

**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 such Act; and

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

WHEREAS, certain areas of Fort Berthold Reservation are subject to periodic flooding, mudslide (i.e., mudflows), or flood related erosion, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this Tribal Business Council to require the recognition and evaluation of floods, mudslide (i.e., mudflow), or flood related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, the Tribal Business Council has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to _____

NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force in those areas having flood, mudslide (i.e. mudflow), or flood related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations; and
2. Vests _____ with the responsibility, authority, and means to:
 - (a) Assist the Administrator, at his request, in the delineation of the limits of the area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards.
 - (b) Provide such information as the Administrator may request concerning

- present uses and occupancy of the flood plain, mudslide (i.e. mudflow), or flood- related erosion areas.
- (c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, mudslide (i.e., mudflow), or flood- related erosion areas and cooperate with neighboring communities with respect to management of adjoining flood plain, mudslide (i.e., mudflow), and/or flood related erosion areas in order to prevent aggravation of existing hazards.
 - (d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the Reservation (community's) in the development and implementation of flood plain management measures.
 - (e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the Reservation (community's) have been modified by annexation or the Reservation has otherwise assumed or no longer has authority to adopt and enforce flood plain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the Reservation (community's), boundaries, include within such notification a copy of a map of the community or area suitable for reproduction, clearly delineating the new corporate limits or new areas for which the Reservation has assumed or relinquished flood plain management regulatory authority.
3. Appoints _____ to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates with all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood proofing, and information on the elevation in (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed the elevation (in relation to mean sea level) to which the structure was floodproofed;
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

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 members constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 15th day of October, 1999; that the foregoing Resolution was duly adopted at such meeting by the Affirmative vote of 6 members, 0 members opposed, 1 members abstained, 0, and said Resolution has not been rescinded or amended in any way.

Reso # 99-202-DSB

Dated the 15th day of October, 1999.

Daylon Spotted Bear
Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:


Tex G. Hall
Chairman, Tribal Business Council