

COMMISSIONER'S ORDER NO. 96-88
Natural Resources

A Commissioner's Order establishing the closure of walleye harvesting on Trout Lake (Vilas County) and Balsam Lake (Polk County) Wisconsin.

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, and;

WHEREAS, the Mille Lacs Band of Chippewa Indians resides in the ceded territories of the Treaty of 1837, 7 Stat. 536, and;

WHEREAS, the Mille Lacs Band agrees with Section of the Chippewa Intertribaal Agreement Governing Resource Management and Regulation of Off-Reservation Treaty Rights in the ceded Territory of 1837 and;

WHEREAS, the Mille Lacs Band deems it appropriate to provide an orderly system of tribal control and regulation of off-reservation fishing, and;

WHEREAS, the Mille Lacs Band further deems it appropriate to provide conservation and management for fish population found in the ceded territory through the regulation of member fishing occurring there, and; .

WHEREAS, the Commissioner of Natural Resources has the authority to regulate natural resources within the jurisdiction of the Mille Lacs Band of Chippewa Indians through Band Statute 1032-MLC-1, Sec. 29, Band Statute 1017-MLC-7, and Band Statute 1092-MLC-25, et seq., and;

WHEREAS, the taking of fish is a natural resources under the jurisdiction of the Mille Lacs Band of Chippewa Indians and;

WHEREAS, nothing herein or the application thereof shall be construed by any government, agency, person or circumstance as a waiver by the Non-Removable Mille Lacs Band of Chippewa Indians of the solemn, special trust obligation of the United States of America, and;

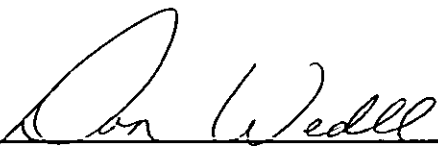
WHEREAS, pursuant to the provisions of Band Statute 1032-MLC-1, Section 25 and 29, the Commissioner of Natural Resources is empowered to execute the regulatory authority to conserve and protect resources used by members of the Mille Lac Band for area treaty area, and

WHEREAS, the biological data demonstrates that the walleye harvest is likely to reach or exceed the total allowable catch for Trout and Balsam Lakes, and

WHEREAS, exceeding the total allowable catch for a lake is biological unsound and endanger reproduction of of the walleye fish resource.

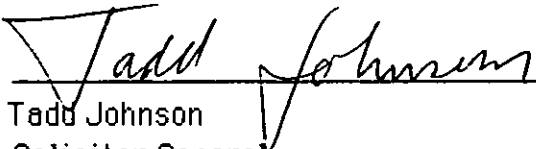
NOW THEREFORE, by the authority vested in me by the Mille Lacs Band of Chippewa Indians pursuant to Band Statute 1032-MLC-1, Section 29, I, Don Wedll, Commissioner of Natural Resources for the Mille Lacs Band of Chippewa Indians hereby order from September 1, 1988 through March 31, 1989 the closing of walleye harvest by Mille Lacs Band members on Trout Lake (Vilas County) and Balsam Lake (Polk County) in Wisconsin.

DATED at Vineland, Minnesota this fifteenth day of September in the year one thousand nine hundred and eighty-eight.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Tadd Johnson
Solicitor General

OFFICIAL SEAL OF THE BAND