LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2026-0917-02 **DATE: September 17, 2026**

"LUMBEE TRIBE CLEAN WATER FUNDAMENTAL RIGHT DECLARATION"

WHEREAS, the Lumbee Tribe of North Carolina ("Lumbee Tribe") is a federally recognized American Indian Tribe with inherent sovereign powers of self-government, including the authority and responsibility to protect the health, welfare, natural resources, cultural resources, and future generations of the Lumbee People;

WHEREAS, Article VII, Section 1 of the Tribal Constitution delegates legislative authority to the Tribal Council of the Lumbee Tribe of North Carolina ("Tribal Council"), and the Tribal Council exercises that authority in furtherance of the Tribe's sovereignty, self-determination, and duty to protect the Lumbee People;

WHEREAS, on August 20, 2026, the Tribal Council demanded, through CLLR-2026-0820-003, "A Resolution Demanding Immediate Action to Identify PFAS Sources, Reduce Exposure, and Protect Lumbee Tribal Members and the Public," immediate action to identify PFAS sources, reduce exposure, release clear testing information, prioritize vulnerable households, and protect Lumbee Tribal members and the public from unsafe drinking water, and this Ordinance is intended to build upon that demand by establishing a sovereign clean-water mandate of the Lumbee People;

WHEREAS, pollution does not stop at property lines, county lines, river basins, or government boundaries, and the Lumbee Tribe, as a sovereign government, has the right and responsibility to act when pollution threatens safe drinking water, the health of the Lumbee People, or Tribal natural resources;

WHEREAS, protecting clean water and creating economic opportunity are not opposing goals, and the Lumbee People can protect our ancestral river while supporting jobs, housing, agriculture, infrastructure, Tribal businesses, and responsible development;

WHEREAS, the Lumbee People have lived along and near bodies of water, in the swamps, and throughout the Tribal territory since time immemorial;

WHEREAS, throughout our history, the Lumbee River has been part of the life, culture, homeland, and identity of the Lumbee People. Our connection to the river was handed down to us by those who came before us, and we have a responsibility to protect it for those who will come after us;

WHEREAS, on June 25, 2009, the Tribal Council enacted CLLO-2009-0625-01, "Reclamation of the Lumbee River's Ancestral Name," recognizing the river known by the State of North Carolina as the Lumber River by its ancestral name, the Lumbee River;

WHEREAS, clean water is essential to life, public health, Tribal sovereignty, cultural continuity, economic security, agriculture, wildlife, and the protection of Lumbee children, elders, families, and future generations;

WHEREAS, the presence of per- and polyfluoroalkyl substances, commonly known as PFAS, and other harmful contaminants confirms that long-lasting chemicals are present in the environment and may remain in the human body for extended periods;

WHEREAS, the ongoing threat to drinking-water sources, private wells, groundwater, surface water, fish, wildlife, land, and related natural resources presents an urgent clean-water concern affecting Robeson, Hoke, Scotland, and Cumberland counties ("Tribal territory"), southeastern North Carolina, Lumbee Tribal citizens, and the public;

WHEREAS, the Tribal Council finds that protecting clean water concerns the health, heritage, identity, homeland, sovereignty, and future of the Lumbee People and therefore affects the fundamental right and interest of the Lumbee Tribe;

WHEREAS, Article VIII, Section 1.b) of the Tribal Constitution requires that once the Tribal Council approves a fundamental-rights ordinance, the Chairperson must certify that ordinance for referendum. Accordingly, the Tribal Council hereby finds, based on a good-faith interpretation of the Constitution, that such referendum must be conducted under the procedures set forth in Article VI.

THEREFORE, be it enacted by the Tribal Council of the Lumbee Tribe of North Carolina that this Ordinance shall be cited as the "LUMBEE TRIBE CLEAN WATER FUNDAMENTAL RIGHT DECLARATION;"

BE FURTHER ENACTED, the Lumbee Tribe hereby declares that clean water is a constitutionally protected fundamental right of the Lumbee People. Present and future generations have the right to expect their Tribal Government to exercise its lawful and sovereign authority to prevent, reduce, monitor, and respond to pollution and degradation that threaten human health, drinking water, Tribal natural resources, cultural use, or the continued well-being of the rivers and water sources;

BE FURTHER ENACTED, the purpose of this Ordinance is to establish a sovereign clean-water policy of the Lumbee Tribe; to protect water sources throughout the Tribal territory, drinking water, private wells, Tribal natural resources, and the health of the Lumbee People; to guide Tribal action concerning PFAS and other harmful contamination; and to direct the development of implementing legislation, governmental operations, and planning-policy guidance consistent with the Tribe's inherent sovereign authority and the will of the Lumbee People;

BE FURTHER ENACTED, the Tribe shall, when appropriate, exercise its lawful and sovereign authority to protect, monitor, restore, and speak for the Lumbee River and any body of water within the Tribal territory; to advocate for safe drinking water and clean-water protections; and to seek meaningful consultation, coordination, and participation whenever the action or inaction of another government, agency, utility, company, or responsible party may seriously affect rivers, safe drinking-water sources, Tribal natural resources, or the Lumbee People;

BE FURTHER ENACTED, this Ordinance uses the Lumbee River as a primary example of the clean-water interests of the Lumbee People. However, nothing in this Ordinance shall be construed to limit the Tribe's authority to take action to protect drinking water, private wells, Tribal lands, public health, cultural resources, fish, wildlife, or other natural resources when contamination threatens Lumbee citizens, Tribal interests, or any bodies of water within the Tribal territory;

BE FURTHER ENACTED, nothing in this Ordinance shall be interpreted to diminish, waive, or surrender any sovereign right, jurisdictional position, ownership claim, treaty-equivalent claim, statutory claim, common-law claim, government authority, or legal remedy of the Lumbee Tribe, whether existing now or asserted in the future;

BE FURTHER ENACTED, protecting clean water and advancing responsible economic opportunity are both obligations of Tribal Government. Nothing in this Ordinance shall prohibit responsible economic, housing, agricultural, infrastructure, or community development; provided, however, that such development should be pursued in a manner consistent with clean-water protection, Tribal sovereignty, public health, and the long-term prosperity of the Lumbee People;

BE FURTHER ENACTED, upon approval of this Ordinance by the Lumbee People, the Tribal Council shall, within one hundred eighty (180) days after its effective date, adopt further legislation and/or Tribal policies necessary to carry out the fundamental right and interest established herein, give effect to the Tribe's sovereign clean-water mandate, and advance the source-identification, testing, public-notice, exposure-reduction, emergency-assistance, enforcement, funding, and accountability goals previously demanded by the Tribal Council;

BE FURTHER ENACTED, nothing in this Ordinance shall give up, release, compromise, settle, impair, or weaken any existing or future right, claim, jurisdictional position, governmental authority, enforcement authority, cause of action, funding claim, restoration claim, or remedy of the Lumbee Tribe, nor shall this Ordinance waive the sovereign immunity of the Lumbee Tribe, its officials, its agencies, or its instrumentalities;

BE FURTHER ENACTED, the Tribal Council expressly finds that this Ordinance affects a fundamental right and interest of the Lumbee Tribe of North Carolina within the meaning of Article VIII, Section 1.b) of the Tribal Constitution;

BE FURTHER ENACTED, upon adoption by the Tribal Council, the Speaker or designee shall promptly transmit this Ordinance to the Tribal Chairperson for action pursuant to Article VIII, Section 1.b) of the Tribal Constitution; and

BE FINALLY ENACTED, this Ordinance shall become law only upon completion of the process required by Article VIII, Section 1.b) of the Tribal Constitution. Upon becoming effective according to law, this Ordinance shall serve as the mandate of the Lumbee People and the sovereign policy of the Lumbee Tribe to protect clean water for present and future g

CERTIFICATION

THIS CLLO-2026-0917-02, "LUMBEE TRIBE CLEAN WATER FUNDAMENTAL RIGHT DECLARATION," ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 18 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 17th DAY OF SEPTEMBER 2026, BY A VOTE OF 18 FOR, 0 AGAINST, 3 ABSTENTION(S).

9/17/2026

ATTEST: ALBERT A. BAKER — DATE
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

Chocajuana Oxendine 9/17/2026

ATTEST: CHOCAJUANA OXENDINE — DATE
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

10/5/26

ATTEST: JOHN L. LOWERY — DATE
Chairman, Lumbee Tribe of North Carolina

POSTING

THIS CLLO-2026-0917-02, "LUMBEE TRIBE CLEAN WATER FUNDAMENTAL RIGHT DECLARATION," duly posted on the 17TH day of September, 2026.

Melissa Hunt 9/17/2026

ATTEST: MELISSA HUNT DATE

TRIBAL CLERK DESIGNEE, Lumbee Tribe of North Carolina

LUMBEE TRIBE TRIBAL CLERK OF NORTH CAROLINA

ROLL CALL VOTE RESULTS TO ADOPT

CLLR-2026-0917-02

"LUMBEE TRIBE CLEAN WATER FUNDAMENTAL RIGHT DECLARATION"

SEPTMBER 17, 2026

18 FOR, 0 AGAINST, 0 ABSTENTION(S)

District 1:	Billy Oxendine	YES
District 2:	Graylen Mitchell	ABSENT
District 3:	Harold Smith	YES
District 4:	Jody Bullard	YES
District 5:	Carrington Locklear	ABSENT
District 6:	Larry Chavis	YES
District 7:	Rubalena Locklear	YES
District 8:	Kathy Hunt	YES
District 9:	Johnny Bell	YES
District 10:	Bobby Emanuel	YES
District 11:	Chocajuana Oxendine	YES
District 12:	Josephine Doss	YES
District 13:	Alex Baker	YES
District 14:	Homer Fields	YES
District 15:	Sharon Hunt	YES
District 16:	Nanci Locklear	YES
District 17:	Sandra Dial	ABSENT
District 18:	Mary Locklear	YES
District 19:	Larry Soles	YES
District 20:	Rudy Locklear	YES
District 21:	Eric Chavis	YES

Lumbee Tribe of North Carolina

The Desk of the Tribal Clerk

Certification of Ordinance

Tribal Ordinance: **CLLO-2026-0917-02**

Posted Date: 09/17/2026

Presented to Tribal Chairman for Review: 9/27/2026

Certification Date: 10/5/2026

John L. Lowery — 10/5/2026

Date

Tribal Chairman of the Lumbee Tribe of North Carolina

Melissa Hunt — 10/05/26

Date

Tribal Clerk Designee of the Lumbee Tribe of North Carolina

LUMBEE TRIBE TRIBAL CLERK OF NORTH CAROLINA