RESOLUTION NO. 23-169

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

RESOLUTION OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE APPROVING THE SUBMITTAL OF TWO PROMOTING RESILIENT OPERATIONS FOR TRANSFORMATIVE, EFFICIENT, AND COST-SAVING TRANSPORTATION (PROTECT) PROGRAM GRANT APPLICATIONS, OGLALA SIOUX TRIBE RESERVATION-WIDE TRANSPORTATION RESILIENCE IMPROVEMENT PLAN AND BIA 33 TRIBAL RESILIENCY AND EVACUATION ROUTE IMPROVEMENT PROJECT BY THE OGLALA SIOUX TRIBE DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-Laws by referendum vote on December 14, 1935, in accordance with Section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. 5123), and under Article III of the Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, the Tribal Constitution authorizes the Tribal Council, in Article IV, Section 1(a) to advise and negotiate with the federal government on behalf of the Tribe (f) to manage all economic affairs and enterprises of the Tribe, in Section 1(g) to appropriate for public purposes of the tribe any available Tribal Council funds, and Section 1(w) to adopt laws protecting and promoting the health and general welfare of the Oglala Sioux Tribe and its membership, and

WHEREAS, Transportation is a vital part of the Oglala Sioux Tribe's infrastructure and adequate transportation facilities are essential to sustain and maintain the social and economic wellbeing of the area, and

WHEREAS, the Pine Ridge Indian Reservation has vulnerable surface transportation infrastructure, which is in dire need of repair, and

WHEREAS, the Oglala Sioux Tribe Department of Transportation along with the Department of Public Safety and Emergency Management endeavor to develop a Reservation-wide surface transportation Resilience Improvement Plan, and

WHEREAS, the Resilience Improvement Plan will review current infrastructure vulnerabilities, potential risks of failure or damage by disasters, review primary and secondary emergency and evacuation routes, and develop a priority listing of short and long-term solutions and improvements needed, and

WHEREAS, the BIA 33 corridor is an alternate route to BIA 27 but cannot be fully utilized due to its current condition, and

WHEREAS, in the last ten years, three disaster declarations have been issued within the BIA 33 corridor region causing extensive damage, and

WHEREAS, BIA 33 is currently closed 5.5 miles south of Rockyford due to heavy rains washing out a portion of the road, and

WHEREAS, the reconstruction of the BIA 33 corridor from Rockyford to US-18 would provide a more efficient, safe, route for many Tribal residents and provide a secondary emergency and evacuation route, and

WHEREAS, Section 11405 of the Bipartisan Infrastructure Law (BIL), established the PROTECT Formula and Discretionary Grant Programs, making available $848 million for FY2022 and FY2023 for planning and capital investments to make surface transportation infrastructure more resilient to climate change and extreme weather events, and

WHEREAS, the USDOT will award up to $45 million for eligible planning projects, up to $638 million for eligible Resilience Improvement projects, and up to $45 million for eligible Community Resilience and Evacuation Route projects, of which at least 25 percent will be awarded to Rural projects and at least 2 percent will be awarded to Tribes, and

WHEREAS, the Economic & Business Development Committee met on August 18th,2023 and approved the two PROTECT Grant applications; now

THEREFORE BE IT RESOLVED, the Oglala Sioux Tribe authorizes the submittal of two PROTECT Grant applications for the Oglala Sioux Tribe Reservation-wide Transportation Resilience Improvement Plan and the BIA 33 Tribal Resiliency and Evacuation Route Improvement Project. Being an applicant includes responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

C-E-R-T-I-F-I-C-A-T-I-O-N

I, as the undersigned Secretary of the Oglala Sioux Tribal Council, of the Oglala Sioux Tribe hereby certify that this Resolution was adopted by a vote of: 18 For; 0 Against; 0 Abstain; and 1 Not Voting; during a SPECIAL SESSION held on the 21st day of AUGUST, 2023.

Stacy L. Two Lance

STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:

for FRANK STAR COMES OUT
President
Oglala Sioux Tribe

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