



# SQUAXIN ISLAND TRIBE

## RESOLUTION NO. 06- 14

of the

### SQUAXIN ISLAND TRIBAL COUNCIL

**WHEREAS**, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe, its members, its lands, its enterprises and its agencies by the authority of the Constitution and Bylaws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

**WHEREAS**, under the Constitution, Bylaws and inherent sovereignty of the Tribe, the Squaxin Island Tribal Council is charged with the duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources and rights of the Tribe; and

**WHEREAS**, the Tribe is a federally-recognized Indian Tribe possessing reserved powers, including the powers of self-government; and

**WHEREAS**, the Squaxin Island Tribal Council has been entrusted with the creation of ordinances and resolutions in order to fulfill their duty of protecting the health, security, education and general welfare of tribal members, and of protecting and managing the lands and treaty resources of the Tribe; and

**WHEREAS**, the Squaxin Island Tribe ("Tribe") represents the successors in interest to the Native Americans who lived throughout southern Puget Sound and specifically the Ste-chas band that resided in the Deschutes River/Budd Inlet basin near what is now Olympia; and

**WHEREAS**, the LOTT Alliance ("LOTT") is a wastewater utility formed through the combination of interests of the three municipalities, Lacey, Olympia, and Tumwater, along with Thurston County, which utility collects wastewater from the different jurisdictions and their respective watershed basins, treats the water at a central facility in Olympia, and discharges treated water into Budd Inlet; and


**WHEREAS**, LOTT has submitted a Memorandum of Understanding (MOU) which documents the continuing interests and efforts of LOTT and the Tribe to work together to pursue water quality and habitat restoration projects within the fresh and marine waters of the Deschutes River Basin and Budd Inlet;

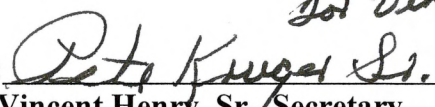
**NOW THEREFORE BE IT RESOLVED**, that the Squaxin Island Tribal Council hereby approves the Memorandum of Understanding between the Squaxin Island Tribe and the LOTT Alliance (in the form attached);

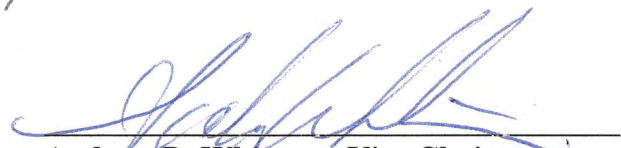
**NOW THEREFORE BE IT FINALLY RESOLVED** that James L. Peters, Tribal Council Chairman, is hereby authorized to execute the Contract on behalf of the Squaxin Island Tribe and is further authorized to do any and all acts necessary to implement and/or perform the Memorandum of Understanding.

**CERTIFICATION**

The Squaxin Island Tribal Council hereby certifies that the foregoing Resolution was adopted at the regular meeting of the Squaxin Island Tribal Council, held on this 23<sup>rd</sup> day of Feb, 2006, at which time a quorum was present and was passed by a vote of 3 for and 0 against, with 0 abstentions.

  
\_\_\_\_\_  
James L. Peters, Chairman

Attested by:  *Sol Vince Henry*  
\_\_\_\_\_  
Vincent Henry, Sr., Secretary

  
\_\_\_\_\_  
Andrew D. Whitener, Vice Chairman

# Memorandum of Understanding

Between

Squaxin Island Tribe

And

The LOTT Alliance

## I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to specify the cooperation between the parties to pursue water quality and habitat restoration projects within the fresh and marine waters of the Deschutes River Basin and Budd Inlet. The parties support the notion that an overall improvement of water quality and natural resource production is a worthy goal within the basin that currently receives the majority of discharge from the metropolitan area treatment facilities.

## II. Background

### A. Squaxin Island Tribe

The Squaxin Island Tribe represents the successors in interest to the Native Americans who lived throughout southern Puget Sound and specifically the Stechas band that resided in the Deschutes River/Budd Inlet basin near what is now Olympia. An elected Council of seven members governs the Tribe. The Tribe retained fishing, hunting and gathering rights in the Medicine Creek Treaty of 1854. It currently exercises those rights in a variety of ways including fishing for finfish and shellfish within the waters of Budd Inlet.

### B. LOTT Alliance

The LOTT Alliance is a wastewater utility formed through the combination of interests of the three municipalities, Lacey, Olympia, and Tumwater, along with Thurston County. Its governing board is comprised of a representative member from each of the four governmental bodies' elected membership. The utility collects wastewater from the different jurisdictions and their respective watershed basins, treats the water at a central facility in Olympia, and discharges treated water into Budd Inlet.

### III. Scope

#### A. Squaxin Island Tribe

The Tribe agrees to provide project ideas, assist with project development, provide technical input and review, and support the permitting and implementation of projects which the parties jointly determine meet the purpose of this MOU. It is expected that these services can be provided through existing staffing of the Tribe's Natural Resources Department. The Tribe will appoint a person to serve as the point of contact for purposes of representing the Tribe's interest in this MOU.

#### B. LOTT

LOTT agrees to consider and review project proposals forwarded by the Tribe, initiate project development and design, and undertake project engineering and implementation of those projects which the parties jointly determine meet the purpose of this MOU. LOTT has reserved funds in its annual budget to support this effort subject to the usual Board approval process. LOTT will appoint a person to serve as the point of contact for purposes of representing LOTT's interest in this MOU.

### IV. Funding

The Squaxin Island Tribe will support implementation of this MOU through participation of existing staff. LOTT will support this MOU through its existing staff plus funds that it identifies as part of its annual budget. LOTT may at its discretion use funding for the hiring of outside consultants where necessary. In addition, the parties may seek, where appropriate, funding from outside sources to implement components of identified projects where said components qualify for the relevant funding source.

### V. Term

This MOU will become effective from the date of final signature through December of 2007, unless terminated earlier by either party upon 30 days written notice.

VI. Approval:

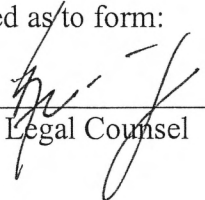
Squaxin Island Tribe:

By: 

Its: CHAIRMAN

Date: 2.23.06

Approved as to form:

  
Squaxin Legal Counsel

LOTT Alliance:

By: 

Its: PRESIDENT, BOARD OF DIRECTORS

Date: JANUARY 11, 2006

Approved as to form:

By: 

Its: General Counsel

