



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

NON-REMOVABLE MILLE LACS BANDS OF CHIPPEWA INDIANS DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER 21-01

A COMMISSIONER'S ORDER FURTHER DEFINING THE AUTHORITY FOR THE ISSUANCE OF HARVESTING PERMITS

Section 1. Policy and Sources of Authority

The Commissioner of Natural Resources finds the following:

- (1) The Commissioner of Natural Resources has the authority to issue commissioner's orders on any subject matter within their jurisdiction pursuant to the authority conferred by Band statute through MLBSA Title 4 MLBSA § 7 (h).
- (2) The Commissioner of Natural Resources has the power to regulate the issuance of Band licenses and permits authorized within the jurisdiction of the Mille Lacs Band of Ojibwe through Title 11 MLBSA §2002 and 2003.
- (3) Title 11 MBLSA §4004. Religious or Ceremonial Use of Natural Resources. (b) No member shall harvest any resource for religious or ceremonial purposes without written authorization from the Department of Natural Resources and a permit issued by the Commissioner pursuant to this section, and no member shall fail to comply with the terms and conditions of any such permit.
- (4) Title 11 MLBSA §4005. Additional Measures. The Department of Natural Resources is authorized to issue orders that impose measures regulating hunting, fishing and gathering by Band members in the Minnesota Ceded Territory that are in addition to and more restrictive than the provisions of said chapter.
- (5) Due to a tragedy that occurred on the reservation during the 2021 Spring Harvest, the Commissioner of Natural Resources sought guidance from a Spiritual Advisor to determine the usage of the remaining walleye quota. The advice given was to allow the remaining walleye to be used for ceremonial needs and Fall Harvest.

Section 2. Requirements

- (6) Title 11 MLBSA § 4022. No member shall engage in the exercise of 1837 treaty rights without a validly issued Band natural resources harvesting permit. (b) No

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member shall engage in the exercise of treaty rights regulated by this Chapter except while carrying a valid color picture identification card issued by the Band. (c) Except as otherwise provided in this Chapter, the Department of Natural Resources is authorized to issue to members permits required by this Chapter and establish the form of such permits, provided that such form shall include the member's name, address and Band enrollment number. (d) No member shall refuse to display his or her identification documents or any other document or permit required by this Chapter to any Band, state, local or federal law enforcement officer upon request by such officer.

(7) Following the guidance of a Spiritual Advisor, and in the event normal Spring Harvest activities are suspended, the Commissioner of Natural Resources may allocate remaining walleye allocation to be used for ceremonial needs only.

(8) Band members with intent to harvest must seek written consent by the Commissioner of Natural Resources for permit issuance for ceremonial harvest needs. A permit will not be issued without said consent.

Section 3. Definitions

Only netting and spearing treaty activities are applicable for the purposes of this Commissioner's Order.

Section 4. Effectiveness

This Commissioner's Order shall become effective immediately and expire 12/31/2021.

Executed April 20, 2021.



Commissioner of Natural Resources, Katie Draper

Official Seal of the Band

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