

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

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 VI, Section 5(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to manage all economic affairs and enterprises of the Tribes; and

WHEREAS, Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to protect and preserve the property and natural resources of the Tribes; and

WHEREAS, The Tribal Business Council recognizes that one of the few ameliorative impacts on the Fort Berthold Reservation caused by the inundation of the Missouri River Valley arising from the construction of the Garrison Dam has been the creation of a near unparalleled scenic area known as Lake Sakakawea, which has demonstrated a substantial potential for the augmentation of tourism and recreation on the Reservation to the benefit of both the State of North Dakota and the Three Affiliated Tribes; and

WHEREAS, Such potential for increased tourism and recreation on the Reservation is directly related to certain endeavors currently being undertaken by the Three Affiliated Tribes, to-wit: (1) the presentation to the U.S. Congress of Tribal claims arising from the adverse impacts on the Reservation caused by the construction of the Garrison Dam under the Pick-Sloan Missouri River Basin Program, (2) the conduct of a comprehensive Tribal economic development study, (3) and the conduct of a comprehensive Tribal transportation study; and

WHEREAS, In the performance of its federally-mandated study of the impacts on the Tribal people and economy caused by

the construction of the Garrison Dam, the Garrison Unit Joint Tribal Advisory Committee, in its Final Report, granted express recognition to the considerable potential for the development of recreation facilities along the shoreline of Lake Sakakawea, providing a "substantial promise for economic growth," and made a specific recommendation to Congress that "(f)ormer Indian shoreline land and excess (U.S. Army Corps of Engineers) land should be returned to the Tribes;" and

WHEREAS, One of the elements inherent in the comprehensive economic development study being conducted by the Tribes is the investigation into the economic feasibility of further shoreline recreational development on the Reservation, wherein the Tribes would establish commercial recreation sites and areas along Lake Sakakawea for use primarily by non-Tribal member fishermen, boaters, swimmers, and campers; and

WHEREAS, In conjunction with the comprehensive transportation study being conducted by the Tribes, a cost/benefit analysis is being performed in relation to the proposed bridge construction across Lake Sakakawea for the purpose of reducing the inordinate distances necessary for travel by Tribal members to and from various governmental and commercial centers situated within the exterior boundaries of the Reservation caused by the inundation of the Missouri River Valley, with consideration being granted to the benefits to be potentially derived from an increase in tourism afforded by the proposed bridge construction; and

WHEREAS, In order to adequately perform and complete the above-identified undertakings of the Tribes, there is acknowledged the need for the conduct of a study on the potential qualitative and quantitative increase in tourism on the Reservation and in general private and commercial vehicular travel through the Reservation to be derived from the contemplated shoreline recreation development and bridge construction; and

WHEREAS, Similar studies on tourism and vehicular traffic characteristics within the State of North Dakota have previously been conducted by State agencies, such as the North Dakota State Highway Department pursuant to the authority granted to the Highway Commissioner in N.D.C.C. Section 24-03-20, wherein the Commissioner is authorized "to collect, analyze, and interpret all physical and economic data needed to measure existing and estimated future street and highway traffic characteristics such as, origin and destination (and) volumes...;" and

WHEREAS, Edward Hall, in his capacity as Director of the Tribal Transportation Planning Study, has recently conferred with the State Highway Commissioner concerning the possibility of the conduct by the State of North Dakota of the proposed Reservation tourism and vehicular travel study referenced hereinabove; and

WHEREAS, Although the State Highway Commissioner, during such initial conference with the Tribal representative, was justifiably unable to make an official representation and commitment that the State would conduct, on behalf of the Tribes, the proposed study, the Commissioner did represent that the State would be willing to at least participate in the conduct of such study;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes, pursuant to its Constitutional authority, hereby requests that the appropriate agency or agencies of the State of North Dakota, on a government-to-government basis and in a cooperative effort beneficial to both the State and the Tribes, provide assistance to the Three Affiliated Tribes in their current undertakings, as identified hereinabove, by conducting the above-referenced Reservation tourism and vehicular travel study, the specific elements of which will be identified in negotiations to be engaged in between the State and the Tribes.

C E R T I F I C A T I O N

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, 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 14th day of May, 1987; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 14th day of May, 1987.

[Signature]
Secretary, Tribal Business Council

ATTEST:
[Signature]
Chairman, Tribal Business Council