



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

A Resolution entitled, “*Enacting a Removal Requirement for Abandoned Pipelines*”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and having the authority under said Act and having adopted a Constitution and By-laws under said Act; and

WHEREAS, Pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes 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 has the authority to protect ourselves environmentally as a sovereign nation, especially when we feel this need of protection is not being met at other regulatory levels; and

WHEREAS, The Tribal Business Council is concerned with pipeline spills on the Fort Berthold Indian Reservation and the surrounding areas; and history has shown that abandoned lines create confusion in determination of which line may be responsible in the event of a release. With our lands being congested and development considered likely, abandoned pipelines will continue to impede progress by creating an unreasonable additional risk factor. Therefore it is prudent that an abandoned line be removed from the ground and disposed of properly.

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council finds it is in the best interest of the Tribe to take measures in order to protect our environment by adopting the following abandoned pipeline requirements:

- 1. Proper isolation, cleaning, flushing and purging of line to be removed from service.**
- 2. Removal of any supplemental systems such as cathodic protection.**
- 3. Removal of the entire pipeline portion that is to be taken out of service.**
- 4. Proper restoration of the land impacted by the removal process including the trench and associated land.**



RESOLUTION NO. 16-033-LKH

NOW THEREFORE BE IT FURTHER RESOLVED, Abandonment will be defined as a pipeline that is physically separated from its source and no longer being maintained. This will apply for all transmission, trunk, and gathering lines used for both liquids and gas.

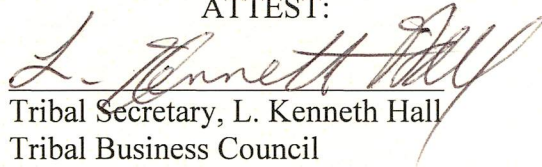
CERTIFICATION


I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 17th day of February, 2016 that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. Not voting.

Dated this 17th day of February, 2016.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes

