



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548

RESOLUTION Of The YUROK TRIBAL COUNCIL

- RESOLUTION NO:** 04-46
- DATE APPROVED:** 8/25/04
- SUBJECT:** Adoption of the Yurok Tribe Water Quality Control Plan
- WHEREAS:** The Yurok Tribe is a Federally recognized Tribe; and
- WHEREAS:** The Yurok Tribal Council is the governing body of the Yurok Tribe under the authority of the Yurok Constitution of 1993; and,
- WHEREAS:** The Yurok Tribe is eligible for all rights and privileges afforded to federally recognized tribes; and,
- WEREAS:** The Yurok Tribe finds that the preservation of water quality and the health of the waters of the Yurok Indian Reservation (YIR) are necessary for the political integrity, economic security and the health and welfare of the Tribe, Tribal members and residents of the YIR,
- WHEREAS:** The Yurok Tribe finds that the *Yurok Tribe Water Quality Control Plan for the Yurok Indian Reservation (YTWQCP)* and water pollution control ordinance shall apply to the activities of nonmembers who enter consensual relationships with the Tribe or its members, through commercial dealings, contracts, leases, or other arrangements,
- WHEREAS:** The Yurok Tribe finds its has inherent sovereign authority to regulate the quality of waters within the boundaries of the YIR,
- WHEREAS:** The Yurok Tribe finds that the Clean Water Act section 518 (e) constitutes an explicit Congressional delegation of authority to the Yurok Tribe over waters within the boundaries of the YIR,

NOW THEREFORE BE IT RESOLVED: That the Yurok Tribal Council intends to protect the waters of the (YIR) by hereby adopting the (YTWQCP) and the water pollution control ordinance,

BE IT FURTHER RESOLVED: That the provisions of YTWQCP are here forth enforceable upon all federal, state, county and Tribal government actions that have the potential to affect waters of the YIR,

BE IT FURTHER RESOLVED: That the provisions of the YTWQCP are available as voluntary guidance and compliance for individuals and other non-government entities until further action by the Yurok Tribal Council or as provided herein,

BE IT FURTHER RESOLVED: That the YTWQCP has been circulated for review and comment consistent with the provisions of the federal Clean Water Act and Tribal administrative procedures; and that the Tribe has addressed comments received as part of the administrative record,

BE IT FURTHER RESOLVED: That the Yurok Tribal Council hereby directs the Yurok Tribe Environmental Program (YTEP) to administer the YTWQCP in coordination with other Tribal departments, Tribal Court and the Tribal Council,

BE IT FURTHER RESOLVED: That the provisions of the YTWQCP are intended to meet the requirements of the Clean Water Act and should be recognized as such by all federal, state, county and Tribal government entities, including permits issued to those who voluntarily comply as mentioned above,

BE IT FURTHER RESOLVED: That the Yurok Tribal Council directs the YTEP to develop a guidance document which includes categorically exemption activities and procedures for future plan revisions,

BE IT FURTHER RESOLVED: That the Chairperson is hereby authorized to sign this resolution and to negotiate all matters pertaining hereto and that the Recording Secretary is authorized to attest,

C*E*R*T*I*F*I*C*A*T*I*O*N

This is to certify that this Resolution Number 04-46 was approved at a duly called meeting of the Yurok Tribe on August 25, 2004 at which a quorum was present and that this resolution Number 04-46 was adopted by a vote of 7 for and 0 opposed and 0 abstentions. This resolution Number 04-46 has not been rescinded or amended in any way.

DATED THIS AUGUST 25, 2004



**Howard McConnell, Chairman
Yurok Tribal Council**

ATTEST:



**Cynthia Carlson
Executive Assistant**