

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

**RESOLUTION AUTHORIZING DEVELOPMENT OF AN EMERGENCY RESPONSE PLANNING COMMITTEE**, to plan for natural and man made disasters occurring within the exterior boundaries of the Fort Berthold Reservation and to plan for and develop a Tribal Emergency Response Commission (TERC) as authorized under the Environmental Protection Agency guidelines to ensure compliance with Sections 301 and 303 of the Emergency Planning and Community Right to Know Act of 1986, also known as Title III, of the Superfund Amendments and Reauthorization Act.

**BE IT RESOLVED BY THE TRIBAL BUSINESS COUNCIL OF THE THREE AFFILIATED TRIBES THAT;**

**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 benefits of the Tribes and of the enrolled members thereof; and

**WHEREAS**, the Tribal Business Council recognizes the need to coordinate efforts with the BIA, Local, State & Federal agencies in a coordinated effort to minimize or eliminate those on or off-Reservation disaster emergency conditions which may affect the environment of the Fort Berthold Reservation; and,

**WHEREAS**, the Tribal Business Council recognizes the need for a coordinated response by Tribal Programs in the event of a man-made, natural disaster or emergency situation should occur, to minimize the adverse effects on man and the environment;

**THEREFORE BE IT RESOLVED**, that the Tribal Business Council hereby authorizes the Tribal FEMA Program and the Tribal Programs Manager to organize an Emergency Response Planning Committee to develop a reservation-wide plan,

**BE IT FURTHER RESOLVED**, that the Emergency Response Planning Committee will consist of but not<sup>be</sup> limited to the following participating programs & agencies: Bureau of Indian Affairs, Indian Health Service Safety Officer, Tribal & BIA Police, Criminal

Investigation Office, Fort Berthold Pesticides Program, Programs Analyst, Education Department, Environmental Manager, Tribal Health Planner, Indian Health Service Engineer, City of New Town, Ambulance District, Rural Fire District, Farm Service Agency, MR&I Water Project, Dialysis Project, GIS, Fort Berthold Transportation Department; media spokesperson and,

**BE IT FURTHER RESOLVED**, that the said Emergency Response Planning Committee will develop the first draft of the plan by April 30, 1997 and will consist of but not limited to the following components: 1) contain an analysis of all hazards on or near the reservation, including both fixed facilities and transportation routes; 2) identify in detail the on-reservation and off-reservation resources, both personnel and equipment, available to respond to any emergency; 3) designate a community coordinator (LEPC) for each segment and, where appropriate, identify the facilities coordinator to assist in preparing and implementing the plan; 4) describe emergency response procedures; 5) outline procedures for notifying the community that a release or emergency situation has occurred; 6) describe methods for determining the occurrence of a release or emergency situation which is probable to affect an area and population; 7) outline evacuation plans; 8) describe a training program for emergency response personnel; and 9) present methods and schedules for exercising emergency plans.

**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 constitutes a quorum, 7 were present at a Regular Meeting, thereof duly called, noticed, convened and held on the 18<sup>th</sup> day of December 1996; 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.

Dated this 18<sup>th</sup> day of December, 1996

Daylon Spotted Bear  
Secretary, Tribal Business Council

Attest:  
  
Chairman, Tribal Business Council