



**RESOLUTION OF THE GOVERNING BODY
OF THE THREE AFFILIATED TRIBES
OF THE FORT BERTHOLD INDIAN RESERVATION**

A Resolution entitled, "Request of the Three Affiliated Tribes to U.S. Environmental Protection Agency and the U.S. Bureau of Indian Affairs to Decline any Extension of the Wait Period for the Federal Environmental Impact Statement – MHA Nation Clean Fuels Refinery"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Three Affiliated Tribes has diligently sought to secure the necessary Federal Environmental Impact Statement ("FEIS") and other permits to begin construction and operation of the TAT Clean Fuels Refinery, the first refinery to be build in the United States in the last 30 years; and

WHEREAS, The Three Affiliated Tribes has worked closely with the U.S. Environmental Protection Agency – Region VIII ("EPA") and the Department of the Interior – Bureau of Indian Affairs ("BIA") for over six years to address all pertinent issues in compliance with National Environmental Protection Act ("NEPA") requirements for the proposed MHA Nation Clean Fuels Refinery; and

WHEREAS, The Three Affiliated Tribes has now been notified that U.S. EPA and the BIA intends to extend the Wait Period for the FEIS for an additional thirty (30) days; and

WHEREAS, The Three Affiliated Tribes and its Clean Fuels Refinery would be negatively impacted by any extension granted by EPA or the BIA as the FEIS has already undergone numerous delays and any further delay would be unnecessary.

THEREFORE BE IT RESOLVED, The Tribal Business Council of the Three Affiliated Tribes hereby requests the U.S. Environmental Protection Agency – Region VIII and the U.S. Department of the Interior – Bureau of Indian Affairs to decline any extension beyond September 28, 2009 of the



Wait Period for the Federal Environmental Impact Statement for the proposed MHA Nation Clean Fuels Refinery; and

BE IT FURTHER RESOLVED, The Three Affiliated Tribes hereby requests EPA and BIA to issue the necessary Records of Decision (“RODs”) and permits immediately following or soon thereafter of September 28, 2009 to allow the Tribe to move forward with the proposed MHA Nation Clean Fuels Refinery.


CERTIFICATION


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Forth Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the Sept 21, 2009; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not voting.

Dated this 21st day of September 2009.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus D. Levings
Tribal Business Council
Three Affiliated Tribes