



**A RESOLUTION OF THE TRIBAL COUNCIL
OF THE DELAWARE TRIBE OF INDIANS TO
APPROVE SECTION 106 FEES TO
ADMINISTER CONSULTATIONS UNDER THE
NATIONAL HISTORIC PRESERVATION ACT**

RESOLUTION 2015-41

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and,

WHEREAS Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consider the effects of their actions on historic properties and to seek comments from Advisory Council of Historic Preservation (ACHP); and

WHEREAS, the purpose of Section 106 is to avoid unnecessary harm to historic properties from federal actions as outlined in the ACHP regulations, "Protection of Historic Properties" (36 CFR Part 800); and

WHEREAS, the regulations ensure that historic properties of religious and cultural significance to an Indian Tribe may be located on ancestral, aboriginal, or ceded lands of that Tribe and agencies must make a reasonable and good faith effort to identify Indian Tribes that attach such significances but may now live at great distances from the undertaking's area of potential effect; and

WHEREAS, the regulations also provide for an Indian Tribe to enter into an agreement with a federal agency regarding any aspect of tribal participation in the review process. The agreement may provide the Indian Tribe with additional participation or concurrence in agency decisions under Section 106 provided that no modification is made to the roles of other parties without their consent.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize and approve the Delaware Tribe Section 106 Consultation Program to collect administrative fees on projects within their current and future areas of interest.

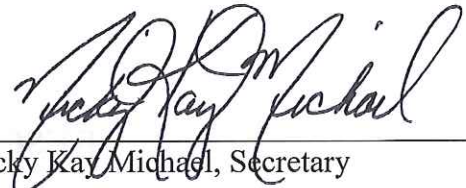
NOW THEREFORE BE IT FURTHER RESOLVED, All FCC regulated cell tower projects must have fee submitted prior to the review at the fee of \$1000 for new construction and \$500 for collocations. All FERC regulated pipeline projects containing distance for which a written review from us is requested must have fee submitted prior to the review at the fee of \$1,000/mile.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 4TH day of AUGUST 2015 with a vote of 6 yes, 0 no, and 1 abstaining.



Chester Brooks, Chief



Nicky Kay Michael, Secretary

