

COMMISSIONER'S ORDER NO. 162-92

Natural Resources

A Commissioner's Order establishing a definition of wetland for regulatory use by the Mille Lacs Band of Ojibwe.

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 1062-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, several definitions have been formulated to define "wetland" for various laws, regulations, and programs, and

WHEREAS, the application of a wetland definition is 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, this definition will assist in the protection of wetlands, waters, and the environment, and


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

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 establish the following definition to be used as the regulatory definition for the protection of wetlands within the jurisdiction of the Mille Lacs Band of Ojibwe Indians.

Definition:

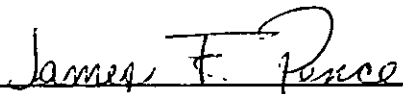
Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs,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

DATED at Vineland, Minnesota this 14th day of August in the year one thousand
nine hundred and ninety-two.



Don Wedll
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



James F. Pence
Solicitor General

Band Seal