

COMMISSIONER'S ORDER NO. 55-87  
Natural Resources

A Commissioner's Order authorizing approval of Mille Lacs Band of Chippewa Indians Department of Natural Resources to enter into a Memorandum of Understanding with the Minnesota Department of Natural Resources on the harvesting of Me-sii (burbot-Lota lota Lineaus )

- WHEREAS: the Commissioner of Natural Resources has the power to regulate natural resources within the jurisdiction of the Mille Lacs Band of Chippewa Indians through Band Statute 1032-MLC-1, Section 29; and
- WHEREAS: the harvesting of Me-sii is a natural resource under the jurisdiction of the Mille Lacs Band of Chippewa Indians; and
- WHEREAS: the regulating of the harvesting of Me-sii is an authority under the Commissioner of Natural Resources; and
- WHEREAS: the Commissioner of Natural Resources has concurred with the Spiritual Advisor of the Band; and
- WHEREAS: the taking of Me-sii will be done to provide for the subsistence needs of the Mille Lacs Band members; and
- WHEREAS: the Minnesota Department of Natural Resources has an interest in establishing a Memorandum of Understanding with the Mille Lacs Band's Department of Natural Resources on the harvesting of Me-sii ; and
- WHEREAS: nothing herein or the application thereof shall be construed by any government, agency, person or circumstance as a waiver of jurisdiction rights of Non-Removable Mille Lacs Band of Chippewa Indians over lands or water within its respective reservation ; and
- WHEREAS: pursuant to the provisions of Band Statutes 1032-MLC-1, Section 25 and 29 the Commissioner of Natural Resources is empowered to execute the said Memorandum of Understanding for the Mille Lacs Band of Chippewa Indians Department of Natural Resources.

NOW THEREFORE, by the authority vested in me by the Mille Lacs Band of Chippewa Indians under tribal law, I, Don Weill, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby concur with the following Memorandum of Understanding for the harvesting of Me-sii.

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES  
AND  
THE DEPARTMENT OF NATURAL RESOURCES  
MILLE LACS BAND OF CHIPPEWA INDIANS

THEREFORE, the parties agree that:

A Memorandum of Understanding is hereby made and entered into this 26 day of January, 1987, between the Minnesota Department of Natural Resources and the Mille Lacs Band of Chippewa Indians Department of Natural Resources.

WHEREAS, it is mutual desire of the State Department of Natural Resources (hereinafter referred to as the DNR) and the Mille Lacs Band of Chippewa Indians Department of Natural Resources (hereinafter referred to as MLB-DNR) to allow for the removal of Me-sii from a specified area of Mille Lacs Lake.

NOW, THEREFORE, it is agreed as follows:

1. Removal will be limited to one species: Me-sii (burbot - *Lota lota* Lineaus)
2. Removal of Me-sii will be limited to the following waters: Nay-oh-shing Point and Sha-bosh-kung Point, starting at the eastern most part of each point and running west along each side, a distances of 1/4 mile on Mille Lacs Lake and the mouth of the Rum River.
3. Removal of Me-sii will take place between January 26, 1987 and February 28, 1987 during daylight hours.
4. Removal of Me-sii at above described location will be done by Band members only. Band members will have valid identification cards in their possession while removing Me-sii and will present said identification to authorized state enforcement personnel upon request.
5. Only stationary traps or seine nets will be used.
6. All traps or seine net sites will be clearly marked.
7. No traps or seine nets will be placed in water deeper than three (3) feet from the bottom of the ice. All traps or seine nets will be checked at least once a day.
8. Band members will use all possible care to avoid injury to game fish and other fish of any kind. Such fish shall be released and returned alive to the waters from which they came.
9. This Memorandum of Understanding will become effective when signed by the parties and shall continue to be effective under the terms specified.

Done, this the \_\_\_\_\_ date of \_\_\_\_\_.

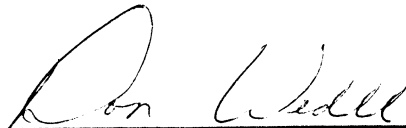
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Commissioner of Natural Resources  
For the State of Minnesota

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Commissioner of Natural Resources  
For the Mille Lacs Band of Chippewa Indians

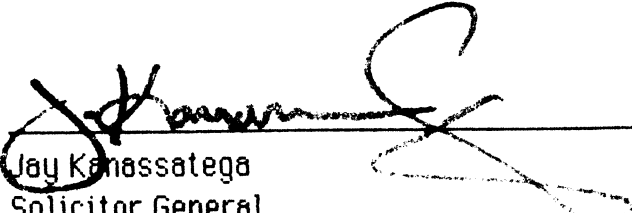
ACCEPTED AS TO FORM  
AND EXECUTION

\_\_\_\_\_  
Jay Kanassataga  
Solicitor General

DATED at Vineland, Minnesota this Thirthy day of January in the year one thousand nine hundred and eighty-seven.

  
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Don Wedl  
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO  
FORM AND EXECUTION

  
\_\_\_\_\_  
Jay Kanassataga  
Solicitor General

OFFICIAL SEAL OF THE BAND