

Commissioner's Order No. 37-86. A Commissioner's Order establishing an Endangered Species and Threatened Species within the jurisdiction of the Mille Lacs Band of Chippewa Indians

Natural Resources

WHEREAS, Band Statute 1032-MLC-1, Section 29 mandates that the Commissioner of Natural Resources shall protect and regulate all matters of land and water for the Mille Lacs Band of Chippewa Indians; and

WHEREAS, various species of fish, wildlife and plants in the jurisdiction of the Mille Lacs Band of Chippewa Indians have been rendered extinct as a consequence of external economic growth and development untempered by adequate concern and conservation; and

WHEREAS, the highest priority of the Mille Lacs Band of Chippewa Indians Natural Resources Department is to protect any species that may be threatened or endangered; and

WHEREAS, the Mille Lacs Band of Chippewa Indians have a fundamental believe that the importance of all things to each other and that the different species of fish, wildlife, and plants all have a purpose in relationship to the Mille Lacs Band; and

WHEREAS, the Relationship of various fish, wildlife and plants are of esthetic, ecological, educational, historical, cultural, medical, religious and scientific value to the Mille Lacs Band of Chippewa Indians and its members; and

WHEREAS, the Mille Lacs Band of Chippewa Indians has pledged itself as a sovereign tribal government to conserve and to extend the existence of any species that may be endangered or threatened.

NOW THEREFORE, pursuant to 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 regulation to conserve the species of fish, wildlife and plants.

REGULATIONS

PURPOSE: To provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a regulation for the conservation of such endangered species and threatened species.

DEFINITION: Critical Habitat:

i) the specific areas within the geographical area occupied by the species, on which are found those physical or biological features essential to conservation of the species and which may require special management consideration or protection.

ii) critical habitat may be established for those species now listed as threatened or endangered species for which no critical habitat has been established.

Endangered Species:

means any species which is in danger of extinction throughout all or a significant portion of its range.

Threatened Species:

means any species which is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

Rare:

means any species which though under-regulated could become threatened.

MILLE LACS NATURAL RESOURCES PROTECTION PROGRAM

Breeding Bird Elements

<u>SPECIES</u>	<u>COMMON NAME</u>	<u>STATUS</u>
Falco peregrinus anatum ¹	American Peregrine Falcon	Endangered
Falco peregrinus tundrius ^{1,2}	Arctic Peregrine Falcon	
Grus americana	Whooping Crane	Threatened
Charadrius meoldus	Piping Plover	
Athene cucularia	Burrowing Owl	
Anthus spragueii	Sprague's Pipit	
Ammodramus bairdii	Baird's Sparrow	
Calcarius ornatus	Chestnut-collared Longspur	
Haliseetus leucocephalus ¹	Bald Eagle	
Tympanuchus cupido	Greater Prairie Chicken	
Grus canadensis	Sandhill Crane	
Asio flarnmeus	Short-earned Owl	
Lanius ludovicianus	Loggerhead Shrike	
Podiceps auritus	Horned Grebe	Rare
Podiceps nigricollis	Eared Grebe	
Pelicanus erythrorhynchos	White Pelican	
Phalacrocoras auritus	Double-crested Cormorant	
Accipiter gentilis	Goshawk	
Falco columbarius	Merlin	
Colinus virginianus	Bobwhite	
Rallus elegans	King Rail	
Coturnicops noveboracensis	Yellow Rail	
Gallinula chloropus	Common Gallinule	
Limosa fedos	Marbled Godwit	
Stepanopus tricolor	Wilson's Phalarope	
Larus pipixcan	Franklin's Gull	

¹ This species officially receives an identical status designation by the U.S. Department of Interior, Fish and Wildlife Service and by the State of Minnesota.

² This species is not a breeding bird of the state but only occurs during migration. It is listed here due to its inclusion on the federal endangered species list.

<u>SPECIES</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<i>Sterna Hirundo</i>	Common Tern	
<i>Strix nebulosa</i>	Great Gray Owl	
<i>Empidonax virescens</i>	Arcadian Flycatcher	
<i>Parus bicolor</i>	Tufts Titmouse	
<i>Vireo Bellii</i>	Bell's Vireo	
<i>Dendroica Caerulescens</i>	Black-throated Blue Warbler	
<i>Seiurus motacilla</i>	Louisiana Waterthrush	
<i>Guiraca caerules</i>	Blue Grosbeak	
<i>Ammodramus henslowii</i>	Henslow's Sparrow	
<i>Ammospiza caudacuta</i>	Sharp-tailed Sparrow	
<i>Aechmophorus occidentalis</i>	Western Grebe	Special Concern
<i>Ardea herodias</i>	Great Blue Heron	
<i>Casmerodias albus</i>	Great Egret	
<i>Nycticorax nycticorax</i>	Black-crowned Night Heron	
<i>Bartramia longicauda</i>	Upland Sandpiper	
<i>Larus argentatus</i>	Herring Gull	
<i>Larus delawarensis</i>	Ring-billed Gull	
<i>Sterna forsteri</i>	Forester's Tern	
<i>Florida caerules</i>	Little Blue Heron	Undetermined
<i>Bubulcus ibis</i>	Cattle Egret	
<i>Egretta thula</i>	Snowy Egret	
<i>Nyctanassa violacea</i>	Yellow-crowned Night Heron	
<i>Catoptrophorus semipalmatus</i>	Willet	
<i>Recurvirostra americana</i>	American Avocet	
<i>Tyto alba</i>	Barn Owl	
<i>Aegolius funereus</i>	Boreal Owl	
<i>Picoides tridactylus</i>	Northern Three-toed Woodpecker	
<i>Pica pica</i>	Blue-billed Magpie	
<i>Mimus polyglottos</i>	Mockingbird	
<i>Icteria virens</i>	Yellow-breasted Chat	
<i>Wilsonia pusilla</i>	Wilson's Warbler	
<i>Euphagus carolinus</i>	Rusty Blackbird	
<i>Calamospiza melanocorys</i>	Lark Bunting	
<i>Plegadis chihi</i>	White-faced Ibis	Extirpated
<i>Olor buccinator</i>	Trumpeter Swan	
<i>Elanoides forficatus</i>	Swallow-tailed Kite	
<i>Numenius phaeopus</i>	Long-billed Curlew	
<i>Calcarius mccownii</i>	McCown's Longspur	
<i>Ectopistes migratorius</i>	Passenger Pigeon	Extinct
<u>Mammal Elements</u>		
<i>Microtus chrotorrhinus</i>	Rock Vole	Endangered

<u>SPECIES</u>	<u>COMMON NAME</u>	<u>STATUS</u>
<i>Canis lupus</i> ¹	Eastern Timber Wolf	Threatened
<i>Pipistrellus subflavus</i>	Eastern Pipistrel	Rare
<i>Thomomys talpoides</i>	Northern Pocket Gopher	
<i>Perognathus flavescens</i>	Plains Pocket Mouse	
<i>Reithrontomys megalotis</i>	Western Harvest Mouse	
<i>Onychomys leucogaster</i>	Northern Grasshopper Mouse	
<i>Microtus ochrogaster</i>	Prairie Vole	
<i>Microtus pinetorum</i>	Pine Vole	
<i>Synaptomys borealis</i>	Northern Bog Lemming	
<i>Martes americana</i>	Pine Marten	
<i>Spilogale putorius</i>	Spotted Skunk	
<i>Felis concolor</i>	Mountain Lion	
<i>Lynx canadensis</i>	Canada Lynx	
<i>Cervus canadensis</i>	American Elk	Special Concern
<i>Cryptotis parva</i>	Least Shrew	Undetermined
<i>Phenoacomys intermedius</i>	Mountain Phenacomys	
<i>Ursus arctos</i>	Grizzly Bear	Extirpated
<i>Gulo gulo</i>	Wolverine	
<i>Rangifer Caribou</i>	Woodland Caribou	
<i>Bison bison</i>	Bison	
<u>Amphibian Elements</u>		
<i>Notophthalmus viridescens</i>	Common Newt	Rare
<i>Plethodon cinereus</i>	Red-backed Salamander	
<i>Acris crepitans</i>	Blanchard's Cricket Frog	
<i>Rana catesbeiana</i>	Bullfrog	
<i>Rana palustris</i>	Pickerel Frog	
<i>Hyla chrysoscelis</i>	Gray Tree Frog	Undetermined
<u>Reptile Elements</u>		
<i>Eumeces fasciatus</i>	Five-lined Skink	Endangered
<i>Elphe obsoleta</i>	Black Rat Snake	Threatened
<i>Coluber constrictor foxi</i>	Blue Racer	
<i>Sistrurus catenatus catenatus</i>	Eastern Massasauga	
<i>Cnemidophorus sexlineatus</i>	Six-lined Racerunner	Rare
<i>Diadophis punctatus aryni</i>	Prairie Ringneck Snake	
<i>Diadophis punctatus edwardsi</i>	Northern Ringneck Snake	
<i>Clemmys insculpta</i>	Wood Turtle	

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<u>SPECIES</u>	<u>COMMON NAME</u>	<u>STATUS</u>
Graptemys pseudogeographia	False Map Turtle	
Trionyx muticus	Smooth Soft-shelled Turtle	
Emyodidea blandingii	Blanding's Turtle	Special Concern
<u>Fish Elements</u>		
Acipenser fulvescens	Lake Sturgeon	Threatened
Hybopsis x-punctata	Gravel Chub	
Cycleptus elongatus	Blue Sucker	
Polyodon spathula	Paddlefish	Rare
Scaphirhynchus platorhynchus	Shovelnose Sturgeon	
Opsopoedus emilae	Pugnose Minnow	
Notropis amnis	Pallid Shiner	
Notropis Anogenus	Pugnose Shiner	
Notropis Topeka	Topeka Shiner	
Notropis lutrensis	Red Shiner	
Carpoides velifer	Highfin Carpsucker	
Moxostoma carinatum	River Redhorse	
Moxostoma valenciennesi	Greater Redhorse	
Moxostoma dequesnei	Black Redhorse	
Noturus exilis	Slender Madtom	
Anguilla rostrata	Americal Eel	
Fundulus sciadicus	Plains Top Minnow	
Ammocrypta asprella	Crystal Darter	
Percina evides	Gilt Darter	
Etheostoma chrlorosomum	Bluntnose Darter	
Coregonus zenithicus	Shortjaw Cisco	Special Concern
Corgonus Kiyi	Kiyi	
Clinostomus Elongatus	Redside Dace	
Dionda nubila	Ozark Minnow	
Carpoides carpio	River Carpsucker	Undetermined
Aphredoderus sayanus	Pirate Perch	
Lepomis megalotis	Longear Sunfish	
Alosa chrysochloris	Skipjack Herring	Extirpated
<u>Mussel Elements</u>		
Tritogonia verrucosa	Buckhorn	Endangered
Cyclonaias tuberculata	Purple Pimpleback	
Fusconaia ebena	Ebony Shell	
Plethobasus cyphus	Bullhead	
Elliptio crassidens	Elephant's Ear	
Potamilus Capax	Fat Pocketbook	
Lampsilis teres	Yellow Sandshell	

<u>SPECIES</u>	<u>COMMON NAME</u>	<u>STATUS</u>
Lampsilis higginsii	Higgin's Eye Pearly Mussel	
Quadrula metanevra	Monkeyface	Threatened
Ellipsaria lineolata	Butterfly	
Actinonaias carinata	Muckat	
Lasmigona costata	Fluted Shell	
Pleurobema cordatum	Ohio River Pigtoe	Rare
Elliptio complanatus		
Ligumia recta	Black Sandshell	
Arcidens confragosus	Rockshell	
Actinonaias ellipsiformis	Ellipse	Undetermined
Anodonta suborbiculata	Flat Floater	
<u>Butterfly Elements</u>		
Hesperia uncas	Uncas Skipper	None assigned
Hesperia assiniboia	Assiniboia Skipper	
Hesperia ottoe	Ottoe Skipper	
Hesperia dacotae	Dakota Skipper	
Oarisma garita	Garita Skipper	
Pyrgus centauroe freija	Grizzled Skipper	
Erynnis baptisiae	Wild Indigo Dusky Wing	
Eurema lisa	Little Sulphur	
Callophrys gryneus	Olive Hairstreak	
Plebejus samuelis	Karner Blue	
Plebejus argyrognomon nabokovi	Northern Blue	
Polygonia gracilis	Hoary Comma	
Oeneis uhleri varuna	Uhler's Arctic	
Erebia disa mancinus	Disa Alpine	

DATED at Vineland, Minnesota, this thirty-first day of June in the year one thousand nine hundred and eighty-six.

Don Wedll

 Don Wedll
 Commissioner of Natural Resources

APPROVED AND NUMBERED AS
 TO FORM AND EXECUTION

 Jay Kanassataga
 Solicitor General

OFFICIAL SEAL OF THE BAND