

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE
OF THE
SUMMIT LAKE PAIUTE RESERVATION, NEVADA

RESOLUTION NO.: SL - 43 - 2008

TITLE: Imposing a Motor Vehicle Permit Requirement for All Vehicles, Government and Private, Entering the Exterior Boundaries of the Summit Lake Reservation and Using Summit Lake Reservation Roads

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to improve the welfare and education of tribal members and to take such action as is necessary to carry into effect any of the Council's powers and duties (see Article II, Section 1 (k)); and,

WHEREAS, the Summit Lake Paiute Tribe only has a small sum for the maintenance of its roads based, in large part, on the number of enrolled tribal members and miles of tribal roads; and,

WHEREAS, during the two week period that the Tribe closed its main road for construction purposes (August 20 through September 3, 2008), it learned that the State of Nevada's Department of Wildlife ("NDOW") had licensed at least 1,600 hunters to hunt in the areas surrounding the Summit Lake Reservation ("Reservation"), that NDOW also anticipated a hundred or so hunters who were licensed to hunt in the areas surrounding the Reservation after the road closure to scout the areas, and that the hunters would likely be accompanied by friends and family, all greatly increasing the number of vehicles (trucks, trailers, ATVs, motorcycles, etc.) using Reservation roads without contribution to the maintenance of Reservation roads; and,

- WHEREAS, immediately prior to the October 18, 2008 Regular Council Meeting seven ATVs driven by non-tribal members, who were observed to drive north along the Reservation road on the west side of Summit Lake (as if coming from the Soldier Meadows Ranch), drove east on the Reservation road immediately adjacent the Tribal Compound; and,
- WHEREAS, during the lunch break of the October 18, 2008 Regular Council Meeting seven ATVs driven by non-tribal members, drove east on the Reservation road immediately adjacent the Tribal Compound and were observed to drive south along the Reservation road on the west side of Summit Lake (as if going to the Soldier Meadows Ranch); and,
- WHEREAS, when the Tribe gave notice that it was going to close the Reservation road along the west side of Summit Lake for construction purposes which happened to coincide with the internationally known Burning Man event south of the Reservation within the Tribe's traditional territory, employees of the BIA Western Nevada Agency's Natural Resources Branch expressed concern that the Tribe was impacting thousands of Burning Man participants and inferred that the hundreds of vehicles those thousands of people would drive to the event would use Reservation roads; and,
- WHEREAS, the Soldier Meadows Ranch advertises itself on its web site as providing tours to Summit Lake, implying that it has Lake front property at Summit Lake; and,
- WHEREAS, the Soldier Meadows Ranch does not have Lake front property at Summit Lake because, as the Title Map on file with the Humboldt County Assessor's Office shows, the high water mark of Summit Lake is the Reservation boundary and Lots 1, 2, 3 and 4 of Section 36, adjacent Summit Lake, are not 40 acre lots (see attached Title Map); and,
- WHEREAS, to provide for sufficient funding to maintain Reservation roads, prevent pollution of all kinds and the spread of invasive species, and to cover Indirect Cost needs, imposing a One Hundred Dollar (\$100.00) annual fee on all vehicles government and private: automobiles, pickup trucks, trucks of all sizes, tractors, backhoes, graders, etc., trailers of all sizes, ATVs, 2 and 3 wheel motorcycles, bicycles, etc.; and,
- WHEREAS, the Director of the Environmental Protection Department shall immediately implement this decision of the Council by obtaining permanent stickers to be visibly displayed by all vehicles government and private from January 1, 2009 through December 31, 2009 and every calendar year thereafter, as described above, posting notices of this requirement, collecting the annual fee and causing it to be deposited into a bank account of the Tribe, and sending notice to all government agencies; and,

WHEREAS, the driver of any vehicle not displaying proof of having paid the annual fee shall have seven (7) working days to display proof on the vehicle or the vehicle shall forever be considered a trespasser on the Reservation subject to impoundment if found thereafter on the Reservation; and,

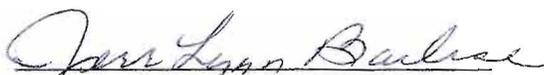
NOW THEREFORE, BE IT RESOLVED that the Summit Lake Paiute Council does hereby, as set forth above, immediately impose a One Hundred Dollar (\$100.00) annual fee on all vehicles government and private: automobiles, pickup trucks, trucks of all sizes, tractors, backhoes, graders, etc., trailers of all sizes, ATVs, 2 and 3 wheel motorcycles, bicycles, etc., from January 1, 2009 through December 31, 2009 and every calendar year thereafter to provide for sufficient funding to maintain Reservation roads, prevent pollution of all kinds and the spread of invasive species, and to cover Indirect Cost needs.

CERTIFICATION

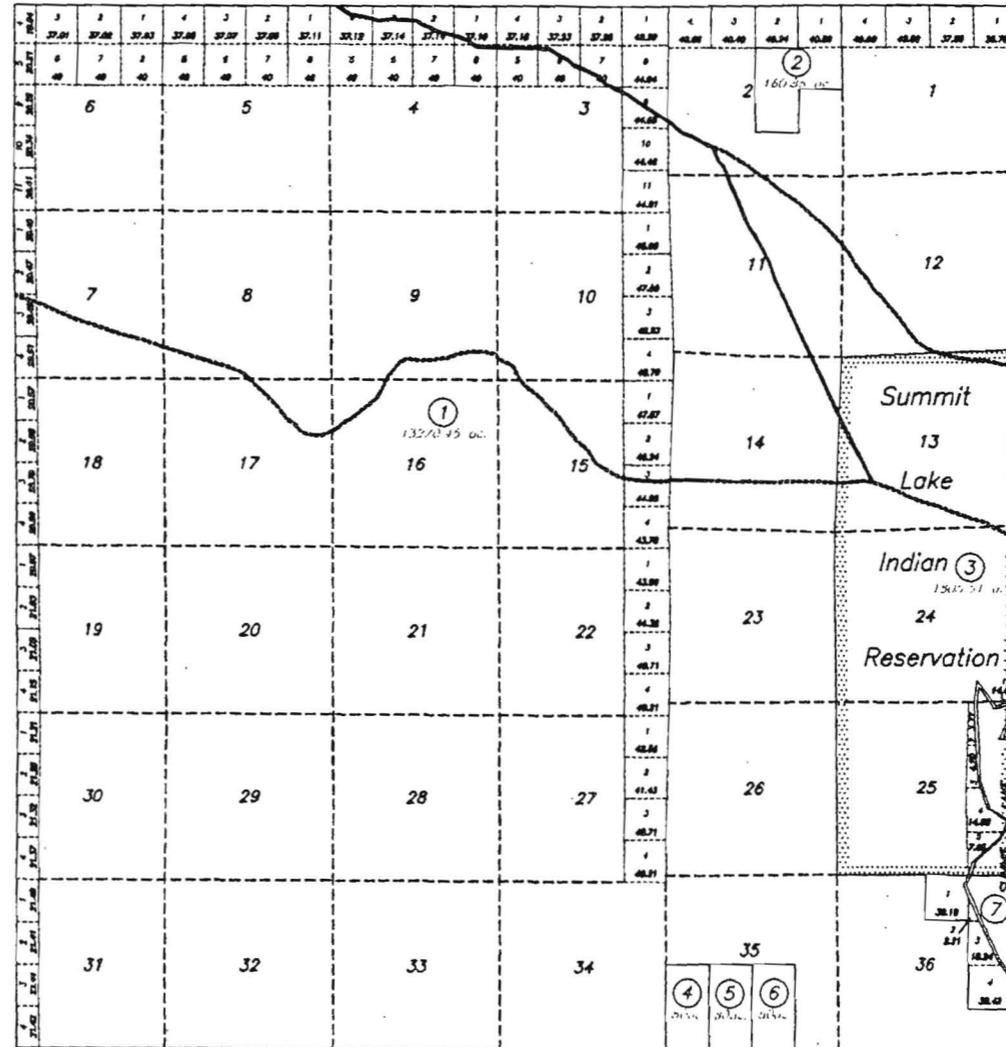
I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL 43 - 2008, was brought before the Summit Lake Paiute Council at a duly held meeting on the 15th day of November, 2008, a quorum present, with the following votes to enact the Resolution: 2 FOR, 0 AGAINST; and, 1 ABSTAINING, with Council Chairman Warner Barlese presiding and not voting, and that this Resolution has not been rescinded, revoked or amended.

November 15, 2008

Date


Jerri Lynn Barlese
Secretary/Treasurer
Summit Lake Tribal Council

20



23

25

T.42N.,R.25E.



1 1/2" = 1 MILE
N.O.B.M.

HUMBOLDT COUNTY

NOTE: This plot is for assessment purposes only and does not represent a survey of the lands on this plot.

HUMBOLDT COUNTY ASSESSOR'S OFFICE
EUREKA, CALIF. 99543

27