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Legislative Reference Office**

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**Memorandum**

**TO:** Legislative Operating Committee (LOC)  
**FROM:** Krystal L. John, Staff Attorney  
**DATE:** November 18, 2015  
**RE:** Public Use of Tribal Land Amendments: Public Meeting Comment Review

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On October 29, 2015, a public meeting was held regarding amendments to the Public Use of Tribal Land (Law). The amendments include the following:

- ERB or its designated staff has the authority to prescribe permissible and/or prohibited uses, as deemed necessary, for property designated as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that the permissible and/or prohibited uses do not contradict with the Zoning and Shoreland Protection Ordinance [See 38.4-1 (g)].
- ERB must also notify the Oneida Business Committee of the permissible and/or prohibited uses and must post notice of such uses on the affected Tribal land [See 38.4-1 (g)].

This memorandum is submitted as a review of the oral comments received during the public meeting process and written comments received within the public comment period. The public meeting draft with comments and the written comments received are attached for your review.

**Comment 1. Purpose and Policy**

38.1. Purpose and Policy

38.1-1. *Purpose.* The purpose of this Law is to prevent improper access, use and ~~trespass~~Trespass to ~~Tribal land~~Tribal Lands.

38.1-2. *Policy.* It is the policy of the Tribe to limit access to ~~Tribal land~~Tribal Land to protect and preserve the environment and natural resources including forests, wildlife, air and waters, through appropriate uses of the land.

**Julie Barton:** just another couple minutes of your time please. On the first page at 31 everything is given to the ERB Board. You're turning over all the control of our land use to the ERB Board from what I've read. Maybe some or maybe one of our attorneys can interpret it a different way. But nevertheless, I read that the ERB Board now or if this is passed, they will have all the authority over our land. The other part of it is we have a sportsman club out there, just as an example, what's happening and I guess I wasn't aware of it, my husband, my sons, a lot of my friends and relatives would participate in this sportsman club and it was an Oneida club and its no longer an Oneida club. There's one person I think he's like the I don't know what the title is, president or something, who's an Oneida but we had the tickets and we gave them to my son-in-law and his wife and my daughter and they said no Oneidas there any longer. And I heard that last year and the dwindling numbers so they have access to our lands and it's no longer a real strong Oneida group and it was, it protected the

land, they protected the hunting laws and so forth. So I don't, I don't know how we're protected through this law by those entities like that. So if these things are being created to protect outside entities and they call themselves the Oneida Sportsman's Club, well I don't know if it is anymore but they have access to our land. So I am concerned about that

*Response*

There are no recommended changes based on this comment.

**Comment 2. Policy**

38.1-2. *Policy.* It is the policy of the Tribe to limit access to ~~Tribal land~~Tribal Land to protect and preserve the environment and natural resources including forests, wildlife, air and waters, through appropriate uses of the land.

**Brad Graham:** Alright line 34, where it says Tribal land add an "s" to that please.

*Response*

I agree that a "s" should be added.

**Comment 3. Adoption**

38.2-1. This Law was adopted by the Oneida Business Committee by resolution BC-05-15-14-C and amended by BC-12-10-14-A.

**Cathy L. Metoxen** – *written:* Public Use of Tribal Land Law Amendments, needs to go to GTC  
**Nancy Barton** – *written:* Public Use of Land Amendments – these proposed amendments need to come before General Tribal Council in their totality to be approved because they were created by the Environmental Resource Board (ERB) which was created by General Tribal Council. End of story!!

*Response*

Because the original Public Use of Tribal Land (Law) was passed by the Oneida Business Committee with Resolution BC-05-15-14-C, any amendments to this Law may also be passed by the Oneida Business Committee and, therefore, are not required to be brought the General Tribal Council prior to being adopted.

Further, the original Public Use of Tribal Land (Law) was passed in accordance with the Legislative Procedures Act, which was adopted by the General Tribal Council.

There are no recommended changes based on these comments.

**Comment 4. Amendment**

38.2-2. This Law may be amended or repealed by the Oneida Business Committee pursuant to the procedures set out in the Legislative Procedures Act.

**Bradley Graham:** Line 41, you have to add the General Tribal Council, because according to the LPA it does say the Oneida Business Committee and the General Tribal Council. Let me scratch this off or mark them. I'm going to be kind of skipping around here a little bit.

*Response*

If the LOC elects to inset “and/or the General Tribal Council” it would not preclude these amendments from being adopted by the Oneida Business Committee. Therefore, I recommend inserting “and/or the General Tribal Council.”

**Comment 5. Environmental Resource Board Authority**

38.4-1. The Environmental Resource Board ~~shall have~~ has the duty and power to carry out the intent and purposes of this Law and enforce the provisions of this Law...

**Julie Barton:**...and also when we’re talking about enforcement, we’re talking about the ERBs is going to do the enforcement but this is real unclear. We have a management team out there of people who are responsible for various entities of our land and they list them up here like on the 3<sup>rd</sup> they have Conservation, Police Department, Environmental Health and Safety and the list goes on. All of those people have a role in protecting our land use, public use. So but it just gives it all of the authority to the ERB Board so I guess I don’t understand that either. So we’re giving a lot of authority and power actually to one entity of the Tribe. And we have all of us need to have access and understanding about what our purposes are for. All of these entities listed here are important bodies to protect our land and the use of land. Thank you.

*Response*

The ERB Board is responsible for enforcing this Law in that it is the party responsible for creating the citation schedule and holding hearings regarding citations issued pursuant to this Law and the Schedule. However, ERB is not acting alone in enforcing this Law, it also relies upon the Oneida Police Department and the Oneida Conservation Department to understand the law, issue citations, and participate in the hearing process as the Tribe’s evidentiary representative.

Further, the ERB Board is required to hold public meetings regarding any amendments to the Land Access Map pursuant to Section 38.4-1(b). Any agencies that have comments as to land use may submit those comments to the ERB throughout the public meeting process.

There are no recommended changes based on this comment.

**Comment 6. Environmental Resource Board Staff**

38.4-1. The Environmental Resource Board ~~shall have~~ has the duty and power to carry out the intent and purposes of this Law and enforce the provisions of this Law. The Environmental Resource Board, or its designated staff, shall:

**Bradley Graham:** Ok, back to 74, line 74 it says resource board or its designated staff. Take out designated staff because the way it’s going, I have proof that staff shouldn’t be there and I’m, I’m asking that it be removed, the staff itself. We don’t need a staff, they were supposed to remove the staff and put them under Pat Pelky in health and safety. That was supposed to be done years ago.

*Response*

I have checked with the Environmental Resource Board and based on those conversations there is no plan to transfer the ERB Staff anywhere. There are no recommended changes based on this comment.

## Comment 7. Environmental Resource Boards Interpretation of Laws

38.4-1(f) The Environmental Resource Board ~~shall have~~ has the duty and power to carry out the intent and purposes of this Law and enforce the provisions of this Law. The Environmental Resource Board, or its designated staff, shall: ... Implement and interpret the provisions of this Law.

**Bradley Graham:** Then if you go to line 83 above that, it says implement and interpret, take interpret out. They should not have the right to interpret laws. They can implement them and enforce them.

### *Response*

Because ERB still retains original hearing body authority over citations issued pursuant to this Law, it is essential that the ERB Board retain the authority to interpret the Law as that is exactly what is done in those hearings. Further, without the authority to interpret the Law, it would be impossible for the ERB Board to create a citation schedule to correspond to the Law.

## Comment 8. Rules Application to Non-Tribal Members

38.4-1(g) The Environmental Resource Board ~~shall have~~ has the duty and power to carry out the intent and purposes of this Law and enforce the provisions of this Law. The Environmental Resource Board, or its designated staff, shall: As it deems appropriate, prescribe permissible and/or prohibited uses for Tribal Land that it designates as Oneida Community Access, Oneida Tribal Member Access or Open Access, provided that such permissible and/or prohibited uses may not contradict with the Zoning and Shoreland Protection Ordinance. Upon establishment of permissible and/or prohibited uses, the Environmental Resource Board shall notify the Oneida Business Committee of the permissible and/or prohibited uses and shall post notice of such uses on the affected Tribal Land.

**Bradley Graham:** So line 84, it says where it's got permissible and/or prohibited use of Tribal land. Now, is that including outside public too or is this just for General Tribal Council? Cause if you're gonna allow the public to come in, outside non-Tribal should be added in to then.

### *Response*

The permissible and/or prohibited uses would apply to any person entering upon Tribal Land, provided that the permissible and/or prohibited uses may only be assigned to Tribal Lands classified as Oneida Community Access, Oneida Tribal Member Access or Open Access.

There are no recommended changes based on this comment.

## Comment 9. Proof of Eligibility to Use Oneida Community Access Lands

38.5-1(b)(1) A Conservation Warden or Oneida Police Officer may require a ~~person~~ Person to demonstrate proof of eligibility to use Oneida Community Access lands.

**Bradley Graham:** Down to 105, it says may require a person to demonstrate proof of eligibility. Now are our Tribal IDs going to be good enough or are they going to have to provide a Tribal land use card? That should be something that should be thought of and put in. You know what type of proof do you need. I think it should be a Tribal ID an official ID of the Tribe or something like that. No I mean like your Tribal card or if you got a official card or something like that.

*Response*

Yes, a Tribal ID would be sufficient, however, because both descendants and spouses of Tribal Members are able to use Tribal Lands designated as Oneida Community Access, that is not the only acceptable form of proof. So that descendants and spouses of Tribal Members are able to provide proof of eligibility, the ERB Board worked with Enrollments to develop an ID separate from a Tribal Member that would demonstrate proof of descendancy or marriage to a Tribal Member.

There are no recommended changes based on this comment.

**Comment 10. Public Hearing Comment**

38.5-5(a)(1)(B) Any ~~person~~Person who cannot attend the public hearing may be represented by an agent, advocate or attorney at the public hearing.

**Bradley Graham:** Line 154, it has any person who cannot attend may be represented and also add may submit in writing.

*Response*

I recommend revising this Section as follows:

(b) *Public Hearing.* The Environmental Resource Board shall hold a public hearing on each application to amend the Land Access Map.

(1) The Environmental Resource Board shall set a date for the public hearing and meet the notice requirements of the public hearing as soon as possible after the filing of the application is complete.

(A) *Notice.* Not less than ten (10) business days and not more than thirty (30) business days prior to the public hearing, notice, including the time, place and purpose of the public hearing, must be:

- (i) published in the Tribal newspaper; and
- (ii) mailed to all owners of land located within twelve hundred (1,200) feet of the outer boundaries of the land that is the subject of the public hearing.

(B) Any Person who cannot attend the public hearing may be represented by an agent, advocate or attorney at the public hearing.

(C) In addition to accepting oral comments at the public meeting, the Environmental Resource Board shall also accept written comments, which must be submitted within five (5) business days of the date of the public meeting.

(D) The Environmental Resource Board shall issue a decision or recommendation regarding amendments to the Land Access Map within seven (7) business days after the public hearing is held.

**Comment 11. Environmental Resource Board Vote Required to Amend the Land Access Map**

38.5-5(c) The Environmental Resource Board may grant or deny any application to amend the Land Access Map; however, amendments ~~shall~~must require a two-thirds (2/3) vote of the Environmental Resource Board if a written protest against any amendment is presented to the Environmental Resource Board and is signed by...

**Bradley Graham:** One seventy three, it says however amendments must require a 2/3 vote of the board. It should be as their bylaws, by a 2/3 vote of the full membership. So add full membership please. Otherwise you only get a select few there; I think it should be the full membership should be involved in it.

**Jennifer Webster:** Membership of the board?

**Bradley Graham:** Yeah, so if there's nine board membership, it has to be a full board to take and a 2/3 vote.

*Response*

This is policy consideration for the LOC.

### **Comment 12. Notice of No-Permission to Enter Land**

38.6-1(b) ... A ~~person~~Person has been noticed that permission by the landowner or occupant for such ~~person~~Person to enter such land does not exist if he or she has been notified publicly, by publication of the Land Access Map on the Tribal website and/or in the Tribal newspaper, or if the land is posted....

**Bradley Graham:** Line 191, it says there should be a, add notified by writing. It's got for the person that's, either way that's the person that's being notified or whatever's going on, they should be notified in writing also so they know what's going on.

*Response*

This is a policy consideration for the LOC.

### **Comment 13. Required Signage**

38.6-1(b)(1) Land is considered to be posted if one (1) of the following requirements is met: A sign at least eleven (11) inches square is placed in at least two (2) conspicuous places for every forty (40) acres of land to be protected. The sign shall provide an appropriate notice and the name of the ~~person~~Person giving the notice, followed by the word "owner" if the ~~person~~Person is the holder of legal title to the land or by the word "occupant" if the ~~person~~Person is a lawful occupant of the land, but not the holder of legal title.

**Bradley Graham:** One ninety four through 202, the posting of the land. Under state law, you're only required to do every corner, but for the purpose of some of these Tribal lands, for as big as they are, that there should be at least one or two signs added between the corner posts signs so that people know where they're add so add that in please, more signage.

*Response*

This is a policy consideration for the LOC.

### **Comment 15. Trespass for Parking or Driving on Land**

38.6-1(c)(6) A ~~person~~Person ~~trespass~~Trespasses if the ~~person~~Person enters or otherwise occupies ~~Tribal land~~Tribal Land and... Does any of the following without proper authorization through a ~~lease~~Lease, permit or as otherwise required under applicable law:... Parks or drives any vehicle on the land.

**Nancy Barton:** I'd like to address just a couple of areas including where it says that you cannot, ok on page 38-6, ok let's see, on line 215 parks or drives any vehicle on the land. Seriously, how can you monitor somebody who drives anywhere within this Reservation.

*Response*

There are no recommended changes based on this comment.

#### **Comment 16. Trespass for Using Land Outside Authorized Use in Lease Documents**

38.6-1(c)(8) A ~~person~~Person ~~trespass~~Trespasses if the ~~person~~Person enters or otherwise occupies ~~Tribal land~~Tribal Land and... Does any of the following without proper authorization through a ~~lease~~Lease, permit or as otherwise required under applicable law:... Uses or possesses ~~lease~~Leased or sub~~lease~~Leased lands beyond the possessory rights granted by such ~~lease~~Lease or sub~~lease~~Lease.

**Nancy Barton:** And then let's see number 218 uses or possess lands beyond the possessory possessory I'm not saying that right, rights granted by such lease or sublease. I'm not sure what that means and why it was even put in here.

*Response*

This provision prevents parties holding limited land use leases from expanding the land use. For example, if I have a residential lease with the Tribe, I cannot conduct farming activities on that land because that is beyond my authorized use provided in my lease document.

There are no recommended changes based on this comment.

#### **Comment 17. Trespass for Polluting upon Highway, Road, Air, Water or and Land**

38.6-1(c)(9) A ~~person~~Person ~~trespass~~Trespasses if the ~~person~~Person enters or otherwise occupies ~~Tribal land~~Tribal Land and... Does any of the following without proper authorization through a ~~lease~~Lease, permit or as otherwise required under applicable law:... Dumps, deposits, places, throws, burns, emits or leaves rubbish, refuse, debris, substances, or other objects upon a highway, road, air, waters or any land.

**Nancy Barton:** The other one is on line 220 dumps, deposits, places, throws, burns, emits or leaves rubbish, refuses, debris, substances or other objects upon a highway, road, air, water or land. How and who is going to monitor that and decide what the fee and citation schedule will be for that? I I really looked at this hard, we went to the ERB board, can I get a clarification about the ERB Board, is that GTC directive? Anybody know?

*Response*

ERB is the party responsible for creating the fee schedule for a violation of this provision.

This was one of the items of the fee schedule that were discussed as lacking clarity. The LOC may want to consider directing the Legislative Reference Office to work with ERB to reword this section to provide greater clarity.

#### **Comment 18. OPD and Conservation Enforcement**

38.7-1. *Issuance of a Citation.* Any ~~person~~Person who violates any provision of this Law ~~shall be~~is guilty of a civil infraction, and ~~shall~~may be issued a citation, in writing, by a Conservation Warden or Oneida Police Officer. The issuance of a citation or fine under any other law relating to the same or any other matter ~~shall~~does not preclude the issuance of a citation under this Law.

**Nancy Barton:** It's inconsistent, you're asking for all kinds of laws and I'd like to know who's going to enforce this did Eric, Eric left, we talked about the at the ERB Board meeting that according to these laws, we have 2 conservation wardens and number of police officers and they don't even know these laws are coming. They haven't been reviewed with them so they're not even sure how they're going to enforce them.

**Jennifer Webster:** I believe Eric was from OPD, I believe Eric was from OPD

**Nancy Barton:** What? We went to the ERB Board meeting last week, or when was it, Tuesday, and there was no one from OPD or Conservation or any of those departments there too. But my mom's next.

#### *Response*

It is my understanding that since the adoption of these emergency amendments that there has been dialogue between the Oneida Law Office, the ERB Board, OPD and Conservation; that all the parties are now on the same page; and that a citation under the emergency amendments has been issued.

There are no recommended changes based on this comment.

#### **Comment 19. Citation Schedule**

38.7-1(a) The Oneida Business Committee, upon recommendation of the Environmental Resource Board, ~~shall~~may adopt a citation schedule.

**Bradley Graham:** Go to 228, it says the, add General Tribal Council and with that also for the adoption for the citation schedule.

Back up to 223, where's the citation schedule, shouldn't that been included in this for public comments also? I didn't see it in here. I think that's important that if you're going to have a citation schedule it should have been in with this. Because the citation schedule would be easy to amend or change but you still have to do the public hearings and everything. So it should have been included in here, I'd like to see that before this is past. And that comments be brought up on the citation schedule, you know what they're citations are and for what reasons and amounts. And basically that's all I have for this. Everything else seems to be pretty descent.

**Nancy Barton:** Five minutes, ok, when I took a look at this I just felt like where is the fee schedule that goes with it? The citation schedule. It was brought up here at a regular Business Committee meeting and I couldn't honestly believe that anyone could possibly . . .

So I agree the fee schedule should have been attached to this. I feel like the citation levels are way out of proportion compared to the violations.

#### *Response*

The Oneida Business Committee has authority to adopt the citation schedule associated with this Law as it is the party that adopted the Law itself.

It is true that concerns were addressed at a recent Oneida Business Committee meeting regarding the contents of the citation schedule. The ERB Board has been made aware of those concerns and will be bringing a revised citation schedule to the Oneida Business Committee at the same time that this Law is presented for adoption. It is not appropriate for the citation schedule to accompany this Law in the LOC's public meeting packet, because the LOC has no review authority over the said citation schedule.

There are no recommended changes based on this comment.

### **Comment 20. Hearing Process**

38.7-1(b) The citation ~~shall~~must specify the date, time and place of the hearing to contest the citation. The hearing ~~shall~~must take place ~~at least five~~within (5) business days after the citation is issued.

**Bradley Graham:** Two thirty one, add within 30 days instead of the five days. That's a little short time there.

**Eric Boulanger (OPD):** Thank you, he touched on line 231 the citations, to suggest 30 days instead of five and that whole process to mirror the Domesticated Animal Ordinance. Just to keep some consistency in the hearings because they're both heard by ERB and that process is already in placed within that law. And just for reference that's 34.11.3. Thank you.

#### *Response*

I recommend removing the second sentence all together and revising the "Citation Hearing" Section 38.7-2 to mirror the proposed amendments to Hunting, Fishing and Trapping as that language has been reviewed and revised in the time since this Law was approved to go to public meeting.

As revised, Section 38.7-1(b) would read as follows: "The citation ~~shall~~must specify the date, time and place of the hearing to contest the citation."

Section 38.7-2 would be replaced with the following:

38.7-2 All citations issued pursuant to this Law must include a Prehearing date which must be set for the next scheduled monthly Prehearing date that is at least thirty (30) days after the citation was issued. Persons wishing to contest a citation must appear at the Prehearing, at which time the Environmental Resource Board shall accept pleas which either contest or admit committing the act for which the citation was issued. The Environmental Resource Board shall schedule a Hearing as expeditiously as possible, provided that it must be scheduled within ninety (90) days of the date of the Prehearing, for all persons entering a plea contesting the fact that they committed the act for which a citation was issued. In addition to scheduling requested Hearings, the Environmental Resource Board may also make conditional orders at the Prehearing which are effective until the matter is resolved.

(a) The Environmental Resource Board shall conduct Prehearings and Hearings in accordance with its bylaws and any other applicable regulations, standard operating procedures, Rules, laws or policies governing Tribal administrative hearings.

(b) *Community Service.* Community service may be substituted for monetary fines at the Environmental Resource Board's discretion, provided that, if so substituted, the Board shall use the rate of one (1) hour per ten dollars (\$10) of the fine.

(c) All Fines and Penalties issued by citations must be paid to the Environmental Resource Board or its designee, the proceeds of which must be contributed to General Fund.

(d) The Environmental Resource Board may pursue payment from parties who have failed to makes the required payments through the garnishment process contained in the Garnishment Law and/or by attaching the judgment to a Tribal Member's per capita payment pursuant to the Per Capita Law.

(d) *Community Service.* Community service may be substituted for monetary Fines and Penalty assessments at ERB's discretion, provided that if so substituted, ERB shall use the rate of one (1) hour per ten dollars (\$10) of the Fine or Penalty assessment.

(e) Any person wishing to contest ERB's determination related to a contested citation may appeal the applicable determination to the Judiciary's Court of Appeals in accordance with the Rules of Appellate Procedure, provided that the appeal must be filed within thirty (30) days of the date of the Environmental Resource Board's determination.

If my recommendation is accepted, definitions need to be inserted for "Prehearing," "Fine," and "Penalty."

### **Comment 21. Restitution**

38.7-2(c) Any restitution funds received shall be used to repair the damages caused by a violation of this Law.

**Bradley Graham:** Let's see here, 248, it says any restitution funds received, if there's other monies left over from the restitutions or from citations, does this go to the ERB budget or to the Treasurers. To be added in to the general fund. I think if there is monies left over should be added to their budget so they can reduce their budget costs.

#### *Response*

Restitution, as used in this Law, means compensation for loss paid by a wrong-doer to his or her victim. Accordingly, it would not be appropriate for restitution funds to be used either towards the General Fund or the ERB Budget because they would have been allocated to the person whose property was damages by a violation of this Law.

Based on my recommended revisions in Comment 20, this subsection would be removed from the Law altogether.

There are no recommended revisions based on this comment.

### **Comment 22. Appeal**

38.7-3. *Appeals from the Environmental Resource Board Decision.* Any party of interest may appeal a decision of the Environmental Resource Board to the Tribe's judicial system.

**Bradley Graham:** Ok back to 251, Its got in there, appeals from the decision of the ERB to the Tribe's Judiciary system. Take the Judiciary out, add the General Tribal Council because ERB was put in by GTC.

#### *Response*

This is a policy consideration for the LOC.

### **Comment 23. General Comments**

**Nancy Barton:** I feel like this whole thing is racist. I think we're doing the same thing that has been done to us and what does it prove?

I could also couldn't understand why the ERB and Laura Manthe's program was separate from the other environmental board and I haven't gotten to the bottom of that one yet but that's on my list of things to do. It just doesn't seem right that things are separated. So that's one other issue. I am really opposed to this entire Tribal law amendment. I think we're opening a can of worms.

**Chad Wilson:** Ok. (I'll move it away Candice). So for this particular amendment to the law, there were complaints that were listed law enforcement officers that there was no language with in the Public Use of Land law where they could enforce certain actives such as people bringing alcohol into natural areas, rec areas, dogs etc. So putting these, putting these this language into the law was to help put a put something in black and white that the law enforcement officers could use to enforce the law. The Public Use of Land law is primarily over the natural areas for the law and then ERB holds public hearings and puts those land designations in through the public hearing whether its Tribal member only, Community Access, those types of things. How land is used goes through Land Commission. There's a lutu process and they approve it and they decide is it commercial, residential, mixed use and if it happens to be a natural area then its governed by the Public Use of Land law.

**Chad Wilson:** I actually don't know the inception of ERB and . . .

**Nancy Barton:** Do you remember how the ERB Board, so it must not be General Tribal if you don't remember right? It wouldn't be, it's not on your list.

**Chad Wilson:** I know that were formally known as the Conservation Board at one point in time.

**Nancy Barton:** Ok I just wanted that for clarification, thank you.

**Chad Wilson:** Ok.

**Bradley Graham:** It is a GTC formed body; it is a GTC formed body.

**Nancy Barton:** Oh ok

### *Response*

In response to Ms. Barton's question as to whether the Environmental Resource Board was formed by the General Tribal Council, it was not. It is an advisory board appointed by the Oneida Business Committee.

Section 1-2 of the Environmental Resource Board's Bylaws reads as follows:

The Oneida Business Committee established the Oneida Conservation Board, now known as the Environmental Resource Board, through Resolution BC-02-22-85-B, pursuant to Article IV. Section 1(g) of the Constitution of the Oneida Tribe of Indians of Wisconsin, and pursuant to the Oneida Tribe's inherent authority to protect the political integrity, economic security, and the health and welfare of its members and territory. The Oneida Business Committee also adopted Resolution BC-09-16-86-A to delegate the supervision and regulation of conservation resources to the Oneida Conservation Board. The ERB is further recognized by the Oneida Business Committee by the adoption of these bylaws and by the ERB's inclusion in the **HUNTING, FISHING AND TRAPPING LAW**, adopted by BC Resolution 07-22-98-A; the **WATER RESOURCES ORDINANCE** adopted by BC Resolution 05-08-96-B; the **ALL-TERRAIN VEHICLE LAW**, adopted by BC Resolution 06-16-04-B; the **WELL ABANDONMENT LAW** adopted by BC-08-31-94-A; the **PUBLIC USE OF TRIBAL LAND LAW** adopted by BC-05-15-14-C; and the **DOMESTIC ANIMALS ORDINANCE** adopted by BC Resolution 03-13-96-B.

The remaining general comments are policy consideration for the LOC.