

Commissioner's Order 354-03

A Commissioner's Order establishing the closing of fish harvesting on the body of water on the former Betlach property.

WHEREAS, the Mille Lacs Band of Ojibwe is a signatory or successor to the Treaty of 1836, 7 Stat. 491, the Treaty of 1837, 7 Stat. 536, and /or the Treaty of 1842, 7 Stat. 591; and

WHEREAS, the Commissioner of Natural Resources has the power to regulate natural resources within the jurisdiction of the Mille Lacs Band of Ojibwe pursuant to 11 MLBSA § 2002 and § 2003; and

WHEREAS, the management and protection of natural resource is under the jurisdiction of the Mille Lacs Band of Ojibwe Department of Natural Resources; and

WHEREAS, the body of water located on the former Betlach property legal description The Northeast Quarter (NE1/4) and North Half of Southeast Quarter (N1/2SE1/4), all in Section Thirty (30), Township Forty- three(43), Range Twenty- seven(27), Mille Lacs County, Minnesota. ; and

WHEREAS, has unique value and that there is a need for a population assessment of types and age class of fish that are in known to inhabit this body of water; and

WHEREAS, the Mille Lacs Band of Ojibwe Department of Natural Resources/ Environment has determined that this body of water needs to be protected from over harvesting ; and

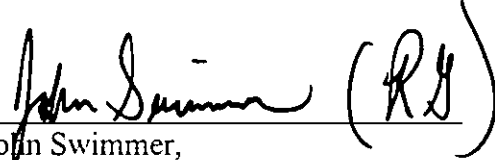
NOW THEREFORE, by the power invested in me by the Mille Lacs Band of Ojibwe pursuant to 11 MLBSA § 2003, I, Curt Kalk, Commissioner of Natural Resources for the Mille Lacs Band of Ojibwe establish that be it ordered that the Betlach property body of water will remain closed to all types of fish harvesting until a reasonable population assessment can be completed by the Mille Lacs Band of Ojibwe Department of Natural Resources.

DATED at Vineland, Minnesota this 31st day of December in the year two thousand three.



Curt Kalk,
Commissioner of Natural Resources

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION



John Swimmer,
Solicitor General

Expiration Date: N/A

OFFICIAL SEAL OF THE BAND

ORIGINAL

Fond du Lac and Mille Lacs Band Memorandum of Understanding

This Memorandum of Understanding is made between the Fond du Lac Band of Lake Superior Chippewa and the Mille Lacs Band of Ojibwe regarding the shared 75% - 25% position of the BIA funded Timber Sales Forester.

Objective

The objective is to provide maximum support, assistance and coordination (as funds allow) to increase development of the timber sale program on the Fond du Lac Band and Mille Lacs Band reservations.

Purpose

The purpose of this agreement is to enable the Fond du Lac Reservation to hire and assume day-to-day direction of the timber sale forester. It is also understood that 25% of the person's time will be spent working at and on the Mille Lacs Reservation as a timber sale forester for 13 weeks each year. The timber sale forester will spend every fourth week, plus the equivalent of one floating week on Mille Lacs Reservation. The timing of the floating week will be worked out between Fond du Lac and Mille Lacs Bands forestry programs.

Duties at Mille Lacs

Timber Sale Preparation

- Prepare harvest plan
- Establish unit boundaries
- Cruise timber within 10% Limit of Error
- Calculate Cruise Volumes
- Draft Forest Officer's Report
- Draft Timber Sales Contract
- Coordinate Power of Attorney with Allotment Clerk

Administration

- Completes timber sale inspections
- Takes appropriate action to correct deficiencies on timber sales
- Enter scale and receipts information into TSA
- Produce Report of Timber Cut Monthly
- Completes pick-up scale
- Completes statement of completion and Closure memo
- Complete OPINV and GIS updates

Inventory

- Completes Stand Exam as required

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Enter stand exam into OPINV and GIS
Be able to query OPINV
Analyze OPINV data for forest development and harvest planning

Forest Development

Prepare annual Forest Development Proposals
Set-up and administer forest development projects
Prepare annual forest development accomplishment report
Prepare and Wildlife habitat projects

Approved

Fond du Lac Band
of Lake Superior Chippewa



Mille Lacs Band
of Ojibwe