

**COMMISSIONER'S ORDER NO. 186-94**  
Natural Resources

A Commissioner's Order authorizing approval of Mille Lacs Band of Ojibwe Indians Department of Natural Resources to implement a form for an Environmental Assessment Worksheet as part of compliance with National Environmental Protection Act (16 U.S.C. 470f)

**WHEREAS:** the Commissioner of Natural Resources has the power to regulate natural resources within the jurisdiction of the Mille Lacs Band of Ojibwe Indians through Band Statute 1162-MLC-50, Section 3; and

**WHEREAS:** the environment on the Mille Lacs Reservation have an effect on natural resource under the jurisdiction of the Mille Lacs Band of Ojibwe Indians; and

**WHEREAS:** the protection of the environment is a responsibility designated to the Commissioner of Natural Resources; and

**WHEREAS:** the need for evaluating effect on the environment sites will be necessary to preservation natural resources; and

**WHEREAS:** the United States of America has enact the NEPA to assist in the protection of the environment, and

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

**WHEREAS:** pursuant to the provisions of Band Statutes 1162-MLC-50, Section 3 the Commissioner of Natural Resources is empowered to execute the following form for determining the effects on the environment for the Mille Lacs Band of Ojibwe Indians Department of Natural Resources.

**NOW THEREFORE,** by the authority vested in me by the Mille Lacs Band of Ojibwe Indians under tribal law, I, Don Wedll, Commissioner of Natural Resources for the Mille Lacs Band of Ojibwe Indians hereby require the implementation of this form for an Environmental Assessment Worksheet (EAW) as part of compliance with National Environmental Protection Act (16 U.S.C. 470f) and compliance with Mille Lacs Band law. Such form is required for the undertaking of any project within the jurisdiction of the Mille Lacs Band of Ojibwe.

**ENVIRONMENTAL ASSESSMENT WORKSHEET (EAW)**

**MILLE LACS BAND DEPARTMENT OF NATURAL  
RESOURCES/ENVIRONMENT**

**Natural Resources Commissioners Order # 186-94**

PROJECT NAME:

COMMENTS AND RECOMMENDATIONS:

Recommended for approval subject to the following conditions (if any, specify):

Project should be rejected (explain):

PROPOSER:

CONTACT PERSON:

PHONE:

CONTACT PERSON:

PHONE:

CONTACT PERSON:

PHONE:

DATE SUBMITTED:

SIGN OFF COMMITTEE: Commissioner of Natural Resources - Don Wedll \_\_\_\_\_

CONTACT PERSON: Attachments - Proposer \_\_\_\_\_

PHONE:

CONTACT PERSON: Project Description - Proposer + Reservation Planner - Marv Ray

PHONE:

CONTACT PERSON: Land Use - Mille Lacs Band DNR/ENV Staff \_\_\_\_\_

Soils - MLB DNR/ENV Staff \_\_\_\_\_

Forests - MLB DNR/ENV Staff \_\_\_\_\_

Lakes, Streams, Wetlands - MLB DNR/ENV Staff \_\_\_\_\_

Ground water Assessment - MLB DNR/ENV Staff \_\_\_\_\_

Waste, Erosion, Sedimentation - MLB DNR/ENV Staff \_\_\_\_\_

Archeological, Historical, Architectural Review -

Tribal Operations/History Staff \_\_\_\_\_

Elders Committee Representative \_\_\_\_\_

PHONE: (612) 532-4181 ext. 811, 810 - Mille Lacs Band DNR/ENV Staff

Project Physical Characteristics: Reservation Planner \_\_\_\_\_  
 Project Location: \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 Section \_\_\_\_\_  
 Township \_\_\_\_\_ Range \_\_\_\_\_  
 Reservation District \_\_\_\_\_ County \_\_\_\_\_  
 City/Township Name \_\_\_\_\_

Attach copies of each of the following to the EAW :

1. Reservation map showing the general location of the project. Completed \_\_\_\_\_
2. Copy of USGS 7 1/2 minute, 1:24,000 scale map Completed \_\_\_\_\_
3. A site plan showing the location of significant features such as proposed structures, roads, extent of flood plain, wetlands, streams, wells, etc. Completed \_\_\_\_\_
4. An existing land use map and a zoning map of the immediate area, if available. Completed \_\_\_\_\_

### Project Description

5. Describe the proposed project completely (attach additional sheets as necessary).
6. Estimated cost of construction. \_\_\_\_\_
7. Total project area (areas) \_\_\_\_\_ or length (miles). \_\_\_\_\_
8. Number of residential units \_\_\_\_\_ or commercial, industrial, or institutional square footage \_\_\_\_\_
9. Number of proposed parking spaces. \_\_\_\_\_
10. List all known Tribal and Federal permits/ approvals/ funding required:

| <u>Level of Government</u> | <u>Type of Application</u> | <u>Status</u> |
|----------------------------|----------------------------|---------------|
|----------------------------|----------------------------|---------------|

**Land Use**

11. Is the proposed project inconsistent with the land use plan or any other adopted plan including zoning for the area?

If yes, explain:

a. Shoreline Management (C.O. # 170-93)                      Yes\_\_\_\_ No\_\_\_\_\_

b. Water Conservation (C.O. # 112-89)                      Yes\_\_\_\_ No\_\_\_\_\_

c. Archaeological Protection (C.O. # 143-90)                      Yes\_\_\_\_ No\_\_\_\_\_

12. Describe current and recent past land use and development on and near the proposed project site.

13. Approximately how many acres of the site are in each of the following categories? (Acreages should add up to total project area before and after construction).

Before

After

- Forest/Woodland
- Crop land
- Brush/Grassland
- Wetland
- Impervious Surface
- Other (specify)

**Soils & Forests**

14. Describe the soils on the site, giving the SCS soil classification.

15. Does the site contain peat soils, highly erodible soils, steep slopes, sinkholes, shallow limestone formations, abandoned wells, or any geologic hazards?

If yes, show on site map and explain:                      Yes\_\_\_\_\_ No\_\_\_\_\_

16. Will the project affect Reservation forests or future development?

Yes \_\_\_\_\_ No \_\_\_\_\_

a. Does project development collaborate with the Reservation forest plan?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Lakes, Streams, Wetlands**

17. Does any part of the project area involve:

a. Lakes\* Yes \_\_\_\_\_ No \_\_\_\_\_  
(type \_\_\_\_\_ usage \_\_\_\_\_ priority \_\_\_\_\_ acres \_\_\_\_\_)

b. Streams or Rivers\* Yes \_\_\_\_\_ No \_\_\_\_\_  
(type \_\_\_\_\_ usage \_\_\_\_\_ priority \_\_\_\_\_ miles \_\_\_\_\_)

c. Wetlands\*\* Yes \_\_\_\_\_ No \_\_\_\_\_  
(type \_\_\_\_\_ usage \_\_\_\_\_ priority \_\_\_\_\_ acres \_\_\_\_\_)

\*If yes, identify water body, stream or wetland and any applicable Tribal classifications, and describe measures to protect water and related resources: Attachment A1 - Mille Lacs Reservation Surface Water Designations.

\*\*Mille Lacs Reservation Wetlands Delineation Report

Wetland Mitigation proposed: Yes \_\_\_\_\_ to be banked: Yes \_\_\_\_\_ No \_\_\_\_\_

Description of mitigation process:

Bank \_\_\_\_\_  
Type \_\_\_\_\_  
Acres \_\_\_\_\_  
Location \_\_\_\_\_  
Type proposed \_\_\_\_\_  
Acres \_\_\_\_\_

18. Describe any physical alteration (e.g. dikes, excavation, fill, stream diversion) that could effect the integrity of any ecosystem - lake, stream, or wetland. Describe measures to minimize impairment of material to be dredged and indicate where the spoils will be deposited.

Ground water Assessment

19. What is the approximate depth (in feet) to:

- a. Ground water \_\_\_\_\_ Minimum \_\_\_\_\_ Average
- b. Bedrock \_\_\_\_\_ Minimum \_\_\_\_\_ Average

20. a. Will the project require an appropriation of ground or surface water? If yes, explain (indicate quantity and source): Yes \_\_\_\_\_ No \_\_\_\_\_

b. Will the project affect ground water levels in any wells off the site? If yes, explain:  
Yes \_\_\_\_\_ No \_\_\_\_\_

c. If a well is to be drilled are legal setbacks being complied with?  
Yes \_\_\_\_\_ No \_\_\_\_\_

1). Has there been a preliminary site investigation to verify suitability of a well? (home site and septic history survey) Yes \_\_\_\_\_ No \_\_\_\_\_.

2). If applicable (is) proposed sewage system in compliance with the Mille Lacs Bands UIC regulations?

21. Are there any complications involving the project with ground water.

Waste, Erosion, Sedimentation

22. Describe the erosion and sedimentation control measures to be used during and after construction of the project.

23. Will the project generate:

a. Surface and storm water runoff? Yes \_\_\_\_\_ No \_\_\_\_\_

b. Sanitary waste water? Yes \_\_\_\_\_ No \_\_\_\_\_

c. Industrial waste water? Yes \_\_\_\_\_ No \_\_\_\_\_

d. Cooling water? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, identify sources, volumes, quality (if other than normal domestic sewage), and treatment methods. Give the basis or methodology of estimates.

24. If an on site sewage treatment system is required, has there been a preliminary site investigation? Yes \_\_\_\_\_ No \_\_\_\_\_

1) Type of establishment (e.g. single family residence, restaurant)

2) System: new replacement (circle one)

3) House specifications

Total SQ Footage \_\_\_\_\_  
# of Bedrooms \_\_\_\_\_  
Type of Dwelling \_\_\_\_\_  
# Water Using  
Devices \_\_\_\_\_  
automatic washer, dishwasher,  
water softener, garbage disposal,  
self cleaning humidifier or furnace

4) Estimated Flow \_\_\_\_\_

5) Lot Dimensions: \_\_\_\_\_

6) Description of Well: \_\_\_\_\_

7) Easements: \_\_\_\_\_

8) Flooding Information: \_\_\_\_\_

9) Soil Survey Information

Map Unit Symbol \_\_\_\_\_

Map Unit Name \_\_\_\_\_

Soil Features:

Landscape position \_\_\_\_\_

Flooding \_\_\_\_\_

Slope \_\_\_\_\_

Water table depth \_\_\_\_\_

Bedrock depth \_\_\_\_\_

Texture at proposed depth of  
system \_\_\_\_\_

10) Soil Type (if known) \_\_\_\_\_

Has the area been disturbed or compacted? Yes \_\_\_\_\_ No \_\_\_\_\_

25. Will the proposed facility generate any hazardous materials during construction or after completion? \_\_\_\_\_ If yes, indicate type of material and plans of disposal.



**Archeological, Historical, Architectural Review**

26. Are there any archeological, historical or architectural resources on or in proximity to the project site?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, describe the resource and identify any impacts on the resource due to the project. Describe any measures to be taken to minimize or avoid adverse impacts.

a. Has there been a archeological review of the immediate area conducted by an archeologist? Yes \_\_\_\_\_ No \_\_\_\_\_

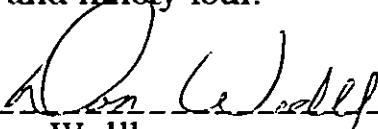
b. Has archeological historical review been completed of the general area?  
1 ) Federal Registrar and local archeological records review completed.  
Yes \_\_\_\_\_ No \_\_\_\_\_

c. Is other development anticipated on adjacent lands or outlets? \_\_\_\_\_

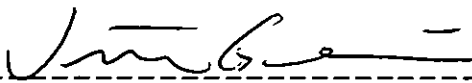
If Yes, describe the development and its relationship to the present project?

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DATED at Vineland, Minnesota this sixth day of June in the year one  
thousand nine hundred and ninety-four.

  
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Don Wedll  
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO  
FORM AND EXECUTION

  
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Jim Genia  
Solicitor General

OFFICIAL SEAL OF THE BAND