

Michael Staggs

My name is Mike Staggs, I'm the Director of the DNR Fisheries Management Program and I'm very honored to be involved in this event today. I wasn't exactly sure who would be here and what would be involved. It's kind of in some respects a reunion for me, having been involved with treaty issues for a long time. I look around the room, back when we were doing some of the litigation and some of the attorneys, Howard and Kathryn, and some of the GLIFWC folks at the time are here. Tom Busiahn, who is now with the Fish and Wildlife Service out in Washington, Neil Kmiecek and George Spangler were involved. I keep thinking all we need is Judge Crabb here and we can continue the discussions.

Nonetheless, I just was asked to comment a little bit on some of the perspectives of how things have changed and the impacts on the resources from our agency perspective. I had a couple observations I wanted to share. I am a product of sort of the western science culture, so I have graphs and I did start as department statistician back in '82. When I came into the department I was kind of frustrated by the level of science that was going on.

Our managers I think did a pretty good job on individual lakes. They would go out and study the populations and look at what the regulations were and that kind of thing, but we had literally thousands of waters out there and it was beyond our capability at the time to go out and look at all the populations of walleyes and muskies and bass.

I remember there was a young GLIFWC biologist, Neil Kmiecek, who came around and started asking for all of our stocking data. He wanted to build a data base on what the department was stocking every year, a computer data base. We didn't have that. And then started he talking about going out and doing some systematic surveys of all the waters. I think we started out with fall electroshocking fishing survey because it was something we could do on a lot of waters and it gave us an idea of what the walleye populations were doing.

And again, getting data on a lot of different waters was something that was kind of alien to our program at the time and I'd have to say that it was the efforts of Neil and other biologists at GLIFWC that pushed the DNR in some cases with some of our folks kicking and screaming into the late 20th century of data base management.

This is from the latest version of the Casting Light Upon The Waters update (Figure 1). It's a representation for the number of populations and it's just one of the kinds of surveys that we do. You may not be able to see at the bottom, but 1980 is the first year and it ends with 2006 and it's basically the amount of effort that's gone on out there to actually survey these populations so we can come to you and talk to you about what the impacts of treaty harvest or state harvest are and what ecological or environmental degradations are present. This is power. This is information. This allows us to manage these resources. You can see there's just been a huge change in the culture, both in our agency particularly and I think in all the entities involved with ceded territory management.

Another thing, and this slide isn't quite as obvious, but I do think it's important to know what we've been doing has been working. I mean we haven't changed the fishery out there, we've been surveying it. This is a graph of the average number of adult walleyes per acre in lakes in the ceded territory (Figure 2). And 1989 is the year on the left and 2008 is the year over here. Basically it goes up and down and depends a little bit in a given year on what lakes are being surveyed. The populations seem to be doing fine, and that's the legacy that I think we need to look at, at least for right now. What we've been doing for the last 25 years collectively has

resulted in good walleye populations out there and they've stayed stable. That's in contrast to a lot of managed fisheries in the world.

I do want to say that there's been some changes in harvest patterns. I mean we've had to adopt a relatively conservative approach. Many of us have argued long and hard both in courts and afterwards in negotiation sessions about whether we've got the right management system or are we too conservative or are we too liberal. We have been, I think, collectively trying to adopt a conservative approach because we recognize that we cannot sacrifice these resources in the short-term or we've got problems in the long-term.

This is just a graph of what the walleye angler harvest has been (Figure 3). The angler walleye harvest is the state-licensed harvest. There's probably some tribal harvest in there, but it's mostly state license. And again, the bar on the left is from the average over 1990 and the earlier decade and we estimate about 600,000 walleyes. Now that harvest is in contrast to about 30,000 at the high level of ceded territory tribal spearing harvest. We adjust our bag limits for walleyes every year to try to accommodate the tribal harvest, and we have also done some other regulation changes including size limit changes and such trying to protect and be conservative with the walleye populations. You can see that during this era of 1990 up to 2006, we probably have only half of the walleye harvest by state license or walleye hook-and-line anglers that we had in those years prior to an expanded treaty harvest. There has been accommodations by everyone in order to make this happen.

A few years ago in our DNR magazine there was a nice article that has more information about the ceded territory fishery. It's August 2005 edition. I just wanted to alert you to another resource (Figure 4).

The other thing I wanted to mention from my perspective is that there's another model out there. We talked a lot about the litigation. There was mention made of the Lake Superior fishery and that's one that has followed a different model. There was some initial litigation in the state court but after that time the parties have been signing a series of negotiated agreements since 1981 that has allowed that fishery to continue. There's not been litigation in federal court on the Lake Superior fishery and that includes some fairly significant commercial fisheries, both state and tribal, as well as the sport fishery for those that want to participate.

This graph just shows you starting in 1980 on the left and ending in 2003 about how many lake trout have been taken from the Apostle Islands area (Figure 5). That's just basically right out here. On the bottom here is the Bad River and Red Cliff harvest. This is what the recreational sport fishers have been taking and also the state commercial harvest. So here's an example of a fishery where basically both user groups are taking significant numbers and it's being regulated through an agreement. Every ten years we agree on how we're going to do this.

This is the whitefish harvest (Figure 6). This is the whitefish harvest out in the Apostle Island area. Again, Bad River and Red Cliff on the bottom. There's not much state hook-and-line harvest of whitefish, but we do have a big state commercial. We have another model. It's a model that's a little bit based on litigation and a little more based on negotiation.

This is what has been the result here. In my sort of western science methodology I want to know what's happened to the populations. This is a graph with the height being an index of the lake trout population out there (Figure 7). The first year is 1951, and if you can't see the charts that's because there weren't many fish. This is in the Apostle Islands and then the last year is 2008. So the height of the bar is some index of the number of lake trout that are out there, and, as you see, there's been a remarkable increase during this time period. We've gotten up to a level where we have a very good population.

The other thing that's important to note here is that the dark part of this is what was put in by hatcheries. I don't think any of us believe in hatcheries being the long-term solution. Mother Nature will provide great fisheries if we'll just protect them. Basically in the early years, the 1970s, hatchery fish were probably half of what was out there. This has not been an easy fishery to manage either. There's a lot of competing interests, but people have figured out how to do it. As George said, we're adaptable and look at the success. Basically right now, almost all the fish in high numbers are naturally reproduced. We have a pretty good success story and it's one that has its roots in working together.

Again, we have come a long way. We work hard together. I think the Great Lakes Indian Fish & Wildlife Commission deserves a lot of credit for being a partner there and pushing us in many respects to improve our management. And I would also say that especially looking at these kinds of examples, a lot of the progress that we've made in the biological arena here has come through discussion, negotiation and agreement. We did litigate some items, but the vast majority of what we're doing today came about by agreement, and I hope that that will be a model for the future.

Figure 1

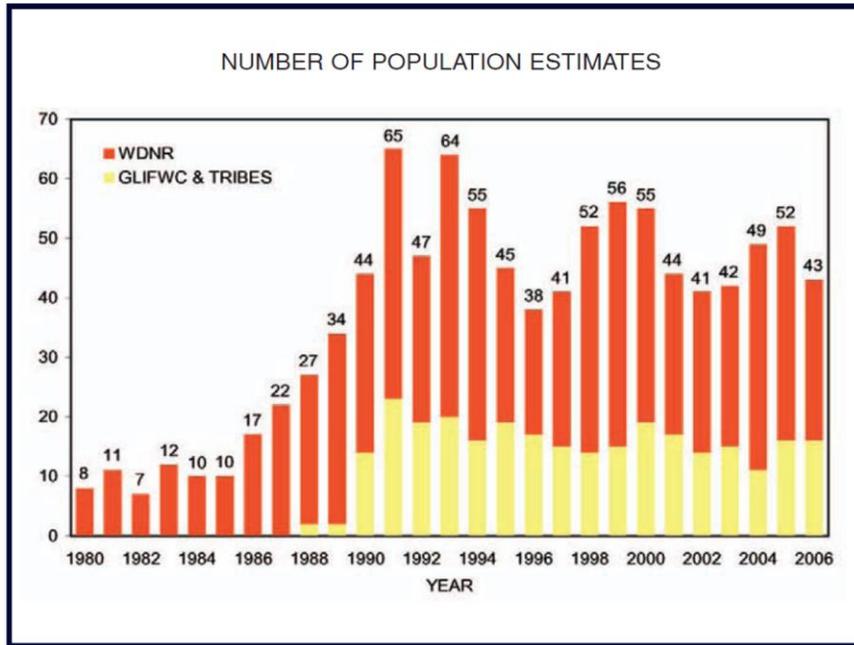


Figure 1. Number of adult walleye population estimates conducted in ceded territory lakes by GLIFWC, tribes, and WDNR from 1980-2006.

Figure 2

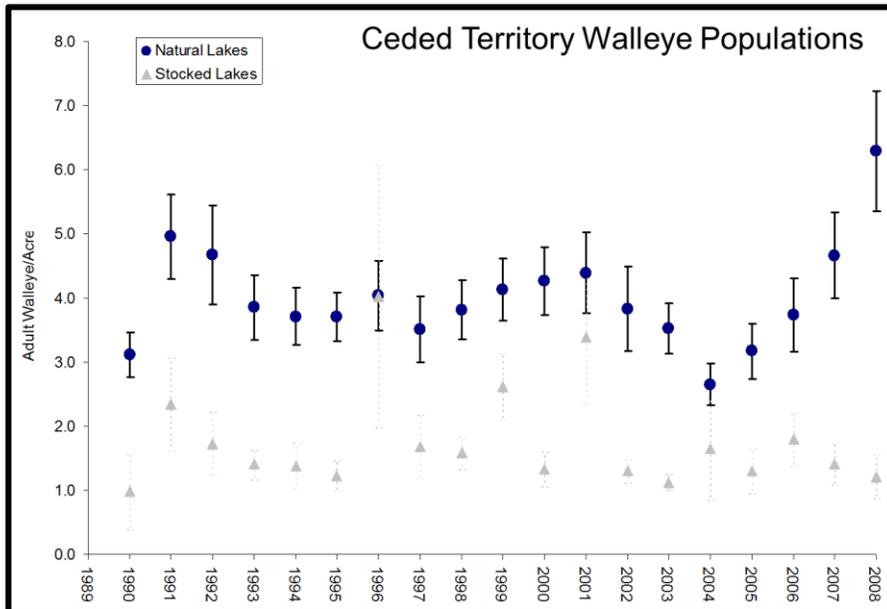
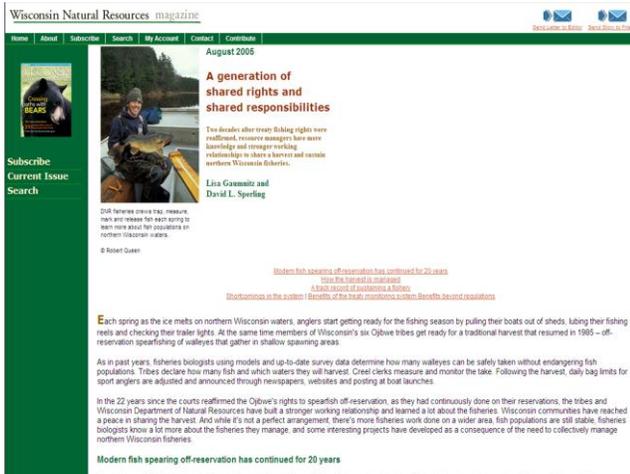
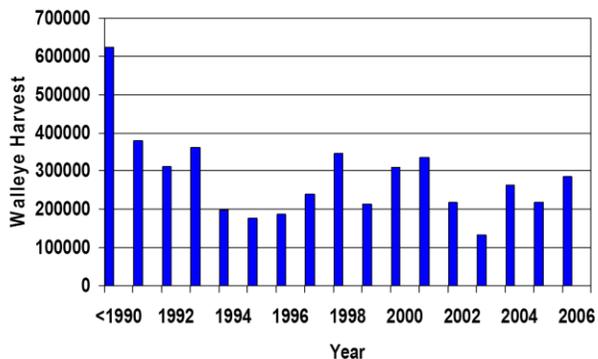


Figure 3

Figure 4

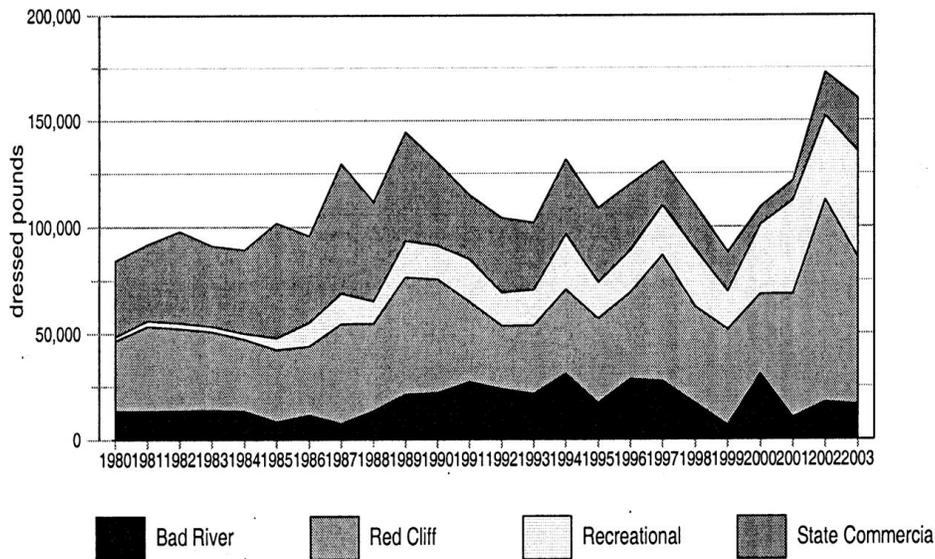
Ceded Territory Angler Walleye Harvest



Note: For more information go to dnr.wi/wnmag

Figure 5

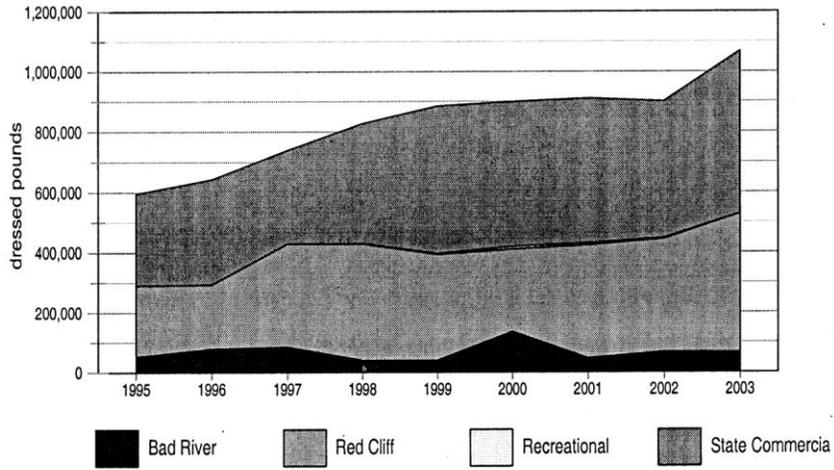
Lake Trout Harvest
Wisconsin Management Unit WI-2



Lake trout harvest from WI-2 for all user groups, 1980-2003.

Figure 6

Whitefish Harvest
Wisconsin Management Unit WI-2



Lake whitefish harvest from WI-2 for all user groups, 1995-2003.

Figure 7

