



LUMMI INDIAN BUSINESS COUNCIL

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RESOLUTION #2014-154 OF THE LUMMI INDIAN BUSINESS COUNCIL

TITLE: Lummi Nation Opposition to Gateway Pacific Terminal at Xwe'chi'eXen

WHEREAS, the Lummi Indian Business Council (LIBC) is the duly constituted governing body of the Lummi Nation by the authority of the Constitution and Bylaws of the Lummi Nation of the Lummi Reservation, Washington; and

WHEREAS, pursuant to Art. VI, Sec. 1 of the Constitution, the LIBC has the power to promote conservation and utilization of natural resources and to enforce regulations for the protection of tribal property, fish and wild life, and other natural resources of the Lummi Nation; and

WHEREAS, it is the mission of the LIBC: *"To Preserve, Promote and Protect our Sche Lang en"* (LIBC Resolution #2012-025); and

WHEREAS, the Lummi Nation entered into the Treaty of Point Elliot in 1855 and is the successor to several signatory bands to the Treaty with adjudicated and un-adjudicated rights and interests in the lands and waters in and around the State of Washington, including, but not limited to, the waters from the Frasier River south to the Environs of Seattle and the lands in and around Whatcom County, Washington; and

WHEREAS, in addition to recognized treaty rights and rights of self-government, the Lummi Nation has inherent sovereign rights and the United States owes fiduciary and trust responsibilities to the Lummi Nation; and

WHEREAS, the water, tideland and land at Xwe'chi'eXen (Cherry Point) are within the Lummi Nation's traditional territory and within the Lummi Nation's adjudicated usual and accustomed fishing grounds and stations; and

WHEREAS, the Pacific International Terminals, a subsidiary of SSA Marine, has proposed a multimodal marine terminal known as the Gateway Pacific Terminal (GPT) (Ref. No. NWS-2008-260) at Xwe'chi'eXen (Cherry Point); and

WHEREAS, the Lummi people have had, and continue to have, a strong felt-association with the area traditionally known as Xwe'chi'eXen (Cherry Point) and opposes any development of Xwe'chi'eXen that: 1) disturbs, damages, or otherwise desecrates the integrity of tangible and intangible cultural, spiritual, historic properties; 2) poses a threat to our inherent rights, treaty rights, and our traditional territories; 3) fails to protect and restore the fisheries or resources; 4) limits the operational opportunities of the Lummi fishing fleet; and/or 5) causes wetlands disturbance, or negatively impacts the water and air quality.

WHEREAS, U? qw'e?shenet-lh e tse texw ekw-nachewech tse mekw skweyel. Tse snehanget e tse nexwlemi elhtalngexw. u?qw'e?shenet-lh tse xa?xa? tengexw e tse mekw' elhtalngexw chse alhe ti?e xwlemi. i? tl'el ekwost tse snepeneq e sqile-st e tse mekw shench tse che7eweng kweyel-se. qw'e?shenet e tse xwlemi elhtalngexw tse schelangen e tse kweyel-se. se?it u? tl'i e tse elhtalngexwqen. ni? yesost e tse snehanget e tse xwlemi elhtalngexw, tse sxwole, tse schi?aq, tse emni?eng, mekw stang. Yesosteng e tse soyeq', yesosteng e tse emni?eng i?tl'el e tse esq'aplh, chiselqen e tse yesost e tse selalexw-le tse qw'e?shenet, i? nepeteng e tse eng-inges-se; i - the rights xwlemi' elhtalngexw.

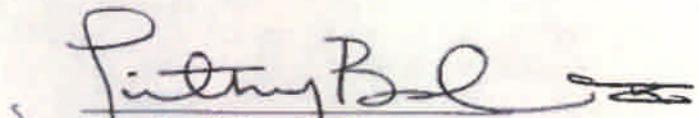
NOW, THEREFORE, BE IT RESOLVED, that the Lummi Nation formally requests that the U.S. Army Corps of Engineers deny any and all permits under its jurisdiction with regard to the development of the proposed Gateway Pacific Terminal at Xwe'chi'eXen (Cherry Point) because of the significant and detrimental unmitigable impact that the project would have on the Lummi Nation's treaty protected fishing rights and cultural resources; and

BE IT FURTHER RESOLVED, that the Lummi Nation has a sacred obligation to protect the traditional, cultural landscape, viewscape and seascape of Xwe'chi'eXen (Cherry Point); and

BE IT FINALLY RESOLVED, that the Chairman (or Vice Chair in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in his absence) is authorized and directed to execute the following certification.



LUMMI NATION


Timothy Ballew II, Chairman
Lummi Indian Business Council

CERTIFICATION

As Secretary of the Lummi Indian Business Council, I hereby certify that the above Resolution #2014-154 was adopted at a **Special** Meeting of the Council held on the 31st day of **December, 2014**, at which time a quorum of 8 was present by a vote of 7 for, 0 against, and 0 abstention(s).


Jeremiah Julius, Secretary
Lummi Indian Business Council