

**COMMISSIONER'S ORDER NO. 112 - 89**  
Natural Resources

A Commissioner's Order establishing water conservation measures requirement relating to the Commissioner's approval of land leases under the jurisdiction of the Mille Lacs Band of Chippewa Indians.

WHEREAS, the Mille Lacs Band of Chippewa Indians is a signatory and successor to the Treaty of 1837, 7 Stat. 536, and the Treaty of 1842, 7 Stat. 591, Treaty of 1855, 10 Stat 1165, and

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, land is a natural resource subject to regulations under Band Statute 1032-MLC-1, Section 27, and

WHEREAS, Land use for homesites must be regulated to assure proper conservation of the land resources, water resources, preserve the public health and welfare, and protect Band members from unsafe, unsanitary or unstable buildings, and

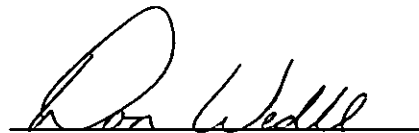
WHEREAS, in order to ensure the health and safety of Band members, proper measures should be done so that no unnecessary waste occur,

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 that before any leases of lands within the jurisdiction of the Mille Lacs Band occurs the following water conservation measures shall be complied with.

## REGULATION

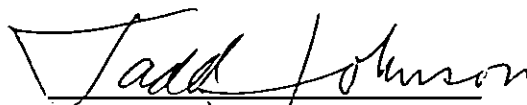
- Section 1     The provisions of this regulation shall apply to all new construction, or any remodeling of existing kitchens and bathrooms, that are not done by the individual owner.
- Section 2     No building permit will be issue after the effective date of this regulation unless the following water saving devices are incorporated in the new construction or remodeling.
- Section 3     Thermal insulation shall be provided in all hot water piping runs. Hot and cold water pipes within or under concrete slabs must be separated by a minimum of 12 inches.
- Tank type toilets shall be of a design or equipped with a device that does not exceed six liters (1.6 gallons) per flush when tested in accordance with the hydraulic performance requirements of ANSI A112.19.2M and ANSI A112.19.6M.
- Shower heads shall be of a design that limits the maximum flow to six liters (1.6 gallons) per minute.
- All faucets in residential sinks and lavatories shall be equipped with faucets aerators and shall be of a design that limits the maximum flow to six (1.6 gallons) per minute.
- Both tubs and whirlpool spas shall be of a design that does not exceed a maximum capacity of 52 gallons.
- Section 4     In order to prevent or lesson unnecessary hardship or practical difficulties in exceptional cases, aggrieved person may file a written application for a variance with the Natural Resource Department. The Commissioner may grant such variance only when unusual hardship will result from the strict application of this regulation.
- Section 5     This regulation shall be in full force and effect July 1, 1989 and continue until repealed.

DATED at Vineland, Minnesota this 16<sup>th</sup> day of June in the year one thousand nine hundred and eighty-nine.



Don Wedll  
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO  
FORM AND EXECUTION

  
Tadd Johnson  
Solicitor General

OFFICIAL SEAL OF THE BAND