

COMMISSIONER'S ORDER NO. 220-96

Natural Resources

A Commissioner's Order establishing the creation and permanent protection of a designated wetland within the Mille Lac Reservation.

WHEREAS, the Mille Lacs Band of Ojibwe 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 I062-MLC-50, Section 3 directs the Commissioner of Natural Resources to protect all natural resources of the Mille Lacs Band of Ojibwe Indians, and

WHEREAS, many wetlands have been subject to development pressure, and

WHEREAS, wetlands are a significant factor in the overall protection of the environment, and

WHEREAS, the United States Environmental Protection Agency has funded the Mille Lacs Band of Ojibwe to develop a regulatory program within the Mille Lac Reservation or on lands under the jurisdiction of the Band, and

WHEREAS, a wetland located in Township 43 north, Range 27 west, Section 33, of Government Lot 4 and of Northwest Quarter of the Northwest Quarter was drained and subject to development prior to the present ownership, and

WHEREAS, the commercial development of the Corporate Commission has impacted 10 acres of wetlands located within this watershed, and

WHEREAS, through a cooperative effort of the United States Fish and Wildlife, Army Corps of Engineers, Minnesota Department of Natural Resources, Environmental Protection Agency, and the Mille Lacs Department of Natural Resources a determination that the best way to deal with the 10 acres of impacted wetlands would be to restore a drained wetlands, and

WHEREAS, the drainage ditches have had dams constructed by beaver and restoring the wetland status to these lands, and

WHEREAS, this construction needs additional protection of preserve and protect this wetlands.

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 provide for the protection, restoration and establishment of a designated permanent wetland within the Mille Lac Reservation as follows.

Definition:

Wetlands are those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Location:

A wetland located in Township 43 north, Range 27 west, Section 33, of Government Lot 4 and of Northwest Quarter of the Northwest Quarter consisting of acres (see attached maps A & B).

Description:

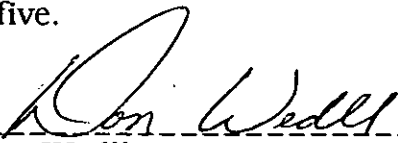
Said wetland was restored by the creation of beaver dams in the drainage ditch. Such beaver dams are protected from destruction and will remain as a permanent dam for the restoration of this wetland.

Enforcement:

It shall be a violation of this order to remove, destroy, or drain this protected wetlands.


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DATED at Vineland, Minnesota this 21th day of November in the year one thousand nine hundred and ninety-five.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



Jim Genia
Solicitor General

Band Seal

KATHIO TWP. NORTH

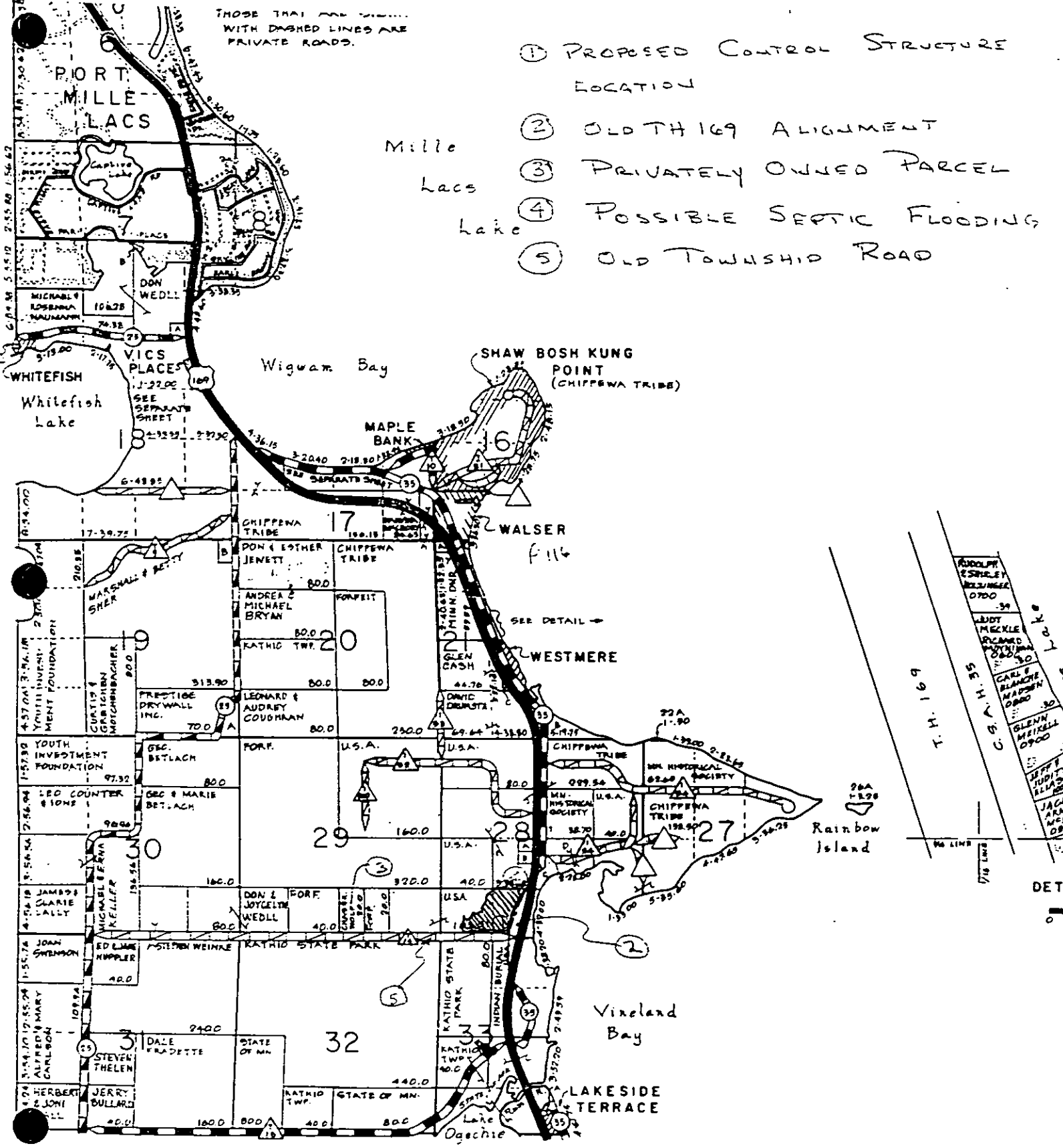
T 43 N

R 27 W

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Attachment A

THOSE THAT ARE SHOWN
WITH DASHED LINES ARE
PRIVATE ROADS.

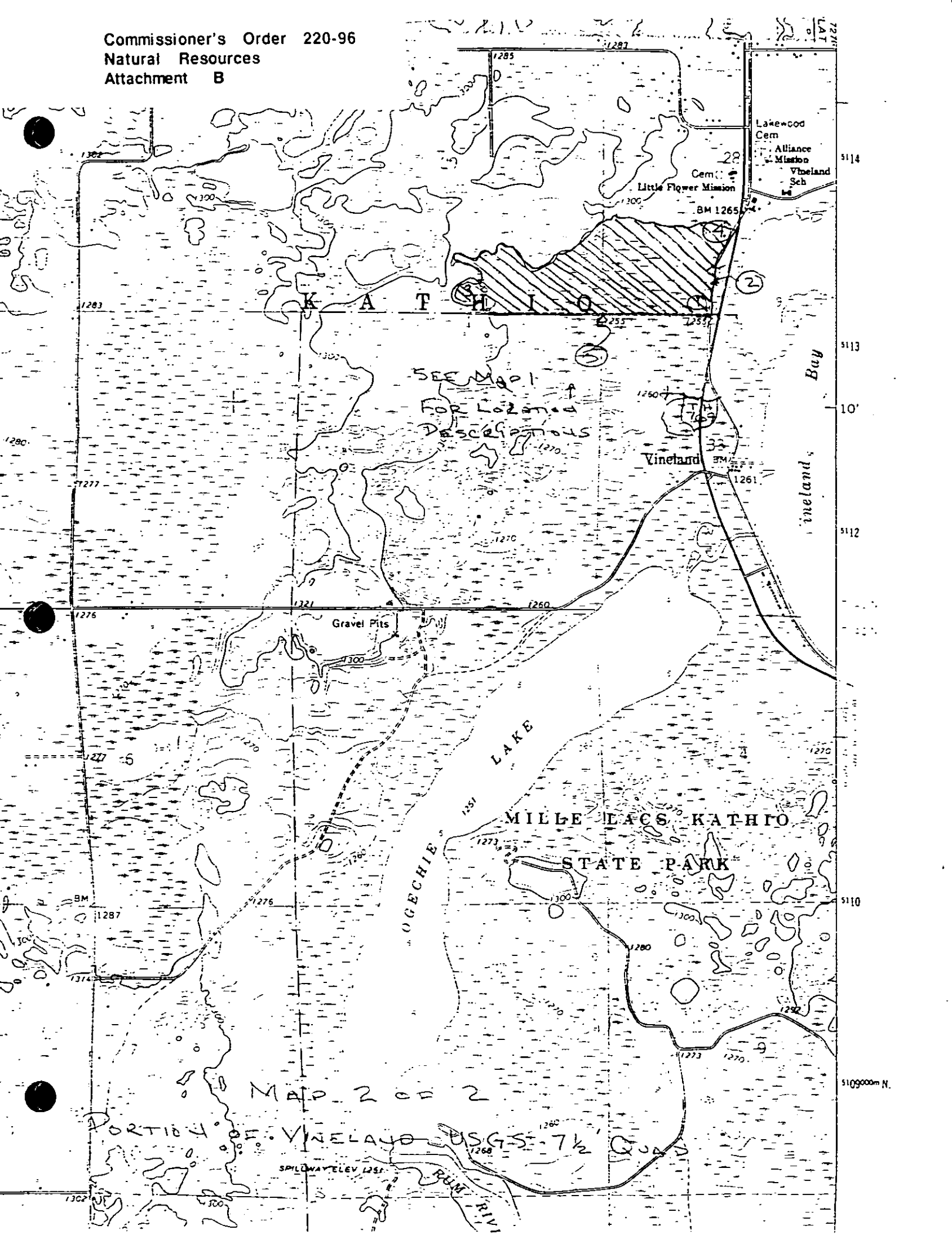
- ① PROPOSED CONTROL STRUCTURE LOCATION
- ② OLD TH 169 ALIGNMENT
- ③ PRIVATELY OWNED PARCEL
- ④ POSSIBLE SEPTIC FLOODING
- ⑤ OLD TOWNSHIP ROAD



MAP 1 OF 2

EXCERPTED FROM ATLAS OF MILLELACS COUNTY

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 Attachment B



SEE MAP 1
 FOR LOZANED
 DESCRIPTIONS

MAP 2 OF 2

PORTION OF VINELAND USGS 7 1/2 QUAD

SPILLWAY ELEV 1251

PAIN RIVER

514
 513
 10'
 512
 5110
 5109000m N