Resolutions

RESOLUTION NO. 9294

WHEREAS, An Inter-Agency Hazard Mitigation Team was developed as a result of the February 1996 Flood; and,

WHEREAS, The Inter-Agency Hazard Mitigation Team has held planning meetings to identify long-term mitigation action to minimize future flood damages; and,

WHEREAS, A Long-Term Recovery Plan has been completed, which contributes to the Tribes' mission to provide safeguards for life and property in areas subject to flooding; now, therefore

BE IT RESOLVED, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation or Oregon, pursuant to Article V, Section 1 (a), (f) and (1) of the Constitution, that the February 1996 Flood Assessment and Long Term Recovery Plan for the Confederated Tribes of Warm Springs, is hereby adopted; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer is authorized to apply for various funding sources, including the Section 404 federal Hazard Mitigation Grant Pregram, to implement mitigation action; and,

BE IT FURTHER RESOLVED, That the February 1996 flood assessment and long-term recovery plan for the Confederated Tribes of Warm Springs shall, for all intents and purposes, be considered and treated as the Confederated Tribes of Warm Springs' 409 Hazard Mitigation Plan for purpose of the hazard mitigation grant program through the Federal Emergency Management Agency.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 8 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 5 th day of December, 1996, and that the foregoing resolution was passed by the affirmative vote of 7 members, the chairman not voting, and that the said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9295

WHEREAS, The Tribal Council has reviewed and considered the proposed "Settlement Agreement" (attached as Exhibit A), which would resolve all civil and criminal litigation involving the destruction of Indian burial sites and cultural resources at Rivers End Ranch in Lake County, Oregon; and,

WHEREAS, The Tribal Council believes that approval of the Settlement Agreement is in the best interest of the Confederated Tribes of the Warm Springs Reservation of Oregon and its members; now, therefore

BE IT RESOLVED, By the (20th) Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (l) and (n), of the Tribal Constitution that the "Settlement Agreement" attached as Exhibit A, which would resolve all civil and criminal litigation involving Rivers End Ranch is hereby approved; and,

BE IT FURTHER RESOLVED, That the Tribal Council Chairman or his designees are hereby authorized to sign the Settlement Agreement on behalf of the Confederated Tribes of Warm Springs Reservation of Oregon.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 6 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 12th day of December, 1996, and that the foregoing resolution was passed by the affirmative vote of 4 members, 1 member opposed and the chairman not voting, and that the said resolution has not been rescinded or amended in any way.

Raymond Calica Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9296

WHEREAS, The Tribal Court Judges from time to time have conflicts of interest which cause them to disqualify themselves from hearing cases in the Tribal Court as provided in WSTC 200.275 and 203.011; and,

WHEREAS, Section 200.275 of the Tribal Code provides for the Tribal Council to appoint a Judge Pro-Tempore to act as Tribal Court Judge in such situations; and,

WHEREAS, Judge William D. Johnson, a member of the Oregon State Bar and, since 1980, Judge of the Umatilla Tribal Court, is competent to hear these matters, is good moral character, and is qualified to practice in the Warm Springs Tribal Court; and,

WHEREAS, Judge William D. Johnson had agreed to serve as Tribal Court Judge Pro Tempore now, therefore

BE IT RESOLVED, By the Tribal Council pursuant to Article V, Section 1 (s), of the Constitution and By-Laws and WSTC 200.275 of the Confederated Tribes of the Warm Springs Reservation of Oregon that Judge William D. Johnson is appointed to serve as Tribal Court Pro Tempore to hear and preside over cases in which the Tribal Court Judges have conflicts of interest and to which he may be assigned from time to time by the Chief Judge of the Tribal Court, and to perform all services required in such cases, with full authority in such matter as a Judge of the Warm Springs Tribal Court.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 8 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 16 th day of December, 1996, and that the foregoing resolution was passed by the affirmative vote of 6 members, 1 opposed, the chairman not voting, and that the said resolution has not been rescinded or amended in any way.

Raymond Calica Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9297

WHEREAS, The Tribal Court Judges from time to time have conflicts of interest which cause them to disqualify themselves from hearing cases in the Tribal Court as provided in WSTC 200.275 and 203.011; and,

WHEREAS, Section 200.275 of the Tribal Code provides for the Tribal Council to appoint a Judge Pro Tempore to act as Tribal Court Judge in such situations; and,

WHEREAS, Judge John Roe of Vancouver, Washington who is a retired Judge, and also associated with the Northwest InterTribal Court System. Judge John Roe is competent to hear these matters, is of good moral character, and is qualified to to practice in the Warm Springs Court; and,

WHEREAS, Judge John Roe had agreed to serve as Tribal Court Judge Pro Tempore now, therefore

BE IT RESOLVED, By the Tribal Council pursuant to Article V, Section 1 (s), of the Constitution and By-Laws and WStc 200.275 of the Confederated Tribes of the Warm Springs Reservation of Oregon that Judge John Roe is appointed to serve as Tribal Court Pro Tempore to hear and preside over cases in which the Tribal Court Judges have conflicts of interest and to which he may be assigned from time to time by the Chief Judge of the Tribal Court, and to perform all services required in such cases, with full authority in such matter as a Judge of the Warm Springs Tribal Court.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 8 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 16 th day of December, 1996, and that the foregoing resolution was passed by the affirmative vote of 6 members, 1 opposed, the chairman not voting, and that the said resolution has not been rescinded or amended in any way.

Raymond Calica Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9298

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 168/16128 interest in Warm Springs Allotment No. 290, Mattie or Symentire, deceased, at the negotiated consideration of $372.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 168/16,128 interest in and to: E1/2SW1/4 section 19, and NE1/4NW1/4 section 30, township 9 south, range 12 east of the Willamette Meridian, Oregon, containing 120.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9299

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 2/648 interest in Warm Springs Allotment No. 385, Susan Henly, deceased, at the negotiated consideration of $296.30. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 2/648 interest in and to: SW1/4, section 8, township 7 south, range 11 east of the Willamette Meridian, Oregon, containing 60.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9300

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 5040/725,760 interest in Warm Springs Allotment No. 403, Tum-sti-mi-at, deceased, at the negotiated consideration of $441.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 5040/725,760 interest in and to: Lots 1, 8, and 9, section 14, township 7 south, range 12 east of the Willamette Meridian, Oregon, containing 120.63 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9301

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 301/900 interest in Warm Springs Allotment No. 526, Lucy Ike Pitt, deceased, at the negotiated consideration of $22,408.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 301/900 interest in and to: E1/2SE1/4NE1/4 section 23, SW1/4NW1/4, section 24, township 10 south, range 11 east, and NW1/4NW1/4, section 15, township 10 south, range 12 east of the Willamette Meridian, Oregon, containing 100.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9302

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 1/672 interest in Warm Springs Allotment No. 546, Johnnie Williams, deceased, at the negotiated consideration of $119.05. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 1/672 interest in and to: E1/2SE1/4, and E1/2NW1/4, section 23, township 10 south, range 11 east of the Willamette Meridian, Oregon, containing 160.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9303

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 1/192 interest in Warm Springs Allotment No. 557, Wak-stut, deceased, at the negotiated consideration of $279.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 1/192 interest in and to: N1/2SE1/4, SE1/4NE1/4, section 7, NW1/4NW1/4, section 8, township 10 south, range 12 east of the Willamette Meridian, Oregon, containing 160.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9304

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 1/8 interest in Warm Springs Allotment No. 558, Ike or Owhi, deceased, at the negotiated consideration of $8,375.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 1/8 interest in and to: Lots 27 and 30, E1/2W1/2 and E1/2 of Lots 28 and 29, section 31, township 9 south, range 12 east, and Lot 4, section 6, township 10 south, range 12 east of the Willamette Meridian, Oregon, containing 109.95 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9305

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 1/1 interest in Warm Springs Allotment No. 682-B, Ma-net, deceased, at the negotiated consideration of $6,300.00. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 1/1 interest in and to: Lot 29, section 26, township 6 south, range 12 east of the Willamette Meridian, Oregon, containing 20.00 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9306

BE IT RESOLVED, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 1/392 interest in Warm Springs Allotment No. 689, Jim Wineshut, deceased, at the negotiated consideration of $175.10. The consideration to be paid from programmed land purchase funds; and,

BE IT FURTHER RESOLVED, That the subject land is described as:

An undivided 1/392 interest in and to: Lots 1, 2, 3, and 4, section 18, township 9 south, range 13 east of the Willamette Meridian, Oregon, containing 158.24 acres, more or less; and,

BE IT FURTHER RESOLVED, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 6, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 18th day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 5 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9307

WHEREAS, The Confederated Tribes of the Warm Springs Reservation of Oregon occupies a Reservation comprised of over 1,000 square miles of land and water within North Central Oregon; and,

WHEREAS, The continued existence of the Tribes in the past, the present, and the future has been and is dependent upon the wise use of the natural resources within the Reservation; and,

WHEREAS, The hydroelectric resource of the Reservation has long been recognized as one of the most important renewable natural resources of the reservation; and,

WHEREAS, Almost a half a century ago the Tribal Council committed to the wise development of this resource by consenting to the construction of the Pelton-Round Butte Hydroelectric Project complex; and,

WHEREAS, It has always been the belief of the tribal membership that once the initial 50 year license for the Project has expired that the Project would be controlled by the Confederated Tribes exclusively; and,

WHEREAS, The Tribes have gained substantial knowledge regarding operation and management of the hydroelectric facility through the successful efforts of the Tribe to construct and operate the reregulating dam hydroelectric facility which commenced operation in 1982; and,

WHEREAS, The Tribe believes that the Pelton-Round Butte Hydroelectric Project is central to the economic welfare of not only the Reservation, but all of Central Oregon; and,

WHEREAS, The Federal Power Act requires all existing licensees of hydroelectric project to make unequivocal statement to the Federal Energy Regulatory Commission of their intent to either seek or not seek the new license for a project not less than five years before the expiration of the original license; and,

WHEREAS, The Confederated Tribes now desire to provide such notice of their unequivocal intent to seek the new license for the Pelton-Round Butte Hydroelectric Project; now, therefore

BE IT RESOLVED, By the (20th) Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, Pursuant to Article V, Section 1 (f) and (1) of the Tribal Constitution that the attached Notice of Intent is hereby approved and the Secretary-Treasurer on the Confederated Tribes is hereby authorized and directed to file such notice in accordance with federal law with Federal Energy Regulatory Commission prior to December 31, 1996.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 7 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 23rd day of December, 1996, and that the foregoing resolution was passed by the affirmative vote of 6 members, 1 member abstaining, the chairman not voting; and that the said resolution has not been rescinded or amended in any way.

Raymond Calica Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9308

WHEREAS, By the Twentieth Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Articles V and VIII of the Constitution and By-Laws of the Confederated Tribes of the Warm Springs Reservation of Oregon, to purchase an undivided 301/900 interest in Warm Springs Allotment No. 526, Lucy Ike Pitt, deceased, at the negotiated consideration of $22,408.00. The consideration to be paid from programmed land purchase funds; and,

WHEREAS, That the subject land is described as:

An undivided 301/900 interest in and to: E1/2SE1/4NE1/4 section 23, SW1/4NW1/4, section 24, township 10 south, range 11 east, and NW1/4NW1/4, section 15, township 10 south, range 12 east of the Willamette Meridian, Oregon, containing 100.00 acres, more or less; and,

WHEREAS, That the Secretary-Treasurer of the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon is hereby authorized to make payment to the Superintendent of the Warm Springs Agency for the use and benefit of the owner upon approval of the conveyance instrument.

BE IT RESOLVED, That the above resolution was passed showing the amount of $1,189.69 and correct amount should have been $22,408.00. This resolution is to make this correction.

BE IT FURTHER RESOLVED, That Resolution No. 9301 which was passed on December 18, 1996, is hereby rescinded in its entirety and is null and void, and is replaced by the resolution herein stated and contained.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members of whom 7, constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 23rd day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 6 members, the chairman not voting, and that said resolution has not been rescinded or amended in any way.

Raymond F. Calica, Sr. Secretary-Treasurer
Gordon E. Cannon Superintendent

RESOLUTION NO. 9309

WHEREAS, The Forest Management Deduction Budget from timber sales available for intensive forest management activities is estimated at $2,500,000 for the calendar year beginning January 1, 1997 and ending December 31, 1997; and

WHEREAS, The Forestry Branch, Bureau of Indian Affairs, has presented a budget for the Warm Springs Intensive Forest Management Program for the period stated above; and

WHEREAS, The projected timber stumpage revenues for Calendar Year 1997 are estimated to be $13,745,000; and

WHEREAS, The Forest Management Deduction Budget contains carry-over dollars each year, and these dollars are reprogrammed in the next calendar year's Forest Management Deduction Budget, and for 1997 the carry-over amount is estimated to be $1,125,500; consisting of $490,000 from unbudgeted 1996 timber stumpage receipts and $635,500 from existing forestry related activities approved in 1996, but not completed due to interruptions caused by natural disasters, but will be scheduled for completion in 1997; and

WHEREAS, The Forest Management Deductions Budget available for intensive forest management activities consists of the estimated 1997 income of $1,374,500 plus the estimated $1,125,500 carry-over dollars for an estimated total of $2,500,000 for the 1997 Forest Management Deduction Budget; now, therefore

BE IT RESOLVED, By the (20th) Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (f) of the Constitution and By-Laws, as amended, that the amount of $2,500,000 is for the funding of the Warm Springs Intensive Forest Management Program, as shown on attached Exhibit A; and

BE IT FURTHER RESOLVED, That such monies will be reimbursed to the Confederated Tribes from the Forest Management Deduction from timber sales; and,

BE IT FURTHER RESOLVED, That monies expended for intensive forest management activities pursuant to Exhibit A shall:

1) Be consistent with the Tribe's Intensive Forest Management Fund Policy and,

2) Be in compliance with Public Law 101-630, the National Indian Forest Resources Management Act, and

3) Not exceed 10 percent of gross timber sale income or revenue.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that Tribal Council is composed of 11 members of whom 8 constituting a quorum were present at a meeting thereof, duly and regularly called, notice, convened and held this 23rd day of December, 1996; and that the foregoing resolution was passed by the affirmative vote of 7 members, the Chairman not voting; and that the said resolution has not been rescinded or amended in any way.

Raymond Calica, Sr. Secretary-Treasurer
Gordon Cannon Superintendent

FOREST MANAGEMENT DEDUCTIONS
(10% Fund)

The Bureau of Indian Affairs is required to withhold 10% of the receipts received for timber harvested from Indian trust land (25CFR 163.18). These withholds are termed "Forest Management Deductions". In 1972, the Bureau adopted procedures which allowed these Forest Management Deductions to be used to reimburse the tribes that expend funds in the management of their forest resources.

Expenditures programmed to manage and/or improve any natural resource found in the forest qualify for this reimbursement. In addition, programs to train or educate Tribal members to assume more management responsibility of their Forestry program would qualify. Any Forest Management Deduction funds not expended on forest management work within five years of collection would be deposited into the Federal treasury as miscellaneous receipts.

To receive reimbursement for expenses incurred in their forest management program, the Tribe needs to submit a budget to the Bureau identifying these program expenses. This budget needs to be supported by an approving resolution from the Tribe. After these documents are submitted to the Bureau, the Tribe is eligible to receive reimbursement for their budgeted expenditures.

1997 FOREST
MANAGEMENT DEDUCTION
BUDGET

FOREST RESOURCE INVENTORY AND PLANNING

This budget is again placing a high priority on Forest Resource Inventory and Planning. In 1996, 50,000 acres of forest stand exams were completed. This year funding is requested to complete another 25,000 acres. This will further improve our data base as we prepare our mid-course correction calculations for the IRMP. Our strategy is to accomplish the following projects:

1. 6,000 acres of formal stand examinations.
2. 19,000 acres of walk-through stand examinations.
3. Input stand examination data into the vegetation layer in the Tribal Geographical Information System (GIS).
4. Continue to update the Timber Resource Inventory Model (TRIM +) with specific stand information for timber sale planning purposes.
5. Purchase needed supplies to begin work on the remeasurement of the Continuous Forest Inventory (CFI) plots.
6. Acquire the Stand Inventory System program to improve efficiency and increase accuracy of stand volume calculations.
7. Acquire satellite photos to provide current forest inventory information for use in the mid-course correction work.

AMOUNT BUDGETED $146,800

REFORESTATION

The objective of the planting program is to regenerate all even-aged harvest units and other forested areas that are under-stocked or inadequately stocked.

In 1997, these funds will plant approximately 727 acres with 327,000 seedlings.

Stocking surveys are done in the 1st, 2nd, and 6th year on every plantation, or until the plantations are certified as regenerated.

In 1997, stocking surveys will be done on approximately 11,280 acres. Most of this work is now done by Tribal member contractors.

Down payments will be made for seedlings grown in nurseries and scheduled for field planting in 1998 and 1999.

The planting program will continue to utilize the Forest Crew and to solicit additional interest from more Tribal members in contracting this type of work.

AMOUNT BUDGETED $175,300

JEFFERSON & SIMNASHO FIRE REFOR ESTATION

Every effort is being made to acquire Federal funds to cover the reforestation costs from last summer's major fires. However, this line item is being established to cover any reforestation costs that may not be covered by Federal funds. We believe it is very important to get trees re-established on this ground and having these contingency funds available will ensure it happens in a timely manner.

AMOUNT BUDGETED $374,500

SITE PREPARATION

The purpose of the site preparation program is remove excess logging slash and/or competing vegetation to allow the area to be planted. This year we are planning to accomplish this by:

Burning 125 acres of logging slash, and piling brush and vegetation on 1000 acres.

In addition, 300 acres will be scarified with a forest cultivator to encourage natural regeneration.

Approximately three quarters of this program will be paid for with federal funds.

AMOUNT BUDGETED $100,000

SEED PROCUREMENT AND IMPROVEMENT

The genetic tree improvement program is well established and is currently recognized as one of the best Tribal programs in the nation. During 1997 the majority of operations will center around maintenance of our 6 evaluation plantations, 2 seed orchards, and

Continued on page 12