

Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-40

October 5, 2015



Aitkin County Board of Commissioners
Mark J. Wedel, Chair
515 6th Avenue SE
Aitkin MN 56431

OCT 08 2015

Re: Prior Notice of Sale of State Metallic Minerals Leases

Dear Mr. Wedel:

On Oct. 7, 2015, the Minnesota Department of Natural Resources (DNR) will be publishing a Notice of Sale of State Metallic Minerals Leases in the Aikin Independent Age. The Notice will be published in other newspapers, the State Register and the EQB Monitor on later dates. A copy of the notice is enclosed. The sale (bid opening) is scheduled for November 16, 2015 at 9:00 a.m. in the Lobby of the Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota. Areas to be included in the lease sale are located in portions of Aitkin, Carlton, Itasca, Kanabec, Koochiching and St. Louis Counties.

The DNR published a Notice of Intent to Hold State Metallic Minerals Lease Sale on June 22, 2015. In addition to publishing the notice, we posted the areas under consideration for lease (draft mining unit book), interactive web maps of those areas, the DNR's land use screening criteria and other information on the DNR website. We also invited public input about the areas under consideration. We received 470 e-mails and letters in response and have posted them on our website at the following link:

http://www.dnr.state.mn.us/lands_minerals/leasesale/input.html

After considering the public input, company input, mineral potential, mineral ownership and natural resources issues, we have refined our areas to be offered for lease and removed 13,474 acres from the sale. The finalized mining unit book, along with interactive web maps of the areas to be offered will be published on our metallic minerals lease sale web page,

http://www.dnr.state.mn.us/lands_minerals/leasesale/index.html, on October 7, 2015.

If you have questions or would like additional information, please contact me at 651-259-5961 or susan.damon@state.mn.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Damon".

Susan Damon
Land Acquisition & Legal Services Manager
DNR Division of Lands & Minerals

Enclosure



NOTICE OF SALE OF STATE METALLIC MINERALS LEASES

Notice is hereby given that a sale of leases to explore for, mine and remove metallic minerals in trust fund lands, lands and minerals forfeited for non-payment of taxes, lands and minerals otherwise acquired, and other state-owned land under the jurisdiction of the Commissioner of Natural Resources, and located in portions of Aitkin, Carlton, Itasca, Kanabec, Koochiching, and Saint Louis Counties, is scheduled to be held on Monday, November 16, 2015, at 9:00 a.m. The sale will take place in the Lobby of the Department of Natural Resources, 500 Lafayette Road, Saint Paul, Minnesota.

The Commissioner will receive sealed bids and applications for leases covering minerals in state lands, in accordance with Minnesota Rules, parts 6125.0100 through 6125.0700 – the metallic mineral rules issued under the authority of Minnesota Statutes, Chapter 93. Each bid must be submitted on a form obtained from the Commissioner. Each bid form must be accompanied by a certified check, cashier's check, or bank money order, payable to the Department of Natural Resources in the sum of the following amounts: a) an application fee of \$100.00 for each mining unit bid upon; and b) rental for one full calendar year for each mining unit bid upon. All bids must be received by the Commissioner at the office of the Division of Lands and Minerals, Fourth Floor, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045, before 4:30 p.m. on Friday, November 13, 2015.

On Monday, November 16, 2015, at the time specified, the Commissioner or his representative will publicly open the bids and announce the amount of each bid separately. At a subsequent time, leases will be awarded by the Commissioner, subject to the approval of the State Executive Council, to the highest bidder for the respective mining units, but no bids will be accepted that do not equal or exceed the base royalty rates set forth in the Rules or that do not comply with all provisions of the Rules. The State reserves the right, through the State Executive Council, to reject any or all bids.

The purpose of Minnesota's metallic minerals rules is to promote and regulate the prospecting for, mining and removal of metallic minerals on state-owned and state-administered lands. These Rules, and the leases issued under the Rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of minimum rentals that increase over the term of the lease; the payment of royalty for all ore mined and removed; the submission of data and other reports; and the submission of exploration plans. In addition, the lessee must comply with all applicable laws.

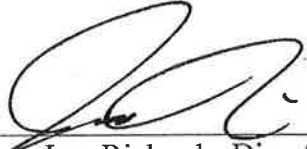
After the conclusion of the sale, each high bidder will be required to provide evidence demonstrating that the bidder is qualified to hold a state mineral lease pursuant to Minnesota Rules, part 6125.0410. The Rules state that a lease will only be issued to an applicant qualified to do business in Minnesota and qualified to conduct exploratory borings in Minnesota. In addition, the Commissioner may request evidence that the lease applicant is technically and financially capable of performing under the terms of a state mineral lease. The requested evidence must be provided within 45 days of the request from the Commissioner or the bids from that high bidder will be rejected.

Upon the award of a lease, the application fee submitted with the bid will be deposited as a fee for the lease. All bids not accepted will become void, and the application fee and rental payment accompanying such bids will be returned to each respective bidder; provided however, the application fee and rental payment accompanying a bid shall not be returned if the bidder was the high bidder and subsequently withdrew the bid prior to the award of a lease.

Bid forms, instructions on how bids are to be submitted, copies of the rules (Minnesota Rules, parts 6125.0100 through 6125.0700) and copies of the Mining Unit Book listing the land areas designated by the Commissioner as mining units may be obtained from the Land Acquisition and Legal Services Section, Division of Lands and Minerals, DNR Building, 500 Lafayette Road, Saint Paul, Minnesota 55155-4045. E-mail inquiries may be sent to susan.damon@state.mn.us.

The Mining Unit Book will be available at least 30 days prior to November 16, 2015. Application for each copy of the Mining Unit Book must be accompanied by a check or money order payable to the Department of Natural Resources in the sum of \$25.00 as a fee for such Mining Unit Book plus shipping and applicable State of Minnesota sales tax. Mining Unit Books will also be available for inspection at the Hibbing and Saint Paul offices of the Division of Lands and Minerals, and on the internet through the DNR website at:

http://www.dnr.state.mn.us/lands_minerals/leasesale/index.html.


By: Jess Richards, Director
Division of Lands and Minerals
Minnesota Department of Natural Resources
October 2, 2015



Minnesota Public Utilities Commission

Daniel P. Wolf

Daniel P. Wolf, Executive Secretary
Public Utilities Commission



MINNESOTA DEPARTMENT OF
COMMERCE

NOTICE OF PUBLIC INFORMATION AND ENVIRONMENTAL ASSESSMENT SCOPING MEETING

Issued: October 7, 2015

In the Matter of the Application of Great River Energy for a Route Permit under the Alternative Permitting Process for the Palisade 115 kV Project near the city of Palisade, Minnesota

Public Utilities Commission (PUC) Docket Number: ET-2/TL-15-423

Date: October 27, 2015

Time: 6:00pm

Location: Waukenabo Town Hall
26797 Grove Street
Palisade MN 56469

OCT 09 2015

Bad weather? Find out if a meeting is canceled. Call (toll-free) 1-855-731-6208 or 651-201-2213 or visit mn.gov/puc

Project Description

Great River Energy proposes to:

- Build approximately 13 miles of new 115 kV transmission line
- Build a new 115 kV breaker station

The proposed project would be located in Aitkin County, northeast of the city of Aitkin. Great River Energy states the project is needed to serve a new oil pumping station.

Meeting Information

- The meeting starts on time.
- Arrive a few minutes early so you have time to sign in, pick up materials, and find a seat.
- State agency staff members run the meeting.
- Public Utilities Commission, Department of Commerce, and Great River Energy staff members are available to answer questions about the permitting process and the project.
- You may add verbal comments, written comments, or both into the record.
- The Department of Commerce uses comments received at the meeting and during the comment period to develop the scope of the environmental assessment for this project.

Submit Comments

Topics Open for Public Comment:

- Please focus your comments on information that will help answer the following questions.
- In your comments, please state which question(s) you are addressing.
 1. What human and environmental impacts of the proposed transmission line should be studied in the environmental assessment prepared for this project?
 2. Are there any specific methods to address (avoid, minimize, or mitigate) these impacts that should be studied in the environmental assessment?
 3. Are there any alternative routes or route segments that should be considered to address these impacts?

Comment Period Comments accepted through November 10, 2015

- Please include the PUC Docket Number (15-423) in all communications

Online mn.gov/commerce/energyfacilities/#comment

Email suzanne.steinbauer@state.mn.us

U.S. Mail Suzanne Steinhauer, Environmental Review Manager
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul MN 55101

Fax 651-539-0109

Important Comments will be made available to the public via the Public Utilities Commission's and the Department of Commerce's websites, except in limited circumstances consistent with the Minnesota Government Data Practices Act. Personally identifying information is not edited or deleted from submissions.

Process Information

The Public Utilities Commission (Commission) must approve a route permit before the project can be built. The Commission accepted Great River Energy's route permit application at an October 2015 meeting. This means the company submitted all the information required to begin the review process. The Commission's decision-making process takes about six months.

Department of Commerce Energy Environmental Review and Analysis staff prepares an environmental assessment for this project. The environmental assessment reviews the potential human and environmental impacts of the proposed project and alternatives, as well as ways to address impacts.

After the environmental assessment is issued, an Administrative Law Judge holds a public hearing. You may speak at the hearing, ask questions, and submit written comments about the project.

After the public hearing, the Commission reviews all the information in the record, including written comments and comments received at the public hearing. The Commission's final decision on the route permit for this project is expected by May 2016.

Eminent Domain: If the Commission issues a route permit, Great River Energy may use the power of eminent domain to acquire land for this project.

How to Learn More

Department of Commerce Project Website:

<http://mn.gov/commerce/energyfacilities/Docket.html?Id=34249>

Project Mailing List: Sign up to receive notices about project milestones and opportunities to participate (meetings, comment periods, etc.).

Contact docketing.puc@state.mn.us or 651-201-2204 with the docket number (15-423), your name, mailing address, and email address.

Full Case Record: See all documents filed in this docket via the Commission's website - mn.gov/puc, select *Search eDockets*, enter the year (15) and the docket number (423), select *Search*.

Subscribe to the Docket: Subscribe to receive email notifications when new documents are filed. Note - subscribing may result in a large number of emails.

1. mn.gov/puc
2. Select *Subscribe to a Docket*
3. Type your e-mail address
4. For *Type of Subscription*, select *Docket Number*
5. For *Docket Number*, select 15 in the first box, type 423 in the second box
6. Select *Add to List*
7. Select *Save*

Community Locations: The route permit application is available at the Aitkin Public Library, 110 1st Avenue Northeast, Aitkin

Minnesota Statutes and Rules: This project is reviewed under Minnesota Statute 216E and Minnesota Rules Chapter 7850, available at www.revisor.mn.gov

Project Contacts**Public Utilities Commission Public Advisor**

Tracy Smetana at consumer.puc@state.mn.us, 651-296-0406 or 1-800-657-3782

Public Utilities Commission Energy Facilities Planner

Michael Kaluzniak at mike.kaluzniak@state.mn.us or 651-201-2257

Department of Commerce Environmental Review Manager

Suzanne Steinhauer at suzanne.steinhauer@state.mn.us, 651-539-1843 or 1-800-657-3794

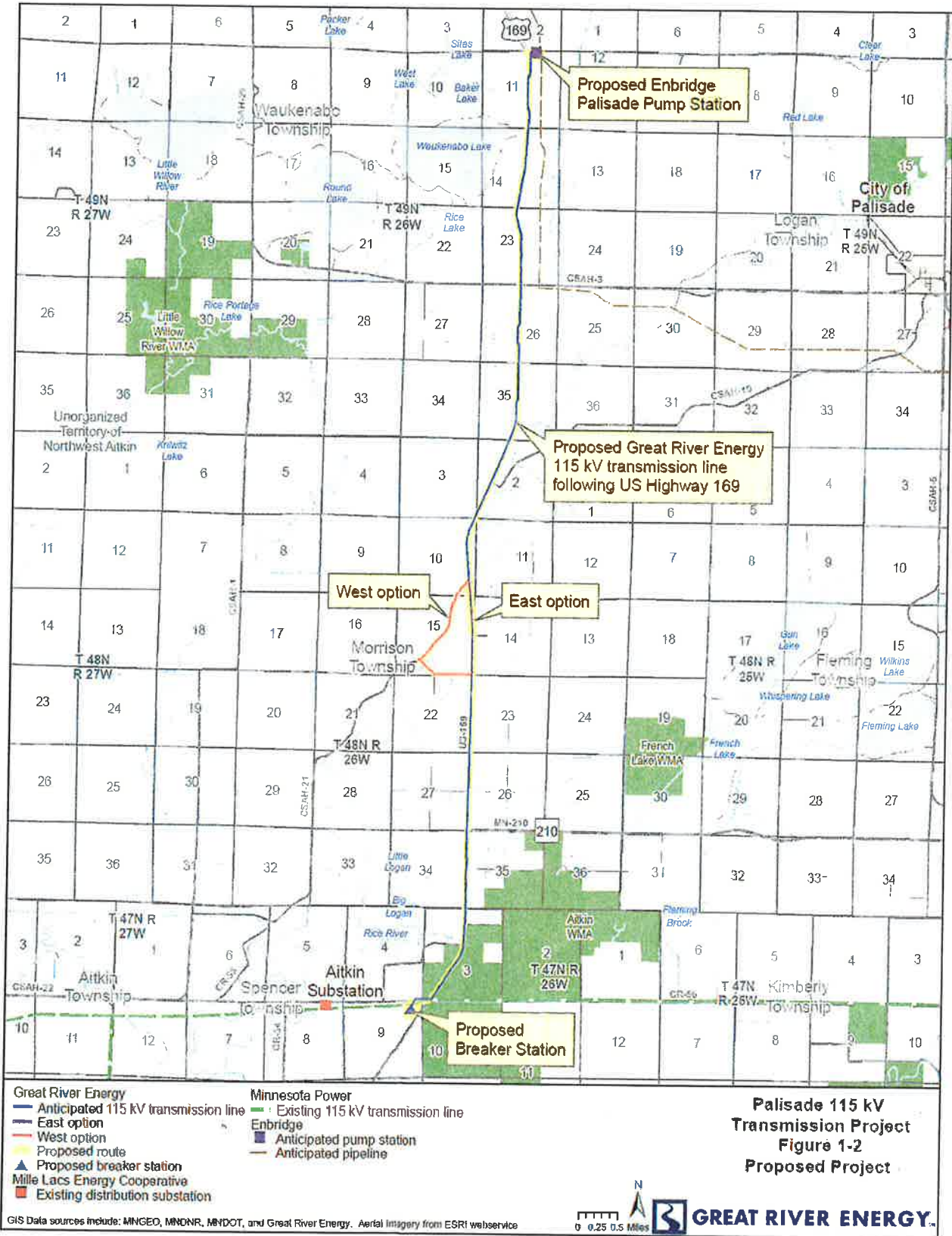
Great River Energy Project Contact

Dan Leshner at DLeshner@GREnergy.com or 763-445-5975

This document can be made available in alternative formats (e.g., large print or audio) by calling 651-296-0406 (voice). Persons with hearing or speech disabilities may call us through their preferred Telecommunications Relay Service.

If any reasonable accommodation is needed to enable you to fully participate in these meetings (e.g., sign language, foreign language interpreter, large print materials), please contact the Commission at 651-296-0406 or 1-800-657-3782 at least one week in advance of the meeting.

Figure 1-2. Proposed Project





OCT 05 2015

City of Aitkin

109 First Avenue NW • Aitkin, MN 56431
218/927-2527 • Fax 218/927-1834
www.ci.aitkin.mn.us

PUBLIC HEARING NOTICE

NOTICE OF CHANGE OF LAND USE

AND INTENT TO CONSIDER AN ORDINANCE BY THE PLANNING COMMISSION

The City of Aitkin Planning Commissioners will conduct public hearings to consider revisions to the zoning ordinance and change of zoning. The hearings are scheduled as follows:

Monday, October 12, 2015 at 7:00 p.m.

City Hall Council Chambers

109 1st Avenue NW Aitkin, Minnesota 56431

Aitkin Planning Commission

City Planner- Alex Conzemius

Zoning Administrator/City Clerk – Tammy Lou Pfaff

You are receiving this notice as your property abuts, or is within 350 feet of the property in which the Planning Commission may consider revisions to the zoning ordinance and land use matrix. All interested property owners are encouraged to attend. If you have questions regarding the zoning changes you may call the city clerk's office at 218-927-2527.

Mailed September 25, 2015



CERF/CERA REPORT



MEMBER UPDATE

Sept. 2015

Vol. 11, No. 2

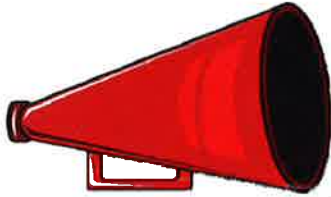
An Educational Publication of Citizens Equal Rights Foundation and Citizens Equal Rights Alliance



A Message from the Chair of CERA

By Judy Bachmann

Federal Indian Policy is unaccountable, destructive, racist, and unconstitutional. It is, therefore CERF and CERA's mission to ensure the equal protection of the law as guaranteed to all citizens by the Constitution of the United States.



**THIS CERA/CERF REPORT IS AN URGENT CALL FOR ACTION!!
FEDERAL INDIAN POLICY IS AT A CRITICAL STAGE AND MUST
BE ADDRESSED BY EVERY CITIZEN!!**

For years CERA/CERF has been reporting the overreach of the executive branch of the U.S. Government's Federal Indian Policy (FIP) into the everyday lives of U.S. Citizens. FIP has now reached a critical stage and must be addressed by everyone receiving this issue. Included in this issue are articles from SOME of the problem areas across the United States and new bills being proposed by both the senate and the house. Concerned citizens often ask "*what can I do*". This issue addresses that question. If you agree or not, if it is in your back yard or not, **YOU** need to let your representative know how you feel. If problems are not in your back yard **NOW** and the proposed congressional bills are passed those problems **WILL** be in your back yard. **PLEASE!** Take the time to read and decide to act. Check the back page for how **YOU** can help.

Couldn't Believe My Eyes!

By Lana Marcussen

In Shawano County, Wisconsin a very nice lady and her husband (*photo to right*) have been told by the U.S. Attorney that the right of way granted in 1968 for their driveway to connect to the local road is no longer valid because the Stockbridge Munsee tribe did not specifically give its permission to cross a small strip of land adjoining the road. The U.S. Attorney says it doesn't matter that the Bureau of Indian Affairs, the tribal council and Congress itself approved the general right of way for all the people living along the road when it was straightened. The U.S. Attorney has filed suit against the Debroux claiming they have no valid property right to cross a small strip of tribal land placed into trust after the right of way had been granted.

This kind of abuse of federal authority has become the norm under the Obama Administration.

(continued on pg. 2)

AND SO WE WAIT
See pg. 2 for Minnesota
See pg. 3 for New York
See pg. 4 for California
See back page for
How to Help



This suit filed by the U.S. Attorney for trespass threatens the Debroux's ability to continue living on their land. The tribe really wants their land because a stunning natural waterfall exists on the property. What a great view for a tribal casino or hotel!

It would be bad enough if the Indian tribe were suing the Debroux's to contest whether the right of way in 1968 was properly done. But in this case everyone in the Tribal Realty office and Bureau of Indian Affairs knows this right of way was done correctly. In fact, when challenged the BIA realty officer admitted that the relevant information proving the existence of the right of way was in their files and she had been told to ignore it. After a fight the documents proving the right of way were provided under the Freedom of Information Act. The absolute proof from the BIA's own records should have ended this dispute once and for all. Maybe this is why the current complaint by the U.S. Attorney is worded so threateningly against the Debroux's. The suit is intended to threaten and intimidate so that the Debroux's will not defend their valid existing rights to continue to use their driveway.

This has become the main game of the Obama administration. Every new regulation and court case challenges what we have all assumed were our valid existing rights vested when jurisdiction was transferred from the United States to the State. All of our private property rights and enforceable personal rights against government derive from this simple but crucial process of the United States relinquishing the public lands and vesting the property to an individual subject to state jurisdiction. When the United States claims it has retained jurisdiction through a regulation it directly challenges our state vested valid existing rights.

The Debroux's case presents us with the facts we need to stop the Obama Administration from continuing to take away our property rights. The Debroux's' right of way is more than worth defending!

Please help us raise enough money to pursue this fight and win a big case against the authority of the Secretary of Interior to remove our state vested rights using federal regulations.

Thank you for your continued support!

The Demise of the Walleye Capitol of the World

By Clare Fitz

In 1989, following a failed attempt to divide Mille Lacs Lake, located in central Minnesota, into a tribal zone and a non-tribal zone, like Red Lake in northern Minnesota, and to force the State of Minnesota to recognize the existence of the former disestablished Mille Lac Reservation, Chief Art Gahbow said in his annual address to his band, "As of now we are on the offensive. We are on the attack...the goal is to get back the original Mille Lacs...Reservation...One way or another, we will take it back...I want to have our 1837 treaty litigation underway within six months...all work hours, all business transactions, all contract negotiations will be aimed at one goal: Restoration of the Reservation lands...We are on the attack. There is no surrender."

The 1837 lawsuit resulted in the U.S. Supreme Court in a 4 to 5 decision ruling that the Mille Lac band and 6 Wisconsin bands have the right to hunt, fish and gather in the 1837 treaty area which includes Mille Lacs Lake and the former Mille Lac Reservation. The result is 7 Chippewa bands, using 100 ft. gill nets to capture walleye during spawning season each spring, the most damaging time to do any fishing or even to disturb the spawning fish, as far as its effect on the future population of the lake is concerned. The Dept. of Natural Resources (DNR), the Governor of Minnesota and the local press point to zebra mussels, global warming, predatory birds and the greedy anglers among other things as the cause of the disappearance of the Walleye, but they refuse to consider netting, let alone netting during the spawning season as a cause. The 2013 hatch of young Walleye is the only one that is numerous in the lake according to the DNR. That is the year

(continued on pg. 3)

CERA Membership Dues-\$35

Send to: CERA

PO Box 0379

Gresham, WI 54128

that central Minnesota had a late spring with a late ice-out and the result was an abbreviated period of time between ice-out and the start of the angling season during which netting was done. Should that tell us something?

As a result, the Minnesota DNR has closed Mille Lacs Lake, the Walleye capitol of the world, to Walleye fishing. For a community based on tourism with Walleye fishing being the primary tourist attraction, this is devastating to 161 businesses who rely on the area for their livelihood. A few years back, properties on Lake Mille Lac could be purchased only at a premium and often sold privately before even being advertised. There are now over 200 properties for sale around the lake, property values are falling, and the county tax picture is faced with a 31 million dollar decrease in assessed value of property and more cuts on the way. So many businesses are feeling the pinch, some have already closed, and the Governor of Minnesota is talking about low or no interest loans to the businesses and tax abatement, all short term fixes.

While this is going on, the Mille Lac band is buying and building at a furious rate, with casino and other business profits as well as government monies of all sorts.

Mille Lacs County, is not so slowly losing tax base by the Mille Lacs band buying land and putting it in trust, which deprives the County, the cities and the schools of property tax money with which to function. It is currently estimated that in Mille Lacs County there is \$177,000,000 in current property value loss to the county tax base because of fee to trust. And it continues: the Mille Lac band has applied for about 1000 acres of additional trust land on the basis that the former Mille Lac Reservation still exists, some objected to by the county and some actually under appeal by the County. In addition the Mille Lac band has applied to the Justice Dept to be covered under the Tribal Law and Order Act to apply to the entire former Mille Lac Reservation area. Never mind that the former Mille Lac Reservation was sold to the United States in 1863-64 and became public domain.

Are we as individuals, are we as a community, are we as a State, going to stand by and watch a beautiful tourist area become transformed from an

area to be enjoyed and benefited from by all people to one for the benefit of only one race? Are we going to let Chief Art Gahbow's words ring true? Think about it and decide what you can and will do! Or send \$35.00 membership dues to

Mille Lacs Equal Rights Foundation (MERF)
PO Box 62, Wahkon, MN 56386 And get on our mailing list.

And So We Wait!

By Judy Bachman

New York: Federal Indian Policy (FIP) issues crisscross the state of NY. From Buffalo to Oneida County and from the St. Lawrence to Long Island, NY is riddled with FIP intrusion. In this issue focus is placed on Oneida County and the federal court case filed by CERA and The Central NY Fair Business. In 2005 the Sherrill Decision ruled that the proper avenue for the tribe to hold sovereignty over land they purchase was the fee to trust process known as 25 USC 465. The local tribe immediately filed a petition for land to be placed into trust. After a long process of hearings and filings objecting to the granting of land trust to the tribe a decision was made in 2008. The federal government finally issued a Record of Decision (ROD) stating that the tribe would be entitled to 13,000 acres of land (most of it non-contiguous) and that the Feds did not have to consider the municipal or private monetary or environmental problems presented in the objection. Several complaints were filed and CERA's complaint asked for the judge to remand the decision back to the DOI asking for a consideration of the Carcieri decision which came down from the Supreme Court of the United States (SCOTUS). That ruling indicated that in order for a tribe to be eligible for the fee to trust acquisition they had to be under federal jurisdiction at the time of passage of the Indian Reorganization Act (IRA) of 1934. Our records indicate that the tribe requesting trust land in Oneida County was not a part of the listing of eligible tribes presented to Congress at the time that act was passed. Thankfully the judge ordered the remand and the federal government did not issue their amended ROD until 2013.

(continued on pg. 4)



Just Waiting and Waiting and Waiting in Plymouth, California By Butch Cranford

We have waited more than 12 years since the Ione Band announced plans to build a large Las Vegas style casino in rural Plymouth, California. We have waited more than 8 years from the 2006 public notice of their FTT application, waited more than 5 years since the 2010 public notice of their FEIS and we have waited more than 3 years since federal GS employee Donald Laverdure, acting as the assistant Secretary of Indian Affairs(ASIA), approved the fee to trust application for the Ione Band in May 2012. Years of waiting and being ignored by the Department of Interior (DOI), the Bureau of Indian Affairs, the National Indian Gaming Commission, and the Office of Indian Gaming and now we wait on the Federal District Court in Sacramento. Citizen group No Casino in Plymouth (NCIP) and Amador County filed APA challenges in Federal District Court in June 2012 to the Record of Decision issued by ASIA Laverdure in May 2012 and both have now languished more than 3 years in federal district court.

In February 2014 NCIP filed a motion for judgement on the pleadings based on a 1992 order and 1996 final decision from the federal District Court in Sacramento. In 1992 that court granted the DOI's motion for summary judgement based on the DOI's well documented evidence that the Ione Band had never been recognized by any means available to Indians—an act of Congress, treaty, or Section 83 petition) The case became final in 1996 with no appeal of the decision by either the DOI or the Ione Band. NCIP's motion for judgement on the pleadings was challenged on procedural grounds by the Department who argued that a motion for summary judgement was procedurally proper. The Court granted their motion for dismissal and ordered NCIP to file a motion for summary judgement. The dismissal was on purely procedural grounds as the Judge noted in the order that the Department had failed to address the merits of NCIP's motion for

judgement on the pleadings.

NCIP then filed a motion for summary judgement containing the same facts and merits presented in the motion for judgement on the pleadings in October 2014 and briefing was completed in February 2015. All we need now is a decision from the Court based on the Court's 1992 order and 1996 final decision which found that the Ione Band had never been recognized prior to 1992. This Federal District Court order and Decision which was never appealed is binding on the Department and the Ione Band. The Federal District Court record is crystal clear that Ione was not recognized in or at any time prior to 1992 and is not eligible to have land taken into trust pursuant to the 2009 Supreme Court decision in *Carcieri*. So we wait and wait and wait and the only good news is while we wait no casino is being built.

(And So We Wait continued from pg. 3)

In that amended ROD the feds indicated that they DO NOT AGREE WITH THE RULING OF SCOTUS and that the tribe can actually have the government take 13,000 acres of land into trust, based however on the 2008 ROD not the amended ROD of 2013. In 2015 Judge Kahn issued dismissals of the three remaining complaints. CERA's legal advisor recognized a statute that Judge Kahn had used in his order and CERA/CNYFBA immediately filed a motion for reconsideration. In thirty six hours (yes hours not days or weeks) the judge issued an order for the federal government to answer our motion. The answer filed by the feds implies that they are the federal government and they cannot be questioned. They also indicate that if the judge really wants to rule on the issues we presented in our motion for reconsideration he should order the case re-briefed. It has now been three months since the feds answer and we wait. The best part of this situation is that the issues of Civil and Constitutional Rights have been preserved at the entry level of federal court. No matter what Judge Kahn rules the issues will go forward. If he denies our motion we file an appeal to the second circuit. If he rules in our favor the feds will file. If he rules it to be re-briefed we are ready. But for now we wait.

SENATOR BARRASSO INTRODUCES “INTERIOR IMPROVEMENT ACT”

Senator Barrasso, Chairman of the Senate Committee on Indian Affairs introduced the “Interior Improvement Act.” This bill addresses the land-in-trust issued faced by Tribes following the Supreme Court’s decision in *Carciere v. Salazar* in 2009. Since that time, tribes have been calling on Congress to amend the Indian Reorganization Act to: 1) reaffirm the Secretary of the Interior’s authority to take lands into trust for all tribes; and 2) reaffirm the status of current lands held in trust for tribes. (NCAI Resolutions #MSP-15-044; #RAP-10-024; RAP-10-058C)

The “Interior Improvement Act” accomplishes those two goals and also codifies parts of the existing regulations for land-in-trust; encourages cooperative agreements between tribes and states by incentivizing cooperative agreements, but does not penalize tribes if cooperative agreements cannot be reached; requires publication of land-in-trust applications on the Department of Interior website for increased transparency; and requires notice within 30 days of receipt of application to local governments as well as tribes.

This legislation complements S. 732, the *Carciere*-fix legislation introduced by Senator Tester in March of this year. Both pieces of legislation seek to bring certainty into the land-in-trust process and address the myriad of legal and administrative issues that were brought about by the *Carciere* decision in 2009.

**IF YOU HAVEN'T PAID YOUR 2015
MEMBERSHIP DUES
(\$35 PER YEAR)
PLEASE USE THE
ENCLOSED ENVELOPE**

Important! Please Read!

Please make your check out to CERA (no tax deduction), OR to CERF (if you would like a tax deduction), OR if you would like us to decide where your donation could best be used, you can make it out to CERA or CERF. To avoid confusion, we kindly ask that you do not make your check out to CERA/ CERF or to CERA-CERF. Please help us make our bank, the Internal Revenue Service and our treasurer happy!

Interior Improvement Act

The *Interior Improvement Act* is designed to address longstanding problems associated with the U.S. Supreme Court’s decision in *Carciere v. Salazar*, 555 U.S. 379 (2009), and the Department of the Interior’s Part 151 land acquisition process. This bill will dramatically improve the land acquisition process for Indian tribes.

This bill solves problems flowing from the Court’s decision by:

Restoring the Secretary of the Interior’s authority to take land into trust for **all federally recognized tribes**.

Reaffirming the status of Indian trust lands already taken into trust.

This bill improves existing Part 151 regulations by:

Requiring **consultation** with Indian tribes.

Recommending the use of **cooperative agreements and reciprocal notice and comment** procedures.

Offering a **fast-track application process** for tribes with cooperative agreements.

Providing a **good faith protection** for tribes without cooperative agreements.

Allowing stakeholders to **voice and address concerns without first resorting to the courts**.

Codifying Part 151 regulations and guidance into statute, such as:

o Meaning of the words “contiguous” (*see* 25 CFR § 151).

o Application components (*see* 25 CFR §§ 151.09-.11).

o Notice and comment associated with applications and Notice of Decision (*see* 25 CFR § 151.11 (d) and 25 CFR § 151.12).

o Review of final agency actions (*see* 25 CFR § 151.12).

o Exhausting administrative remedies (*see* 25 CFR § 151.12).

o Encouraging mitigation and use of cooperative agreements (*see* Fee to Trust Handbook, pp. 23).

In addition, this bill supports:

- **Economic development and self-determination** by allowing tribes to use their land for the betterment of their people.
- **Cost savings** for tribes and taxpayers by streamlining Department processes, cutting red tape, and reducing uncertainty and litigation.
- **Transparency** by creating statutory notice and comment requirements.

CERA SPEAKS OUT IN LETTER TO SENATOR BARRASSO

To Senator Barrasso: as U.S. Citizens who have been seriously impacted by the Department of Interior's questionable misadministration of the fee to trust process we find your proposed legislation to "Improve Interior" surprising and disturbing.

How this bill would improve the Department of Interior's administration of the fee to trust process is unclear. As written, your proposed bill provides Congressional cover and approval for the Department's decades long misguided and wrong interpretation of Section 19 of the IRA while facilitating a continuance of the Department's questionable administration of fee to trust for tribes not recognized or under federal jurisdiction in 1934 despite the Supreme Court's 2009 Carcieri decision.

This proposed bill is a serious concern to those now in Federal Court challenging the Department's unlawful administration of fee to trust. Challenges seeking judicial review based on the Supreme Court's plain reading of Section 19 in Carcieri would simply vanish if this bill becomes law. Challenges costing tens of thousands of dollars that have taken years to get to Federal Court just wiped away with no judicial review as a result of your proposed Interior Improvement Act.

The language proposed is "ex post facto" in nature as it changes the law as written and intended by the Congress in 1934 and would certainly be injurious to citizens who have relied on the plain language of Section 19 as determined by the Supreme Court in Carcieri to challenge post Carcieri fee to

trust decisions by the Department to take land into trust for tribes that were neither recognized or under federal jurisdiction in 1934.

With the Supreme Court's clearly stated dismissal of any Chevron deference to the Department and the Secretary in the Carcieri decision, no authority as proposed in this legislation should be afforded to the Department in its administration of fee to trust. Since 2009 the Department has ignored the Carcieri decision and "fixing" it administratively as committed to the tribes by Department officials during a series of regional forums the Department held exclusively with tribal members post Carcieri in Sacramento, Ca., Minneapolis, Mn, and Washington D.C..

Does the Congress pursuant to the U. S. Constitution have authority to take privately owned State lands into trust for Indians, Indian tribes, or any other entity? If such authority for the Congress is present in the U. S. Constitution please provide Article and Section from the Supreme Law of the United States providing such authority to the Congress in any response from you or your office.

Based on experience with the Department's administration of fee to trust it is difficult to see how this proposed legislation will improve Interior. It will, instead, expand the Department's ability to misconstrue the IRA, to unlawfully administer fee to trust, and will facilitate the cover up of the malfeasance and corruption past and present in the Department's administration of fee to trust. Consequently, it will exempt that malfeasance and corruption from judicial review in current Federal Court cases with your proposed change of the Section 19 language.

Before attempting to provide much needed improvement to Interior you should inquire as to how Interior could approve in accordance with current law and regulations a gaming related fee to trust application for the Ione Band in 2012 when the Ione Band was neither recognized or under federal jurisdiction in 1934 as documented by the Department of Interior in Federal District Court in 1992.

A group recognized for the first time via a 1994 Department memo. A challenge to this unlawful decision is currently in the Federal District Court in Sacramento.

This legislation is simply not needed and will not improve Interior. What is needed is an immediate Congressional investigation into the Department's flawed, corrupt, and unlawful administration of fee to trust. This investigation should include a thorough review of all Inspector General and Government Accounting Office investigations and reports related to fee to trust. Further, panels of citizens such as CERA members should be included on any panels testifying before the investigating committee about how the Department actually administers the fee to trust process.

Lastly, this proposed legislation should be withdrawn until such time as the above recommended investigation is initiated and completed. It is our belief that after hearing from the public in the investigation the proposed legislation will not be needed. What will be needed is serious reform of the archaic, corrupt, and mismanaged agencies of the Department of Interior that have anything to do with fee to trust to include the Bureau of Indian Affairs, the Office of Indian Gaming, the Environmental Protection Agency, and National Indian Gaming Commission.

Your Prompt Attention & Response Are Respectfully Requested,

Judith S. Bachmann, C.E.R.A. Chair

D.W. "Butch" Cranford, C.E.R.A. Vice Chair

Federal Indian Policy is unaccountable, destructive, racist, and unconstitutional. It is, therefore CERF and CERA's mission to ensure the equal protection of the law as guaranteed to all citizens by the Constitution of the United States.

CERA or CERF

P.O. Box 0379

GRESHAM, WI 54128

Thank you for your continued support!

An Assault on the Tax Base of America?

In March 2015, Senator Jon Tester of Montana re-introduced Senate Bill 732, "a bill to amend the Act [Indian Reorganization Act] of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes."

There are seven cosponsors of this bill, one each from Kansas, Minnesota, North Dakota, Washington, Michigan and two from New Mexico. You can get their names by a computer search for "Cosponsors of Senate Bill 732."

In July 2015, Congressman Tom Cole of Oklahoma introduced a bill (H.R. 3137) "to reaffirm the trust status of land taken into trust by the United States pursuant to the Act of June 18, 1934, for the benefit of an Indian tribe that was federally recognized on the date that the land was taken into trust, and for other purposes."

There are 31 cosponsors of this bill, nine from California, two each from Arizona, Florida, Minnesota, New Mexico, and Washington and one each from Indiana, Alabama, Colorado, Hawaii, Idaho, Michigan, New Hampshire, New Jersey, North Carolina, Oklahoma, Texas and Wisconsin. Here again their names are available by computer search.

Might it be helpful, for the future of the United States for these Congressmen and Congresswomen to study the history of this great country rather than relying on lobbyists for their knowledge? Maybe take time to read the congressional record leading up to the Indian Reorganization Act? And maybe even read the Constitution of the United States and even maybe the Federalist papers? And then think about what legislation like this would do. Yes, it would help one group of people become more wealthy and powerful, but at the expense of the counties, cities and schools who rely on property tax money to provide the daily needs of regular citizens, including our school children who are the future of this great nation.

If you as readers are concerned about the effects of this type of legislation on the future of our people, call these sponsors and cosponsors and make them aware of how wrong these efforts are.

Federal Indian policy in unaccountable, destructive, racist and unconstitutional. It is therefore CERF and CERA's mission to ensure the equal protection of the law as guaranteed to all citizens by the Constitution of the United States

Citizens Equal Rights Foundation, Inc.
Citizens Equal Rights Alliance, Inc.
P.O. BOX 0379
Gresham, WI 54128

Non-Profit
Organization
U.S. Postage Paid
Stillwater, MN
Permit # 788

ADDRESS SERVICE REQUESTED

OCT 02 2015

Aitkin County Commissioners
217 2nd St NW
Aitkin, MN 56431

56431 56431270 C002



HOW YOU CAN HELP!!!!

CALL YOUR SENATOR - Senate switch board - (800)965-4701, (202)224-3121
A switchboard operator will connect you directly with the Senate office you request.

The U.S. Senate: [Http://www.senate.gov/](http://www.senate.gov/)

CALL YOUR CONGRESSMAN - House switch board (202)225-3121
A switchboard operator will connect you directly with the House office you request.

The U.S. House of Representatives: www.house.gov

CALL THE SPONSORS OF HOUSE BILL H.R. 3137

U.S. Reps.. Betty McCollum, D-MN, and Tom Cole, R-OK, said this bill would resolve uncertainty around tribal land-into-trust actions that were created by the U.S. Supreme Court's controversial *Carcieri v. Salazar* decision. McCollum and Cole, who serve as the co-chairs of the Native American Congressional Caucus, introduced H.R. 3137 to reaffirm the trust status of lands for tribes that were federally recognized when a trust action was taken - *not just those recognized before the Indian Reorganization Act.*

CALL THE SPONSOR OF SENATE BILL 1878

Senator John Barrasso, Wyoming

PAY YOUR DUES - \$35.00 for a year is less than a good meal for two.

MAKE A TAX EXEMPT DONATION TO CERF - This helps you with income tax as well as helps with the education of the public and if you so indicate be applied to a specific legal issue.



OCT 02 2015

Aitkin County

Attention: Bill Thompson

Aitkin Courthouse

Aitkin, MN 56431

Dear Bill Thompson,

Salo Township is in need of two four drawer file cabinets. This is a request to Aitkin County for the cabinets. Please advise if you have two extras to share with Salo.

Thank you for your help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Darlene Turnock".

Salo Township

Darlene Turnock, Clerk

13196 360th Street

McGregor, MN 55760

**STATEMENT OF BUSINESS TRANSACTED IN
OFFICE OF COUNTY RECORDER, AITKIN COUNTY
DURING SEPT 30, 2015
DEPOSIT OF CHECK OR CASH \$24383.30 TO AITKIN CO TREASURER**

NATURE OF BUSINESS TRANSACTED	AMOUNT OF FEES RECEIVED
UCC	0
NOTARY	80
NOTARY SURCHARGE	9.2030 Expired 8/1/10
TORRENS	195
TORRENS ASSURANCE	*** 9.2031 22.5
COUNTY GENERAL FUND	5756.5
STATE GENERAL FUND	*** 9.2036 4326
RECORDER TECH FUND 10-940-196-0000-5529	4120
LAND RECORDS COMPLIANCE FUND (UNALLOC) 10-940-195-0000-5529	4532
STATE WELL CERT.	*** 9.2027 1105
COUNTY WELL CERT	195
AMENDED DEATH	0
BIRTH CERTIFICATES	396
CHILDREN'S SURCH.	*** 9.2024 132
BIRTH/DEATH SURCH. (176/304)	*** 9.2022 480
DEATH CERT.	257
2010 LEG. SURCH 144.226 SUBD 3 (b)	*** 440
COPIES & C/COPIES	2346.3
TOTAL	24383.3

**WORK DONE FOR VARIOUS COUNTY AGENCIES
FOR WHICH NO PAYMENT WAS RECEIVED**

RECORDING HONORABLE DISCHARGES	0
AITKIN COUNTY	920
AITKIN CO ROAD & BRIDGE	0
OTHERS	92
TOTAL	1012

AITKIN, MN Sept 30, 2015

ZIP 422
YEAR TO DATE 4087
PREVIOUS YEAR 28440.20

Michael J. Montfort, Recorder
by Chantelle Baird, Deputy

Proposed 2016 through 2020 Capital Road Improvement Plan (**indicates previously programmed project)					State Aid	State Aid	State Aid	Local	Local	Local	Notes
Length	Location	Pavement Age/2013 RQI	Total Cost	State Aid Total Cost	State Aid Revenue	State Aid Balance	Local Total Cost	Local Revenue	Local Balance	2015 Year-Balance	
							\$ 236,165		\$ 913,000		
2016											
CSAH 2 Mill/Overlay	12.4	TH 47 to TH 65	1992/2.4	\$ 1,364,000	\$ 1,364,000						\$4,500,000 Turnback Grant, \$0k of \$1,800k TB payback by SA
CSAH 3 Grading/Paving	6	N. jct. CSAH 5 to 6 miles east	2001/2.2	\$ 4,500,000	\$ -						
CSAH 13 Mill/Overlay	5.5	TH 65 to CSAH 16	1992/2.2	\$ 605,000			\$ 605,000				
CSAH 12 Mill/Overlay	0.6	TH 210/US Hwy 169 to TH 47	1996/1.9	\$ 118,000	\$ 118,000						
CSAH 12 Mill/Overlay	6.9	TH 47 in Glen to 375th Ave	1990/2.3	\$ 1,398,600	\$ 1,398,600						
CSAH 15 Bridge Replacement	0.2	CSAH 15 over Cedar Brook	NA	\$ 800,000	\$ 440,000					Anticipated \$360,000 state bond grant	
CSAH 41 Mill/Overlay	1.08	TH 210 to TH 210	1994/0.8	\$ 250,000	\$ 250,000						
Total:				\$ 9,035,600	\$ 3,570,600	\$ 2,900,000	\$ (534,435)	\$ 605,000	\$ 600,000	\$ 908,000	\$100,000 SA reserved for engineering
2017											
CSAH 1 Mill/Overlay	3.6	CSAH 22 to 3.6 miles north	1990/1.6	\$ 520,000	\$ 520,000						\$100,000 SA reserved for engineering
**CSAH 10 Overlay	6.8	CSAH 3 to 6.8 miles north	1988/1.9	\$ 821,600	\$ 821,600						
CSAH 15 CIR/Overlay	5.2	Crow Wing Co. Line to 7th Ave NW	1990/2.0	\$ 1,081,600	\$ 1,081,600						
**CR 53 Grading/Aggregate Base	2.3	0.78 mile north of CSAH 4 to CSAH 5	NA	\$ 1,040,000			\$ 1,040,000				
CR 74 Overlay	1.53	US Hwy 169 to 1.53 miles west	1995/2.1	\$ 312,000			\$ 312,000				
CR 88 Overlay	1.02	CSAH 5 to 1.02 miles east	NA	\$ 120,000			\$ 120,000				
Total:				\$ 3,895,200	\$ 2,423,200	\$ 2,950,000	\$ (107,635)	\$ 1,472,000	\$ 600,000	\$ 36,000	
2018											
CSAH 3 Grading/Paving	3.56	6 miles east of CSAH 5 to TH 65	2001/2.2	\$ 3,500,000	\$ 1,700,000						\$1,800k of \$1,800k TB payback by SA \$665,000 federal grant
CSAH 6 Mill/Overlay	5.1	TH 65 to 5.1 miles east	1991/2.5	\$ 1,016,700			\$ 351,700				
**CSAH 25 Grading/Aggregate Base	3.3	Kanabec County Line to CSAH 23	NA	\$ 1,427,700	\$ 1,427,700						\$100,000 SA reserved for engineering
**CSAH 32 Paving	3.3	CSAH 6 to CSAH 31	NA	\$ 1,038,300	\$ 1,038,300						
Total:				\$ 6,982,700	\$ 4,166,000	\$ 3,000,000	\$ (1,373,635)	\$ 351,700	\$ 600,000	\$ 284,300	
2019											
CSAH 5 Bridge	0.1	CSAH 5 over Fleming Lake inlet	NA	\$ 168,700	\$ 101,200						Anticipated \$67,500 state bond grant
CSAH 12 Mill/Overlay	2.7	375th Ave to Oriole Ave	1990/2.5	\$ 553,200	\$ 553,200						
**CSAH 12 Sh. Widening/Paving	2	Oriole Avenue to north jct. CSAH 39	1999/2.1	\$ 1,687,300	\$ 1,687,300						anticipated \$100,000 state bond grant and \$181,200 state park road account grant
CSAH 14 Bridge Replacement	0.2	CSAH 14 over Savanna River	NA	\$ 281,200							
**CR 53 Paving	2.3	0.78 mile north of CSAH 4 to CSAH 5	NA	\$ 843,600			\$ 843,600				
Total:				\$ 3,534,000	\$ 2,341,700	\$ 3,150,000	\$ (665,335)	\$ 843,600	\$ 600,000	\$ 40,700	\$100,000 SA reserved for engineering
2020											
CSAH 16 Mill/Overlay	8.9	CSAH 16 to TH 210	1993/2.5	\$ 1,353,500	\$ 1,353,500						\$250,000 SA reserved for engineering, CSAH 25 RW/Utility Moves
**CSAH 25 Paving	3.3	Kanabec County Line to CSAH 23	NA	\$ 1,158,200	\$ 1,158,200						
CSAH 27 Maintenance Grading	3.7	Th 27 to 330th Street	NA	\$ 649,300			\$ 649,300				
Total:				\$ 3,161,000	\$ 2,511,700	\$ 3,200,000	\$ (227,035)	\$ 649,300	\$ 600,000	\$ (8,600)	
Five Year Total:				\$ 26,608,500							



Our Vision:

To be the leader in providing innovative and quality services to older and disabled adults in Aitkin County.

Our Strategy:

Partner with local government, businesses, nonprofits and the community we serve to become a Community for a Lifetime.

Aitkin County CARE, Inc.

Our Address:

Birch Street Center
20 3rd Street NE
P.O. Box 212
Aitkin, MN 56431

Our Contact Information:

Phone: 218-927-1383
Toll Free: 877-810-7776
Fax: 218-927-1382
Website: aitkincountycare.org
Email: aitkincountycare@gmail.com

Aitkin County CARE, Inc.

Program Sponsors

- Aitkin County
- ARDC Arrowhead Area Agency on Aging as a part of the Title III Older Americans Act
- Arrowhead Economic Opportunity Agency
- Local Business and Community Groups
- Lutheran Social Services
- Mille Lacs Energy Cooperative
- Minnesota Department of Human Services
- Northland Foundation
- Otto Bremer Foundation
- Riverwood Foundation
- USDA Commodity Supplemental Food Program

You may help by...

- Becoming a volunteer
- Referring others for services
- Making a financial donation (tax deductible)

Call Today!

Aitkin County CARE
218-927-1383
(toll free) 877-810-7776

Senior LinkAge®
1-800-333-2433

Handout 4A



Aitkin County CARE, Inc.

218-927-1383

(toll free) 877-810-7776



Our Mission:

To enhance and promote the independence, dignity, value and well-being of older and disabled adults and those who care for them.

Nutritional Assistance Program for Senior (NAPS)

Free food program for seniors 60 and older who meet income guidelines. Distribution sites in Aitkin, McGregor, McGrath, Hill City, and Jacobson.

Senior Companion

Transportation and companionship provided on an ongoing basis to isolated seniors.



Meals on Wheels

HOT MEALS are delivered Monday through Friday in the City of Aitkin.

FROZEN MEALS are delivered in Aitkin County every other week. This service allows seniors in rural locations access to healthy prepared meals.

Frozen or hot meals are available to homebound seniors, for a suggested donation of \$4.00 per meal or per household income criteria.

“The meals are very good and very handy. It’s a wonderful service!”

CARE for the Caregiver!



“Thank you SO much for helping me care for my mother. The people you sent out treated her so well and I was very happy with the service.”

Respite Services

CARE provides trained respite workers to stay with a loved one and provide a well-deserved break for caregivers. Workers are available days, evenings, weekends or overnights.

Costs for services are determined on a sliding fee scale.

Caregiver & Memory Loss Support Group

Family, friends, and caregivers meet for mutual emotional support, to gain knowledge about memory loss, and to exchange coping skills with one another. Aitkin and McGregor groups.

CARE Education

Workshops for seniors and caregivers promoting healthy living.

Homemaking Services

Light household cleaning, meal preparation and incidental assistance with home management and errands.

CARE Consulting

Do you or a loved one need more information about how to stay living at home independently?

CARE helps to connect seniors with services in the community to meet your individual needs, thereby maintaining and extending independent living.

ANGEL CARE

Providing referral and assistance with light housekeeping, minor home maintenance, seasonal chores, transportation, and friendly visits.

Through volunteer help, seniors are able to stay in their own homes longer and manage their daily activities.

Medicare Counseling

Information and assistance with Medicare parts A-D, comparing prescription drug plans and supplements.

Newspaper on Tape

Stay connected to the Community. The Aitkin Independent Age newspaper is available on audiotape for people with visual disabilities.

RSVP/Bone Builders

Trained volunteers help seniors build healthier bones, reduce the risk of falling, increase strength and improve balance. No cost.

Grand-Friends

Senior citizens share their friendship with an elementary student through a pen pal relationship.

