

COMMISSIONER'S ORDER NO. 133-90

Natural Resources

A Commissioner's Order establishing regulation for the use of herbicides on noxious weeds

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 the treaty of 1855, 10 Stat. 1165, and

WHEREAS, Band Statute 1062-MLC-50, Section 3 directs the Commissioner of Natural Resources to protect all natural resources of the Mille Lacs Band of Chippewa Indians, and

WHEREAS, the use of herbicides may be the only effective way to control purple loosestrife, a highly aggressive plant that rapidly takes over wetlands, and

WHEREAS, the application of herbicides must be control because of the very harmful affect it can have on the environment, and

WHEREAS, the herbicide used within the Mille Lac Reservation or on lands under the jurisdiction of the Band shall be regulated, and

WHEREAS, the unregulated use of herbicides can cause harmful affect to the environment and health of tribal members, and

WHEREAS, this regulation is developed to protect against any serious impact on the health, environment, and economic security of the Mille Lacs Band of Chippewa Indians.

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 regulations for the use of herbicides on noxious weeds within the jurisdiction of the Mille Lacs Band of Chippewa Indians.

REGULATION

Definition:

Herbicide- chemical agent used to destroy plants.

Noxious weed- those plants identified in Commissioner Order 108-89.

Type:

1. The only approved herbicides are "Rodeo" by Monsanto and X-77 Spreader by Valent.

2. The only noxious weed authorized to be eradicated by the use of a herbicide is Purple Loosestrife (*Lythrum Salicaria*).


Method:

1. The only method of application of herbicides will be with hand sprayer, or dobber.

Authorization:

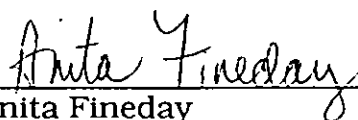
1. Anyone applying an approved herbicide must have a permit approved by the Commissioner of Natural Resources.
 - a. Permit shall contain: name, address of individual, type of herbicide being used, expiration date, method of application, type of noxious weed being controlled.
 - b. Any individual approved to apply herbicide will keep a record of the amount, type, date, and location then the herbicide was used. A copy of this record will be given to the Commissioner on a quarterly bases.
 - c. No one will be authorized to receive a permit until they have passed a written test in relating to the use of herbicides. Passing score is 70%.

DATED at Vineland, Minnesota this 2nd day of August in the year one thousand nine hundred and ninety.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Anita Fineday
Solicitor General

Band Seal