



Council of the Cherokee Nation

Cherokee Nation Tribal
Council
17763 S. Muskogee Ave.
Tahlequah, OK 74464

Legislation Text

File #: 11-035, Version: 1

A RESOLUTION APPROVING AGREEMENT CONCERNING THE COOPERATION AND COORDINATION AMONG THE TAR CREEK TRUSTEE COUNCIL INDIAN TRIBES

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in behalf of the Cherokee people; and

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America; and

WHEREAS, the Cherokee Nation is a natural resource trustee pursuant to the federal Comprehensive Environmental Response, Compensation and Restoration Act, and in that capacity has participated in the assessment of injuries to natural resources impacted by Tar Creek Superfund Site hazardous substances releases; and

WHEREAS, the Cherokee Nation lacks available funding for legal representation required to more adequately participate in the natural resource damage assessment and other activities related to Tar Creek Superfund Site restoration and response; and

WHEREAS, the Cherokee Nation desires to work with other tribal natural resource trustees impacted by Tar Creek Superfund Site hazardous substances releases through an Agreement Concerning the Cooperation and Coordination Among the Tar Creek Trustee Council Indian Tribes; and

WHEREAS, one purpose of the Agreement among the Tar Creek Trustee Council Indian Tribes is to authorize a single tribe to apply for, receive and administer on behalf of all party tribes joint funding for legal representation in the natural resource damage assessment and other activities related to Tar Creek Superfund Site restoration and response; and

WHEREAS, the said Agreement designates the Ottawa Tribe of Oklahoma to act on behalf of all party tribes in applying for and administering such funding for legal representation in the natural resource damage assessment and other activities related to Tar Creek Superfund Site restoration and response.

BE IT RESOLVED BY THE CHEROKEE NATION, that the Council of the Cherokee Nation does hereby approve entering into the Agreement among the Tar Creek Trustee Council Indian Tribes, and the Principal Chief or his designee is authorized to sign the attached Agreement; and

BE IT FURTHER RESOLVED BY THE CHEROKEE NATION, that the Principal Chief is authorized to approve, without further Council action, any amendments to said attached Agreement as deemed necessary and appropriate; and

BE IT FINALLY RESOLVED BY THE CHEROKEE NATION, that the Council of the Cherokee Nation expressly authorizes the Ottawa Tribe of Oklahoma to act on behalf of the Cherokee Nation, pursuant to and for the duration of said Agreement, in applying for, receiving and administering funding for legal

representation in the natural resource damage assessment and other activities related to Tar Creek Superfund Site restoration and response, PROVIDED, that this authorization shall extend to such other tribe as may be designated to fulfill this function by full mutual agreement of all party tribes in future written modifications of said Agreement, and PROVIDED FURTHER, that the Cherokee Nation remains a party to said agreement for its duration.