

**FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA  
TIMBER SALE POLICIES AND PROCEDURES**

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- I. **Policy; Purpose.** The Fond du Lac Reservation Business Committee recognizes the need to manage the forest lands of the Fond du Lac Reservation by approving a forest management plan. Timber sales are a part of managing the forest. This Policy is to establish the methods used to sell timber on Band-owned trust land, Band-owned fee lands, and Minnesota Chippewa Tribe lands within the boundaries of the Reservation (collectively referred to as "Indian land").
- II. **Authority.** This Policy is adopted in accordance with 25 C.F.R. Part 163, Fond du Lac Ordinance #5/84, and Secretarial Order # 3215.
- III. **Procedures**
- A. **Logger List.** The Reservation Forester shall maintain a list of loggers and logging companies who are authorized to bid on timber offered for sale on Indian land. Loggers who are on the list may bid on a sale of timber on Indian Land. This list shall consist of three parts:
1. A list of approved loggers who are enrolled members of the Fond du Lac Band;
  2. A list of approved joint ventures between Band member loggers and nonmember loggers; and
  3. A list of approved nonmember loggers.
- B. **Minimum Qualifications of Loggers.** The minimum qualifications for being an approved logger shall include:
1. Being a certified logger through the Minnesota Logger Education Program (MLEP);
  2. Have no arrears on stumpage with any Reservation in the Midwest Region or other public agency;
  3. Meet the requirements of Fond du Lac Ordinance #5/84 within 10 days of bid award; and
  4. Have no unsatisfactory performance on previous timber sales. Members of the Fond du Lac Band who are seeking tribal member preference must meet the requirements of Fond du Lac Ordinance #5/84. New tribal loggers will have 2 years to complete their MLEP certification.

C. Preference for Band Loggers

1. Timber sales will be advertised to certified loggers who are enrolled members of the Fond du Lac Band first. The Band logger with the highest bid will be awarded the sale.
2. If no bid is received from a Band loggers, the sale will be re-advertised to joint ventures between Band member loggers and non-tribal members. The joint venture with the highest bid will be awarded the sale.
3. If no bids are received from Band members/non-member joint ventures then the sale will be available to band members and Band member/non-member joint ventures at the appraised rate for a period of 30 days. If the 30-day waiting period will result in loss of timber to damaging agents such as fire, wind, insects or disease or cause delay of a Band construction project, then the Fond du Lac Reservation Business Committee may waive the 30-day waiting period.
4. After 30 days then the sale will be advertised to all other approved Fond du Lac Loggers. The sale will be awarded to the approved logger with the highest bid. The sale will then be awarded to the approved logger with the highest bid.

The preference for Band loggers cannot be offered for timber sale on lands held in trust by the United States for individual Indians ("allotments") without the prior written consent of the majority of the allottees.

IV. Advertised Timber Sales

- A. The Fond du Lac Reservation Business Committee will approve timber sales for advertisement through the annual Reservation Harvest Plan or individually by resolution.
- B. Advertisement Periods:

Stumpage valued at less than \$50,000	15 days
Stumpage valued at \$50,000 - \$250,000	30 days
Stumpage valued at more than \$250,000	60 days
- C. Timber appraisals will use the current Minnesota DNR base rates for auction timber sales.

V. **Negotiated Sales**

- A. Negotiated timber sales will be limited to small sales, i.e. personnel use firewood, individuals clearing house lots, and special forest products. The stumpage value of negotiated sales shall be less than \$1000.00.
- B. Negotiated timber sales will be limited to Fond du Lac Band members.
- C. Negotiated timber sales will be appraised using the current Fond du Lac Reservation base stumpage rates for informal sales.

VI. **Free Use permits**

- A. Fuelwood. Band members and Tribal members living on the Fond du Lac Reservation may harvest up to 10 cords per year per household as free-use from a designated woodlot. This does not apply to fuelwood harvested from commercial timber.
- B. Boughs. Band members and Tribal members living on the Fond du Lac Reservation may obtain permits to gather boughs on Indian lands within the Reservation as free-use.

Approved pursuant to Resolution #1239/04 by the Fond du Lac Reservation Business Committee on October 14, 2004.  
Amended pursuant to Resolution #1351/10 by the Fond du Lac Reservation Business Committee on October 5, 2010.

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