

COMMISSIONER'S ORDER NO. 56-87
Natural Resources

A Commissioner's Order authorizing and establishing permit system for the use of explosives by Natural Resource staff.

WHEREAS, Band Statute 1032-MLC-1, Section 29 directs the Commissioner of Natural Resources to protect all natural resources of the Mille Lacs Band of Chippewa Indians; and

WHEREAS, The protection of natural resources requires a variety of methods of management, and

WHEREAS, The mangement of individual natural resources may require different type of activities to protect and enhance a given natural resources, and

WHEREAS, The management of wild rice requires stable water level, and

WHEREAS, The obstruction of the flow of water on a rice bed can raise the water level and be harmful to the production of wild rice, and

WHEREAS, Wild rice is an important natural resource for Mille Lacs Band and migratory birds, and

WHEREAS, The use of explosives maybe the most effective way to remove obstruction to the water flow on a given wild rice bed, and

WHEREAS, Individuals using explosives must have the proper training and certification to perform identified activity.

NOW THEREFORE, by the authority vested in me by the Mille Lacs Band of Chippewa Indians under tribal law, I, Don Wedll, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby establish the following application for user permit for explosives.

MLR 073 (BCA 04-039)
MARCH 1987 (JANUARY 1976)

APPLICATION FOR USER PERMIT
Under COMISSIONER'S ORDER 56-87

PERMIT NUMBER
MLR-0001

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAW ENFORCEMENT

(Please read carefully
and follow instructions)

(Upon approval this
becomes permit.)

Form MLR 073 must be filed in duplicate. Please make all entries of the form and any separate sheets legible on both the original and the copy. Print with ball point pen or typewriter. Any separate sheets used should be prepared in duplicate and identified by your name and address. Explanations on additional sheets should be numbered to match the items on the form that are being explained.

SECTION A

1. NAME (Individual, Corporation, Partnership, Agent, etc.)		2. SOCIAL SECURITY NUMBER	3. DATE OF BIRTH
		4. TELEPHONE NUMBER	5. DRIVERS LICENSE
6. ADDRESS (RFD, Street No., City, County, State, Zip)		7. SHOW WHAT USE WILL BE MADE OF EXPLOSIVES <input type="checkbox"/> MINING <input type="checkbox"/> AGRICULTURE <input type="checkbox"/> ROAD <input type="checkbox"/> QUARRYING <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/> Natural Resource Management <input type="checkbox"/> OTHER LAWFUL ACTIVITY (Specify) _____	
8. EXPLOSIVE MATERIALS WILL BE STORED AT (Show complete address, including county)	9. DATE OF USE	10. EXPLOSIVE MATERIALS WILL BE USED AT: (Show complete address, including county)	
11. APPLICANT INTENDS TO USE: (List quantity) <input type="checkbox"/> High Explosives, Class A _____ <input type="checkbox"/> NCN _____ <input type="checkbox"/> Blasting or Electric Blasting Caps _____ <input type="checkbox"/> Detonating Cord _____ <input type="checkbox"/> ANFO _____ <input type="checkbox"/> Other _____		12. Applicant intends to purchase explosives from: (Give name and complete address)	

Questions 13-15 below refer to the person(s) listed on Item 1 above. If any answers are YES, give full details on a separate sheet. Number each explanation to match the item explained.

	YES	NO
13. IS ANY PERSON NAMED IN ITEM 1	a. UNDER INDICTMENT OR INFORMATION IN ANY COURT FOR A FELONY OR GROSS MISDEMEANOR INVOLVING MORAL TURPITUDE?	
	b. ON PAROLE OR PROBATION FOR A FELONY OR GROSS MISDEMEANOR INVOLVING MORAL TURPITUDE?	
	c. A FUGITIVE FROM JUSTICE?	
	d. UNDER 18 YEARS OF AGE?	
	e. A HABITUAL AND EXCESSIVE USER OF INTOXICATING LIQUOR?	
14 HAS ANY PERSON NAMED IN ITEM 1	a. EVER BEEN ADDICTED TO ANY NARCOTIC, DEPRESSANT OR STIMULANT DRUG?	
	b. BEEN CONVICTED IN ANY COURT WITHIN THE PAST YEAR OF A FELONY OR GROSS MISDEMEANOR INVOLVING MORAL TURPITUDE?	
	c. EVER BEEN ADJUDICATED AS MENTALLY DEFICIENT OR BEEN COMMITTED TO ANY MENTAL INSTITUTION?	
	d. EVER BEEN CONFINED TO ANY HOSPITAL FOR TREATMENT AS AN "INEBRIATE PERSON"?	
15. MUST BE COMPLETED IF APPLICANT IS A CORPORATION	a. IS THE CORPORATION UNDER INDICTMENT OR INFORMATION IN ANY COURT FOR A FELONY OR GROSS MISDEMEANOR?	
	b. HAS THE CORPORATION EVER BEEN CONVICTED IN ANY COURT WITHIN THE LAST YEAR OF A FELONY OR GROSS MISDEMEANOR?	

SECTION B

This certification must be executed on the original and all copies of Form MLR 073 by individual, partner, or in the case of a corporation, association, etc., by an official duly authorized to sign for the applicant.

Under penalties of perjury and the penalties imposed by Commissioner's Order 56-87, I declare that I have examined this application, and documents submitted in support thereof and to the best of my knowledge and belief, they are true, correct, and complete.

I also certify that I am familiar with all published Federal, State laws, Band ordinances, and Commissioner's Orders relating to explosive materials for the location in which I intend to do business or conduct storage of explosives and explosive devices.

APPLICANT SIGNATURE	TITLE	DATE

SECTION C

<input type="checkbox"/> APPLICANT APPROVED, BECOMES PERMIT	AUTHORIZED SIGNATURE	DATE OF ISSUANCE
<input type="checkbox"/> ALL INFORMATION ON FORM MLC-073 HAS BEEN VERIFIED AND IS CORRECT		
<input type="checkbox"/> APPLICATION DISAPPROVED	POST OF DUTY	FEE RECEIVED

UPON APPROVAL, THIS PERMIT IS VALID FOR THE LOCATION FOR WHICH IT IS ISSUED (ITEM 10) FOR ONE YEAR FROM DATE OF ISSUANCE.

NOTICE TO BUYER:

1. A user permit authorized the holder to acquire and transport explosive materials within the Mille Lacs Reservation for use at the location indicated in Item 10.
2. Explosive materials must be stored in conformance with requirements set forth in 260 FR Part 181. It shall be unlawful for any person to store any explosive material in a manner not in conformity with these regulations.
3. Any person who has explosives in his possession and who incurs a loss or theft of all or a portion thereof upon discovery of such loss or theft immediately, and in no event longer than twenty-four (24) hours from the time of discovery, shall inform the office of the Mille Lacs Reservation Enforcement Department of the loss or theft, the amount of explosives missing and the approximate time of the occurrence.
4. Prior to the storage of explosives, the applicant shall notify the appropriate local fire official.

INSTRUCTIONS:

1. Distribution of Form MLR 073: Upon its approval, the first copy becomes the permit and will be returned to applicant to be posted at the user location, the second copy will be retained by the local authority.

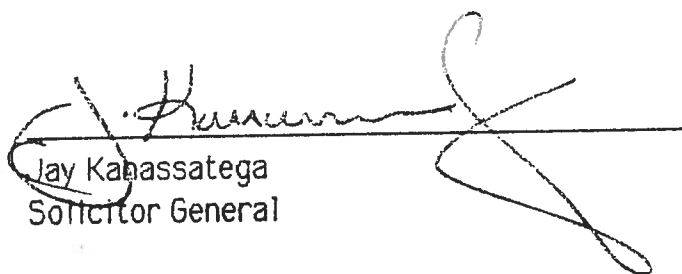
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DATED at Vineland, Minnesota this 30th day of March in the year one thousand nine hundred and eighty-seven.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Jay Kahassatega
Solicitor General

OFFICIAL SEAL OF THE BAND

COMMISSIONER'S ORDER NO. 58-87

Natural Resources

A Commissioners Order to regulate the opening and closing of the taking of fish by angling off of tribal land.

WHEREAS: the Commissioner of Natural Resources is authorized to regulate the taking of fish through Band Statute 1001-MLC-1, Section 7.04; and,

WHEREAS: the taking of fish should be done with preservation of species foremost; and

WHEREAS: the taking of fish will require a license or permit.

NOW THEREFORE: pursuant to the authority vested in me by the Mille Lacs Band of Chippewa Indians under tribal law, I, Don Wedl, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby prescribe the following regulations applicable for the taking of fish by angling off of tribal lands.

REGULATIONS

LICENSE REQUIREMENT

- All Band members who are over the age of sixteen (16) years of age must have a Band license while angling off of tribal land.
- All Band members who are under sixteen (16) years of age are not required to have a license but need to register at the Mille Lacs Natural Resources Office or with a Mille Lacs Natural Resources Officer annually.

GENERAL RESTRICTIONS

IT IS A VIOLATION OF THIS ORDER TO:

1. To possess more than one legal limit of each fish species. Fish are in possession of an angler whether on hand, in cold storage, in transit or elsewhere.
2. To transport or export fish unless the species can be identified, the number of fish can be counted and the length of fish can be determined where size limits apply, unless prepared by fish pecker.
3. To be on board watercraft without a readily accessible personal flotation device approved by the U.S. Coast Guard.
4. To deposit any refuse, poisonous substances, or chemical injurious to fish life in any waters of the state.
5. To buy or sell game fish, except smelt and fish taken under a commercial or private hatchery license.
6. To stock fish or fish eggs in any water or transfer fish or fish eggs except the eggs of trout or salmon used as bait from one body of water to another without written permit from the Mille Lacs Commissioner of Natural Resources.
7. To take minnows from designated trout waters, except under special permit.

8. To drive a motor boat through a posted spawning bed or fish preserve. (Note -- Riparian landowners or lessees adjacent to such areas may use route doing least damage to vegetation to and from their property through such areas, provided they operate their motors at the slowest possible speed.)
9. To drag boat anchors or other weights with a motor propelled boat through aquatic vegetation.
10. To fish in designated trout waters except during the trout season.
11. To tag fish without a permit from the Mille Lacs Commissioner of Natural Resources. Tagging is permitted for scientific purposes only.
12. To deposit garbage, rubbish, offal, in public waters or on the ice, or on public lands.
13. To take fish by angling with a set or unattended line.
14. To use game fish, including perch, as bait.
15. To conduct a fishing contest where entry fees are over \$10 or prizes over \$2,000 without a permit.
16. To apply any chemical to the waters of the state to control vegetation without a permit from the Mille Lacs Commissioner of Natural Resources.

SEASONS AND LIMITS

<u>Species</u>	<u>Open Season</u>	<u>Possession Limits</u>
Walleye	May 16 - February 15, 1988	6
Northern Pike	May 16 - February 15, 1988	5
Muskellunge	June 7 - February 15, 1988	1
Catfish	May 1 - February 15, 1988	8
Sturgeon	June 29 - October 31, 1987	1
Largemouth & Smallmouth	May 20 - February 15, 1988	6
Black Bass	May 16 - February 15, 1988	6
Trout	May 16 - September 17, 1987	5
Sunfish	Continuous	30
Crappies	Continuous	15
Perch	Continuous	30
White Bass	Continuous	No limit
Bullheads	Continuous	No limit

Unprotected fish:

Carp, Suckers, Redhorse, buffalofish, Burbot (mee zii), Gor, Sheephead, Dogfish and Quillback

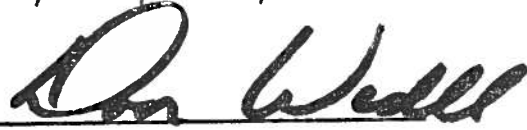
Continuous

No limit

- Tip-ups may be used for ice fishing and shall be deemed unattended if the owner is more than 80 feet from tip-up.
- Minnows may not be possessed or used as bait on designated trout lakes, except in a dried or pickled condition.
- No line shall contain more than one hook; except that three artificial flies may be used in angling for black bass, trout, crappies, sunfish or rock bass; and except that a single artificial lure may contain more than one hook (a treble hook is considered as 3 hooks).
- Only one line may be used for angling, except that two lines may be used through the ice.
- Fishing hours for trout on all inland waters are from one hour before sunrise to 11:00 p.m.
- Mille Lacs Lake nightfishing prohibited from 10:00 p.m. through 6:00 a.m. - May 16 to June 14, inclusive.
- Mille Lacs Lake walleye size limit not more than one walleye over 20" in length from tip of nose to tip of tail
- The commercial gatherer of minnows and leeches on tribal land shall require a license.

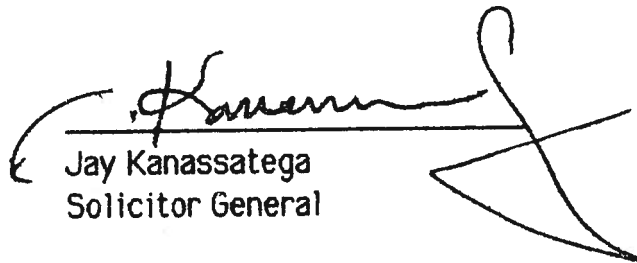
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DATED at Vineland, Minnesota, this eighteenth day of May in the year one thousand nine hundred and eighty-seven.



Don Wedl
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Jay Kanassatega
Solicitor General

OFFICIAL SEAL OF THE BAND