

BOIS FORTE BAND OF CHIPPEWA

RESOLUTION NO. 6-2022

Adopting the Bois Forte Birch Pole Regulation

WHEREAS, the Bois Forte Band of the Minnesota Chippewa Tribe (the "Band") is a federally-recognized Indian tribe organized under the Indian Reorganization Act of 1934 and operating under the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe; and

WHEREAS, as the Band's governing body, the Bois Forte Reservation Tribal Council ("RTC") has the authority to enact laws to regulate, conserve, manage, and protect natural resources under the jurisdiction of the Band; and

WHEREAS, the RTC is aware of off-Reservation commercial interests seeking to purchase birch poles harvested within the Bois Forte Reservation; and

WHEREAS, the harvest of birch poles for commercial interests would exacerbate the ongoing stress on the birch tree population on the Reservation, thereby negatively impacting the Band's natural resources and efforts to manage those resources; and

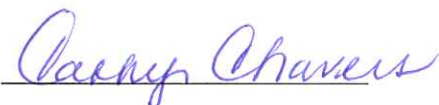
WHEREAS, in order to ensure the protection of the Band's natural resources, the RTC desires to regulate the gathering of birch poles without compromising Band members' ability to gather for ceremonial or traditional purposes.

NOW THEREFORE BE IT RESOLVED that the Bois Forte Reservation Tribal Council hereby adopts the Bois Forte Birch Pole Regulation, attached hereto as "Exhibit A", effective as of the date of this Resolution; and

BE IT FURTHER FINALLY RESOLVED that the Bois Forte Birch Pole Regulation shall be incorporated and codified into the Bois Forte Band of Chippewa Conservation Code.

Certification

We do hereby certify that the foregoing resolution was duly presented and enacted by a vote of 3 for, 0 against, 0 abstaining, at a meeting of the Bois Forte Reservation Tribal Council, a quorum being present, held on July 21, 2021 at Lake Vermilion, Minnesota.



Cathy Chavers
Chairwoman



David C. Morrison, Sr.
Secretary-Treasurer

BOIS FORTE BIRCH POLE REGULATION

- (A) GENERAL PROHIBITION. No person may gather birch poles on lands over which the Bois Forte Band of Chippewa (the "Band") has governmental jurisdiction unless the person possesses a valid "Traditional Use Permit".
- (B) TRADITIONAL USE PERMIT REQUIREMENT. Bois Forte Band Members ("Band Member(s)") who have a traditional (non-commercial) need for birch polls may apply for a Traditional Use Permit to harvest birch polls consistent with the limitations set forth in this Regulation. Applications for a Traditional Use Permit may be obtained from and submitted to the Bois Forte Forester who will decide whether to issue a Traditional Use Permit in his or her sole discretion.
- (C) SEASON DATES AND HOURS. Band Members who obtain a valid Traditional Use Permit may gather birch poles Monday through Friday between the hours of 8 A.M. – 6 P.M.
- (D) GATHERING RESTRICTIONS
1. The Birch poles being harvested shall not be more than 5" DBH (diameter at breast height).
 2. Gathering shall not occur within 50 feet of lakes, campsites, roads, or maintained trails.
 3. Band Members gathering birch poles must carry their Traditional Use Permit and valid Bois Forte Identification Card on their person at all times.
- (E) LIMITS
1. A Band Member who is in possession of a Traditional Use Permit may harvest up to 25 birch poles.
 2. Upon harvesting the birch poles, the Band Member must contact the Bois Forte Forester who shall verify number of harvested birch poles to ensure compliance with this Regulation.
 3. No more than three (3) Traditional Use Permits may be issued for a given harvesting activity/project in any calendar year.
 4. A Band Member may not receive more than one Traditional Use Permit for birch pole gathering in any calendar year.
- (F) ENFORCEMENT. The provisions of this Regulation may be enforced through the general and special enforcement provisions (Sections XI and XII) of the Conservation Code of the Bois Forte Band of Chippewa.