



# Bay Mills Indian Community

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## RESOLUTION

Resolution No. 23-01-16-D

### Addition of Chapter VI to Conservation Code

- WHEREAS: The Bay Mills Indian Community is a federally recognized Indian Tribe, with a Constitution adopted pursuant to the provisions of the Indian Reorganization Act of 1934, 25 U.S.C. sec.. 5101, et seq., and
- WHEREAS: The General Tribal Council is empowered to protect th lands and waters of the Reservation of the Bay Mills Indian Community and the animal and plant species which live and grow there by Article VI, sec. 1(f) of the Tribe's Constitution, and
- WHEREAS: Exercise of these powers has been delegated to the Executive Council by General Tribal Council Resolution dated April 13, 1970, and
- WHEREAS: The Executive Council has determined that bald and golden eagles reside on and visit the lands and waters of the Reservation, and require protection by the Tribe from any action which is contrary to the traditional law and teachings of the Tribe or violates applicable federal law, and
- WHEREAS: The Executive Council has further determined that possession and use of eagle feathers and other parts derived from eagles found on the Reservation is necessary and appropriate for the exercise of traditional law, teachings and values and deserves established procedures by which Tribal citizens and other Native Americans can document authorization for possession of eagle feathers and other parts.
- NOW, THEREFORE BE IT RESOLVED, that the Bay Mills Indian Community, through its Executive Council, hereby approves and enacts the attached text for Chapter VI of the Conservation Code, in order to establish the circumstances under which Tribal citizens may collect, gather and handle feathers and other parts of eagles found on the Bay Mills Reservation.

APPROVED:

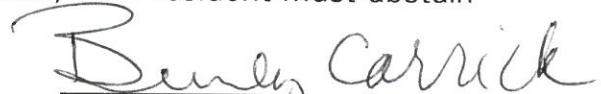
  
Whitney B. Gravelle, President  
Bay Mills Indian Community  
Executive Council

ATTEST:

  
Beverly Carrick, Secretary  
Bay Mills Indian Community  
Executive Council

CERTIFICATION

I, the undersigned, as Secretary of the Bay Mills Indian Community, do hereby certify that the above Resolution was adopted and approved at a meeting of the Executive Council held on the 16th day of January, 2023, with a vote of 4 for, 0 opposed, 0 absent, and 1 abstaining. As per provisions of the Bay Mills Constitution, the President must abstain except in the event of a tie.

  
Beverly Carrick, Secretary  
Bay Mills Indian Community  
Executive Council

## PROPOSED ADDITION TO CONSERVATION CODE

NEW

### CHAPTER VI POSSESSION OF BALD AND GOLDEN EAGLES

- 61.01 **Protection of Bald and Golden Eagles On-Reservation.** The provisions of this Chapter apply to the Exclusive Territory of the Bay Mills Indian Community. [defined in §11.02.f]
- 61.02 **Possession of Feathers.** Any feather or feathers found within the Exclusive Territory of the Tribe which are derived from a bald or golden eagle may be retained by the finder if:
- a. The finder is a citizen of the Bay Mills Indian Community, or
  - b. The finder is a citizen a federally recognized Indian Tribe.
- 61.03 **Discovery of Dead Eagle or Parts.** Any bald or golden eagle carcass or parts (other than feathers) found within the Exclusive Territory of the Tribe shall be brought to the Conservation Enforcement Department for inspection and documentation.
- 61.04 **Possession of Dead Eagle or Parts.** Upon completion of inspection, the Conservation Enforcement Department shall return the carcass or parts to the finder, if:
- a. The finder is a citizen of the Bay Mills Indian Community, and
  - b. The finder is able and willing to process the returned parts and so states that in writing to the Department.
- 61.05 **Transfer of Dead Eagle or Parts to Cultural Department.** In the event that the finder is not eligible for return or declines return of the eagle carcass or parts, the Conservation Law Enforcement Department shall deliver the found items to the Cultural Department for provision of proper care of the eagle or parts and for the use of the community.
- 61.06 **Issuance of Possession Permit.** The Conservation Enforcement Department shall issue a permit to:
- a. The finder of an eagle carcass or parts, which may be used by the finder to obtain a possession permit from the U.S. Fish & Wildlife Service pursuant to 50 CFR Part 22; or
  - b. The Cultural Department, or an individual who is authorized by the Cultural Department to possess an eagle carcass or parts.