

COMMISSIONER'S ORDER NO. 180-93
Natural Resources

A Commissioner's Order establishing Off-Reservation 1993 Migratory Bird Regulations, within the Ceded Area of 1837.

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

WHEREAS, the Band resides in the ceded territory of the Treaty of 1837, 7 Stat. 536, and

WHEREAS, the U.S. Fish and Wildlife Service has, at the 1837 Tribes' request, promulgated regulations governing the 1993 Chippewa Indian Off-Reservation Migratory Bird Season, and

WHEREAS, the Department of the Interior published, in the federal register, proposed rules and a final rule for the taking of migratory birds within the ceded territory of 1837, and

WHEREAS, the 1993 Off-Reservation Migratory Bird Hunting Agreement by and between the Tribal and State Parties in Lac Courte Oreilles, et al., v. State of Wisconsin, et al., has been entered as a Interim Consent Order by the Federal Courts, and

WHEREAS, the Mille Lacs Band deems it appropriate to provide an orderly system of tribal control and regulation of off-reservation migratory bird hunting, and

WHEREAS, the Mille Lacs Band further deems it appropriate to provide conservation and management of migratory bird population found in the ceded territory through the regulation of member hunting occurring there, and

WHEREAS, the Commissioner of Natural Resources has the authority to regulate natural resources within the jurisdiction of the Mille Lacs Band of Chippewa Indians through Band Statute 1162-MLC-50, Section 3, and Band Statute 1092-MLC-25, et seq., and

WHEREAS, the taking of migratory birds is a natural resource under the jurisdiction of the Mille Lacs Band of Chippewa Indians, and

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