any process that is or may be toxic on lands adjoining the Shell Valley aquifer or its tributaries, or flowing water that has the potential to channel to the Shell Valley aquifer and water resources, lakes, underground springs, and wetlands where tribal citizens reside on or near the Turtle Mountain Reservation.

CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of nine (9) members of whom *nine (9)* constituting a quorum were present at a meeting duly called, convened and held on the *22nd day of November, 2011* that the foregoing resolution was adopted by an affirmative vote of *eight (8) in favor*-Representatives Curtis I. Poitra, Cindy Malaterre, Lorne Jay, Jeff 'BJ' Delorme, Mike Malaterre, Elmer Davis, Jr., Larry DeCoteau and Zelma Peltier; with the Chairman not voting.


Joleán A. Morin, Tribal Secretary: 11/23/11

SIGNED INTO LAW/Dated this 29 day of November, 2011
 VETOED/Dated this ___ day of _____, 2011


Merle St. Claire, Chairman