



Leech Lake Tribal Council

IN REPLY REFER TO:

Leech Lake Tribal Council Ordinance No. 99-02

ELI O. HUNT,
CHAIRMAN
LINDA G. JOHNSTON,
SECRETARY-TREASURER
ALFRED FAIRBANKS, JR.,
DISTRICT I REPRESENTATIVE
JACK H. SEELYE,
DISTRICT II REPRESENTATIVE
MYRON F. ELLIS,
DISTRICT III REPRESENTATIVE

Regulation of Surface Use of a Portion of the Bowstring River

Section 1 **Intent and Purpose:** In order to preserve and protect the natural resources that lie within the jurisdictional boundaries of the Leech Lake Reservation, the Leech Lake Tribal Council hereby enacts and adopts this Ordinance regulating surface use of that portion of the Bowstring River that flows from Bowstring Lake to Sand Lake. The Bowstring River has long been a traditional wild rice harvesting place of the People of the Leech Lake Reservation. This Ordinance not only seeks to protect the rich wild rice beds of the Bowstring River, but to diminish, to the fullest extent possible, the erosion of the River's delicate shoreline, and to promote the safety of individuals who utilize the River.

Section 2 **Definitions:** For the purpose of this Ordinance, words and terms used hereafter shall have the following definition:

- 2.1 Reservation: Means the Leech Lake Indian Reservation as established by the Treaties of 1855, 1864 and 1867 and the Executive Orders of October 29 and November 4, 1873 and May 26, 1874 and described specifically in an unpublished judgment in Leech Lake v. Herbst, Nos. 3-69 Civ. 64 and 3-70 Civ. 228 (U.S. Dist. Ct., Dist. Of Minn., June 18, 1973).
- 2.2 Bowstring River: That body of water lying within the exterior boundaries of the Leech Lake Reservation which flows northward from Bowstring Lake to Sand Lake and beyond. For the purpose of this Ordinance, only that portion of the Bowstring River which lies between the outlet of Bowstring Lake to the inlet of Sand Lake will be subject to regulation.
- 2.3 Operate: The navigation of, or to otherwise use, a watercraft.
- 2.4 Watercraft: Any boat, pontoon, canoe, jet-ski or any other object that is used in the water and is operated by a person or individual.
- 2.4 Person or Individual: Any person, corporation, partnership or organization.

2.5 Slow no-wake: The operation of a watercraft at the slowest possible speed necessary to maintain steerage and in no case greater than 5 m.p.h.

- Section 3** Surface Regulation of the Bowstring River: For twenty-four (24) hours a day, from the beginning of Memorial Day weekend to the end of Labor Day weekend of each year, a slow no-wake speed zone will be in effect and will be enforced on that portion of Bowstring River which is the subject of this Ordinance.
- Section 4** Postings: Conservation Officers of the Leech Lake Reservation will post and maintain notices of the regulations governing the Bowstring River Slow No-Wake Restriction at all public watercraft accesses on the Bowstring River. In addition, the outlet on Bowstring Lake and the inlet on the Sand Lake will be delineated by buoys to mark the area under regulation.
- Section 5** Enforcement: The primary responsibility of enforcing this Ordinance will be vested in Leech Lake Reservation Conservation Officers. Other recognized officers authorized to enforce the terms of this Ordinance will be any officer of the Leech Lake Reservation Law Enforcement Department, the Itasca County Sheriff's department and Minnesota Department of Natural Resources Conservation Officers.
- Section 6** Exceptions: Any authorized Department of Resources Management Personnel, any recognized Emergency or Law Enforcement personnel, while in performance of their official duties, are exempt from the provisions of this ordinance.
- Section 7** Penalties: Any individual who violates the terms and intent of this Ordinance will be cited as "creating a wake in a slow no-wake zone" and will be ordered to appear before a judge of the Leech Lake Tribal Court or a court of competent jurisdiction. Fines may be imposed in Tribal Court which will not exceed \$250 per violation without a written order issued by a judge of the Leech Lake Court.
- Section 8** Effective Date: The terms and provisions of this Ordinance will be effective immediately upon its passage by the Leech Lake Reservation Tribal Council.

CERTIFICATION

I DO HEREBY CERTIFY, that the foregoing Ordinance was duly presented and adopted by a vote of 3 For, 0 Against and 0 Silent at a SPECIAL meeting of the Leech Lake Tribal Council, a quorum being present, held on JULY 10, 1998 at Cass Lake, Minnesota.

Eli O. Hunt
Eli O. Hunt, Chairperson

Linda G. Johnston
Linda G. Johnston, Secretary-Treasurer

CERTIFICATION

WE DO HEREBY CERTIFY, that the foregoing Ordinance was duly presented and adopted by a vote of 4 in favor, 0 opposed, and 0 abstaining, at a Special Meeting of the Leech Lake Tribal Council, a quorum being present, held on April 8, 1999, at Cass Lake, Minnesota.

Eli O. Hunt

Eli O. Hunt, Chairman
LEECH LAKE TRIBAL COUNCIL

Linda G. Johnston

Linda G. Johnston, Secretary/Treasurer
LEECH LAKE TRIBAL COUNCIL