

Kenaitze Indian Tribe

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KENAITZE INDIAN TRIBE

ORDINANCE 2007-01

ENVIRONMENTAL PROTECTION FOR TRIBAL LANDS

APPROVED BY THE

GENERAL BODY

AT

THE ANNUAL GENERAL COUNCIL MEETING

OCTOBER 6, 2007

Kenaitze Indian Tribe Ordinance 2007 - 01

ENVIRONMENTAL PROTECTION FOR TRIBAL LANDS

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ARTICLE 1 GENERAL PROVISIONS

Purpose: The purpose of this ordinance is to assert the tribe's jurisdiction over the protection of Tribal lands, and lands and waters customarily and traditionally used by the Kenaitze people. Kenaitze culture and traditions have respected the earth and our hunting, fishing, and gathering resources for many generations, and this ordinance defines the practices for respecting the earth and tribal elders' expected of tribal members, and non-members on tribal lands.

Definitions:

Traditional Kenaitze Values include the core values shown in Article 2, by Peter Kalifornsky, Tribal Elder; Clare Swan, Tribal Elder; June Gagnon, Tribal Elder & Donita Peter, Cultural Teacher, and may include other values at the discretion of the Kenaitze Tribal Council.

Hazardous Wastes are materials categorized as hazardous wastes under Alaska or federal law, including but not limited to lead-acid batteries, PCBs, asbestos and waste oil.

Junk Vehicles are discarded ATVs, snowmobiles, and destroyed automobiles and trucks.

Jurisdiction is the authority to enforce law, including categories of 'territorial,' 'personal', and 'subject matter' jurisdiction.'

Recyclable Wastes are aluminum cans, paper, cardboard and other used materials which can be recycled within the Kenai Peninsula Borough, depending on the ability to recover, transport, and store those materials (glass is not included at this time).

'**Territorial jurisdiction**' is the physical land area over which a government enforces its laws. '**Personal jurisdiction**' describes the persons over which a government can exercise control. For tribes, this generally includes tribal members, those who affect the health and welfare of the tribe or tribal members, those who affect the political integrity or economic security of the tribe, and those who enter into consensual relations with the tribe or its members. (Source: Jaeger)

Traditional Ecological Knowledge is knowledge passed from generation to generation of the elders concerning the use of hunting, gathering, and fishing resources and availability, and observations and knowledge of the environment including the weather and marking changes over time.

Jurisdiction:

The Kenaitze Indian Tribe reserves all of its rights.

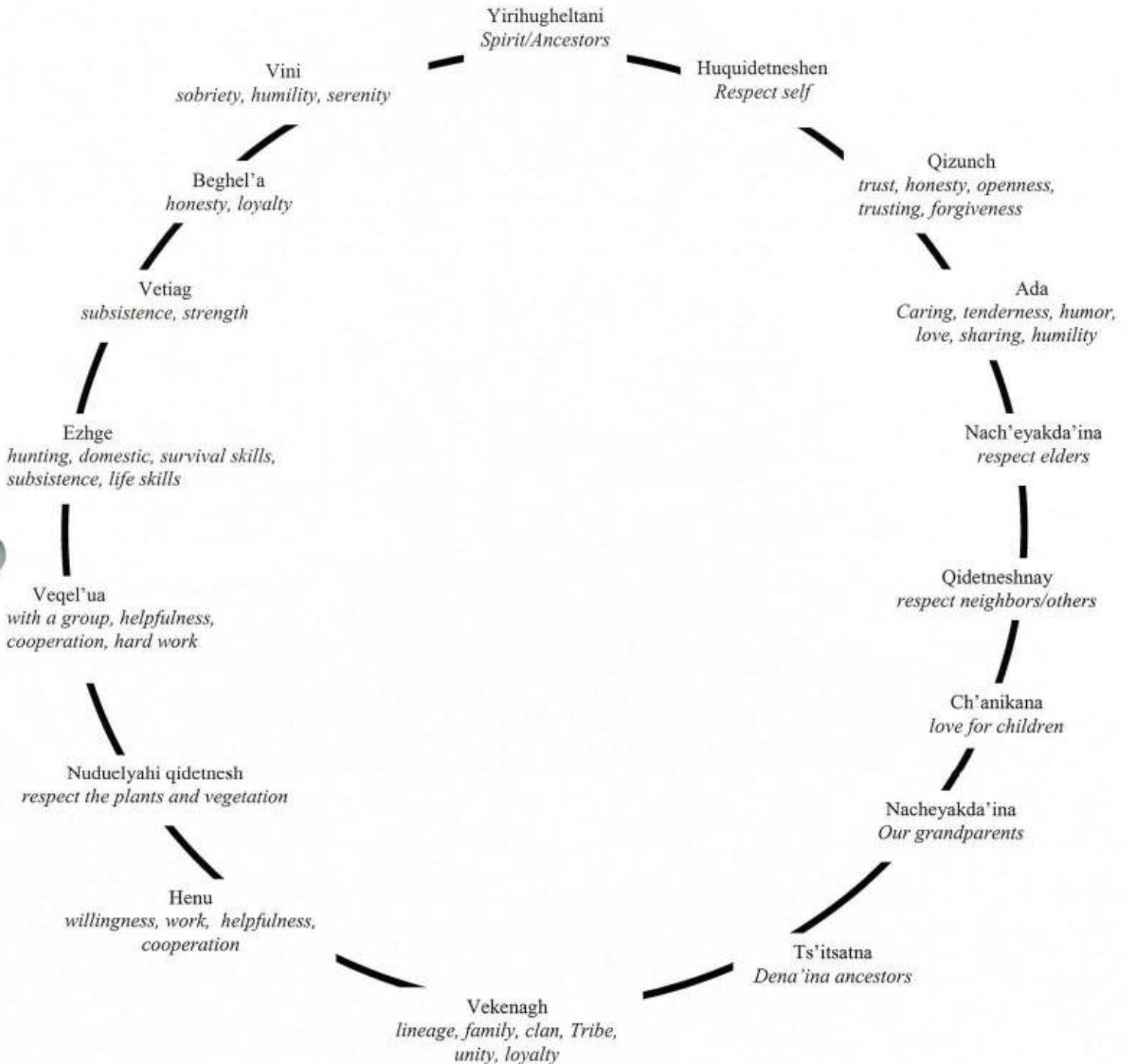
Hearings Procedure:

Hearings may be informal or formal, at the discretion of the Executive Council, depending on the infraction and in accord with the Kenaitze Tribe Court Code. Informal hearings may include talking circles or education and discussion by the Tribal Environmental Protection Officer or Tribal Council members. Formal hearings will follow the regulations adopted by the Kenaitze Indian Tribe Tribal Court.

ARTICLE 2 RESPECT OF TRADITIONAL KENAITZE VALUES

Traditional values are an important element of Kenaitze culture and way of life. These Environmental Ordinances include the respect and acknowledgement of these values on tribal lands, including, but not limited to the following Traditional Values:

Traditional Values



Information, language, and definitions for this tool were contributed by: Peter Kalifornsky, Tribal Elder; Clare Swan, Tribal Elder; June Gagnon, Tribal Elder & Donita Peter, Cultural Teacher

ARTICLE 3 RECYCLING STANDARDS

Reducing solid waste, re-using items when possible, and recycling shall be encouraged and included in activities on tribal lands. The Tribal Environmental Protection Officer will work with people planning events at the tribal lands, to recycle aluminum cans and other items when possible.

ARTICLE 4 SOLID WASTE, LITTER, AND CLEAN UP

Trash on tribal lands, excluding hazardous wastes, must be contained and disposed of properly. Loose trash and litter are not allowable and not respectful to the land.

In the Spring, after break-up, Kenaitze Tribal members will be encouraged to help clean up litter and debris at the beach site and around tribal buildings. Home-owners will be encouraged to clean up around their own properties, and the Tribe may provide trash bags for this purpose.

Cleanup of litter will be encouraged and practiced as needed on the tribal lands.

ARTICLE 5 HAZARDOUS WASTE DISPOSAL

The following items may not be disposed of in any canister or dumpster or left as litter on tribal lands, and lands traditionally used by the Kenaitze Tribe:

Wastes which include, but are not limited to: hazardous waste, oil, vehicle batteries, hot ashes, concrete, appliances, furniture, vehicles, vehicle frames, canopies, campers, trailers, motorized vehicles (i.e. snowmachines, 3-wheelers, motorcycles), infectious waste, liquid waste (including kitchen grease), drilling muds, soil, large quantities of construction/demolition debris or land-clearing debris, asbestos, sewage, animal carcasses, animal excrement and fish waste.

ARTICLE 6 COMMUNITY EDUCATION

Community education for environmental protection, respect of Traditional Kenaitze Values, and environmental education will be included in the Tribal Environmental Program outreach work

ARTICLE 7 CULTURAL PROTECTION OF TRADITIONAL KNOWLEDGE

The purpose of this Article is to protect the sacred knowledge and cultural property of the Kenaitze Tribe, including traditional ecological knowledge of the earth, weather, and traditional hunting, fishing, and gathering resources passed down through generations.

Research Requirements

Researchers on any topic involving the Kenaitze people or land shall abide by the Kenaitze Indian Tribe standards.

1. No research on the Kenaitze Traditional Knowledge of waters and lands traditionally used by the Kenaitze Tribe, shall be conducted without the express permission of the Kenaitze Tribal Council.
2. The goals and time frames of all research shall be reported to the Council as well as the data-gathering techniques and the positive and negative implications and impacts of the research.
3. Kenaitze Tribal members shall be involved through hiring and training in research projects to the maximum extent feasible.
4. Persons who are interviewed shall be compensated.
5. Researchers shall guarantee confidentiality of surveys and sensitive material.
6. Research cannot be used or published without Tribal Council approval.
7. The results of all research shall be reported back to the Kenaitze Tribal Council and copies of all research products provided to the Kenaitze Tribe.


CERTIFICATION

General Council Vote:

Voting For: All in Favor

Voting Against: None

Abstaining: None



Chairperson



Secretary

Date 1-2-08