

Assembled and signed this day, the 26th of April 2004
A Joint Resolution

by
**The Red Lake Band of Chippewa, The White Earth Band of Chippewa,
The Spirit Lake Band of Dakotah, and The Assembly of Manitoba Chiefs,**
at
Thief River Falls, Minnesota, on the lands of the Red Lake Indian Reservation

WHEREAS, the Red Lake Band of Chippewa, the White Earth Band of Chippewa, and the Spirit Lake Tribe of Dakotah are federally recognized Sovereign Nations within the continental United States and the Assembly of Manitoba Chiefs is a Political Territorial Organization that is composed of member Sovereign First Nations in Canada (All hereinafter termed the ‘Tribes and First Nations’); and,

WHEREAS, the Tribes and First Nations each intend to effectively, efficiently, and properly manage the natural resources of their respective nations in order to protect human health and the health of aquatic and other species, as well as the property and ecosystems that sustain their people in both their physical and spiritual lives; and,

WHEREAS, the Tribes and First Nations are greatly concerned about the potential ramifications of the release of chemical contaminants, exotic species and/or pathogens into the Red River of the North, as well as the spiritual ramifications of the proposed human alterations to the Creator’s natural systems; and,

WHEREAS, both the current Devils Lake Outlet Plan proposed by the Corps of Engineers (COE), and the Devils Lake Outlet Plan proposed - and currently being implemented - by the State of North Dakota, if implemented without further studies as called for in the Corps of Engineers’ Final Integrated Planning Report and Environmental Impact Statement(EIS) for Devils Lake, North Dakota, would result in an inherent and unacceptable risk for the transfer of chemical pollutants and biota, and in particular - exotic species and pathogens, from the (currently closed) Devil’s Lake system into the Red River Basin, and furthermore these projects would have a detrimental effect upon the spiritual health of the Tribes and First Nations by disrupting the Creator’s natural system and plan and thereby their peoples’ spiritual ties with the lands and the waters they seek to protect; now,

THEREFORE BE IT RESOLVED, that by their signatures hereunder the Tribes and First Nations speak in a unified voice in opposition to both the Corps of Engineers’ and the State of North Dakota’s proposed Devils Lake Outlet Projects, and immediately call for the completion of further studies as recommended by the COE Devils Lake EIS and by Secretary Colin Powell’s January 20th 2004 letter to Gen. Robert Flowers. Furthermore, the Tribes and First Nations demand that any such study should be conducted by an independent and impartial international body of scientific experts; and,

BE IT FURTHER RESOLVED, that the Tribes call on the United States Environmental Protection Agency (EPA) to immediately review North Dakota Pollution Discharge Elimination System (NDPDES) Permit Number ND0026247, issued by the North Dakota Department of Health to the State of North Dakota for the construction of the State’s Outlet Project, in keeping with its federal trust responsibility for the protection of tribal trust resources, and to assert whatever powers are necessary to halt any further construction of said project pursuant to its duties under Section 402(d) of the Federal Water Pollution Control Act and CFR § 123.44; and,