

# MASINAIGAN

MASINAIGAN (MUZ IN I AY GIN) A publication of the Great Lakes Indian Fish & Wildlife Commission

Summer 1992



*"The Drum is like the heartbeat of the nation," Joe Ackley, Mole Lake drummer. Pictured above is a drum constructed by Ackley and two head roaches made by Emanuel Poler, Mole Lake. Both men have recently been awarded grants from the WI Arts Board. (See story on page 25) (Photo by Amoose)*

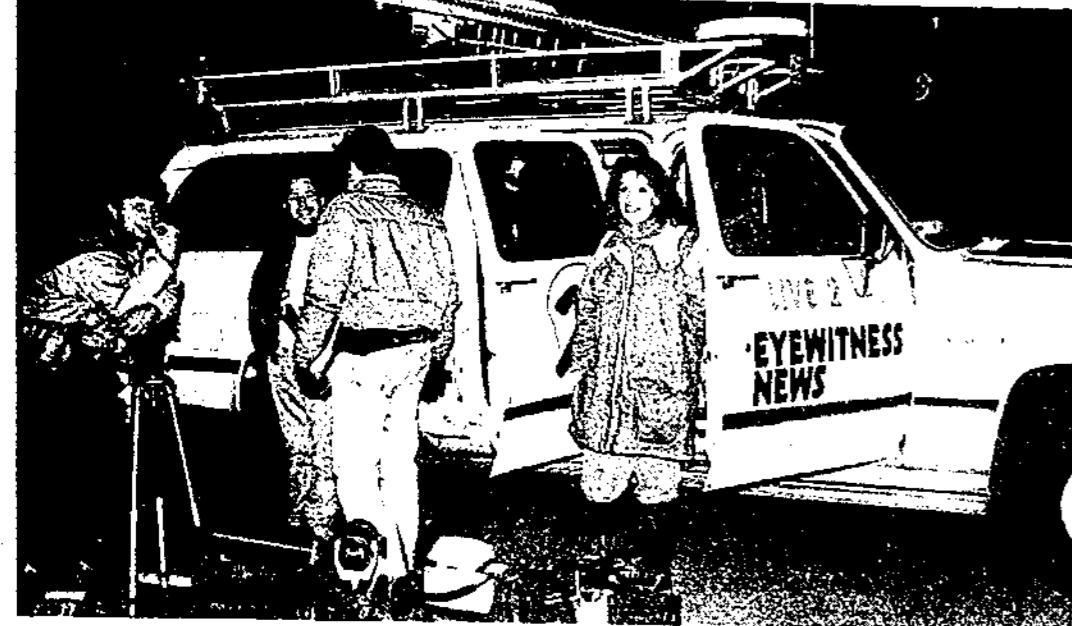
*Right lower photo: The Three Fires Drum provided a Drum Song for the opening ceremonies of the Democratic State Convention, Wessman Arena, UW-Superior. Tom Maulson sits in support of the Drum. (Photo by Sue Erickson)*

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## Mostly good news in 1992 Quiet landings keep media home



Peaceful landings did not attract many media to spearfishing coverage this year. Above, the Eyewitness News team packs up to leave the Big Eau Pleine landing where the only large, planned protest occurred this year. (Photo by Amoose)

### 1992 Spring spearing preliminary results

Tribe	Walleye	Musky
<b>WISCONSIN</b>		
Bad River	2,943	0
Lac Courte Oreilles	2,760	10
Lac du Flambeau	8,535	101
Mole Lake	2,807	16
Red Cliff	2,009	10
St. Croix	1,504	8
<b>TOTALS</b>	<b>20,558</b>	<b>145</b>
<b>MICHIGAN</b>		
Lac Vieux Desert	528	0

# Spring spearing: Peace prevails

By Sue Erickson  
Staff Writer

Only a few scattered incidents disturbed the peace of an otherwise quiet 1992 off-reservation spring spear fishing season. Peace seemed to be the season's "highlight."

However, the peace was not total and problems still remain. Tom Maulson, Voigt Inter-Tribal Task Force Chairman and spearfisherman commented that "This season was calm, but next season could be calmer. There's still work to be done."

Preliminary figures show that 20,558 walleye were taken and 145 musky, according to Steve Shroyer, Great Lakes Indian Fish & Wildlife Commission (GLIFWC) inland fisheries biologist.

Shroyer said that the Bad River Band commenced the season on April 11th at Holcombe Flowage, Chippewa County and concluded on May 17th.

However, since May 17 several bands have opened lakes for bass spearing and may continue to do so this summer, Shroyer said.

The bitter cold weather and reluctant spring delayed the season slightly. Ice was slow in moving off lakes, and the first few nights out yielded small harvests for many spearkers.

However, as the season took hold, more successful harvests were forthcoming, although fishermen were not treated to many balmy evenings on the lakes.

The weather may have contributed to the slightly reduced totals of fish this year, said Shroyer. The 1991 total walleye harvest was 23,018.

### Protest 1992

The only major landing protest took place at Big Eau Pleine Lake, April 23, a Protect Americans' Rights and Resources (PARR) organized protest which drew about 150 people to the landing. With the usual signs and chants, such as "Spear an Indian, Save a Walleye," the protest was uneventful. About 30 of those present were treaty supporters.

PARR's own "Doctor Death," looking like a version of the Grim Reaper, made a debut appearance, but nothing else was new or interesting.

Similarly, the annual PARR Rally took place at Trophy Park, Minocqua, on April 25, during the spearing season. Approximately 200 supporters turned out, but the crowd diminished early. GLIFWC Chief Warden Charles Bresette noted that trouble sparked at Lake Mohawksin Saturday evening following that rally. One of the few sites where the yellow police tape was put up this year.

A small group of about 30 to 40 people were at the landing. Slurs, comments and sign-carrying were part of the protest, he says.

The following evening some protesters again appeared at Lake Mohawksin. One woman was reported as being particularly obnoxious, pounding a drum and shouting verbal insults, Bresette noted. Citations were issued to several protesters during the season, according to Bresette.

One person was cited under the DNR harassment law for rock-throwing at Squirrel Lake. Rock throwing was also reported at Lower Eau Claire Lake, Douglas County on April 27th, but no one was apprehended.

Persons aboard a pontoon boat on Lipssett Lake, Burnett County, verbally har-



Unloading after a night of spearfishing is Yulanda St. Germaine, Lac du Flambeau tribal member and GLIFWC creel clerk Jerry Nutt. The catch was counted and measured at the landing. (Photo by Amoose)

assed St. Croix spearkers on April 27. The DNR issued two citations for boating law violations.

Bresette notes that several non-Indians were cited by the WDNR for spearfishing during the season. One such incident was on Bearskin Lake where the violators received substantial fines for their illegal

activities.

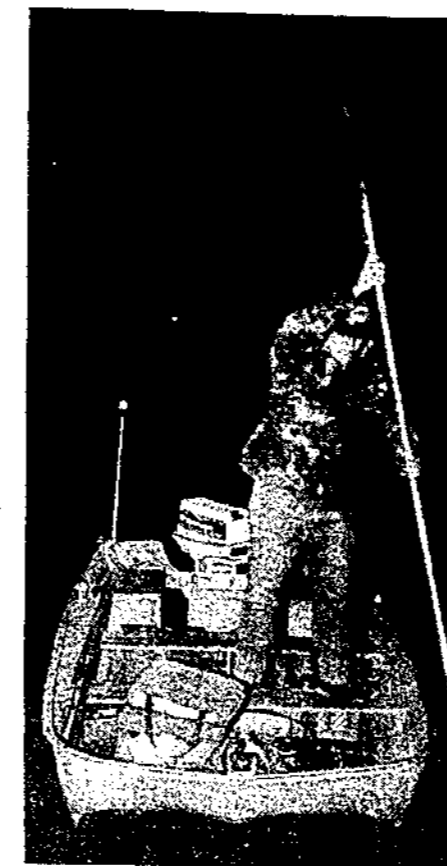
Even the overlap of spear and sport season in early May did not serve to break the peace. Tribal members speared from the same landings used by sportsmen

The Flambeau Flowage attracted hundreds of sport fishermen on opening week- (See 1992 Spearfishing, page 3)

## Number of various fish species harvested during spring spearing seasons from 1985-1992\*

Species	Number of Fish								8 year Total
	1985	1986	1987	1988	1989	1990	1991	1992	
Walleye	2,761	6,940	21,321	25,969	16,054	25,348	23,018	20,558	141,969
Muskellunge	86	55	196	158	118	303	185	145	1,246
Bass sp.	21	39	275	167	113	3	3	13	634
Largemouth Bass						167	130	80	377
Smallmouth Bass						49	14	8	71
Northern Pike	2	13	41	59	14	34	41	33	237
Lake Sturgeon	1		6	2	1	3			13
Trout sp.			2		1	2	1		6
Rock Bass	12	3	1	23	9	20	4		72
Crappie sp.		9	22	47	27	87	31	7	230
Bluegill	2	2	8	9	3	6	1	1	32
Yellow Perch				17	13	25	8	2	65
Bullhead sp.	1	1	4	2	3	5			16
Sucker sp.	27	15	48	21	31	72	28	13	255
Carp	1		1			1	1		5
Burbot				1	3	7	1		12
Bowfin				1	2		3		8
Cisco					2				2
<b>TOTALS</b>	<b>2,914</b>	<b>7,077</b>	<b>21,925</b>	<b>26,477</b>	<b>16,394</b>	<b>26,134</b>	<b>23,469</b>	<b>20,860</b>	<b>145,250</b>

\*1992 data is preliminary, therefore changes may be made prior to being pronounced final.



Poling his way out into the dark waters is Voigt Inter-Tribal Task Force Chairman Tom Maulson, Lac du Flambeau. (Photo by Amoose)

## 1992 Spearfishing

(Continued from page 2)

end when both Lac du Flambeau and Bad River fishermen were still exercising spearing season.

While the landings were jammed with vehicles, largely sports boats, Maulson noted the only trouble was between a couple of sportsmen who started to brawl on the landing.

### In Michigan

Early anticipation of trouble when Lac Vieux Desert tribal members speared Lake Gogebic in Michigan, may have forestalled any difficulties there.

Action by the Chamber of Commerce brought tribal representatives to several meetings prior to the spearing season in order to discuss issues and share concerns.

A meeting of enforcement officials was also held prior to the season. Presence of the MI DNR, state police as well as county, federal and tribal officials may have served to deter any trouble, Bresette said.

Two spearfishing boats were flanked by several MI DNR and GLIFWC enforcement boats, and Gogebic and Ontonagon County officials and state police watched the landings. While spectators did arrive at the landings, it proved more of an opportunity to converse and share information than a confrontation.

A total of 40 walleye were taken from Lake Gogebic. Lac Vieux Desert spearkers

took a total of 528 walleye during the season from 18 lakes.

### 1992 peace and beyond

Tom Maulson, Voigt Inter-Tribal Task Force Chairman, feels the season may indicate that "we've turned the corner in Wisconsin, but it's not over yet." Referring to the continuing struggle to promote inter-cultural respect and harmony, Maulson sees the job as just begun. "We need to build trust and understanding along with bridges to span to the Indian and white communities," he comments.

"The resource out there is not just for the white fishermen," he says, "but for all people."

Maulson credits the perseverance of the Chippewa spearfishermen along with grassroots supporters for the turn-of-tide in Wisconsin.

"We have to say 'Megwetch' to all the grassroots supporters who made the season what it was—a calm season for our fishermen," Maulson states.

Supporters and witnesses continued to watch the landings on a nightly basis, particularly those that have been plagued by violence in the past.

Manning an office throughout the season and organizing a presence on scattered landings throughout this year and in the past has required sacrifice of time and income for many who have been staunch in their support, Maulson notes.



Despite the diminished protest at landings, witnesses maintained a presence on many of the landings which had been troubled with harassment in the past. Above, witnesses receive instructions prior to departing for various landings. (Photo by Sue Erickson)

A similar 'megwetch' must be offered to "the people who have continued their endeavor to exercise their treaty right," says Maulson. "These are the 'Ogichidaag,' our warriors, who went out and made this happen."

The exercise of treaty rights, Maulson says, is important not only to the Chippewa people, but all Indian people across the nation.

Maulson also credits the actions of the Wa Swa Gon Treaty Association and the Lac du Flambeau Tribe along with the American Civil Liberties Union in taking Stop Treaty Abuse (STA) to court. He

feels the resulting decisions have been instrumental in deterring the display of violence and harassment.

Maulson also cited GLIFWC in its effort to present all the documentation, research and monitoring that has provided critical information regarding the spearing season.

"I must state that GLIFWC's job is far from finished, however," Maulson said, noting that "many challenges lie before the Indian tribes in terms of the exercise of treaty rights and natural resource management issues of today." (See Spring spearing, page 29)



# Bag limits, blame, and a better way

By Sue Erickson  
Staff Writer

Bag limit reductions for state-licensed anglers continue to be a source of controversy for the state, tribes and sportsmen. Several tribes, including Lac du Flambeau and Red Cliff, have questioned the DNR's handling of predicted bag limit reductions and the problem of blame.

When bag limit reductions are announced shortly after tribal spear fishing quotas have been declared in March, the implied blame for those reductions goes to spearfishing.

Tribal spokesmen say that the WDNR does not provide enough information to explain the true picture of bag limit reductions. This leads to the misperception that spearfishing is the culprit, they say. They feel that all too often important information is overlooked, such as the fact that tribal declarations are often reduced as a result of recent population estimates, or that sport fishing harvest is much greater than tribal harvest.

"Wisconsin DNR is trying to blame the Chippewa Tribes for its own mistakes in establishing sport fishing bag limits for walleye. Every fishing season, the DNR tries to put on the Tribes' back the DNR decision to reduce walleye bag limits," stated Mike Allen, Lac du Flambeau Tribal Chairman in a press release this spring.

Similarly Red Cliff Tribal Vice-Chairman Leo LaFemier expressed Red Cliff's views in a press release: "Tribal quotas are annually declared on the basis of the conservative Safe Harvest Level figure, a number which itself is frequently reduced as new lake assessments are performed. Conservative percentages of that Safe Harvest Level figure are declared by the Band, and still the bag limit is reduced and the Chippewa blamed."

However, LaFemier also suggested some problem-solving be done. Red Cliff called for a comparative study of lakes to analyze the impact of sport fishery vs. spear fishery on lakes of similar size and walleye population.

This, he feels, would at least clear the air on "who's to blame" for bag reductions and provide accurate figures for discussion. However, he says, the WDNR has not responded to Red Cliff's proposal.

To LaFemier, the need for public education on the issues of walleye populations, fishing pressure, and the Safe Harvest Level system is imperative. He feels the WDNR



Sport fishing pressure—trucks and empty trailers of sport anglers line the Springstead landing at the Flambeau Flowage shortly after the state-licensed season opened. Opening weekend packed the landings to overflowing. (Photo by Lynn Spreutels)

has been negligent in providing the information necessary for public understanding. "Bag limit reductions are not a simple issue and the solution does not lie in one simple answer,—Chippewa spearfishing," LaFemier states.

The handling of bag limit announcements seems to aggravate tensions rather than allay them, a concern which seems to be held also by the WDNR. Following the WDNR's announcement of bag limit reductions this spring, the WDNR pulled their wardens out of a jointly manned (WDNR & GLIFWC) booth at the Milwaukee Sentinel Sport and Boat Show. The sudden removal of staff was apparently to avoid debate about the bag limit issue, states GLIFWC Chief Warden Charles Bresette who was later contacted by WDNR officials.

Several relevant points lie beneath tribal concerns, according to GLIFWC Policy Analyst James Zom. Zom notes that about a month prior to the spearfishing season, tribes declare their quotas per lake as required by court-prescribed protocol.

These declarations are based on careful determinations of need by each tribe. "They are honest declarations based upon that need and not an attempt to restrict state-licensed angling," he says.

"The bottom line is that the tribes have declared a lot fewer fish and lakes than they are entitled to under the Voigt rulings," Zom said. (See Bag limits, page 5)



Long, cold hours on the landings passed more quickly for treaty supporters and witnesses when recording artist Mitch Walking Elk, appeared, guitar in hand. Above, Walking Elk plays and sings at the Lake Mohawksin landing. (Photo by Amoose)



Dressed for the bitter cold weather that dominated the early spearfishing season, Bad River fishermen Ed Leoso (front) and Mike Plucinski, prepare to head out on the Holcombe Flowage. (Photo by Amoose)



Corporal Larry Mann, GLIFWC warden stationed at Lac du Flambeau (LdF) at one of LdF's spearfishing landings. GLIFWC wardens as well as creel clerks monitored all landings used by Chippewa spearfishers during the season. (Photo by Amoose)



Bad River spearfisherman Ron Parisien dons a headlamp prior to setting out for an evening of spearing this spring. Photo by Amoose

## Bag limits

(Continued from page 4)

Zom notes that in 1992, for example, the WDNR did not explain that total Safe Harvest Level figures were lower than 1991 figures for many lakes. For some lakes this resulted in 1992 state bag limits that were lower than 1991 limits even though the tribal declaration actually decreased.

"In 1992, the Safe Harvest Level (SHL) system resulted in fewer fish available for tribal spearing and netting. The 1991 total walleye SHL for the ceded territory was 110,274 compared to the 1992 SHL of 97,652 (12,622 fewer in 1992 compared to 1991)," Zom states.

The result is that for some lakes the same number of fish declared by tribes constitutes a higher percentage of the SHL than last year. Thus, the state may impose a two-bag limit rather than a three-bag limit like last year, he says.

Zom referred to the statement in a March 3, 1989 federal court ruling on the tribes' spearing rights, which may have anticipated the problems of blame. Judge Barbara Crabb writes:

"...The Department of Natural Resources will be imposing additional restrictions on angling fishing in the next few years, pursuant to a comprehensive long-term fisheries plan it developed in the late 1970's. (These restrictions

would have been imposed even if the tribes' treaty rights had not been judicially recognized. It is purely fortuitous that the time for their implementation came shortly after the start up of Indian spring spearing.")

The many stresses on northern Wisconsin's fisheries were identified prior to the exercise of spearing, Zom says. The joint state, federal and tribal assessment of the Wisconsin fishery in the ceded territory, specifically noted that, "popular fisher species, such as walleye and muskellunge, are subjected to considerable stresses." Those stresses include "heavy angling pressure," environmental degradation and tribal harvest, Zom said.

Lac du Flambeau Tribal Chairman Mike Allen also called attention to the fact that managing the sport fishery through bag limits is a WDNR decision, not a court order. "No court decision covers what scientific method the DNR should use to manage the sport fishing harvest," he stated.

Zom also comments that WDNR's bag limit rule is not required by court ruling. "It is the WDNR's own rule that it enacted on its own without any tribal involvement. WDNR could choose another way to regulate state-licensed angling in response to tribal fishing, but it hasn't."

Tribal leaders also point out that bag



Just off the shore of the giant Lake Gogebic, Lac Vieux Desert spearfishermen check the shallows for spawning walleye. The canoe was one of two boats from LVD that fished Lake Gogebic. (Photo by Sue Erickson)

limit reductions which are announced by the WDNR may not be true once the spearfishing season is completed.

During the 1992 season as in previous years, tribes have reduced their quotas to accommodate a three bag sport limit. Following the conclusion of the season, many tribes have released remaining quotas for the sport harvest.

Thus, the early bag limit reductions imposed by the WDNR at the start of the

state fishing season often are later reversed. In 1992, St. Croix only declared quotas that would assure a 3-bag limit to sports anglers.

Both Red Cliff and Mole Lake later announced a change in their tribal quotas in order to accommodate the three bag limit on lakes.

LaFemier notes that these have been gestures of goodwill from the tribes towards their surrounding communities.



## Walleye production targeted by Chippewa hatcheries

By Sue Erickson  
Staff Writer

Eggs were collected from speared walleye once again this spring by many Chippewa tribal hatcheries. All six Chippewa Bands in Wisconsin operate hatcheries, which vary in size and capacity.

In Michigan both the Keweenaw Bay and Lac Vieux Desert Bands run hatchery operations with Lac Vieux Desert using Big Redd units for the first time this year.

While the greater percentage of speared walleye are male (over 80%), females taken with eggs are frequently milked and the eggs fertilized on the lake, according to GLIFWC Biologist Steve Shroyer.

Fertilized eggs are then transported to hatchery units for incubation and hatching. Larger hatchery operations maintain rearing ponds, so they stock many of the freshly hatched fry into ponds until they reach fingerling size, Shroyer states.

Most of the tribal hatcheries target walleye, although for both Keweenaw Bay and Red Cliff, lake trout is a primary species due to the tribal commercial fishery in Lake Superior.

An overview of spring hatchery operations follows:

### Bad River Chippewa

According to Hatchery Manager Joe Rose, 180 quarts of walleye eggs were collected this spring by the Bad River Hatchery crew. From this, about 14 million fry have been hatched.

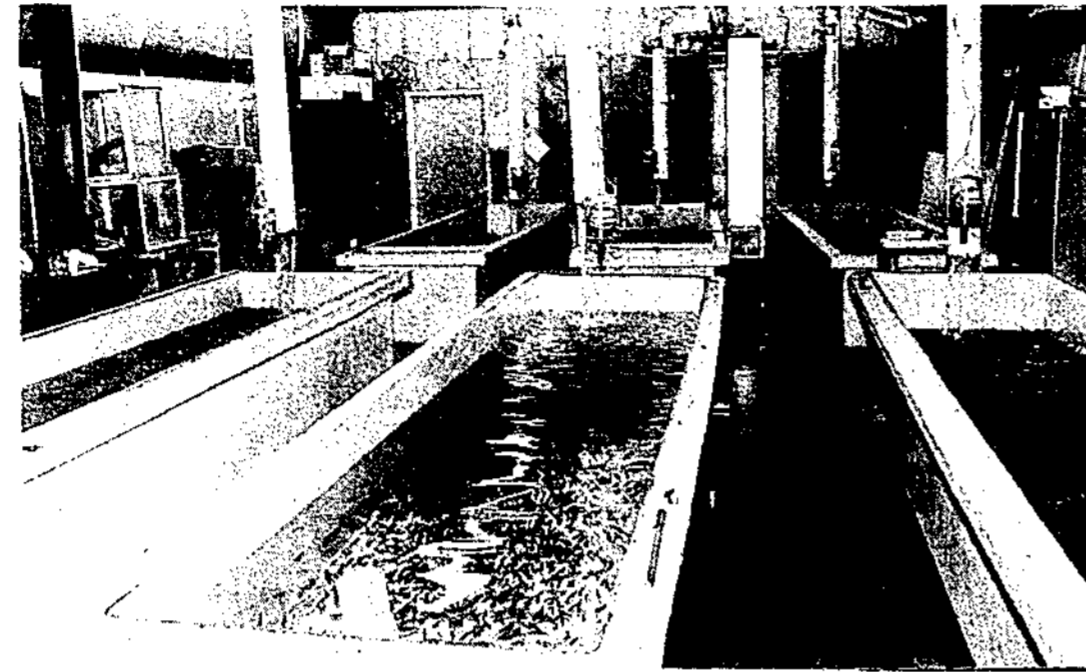
Fertilized eggs include those gathered from speared walleye this spring, he states. The fry have been placed into rearing ponds to rear to fingerling size prior to stocking.

Both Bad River and Red Cliff work with the Cable area Fish for the Future, an organization which also maintains rearing ponds and assists with the stocking of speared lakes in the area.

Bad River has operated a hatchery for 20 years. Significant expansion has taken place over the past several years in terms of facility renovation and additional rearing space.

### Lac du Flambeau Chippewa

The Lac du Flambeau hatchery crew collected 31 million walleye eggs this season. The hatch-out totaled about 19 million, according to Larry Wawronowicz, hatchery manager, due to the 63% survival rate.



Inside the Lac du Flambeau hatchery, tanks hold fingerlings and brood stock. (Photo by Amoose)

About 555,000 will be stocked in rearing ponds and reared to fingerling size, Wawronowicz says.

Flambeau plans stocking in Chain, Fence, Crawling Stone, White and Sand Lakes as well as in numerous locations along the Lac du Flambeau Chain.

Other species reared by the hatchery this year include:

**Musky:** The hatchery collected 1 million eggs and anticipates raising 10-50% of those to fingerling size. They will stock 10-12" musky in reservation waters.

**Brown Trout:** The hatchery anticipates stocking 13,000-15,000 5" brown trout in Fence Lake.

**Brook trout:** 15,000-30,000 brook trout fingerlings will be stocked along 34 miles of brooks and streams on the reservation.

**Rainbow trout:** Rainbows are reared by the hatchery for sale at \$1.50 per fish. The hatchery is working towards obtaining a new building. Wawronowicz points out that the current facility is a 1936 model, and new facilities are needed to maintain the high-level hatchery program Lac du Flambeau has developed over the past fifty years.

### Mole Lake Band

The Forest County Walleye Association worked cooperatively with the Mole Lake Band in collecting and hatching eggs in three Big Redd units, according Kathleen Kalina, Mole Lake planner.

900,000 walleye fry were hatched from the effort and 450,000 stocked in Lake Metonga and 450,000 into Mole Lake.

Kalina states that Mole Lake has been collecting eggs and hatching walleye for the past four years, using Big Redds which are located in a private home.

Funds are being sought for hatchery expansion, Kalina says. The Band hopes to expand with a new building, rearing ponds, and a fishery biologist on staff, she says.

### St. Croix Band

St. Croix Biologist Beth Greiff reports that St. Croix stocked 798,000 walleye fry in either rearing ponds or lakes this spring. St. Croix also gathered spawn from speared fish this year for rearing.

For 1992 the Band's goal is to rear 70,000 walleye fingerling, Greiff states. She cites need for a permanent incubation building and rearing ponds as immediate needs to expand the hatchery operation.

St. Croix's involvement with hatching and rearing walleye began in 1987 with a cooperative project together with the WDNR. Originally, the tribe was assisting the WDNR in rearing and stocking, Greiff states.

In 1990 the Band operated Big Redds and began incubating the eggs on reservation as well.

Lakes in three counties are targeted for stocking. These include: Lake McKenzie in Burnett Co.; Big Round, Big Butternut and Balsam

Lake in Polk Co.; and Matthews, Long and Gilmore Lakes in Washburn Co.

### Red Cliff Band

1.65 million walleye eggs were collected from Cable area lakes and 1.4 million from the Eau Claire Chain of Lakes, according to Mark Montano, Red Cliff hatchery staff.

Red Cliff stocked 218,000 fry into the Eau Claire Chain and 240,000 into Cable area lakes.

Red Cliff is working with the Bad River Band and Fish for the Future in stocking fingerling into Cable area lakes, a cooperative fish-stocking project, Montano says.

Red Cliff is looking forward to a new hatchery facility being constructed on the (See Tribal hatcheries, page 7)



Incubating jars, or Bell jars, are filled with eggs from walleye, brown trout, musky, brook trout and rainbow trout—all species reared at the facility. (Photo by Amoose)

## Midwest Tribal Aquaculture Network helps troubleshoot hatchery problems

By M.J. Kewley  
ANA Writer/Photographer

Small hatcheries can develop big problems raising fish on their own. Diseases can destroy the egg stock. Or, a tight budget may make it financially impossible to transport fingerlings to the water.

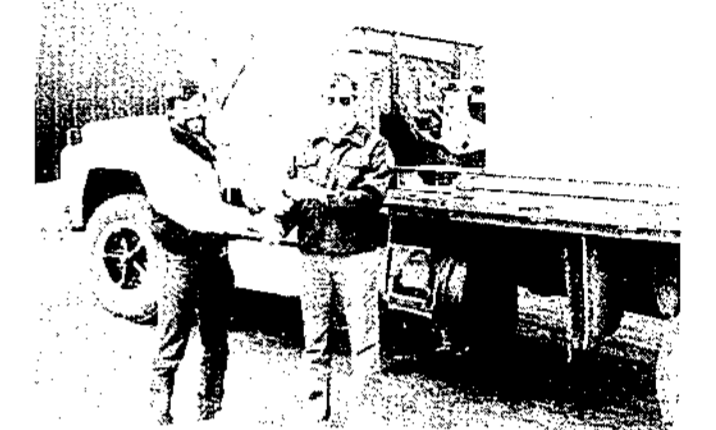
But Indian tribes are finding that they aren't alone when it comes to raising fish. They are finding assistance through the Midwest Tribal Aquaculture Network, a cooperative organization of 13 Indian tribes and the U.S. Fish and Wildlife Service (USFWS).

USFWS biologist Frank Stone said the Midwest Tribal Aquaculture Network (MTAN) formed in late 1991 to serve as a clearinghouse for tribal hatchery information. Network members include all eight of the GLIFWC member tribes who operate fish hatcheries—Keweenaw Bay, Lac Vieux Desert, Red Cliff, Bad River, Mole Lake, Lac Courte Oreilles, St. Croix and Lac du Flambeau.

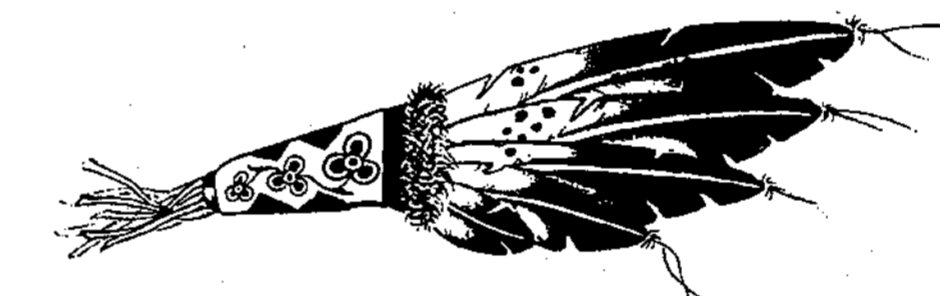
MTAN administrative coordinator Joe Dan Rose said the network will help tribes to pool biological information, share hatchery equipment and receive cooperative training.

Since the network's inception, members have received two government surplus hatchery trucks—one to be used at Lac du Flambeau and another at the Great Lakes Indian Fish and Wildlife Commission. Egg incubation systems and rearing tanks from USFWS surplus are now used in many tribal hatcheries.

In the spring of 1993, a newsletter coordinated by USFWS biologist Stone began to circulate the aquaculture information to member tribes. In addition to equipment information, the newsletter provides biologists with hatchery tips and information on upcoming training seminars. By sharing their successes and failures, members hope they can make their hatcheries more productive—ecologically and economically.



Frank Stone, USFWS (right) transfers the keys to the hatchery truck to Steve Shroyer, GLIFWC inland fisheries biologist. (Photo by Henry "Butch" Mieloszyk)



## Tribal hatcheries continued

(Continued from page 6)

reservation. Funding has been approved, and construction will begin this year. The last two years the hatchery has worked out of a pole barn building so the improved facilities are much anticipated.

### Lac Courte Oreilles Band

Lac Courte Oreilles has been hatching and stocking walleye for the past ten years, according to Leslie Ramczyk, LCO Conservation Department. However, this year their ten quarts of collected eggs did not survive.

Ramczyk states that difficulties with iron levels in the water at the new hatchery facility caused the demise of this year's effort. The problem will be addressed, so as to prevent recurrence.

### Lac Vieux Desert Band

1992 was the first year the Lac Vieux Desert Band became involved with hatching walleye. Two Big Redd units at the tribal building have served to facilitate the hatching operation, according to Betty Martin, tribal executive secretary.

The walleye eggs were gathered from speared fish at Bond Falls Flowage and other lakes. Bond Falls Flowage was also targeted for stocking.

Technical assistance with the gathering and fertilizing of the eggs for incubation as well as for the stocking program was provided by the Bad River Hatchery staff and GLIFWC staff, Martin states.

Martin feels this year was just a beginning for the tribe and hopes to see a rearing pond on the reservation next spring. The goal is to be able to stock fingerlings into area lakes, she says.

### Keweenaw Bay Band

Walleye have not been a target for the Keweenaw Bay hatchery, which focuses on lake trout and whitefish in Lake Superior, according to Keweenaw Bay Fishery Biologist Mike Donofrio.

Last fall the hatchery did collect 50,000 lake trout eggs and 200,000 whitefish eggs. Fry were reared over the winter months, and 10,000 whitefish fingerling were stocked into the Keweenaw Bay this spring.

Keweenaw Bay's hatchery has been operating since 1989 and will be moving into a larger, permanent structure this fall, Donofrio says.



Taking eggs from speared walleye at Bond Falls Flowage, Michigan. Above, Betty Martin, Lac Vieux Desert, and GLIFWC biologist Neil Kmiecik collect eggs on site. (Photo by Amoose)



# Treaty rights on trial in Minnesota: Counties, businessmen move to intervene

"Great nations like great men must keep their word. When America says something, America means it, whether a treaty or an agreement or a vow made on marble steps."—President George Bush

By Sue Erickson  
Staff Writer

While the treaty reserved rights to hunt, fish and gather on ceded lands have been settled through a lengthy and costly litigation process in Wisconsin, a repeat performance seems in store in neighboring Minnesota, where the Mille Lacs Band is seeking implementation of its treaty rights.

The process shows no signs of getting easier, with a breakdown in negotiations, motions to intervene, and anti-groups gaining a foothold in the region's communities. (see related story on anti-Indian groups in Minnesota, page 12)

## Litigation or negotiation

Litigation has only recently re-opened between the Mille Lacs Band and the State, following over a year of negotiations aimed at reaching an agreement outside of the courtroom.

Originally, the Band filed suit on August 13, 1990 because the DNR refused to negotiate treaty rights issues unless such an action was commenced, according to Tribal Attorney Jim Pence.

Negotiations broke down in March 1992. However, Pence notes that Magistrate Lebedo of the 8th Circuit, offered to arbitrate if the State and the Band return to the negotiating table. Pence said an effort to re-open talks may occur in June.

If negotiations fail, the trial is scheduled to begin in February 1993.

## Motions to intervene

A decision as to whether a group of sportsmen and landowners can intervene in the Mille Lacs vs. State of MN treaty case is pending in U.S. Circuit Court, 8th District, according to Pence. This is the

second motion to intervene as friends of the State.

The current action is spearheaded by the Minnesota Hunting and Angling Club, an organization actively lobbying against reserved tribal rights and headed by Howard Hanson, owner of Pro Color Inc. businesses in Minneapolis. The motion to intervene was heard by Magistrate John Lebedo of the 8th Circuit, Pence said.

This motion for intervention follows on the heels of a similar motion filed by affected counties last winter. A decision which granted the counties intervention in the suit was later reversed by Judge Diana Murphy, U.S. District Court, 8th Circuit, following an appeal by Mille Lacs, Pence explained.

The counties, however, are currently appealing Judge Murphy's ruling in order to regain status as parties in the litigation.

## The Rights

The off-reservation hunting, fishing and gathering rights of the Mille Lacs Band were reserved in the 1837 Treaty with the United States government. According to State estimates, the ceded territory in question includes 3,061,501 acres located in 11 counties (see map).

While the treaty reserved rights of the Chippewa have been re-affirmed through the Seventh Circuit Court of Appeals in Wisconsin, the U.S. Supreme Court refused to review the holding. Mille Lacs is having to repeat the legal battle in the Federal District Court, 8th Circuit, in Minnesota.

Basically, Pence says the Band seeks to maintain its own hunting, fishing and gathering codes, subject to state approved conservation codes, for off-reservation seasons and the exercise of self-regulation.

If the Band prevails, it will establish the right to harvest up to half of the harvestable population of game and non-game fish, large & small game, furbearers, wild rice, and numerous other plant species on public lands only, he said.

## Mille Lacs Department of Natural Resources

The maintenance of both treaty rights and the natural resource in conjunction with the right of self-governance are high priorities for the Mille Lacs Band. For these reasons, the tribal government has supported the growth and development of both conservation management and enforcement capabilities for the reservation.

The Band fully recognizes that resource use must be accompanied by wise management decisions and that the resource is shared with other user groups.



Mille Lacs Tribal Council representatives were present for ceremonies opening the new Grand Casino, Hinckley. Above, outside of the new building are (from the left) David Matros, Melanie Benjamin, and Tribal Chairwoman Marjorie Anderson. (Photo by Amoose)

## Holistic approach includes culture

The Mille Lacs Band has been actively involved in conservation management both on and off-reservation for a period of years. Following traditional ways, the Department seeks guidance from both professional staff and the traditional knowledge held by tribal elders.

Working in conjunction with conventional resource managers is a unique program addressing cultural resources, which identifies those areas traditionally significant to the Mille Lacs Band. Thus, preservation of the natural resources is closely linked with the preservation of the Chippewa culture.

## Enforcement

On-reservation conservation codes were established in 1979 for all seasons, including small game, migratory bird, fishing, big game hunting, timber harvest and ricing, according to Natural Resources Commissioner Don Wedll.

The Band has in place a full set of ordinances regulating on and off-reservation seasons, a licensing structure, registration stations and a system of tagging.

Conservation officers are all federally certified and postboard certified. Currently, one officer enforces on-reservation codes and two enforce off-reservation seasons.

Conservation violations are cited into the Mille Lacs Band Tribal Court, established in 1990 following the compact for

self-governance with the U.S. Department of Interior. The Court exercises jurisdiction in the areas of gaming and conservation.

The Band anticipates expansion of both enforcement and biological staff when more extensive off-reservation seasons are established in order to meet the demands of expanded seasons.

## Biological services

With a holistic approach to resource management inherent in the tradition, the Mille Lacs Band emphasizes the study of the entire ecosystem and acquisition of an appropriate data base as fundamental to planning and decision-making, explains Mille Lacs Biologist Mike Ware.

Ware is one of three aquatic research biologists employed by Mille Lacs. The biologists with four other full-time staff maintain a water quality laboratory and have been involved in establishing a data base for the Band on water quality as well as on the fishery.

The Band's laboratory has been operating for two years on-reservation, but research, using the facilities of the Minnesota Chippewa Tribe, has been ongoing for the past twelve years, says Ware.

Biological staff have been testing all lakes, streams, and rivers on or bordering the reservation. Testing determines a system's efficiency and isolates deficiencies as a basis for a plan.

Fisheries assessments have been performed (See MN treaty rights, page 10)

# Reps from MN, WI & WA talk treaty rights

By Sue Erickson  
Staff Writer

A Peace Roundtable co-sponsored by HONOR and the Mille Lacs Band of Chippewa provided a forum for discussion and education on a spectrum of issues surrounding Chippewa treaty rights. The Roundtable convened for one day at Tobies Inn, Hinckley on May 5 to look at positive solutions and cooperation.

"By sharing experiences between states and learning from each other, we hope to lessen tensions and forge strategies of peacemaking," explained Sharon Metz, executive director, HONOR. Metz emphasized that the meeting is "not about fish, but about getting along together."

Metz's concern over the treaty issue in MN was provoked by the activities of both the Minnesota Hunting and Angling Club and PARR, a WI anti-treaty organization, which has been recently agitating in MN.

With six years of social unrest and violence just beginning to diminish in WI, Metz feels any efforts to promote understanding rather than antagonism between Indian and non-Indian communities could assist in avoiding a repetition of the WI experience.

Participants from both states included representatives from the DNR, education associations, churches, law enforcement, legislature, and the attorney general's office.

Also present were several representatives from the State of Washington, the 1854 Treaty Authority, the Great Lakes Indian Fish and Wildlife Commission, the Voigt Inter-Tribal Task Force, the National Congress of American Indians, the Sea Grant Program, the Northwest Indian Fisheries Commission and the media.

## Purpose: Promote Leadership

Pointing to an early lack of leadership in WI on the treaty issues, Metz hopes to promote individuals in key positions to assume a more active leadership role in MN. That leadership can only come with education regarding the rights and the tribes.

She feels that "ignorance of basic principles, such as tribal sovereignty, the nature of the treaty rights, and tribal culture have contributed greatly to the racist nature of the protest in WI."

"While the violence and protest at landings has waned, due to laws prohibiting many of the activities, it will take years to wash away the residue of bitterness that remains in WI," she commented.

Once community leaders, whether from Chambers of Commerce, churches, or the legislature began to speak out, the tide began to shift towards peace, Metz noted.

Both WI and Washington State experienced years of costly litigation and violent protest with the implementation of treaty rights. Representative Dick King from WA noted that the treaty dispute in his state raged until the resource itself had almost been forgotten. "People finally realized that if they didn't stop fighting, they'd lose the resource."

State recognition of tribal sovereignty and the status of treaties as the "supreme law of the land" contributed to the resolution of the treaty dispute in WA, King said.



Sharon Metz, HONOR executive director, welcomed both Minnesota and Wisconsin participants to the Peace Roundtable in Hinckley, MN. The Roundtable provided a forum for MN and WI representatives to share experiences in regard to the implementation of Chippewa treaty rights. (Photo by Sue Erickson)

"Do the talking now. Once you get to the landings, it is too late."—Sheriff Craig Benware, Polk County, WI

However, he notes, that issue is still prevalent, and has its ups and downs in the State. He noted that officials must be ready to enforce the law and let people know that they intend to do it.

Naomi Bruesehoff, Wisconsin Conference of Churches, described the role of church leadership in WI as being at first reluctant, but ultimately a significant force in affirming treaty rights and providing a response to the vocal anti-treaty groups. Many churches were able to promote peace and dialogue within local communities and through an ecumenical presence. The clergy, she said, "should not back down from the risk of taking a stand" towards peace and justice.

## The Challenge: Education

Education in the area of treaty rights has several dimensions. One relates to the lack of fundamental knowledge regarding tribes and treaties in the public education system, and others to ignorance of facts about treaty harvests, the law, and cultural differences.

Bill Gollnick, WI Department of Public Instruction (DPI), spoke briefly about the first. He feels that misunderstanding is a result of ignorance regarding tribal culture and the treaties, and the problem is "generational."

The WDPI is currently implementing a legislatively mandated curriculum, Act 31, addressing tribal culture, the treaties, tribal government, and tribal sovereignty at both the high school and elementary levels in order to break the ongoing ignorance.

Gollnick noted that omission of Indian-related education in our curriculums essentially denies both Indian and non-Indian of an accurate education. Facts about treaty harvests is another area which has either been misrepresented or omitted, according to Jim Thannum, GLIFWC natural resource specialist (see coverage on page 11).

Thannum noted that scares regarding the over-harvest of fish by the Chippewa and about the demise of resorts and tourism industry caused unwarranted worry for many Wisconsin citizens and were used to agitate the general public.

When facts began to be presented, like the annual sports harvest of an estimated 623,000 walleye in the ceded territory in comparison to the Chippewa harvest of 23,000 walleye, it became apparent that the Chippewa were not "raping" the resource.

Further figures showed that over 80% of the fish were male, due to size limitations and spawning habits during the harvest season. This dulled the edge of the claim that the Chippewa were taking all the spawning females.

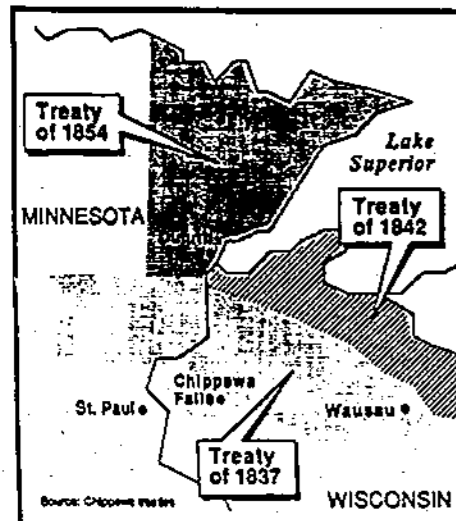
Information on the tourist industry indicated tourism to be on the rise despite the Chippewa spearfishing season, and studies indicated that declining resorts were due to a number of contributing economic and social factors, not related to spearfishing.

The intensely monitored nature of the spearfishing as well as tribal involvement in assessments and stocking have all needed publicity in order for the non-Indian public to understand the true nature both of the spearfishing season and tribal resource management.

Andrew Gokee, Red Cliff Voigt Inter-Tribal Task Force Representative, noted that Red Cliff, as well as other tribes, take eggs from speared fish for the tribal hatcheries. (See MN Peace Roundtable, page 10)



Andrew Gokee, Red Cliff Tribal Judge and Voigt Task Force representative, spoke at the Peace Roundtable in Hinckley, MN. Gokee talked of both problems experienced by WI Chippewa while exercising treaty rights and solutions found at grassroots community levels. (Photo by Sue Erickson)





## Long stresses communications at Minnesota roundtable

Jeff Long from Boulder Junction is a member of the Boulder Junction Area Chamber of Commerce. He, along with others local Chambers, drafted a powerful statement in 1990 that recognized the legal realities of Chippewa treaties; they called for peace and cooperation between the local and tribal communities.

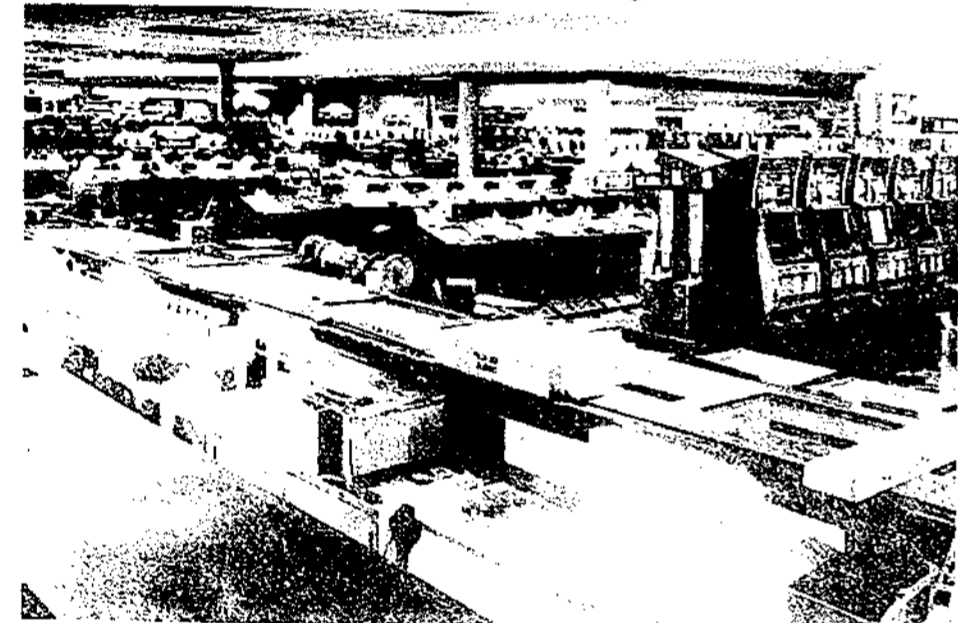
Mr. Long said that Communication with a big "C" is critical. He said that the importance was brought home to him in September of 1984 when Bill Horn from the Department of the Interior at an area meeting, kept asking the question, "What have the tribes been saying?" and the community response was "We don't talk to tribes."

He said that the missed opportunities by the State were to provide support, both financial and through leadership, to local communities for economic efforts that ben-

efited both tribes and non-Indians. The State seemed to respond only after the situation had reached crisis proportions.

The very presence of very high level state officials working with local volunteers—and providing the dollars necessary to improve the local/tribal communities is a strong signal. It took too long to develop, but was a strong factor in the ultimate decrease of tensions.

Mr. Long said that tribal and area communities have many similarities; the importance of tourism to both is just one example. The role of the state, perhaps especially the DNR, should be to provide the human and financial resources to communities to work out their own problems. "It's a matter of respect. Tribes want, and should have respect, and the rest will follow," Long concluded.



Grand Casino Hinckley's main gaming area ten days prior to the grand opening. (Photo courtesy of the Grand Casino.)

## MN treaty rights continued

(Continued from page 8)

formed on 87 different lakes and rivers. Some assessments on critical, off-reservation waterways have also been initiated.

Water quality testing determines nutrient loads in the system, the extent of bacterial contamination, and particularly in relation to wild rice systems, the prevalent insect life and presence of phytoplankton and zooplankton, according to Ware.

An extensive wetlands program has succeeded in delineating numbers and locations of wetlands on the reservation as well as setting water quality standards. The Band is proposing to implement a permitting process, following public hearings, in order to protect and improve water quality in on-reservation systems.

Biological services augments its seven member staff on a seasonal basis in order to perform assessments.

To encourage more trained tribal members in the area of natural resource management, the Tribe has supported the establishment of a two-year Natural Resource Management Training Program through three area vocational schools. Graduates

will hold a two-year degree as natural resource technicians.

### Off-reservation natural resource management

As a member of the Great Lakes Indian Fish and Wildlife Commission (GLIFWC), the Mille Lacs Band has available the services of professional staff in all areas of resource management to assist with critical conservation management issues and enforcement.

To date, GLIFWC has assisted Mille Lacs by providing trained off-reservation enforcement staff and equipment, registration stations, assistance with tribal courts, and implementation of an off-reservation migratory bird season.

GLIFWC biologists involved in all areas of wildlife and fish management are also available to assist when off-reservation, treaty seasons are established. GLIFWC would augment the tribal program, which anticipates expanding staff in order to study the resource base in about one-tenth of Minnesota.



Staff at the Mille Lacs water quality laboratory test samples taken from area waters. Mille Lacs employs three biologists who work in the area of aquatic research. The on-reservation laboratory was built two years ago. Previously, the Band used the laboratory facilities of the Minnesota Chippewa Tribe. (Photo by Amoose)

## MN Peace Roundtable

(Continued from page 9)

They are stocked back into the lakes that were speared.

In 1992, he noted, several lake associations even requested Red Cliff to spear their lakes so they could benefit from the stocking program, since the WDNR would not stock their lakes.

Gokee, who is a tribal spearfisherman, also talked about dedication of the tribal fishermen to exercise their rights under extreme duress and in life-threatening situations.

He emphasized the necessity for all people to focus on environmental problems, otherwise "we're going to be fighting over the last poisoned fish," he said.

Yet another area of understanding relates to cultural differences. Thannum pointed to the distinct difference in how Indians and non-Indians view fishing. The non-Indian adheres to a sport ethic, whereas the Indian views fishing as a subsistence effort. For tribal members the process is one which maintains traditional, cultural ties to Mother Earth.

Understanding the law, which recognizes treaties as the "supreme law of the land" in the U.S. Constitution is also difficult for people to understand. For instance, people are not aware that the treaty rights were never sold, and that the courts have not just recently given these rights to the tribes. Rather the rights were always kept through specific language in the treaties.

John Niemisto, WI assistant attorney general, talked about the process of litigation vs. negotiation in WI. Niemisto noted, that at first the State felt that a simple solution would be to "buy" the rights from the Chippewa. Not understanding the cultural significance of the rights to the Indian people, those promoting "buy outs" were frustrated when the Tribes said the rights weren't for sale.

Niemisto also commented that for MN both WI and WA have court rulings

### We need to walk down this road together.—Albert Churchill, Mille Lacs Elder and Spiritual Leader

which are precedents for similar decisions in other states. He encouraged MN representatives to seek avenues of negotiation rather than litigation, relying on the legal analysis from these earlier decisions.

### Next Step

Some suggested strategies for problem-solving included:

- target outdoor press with information
- compile resource information
- educate editorial boards
- provide outreach for students
- recognize sovereignty
- accentuate the positive
- provide cultural awareness training for DNR
- educate town councils, county boards

Participants felt that a follow-up session should be held in Minnesota in order to work towards implementing some of the strategies.



# Treaty spearfishing and local tourism economies

By Jim Thannum  
GLIFWC Natural Resource Development Specialist

(The following paper was presented to HONOR's Peace Roundtable in Hinckley, MN on May 5.)

### Introduction

Stories of Chippewa Spearfishing causing the demise of Northern Wisconsin's tourism industry have become common within the last eight years. Anti-Indian organizations, politicians, and various Chambers of Commerce have unfortunately bought into this argument at one time or another failing to objectively examine the issue. This article will present some little publicized facts and examine their potential implications in the 1837 Ceded Territory of Minnesota as claims that treaty fishing activities will inevitably arise.

### The changing tourism industry

As with any industry, tourism markets continuously change in response to social and economic factors. Tourism experts such as Rollie Cooper, U.W. Extension Recreation Resource Center, have emphasized that the country's aging population, growth in two income households, and increased population of single-parent families hold potentials for great impacts upon Wisconsin's resort industry. Failure to meet the specialized needs of these growing markets will result in continued displacement of small resorts possessing obsolete facilities. One such example is that two-income households often find it difficult to coordinate long periods of time off and therefore rely more on extended weekend trips. Unfortunately, many northern Wisconsin resorts require a one-week minimum stay, thereby excluding themselves from a growing market.

Wisconsin tourism studies have also recorded seasonal expenditure trends. Of the estimated \$5.4 billion spent in 1989, 27% was from January through May (5 months), 44% from June through August (3 months), and the remaining 29% from September through December.

As with any industry, changing markets inevitably displace obsolete operations while enterprises able to meet shifting consumer needs grow and expand. It is important to acknowledge the displacement of small obsolete resorts was taking place in Northern Wisconsin prior to the Voigt Decision. A 1981 Tourism Industry study reported,

"Resort problems were shown to increase with the age of the resort. Those that appear to be having the most significant problems, however, were built prior to 1930. Twenty-five percent of these resorts were shown to have declining occupancy trends. This may be attributed to the declining quality of these resorts due to their age and the fact that 60% of their owners have not made any improvements or done upkeep since the resort was built." The study went on to state, "37% of the resort owners in Indianhead Country and 29% in the Northwoods Council said they planned to convert their resort within the next three years, implying second home ownership may rise in northern Wisconsin, whereas resort room supply may continue to decline."

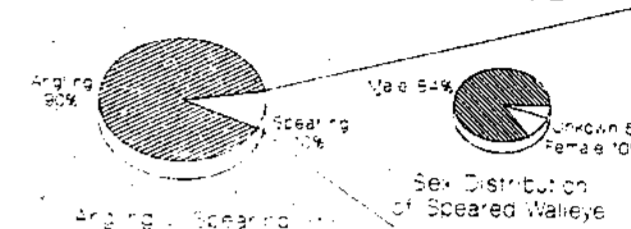
State and Federal income tax structures, allowing interest deductions for second home purchasers as one of the few remaining tax write offs, will likely continue this trend into the next decade.

### Comparison of harvests between anglers and tribes

From 1980 to 1989, state licensed anglers annually fished 32.4 million hours on ceded territory lakes (60.8 hours per acre). Estimates of annual state-licensed angling harvest and catch (includes both harvested and released fish) in the ceded territory during 1980-89 are based upon 90 separate creel surveys run on 64 different lakes. From these creel surveys, results have been expanded to cover all ceded territory lakes with the total annual harvest by state anglers averaging 623,525 walleye; 9,454 muskellunge; 623,831 northern pike; 96,928 smallmouth bass; and 661,105 largemouth bass. (Casting Light Upon the Waters, 1991)

The Chippewa Bands harvested 23,018 walleye, 185 musky and 266 fish of other species during the 1991 Spring Spearfishing Season. Of the 23,018 walleye harvested approximately 84% were males based upon sex distribution surveys.

### Ceded Territories' adult walleye harvests—Wisconsin 1991



1991 Spearfishing Harvest—23,018 adults  
Est. 1991 Angling Harvest—205,763 adults  
(623,525 annual creel x 1/3 adults)

### The Impacts of the Tribal Harvest Upon Tourism

By these figures it is hard to understand how one user group, responsible for 90% of the adult harvest, can claim that another user group, responsible for 10% of the adult harvest, will destroy tourism in northern Wisconsin.

Tribes contend that lowered bag limits have little impact upon the average angler. WDNR creel data estimates only 7% of all anglers catch walleye and of these the majority catch three or less fish.

PERCENTAGE OF CEDED TERRITORY ANGLERS CAUGHT WALLEYE FROM 1980-1987

### Successful Anglers

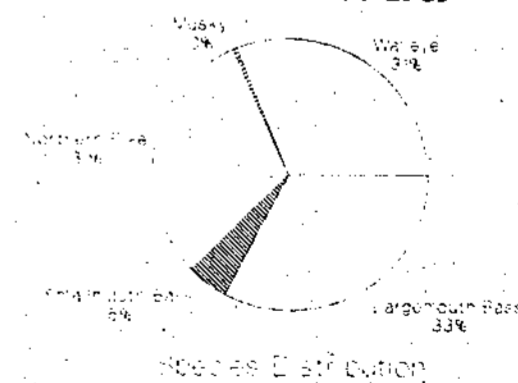


Based upon WDNR interviews with 28,601 anglers from 1980-1987

Some resort owners expressed a three bag limit was okay, but if a nearby lake had a 5 bag limit, they believed people were drawn to those lakes. The variable bag limit issue will be the real issue, since some perceive it as an unfair marketing advantage.

A review of creel data from the 1837 and 1842 ceded territories in Wisconsin illustrates a diverse fishery not solely dependent upon walleye harvests, as commonly claimed by anti-treaty groups. Walleye comprise only 31% of the state's angler harvest as demonstrated below.

### Estimates of annual ceded territories' angling harvest in Wisconsin 1980-1989



Musky harvest is less than 1%

### Wisconsin tourism quotes

"In the summer and fall of 1987 Jack Grey, Survey Conductor for the U.W. Extension interviewed 1,704 people from area motels, resorts, and private campgrounds and concluded, "while 100% of the visitors could have fished, only 8.3% said it was the main reason for the trip. Most people go for the scenic beauty or family vacation experience."

"On May 15, 1989, Ruth Goetz, Development Consultant for the Wisconsin Department of Tourism, informed a group of northern Wisconsin business representatives that, "Responses to our advertising are up 72% over 1988." She went on to report, "and in 1988 we had a 60% increase in inquiries. Indications are this summer will be as good, if not better, than last year." (See Economic fears and misconceptions, page 32)

Recent room tax data from Minocqua's town treasurer's office also leads a person to question claims that spearfishing has ruined north-eastern Wisconsin's tourism economy. A December, 1990 Milwaukee Sentinel article stated, "Tax receipts have more than doubled since the town began collecting the tax in 1986 and grew from 24%-30% annually since 1987; that spending on lodging will likely top \$3.5 million this year as compared to \$1.7 million four years ago; and that the Minocqua area had a higher growth rate than the Wisconsin Dells area and City of Lake Geneva over the same period of time."



# MN Hunting and Angling Club joins up with national anti-Indian organizations

By Sue Erickson  
Staff Writer

Introduced as a "very special guest" at the April PARR rally in Minocqua this spring was Minnesotan Howard Hanson, owner of Pro-Color Inc. and President of The MN Hunting and Angling Club (THAAC).

Hanson's appearance in WI may have been reciprocating for PARR's earlier appearance at THAAC's rally on the Capitol steps in St. Paul.

## THAAC—a short profile

According to Hanson THAAC started to lobby against Indian rights 4 1/2 years ago in opposition to agreements between three tribes in Northeast MN and the State of Minnesota.

But his initial battle against commercial netting and commercial fishing actually began 13 years ago when his retirement dream was shattered by commercial fishing endeavors.

Hanson said that he had purchased an island on Rainy Lake and shortly after a fishing brokerage opened on the lake, spoiling his retirement dream of running a fish camp.

Hanson took his troubles down to the Capitol and began his lobby against commercial fishing, he said, where he ran into powerful lobbies representing the food industries.

After four to five years of work he succeeded in removing nets from Lake of the Woods and Rainy Lake.

Hanson says he has had thirteen years



**"ANTI-INDIAN RIGHTS"**  
Is Pro Color Services Inc. owner, Howard Hanson pro-color? "Racism is a thing of the past. What they're (the tribes) doing is inventing racism..." says Howard Hanson, President of The Hunting and Angling Club (THAAC) and owner of Pro Color, a business in Minneapolis, as he speaks against the reserved treaty rights of the Chippewa at the annual PARR rally, Minocqua, WI (Photo by Sue Erickson)

experience in lobbying and encouraged participants at the PARR rally to exert their efforts towards the political arena.

THAAC, Hanson states, filed an amicus in the litigation between the State and Fond du Lac, Bois Forte and Grand Portage tribes in the late 1980s. After THAAC filed, an agreement was struck

between tribes and state.

Once gain THAAC is attempting to intervene in the State's litigation with the Mille Lacs Band of Chippewa over exercise of their 1837 treaty rights, but this time they don't seem to want an agreement. "We stopped the agreement between Mille Lacs and the State," Hanson announced, and THAAC has two lawyers ready to litigate.

THAAC is intervening on behalf of the rights of private citizens, Hanson says, because the State does not represent its

citizens' interests.

If the state doesn't protect the rights of citizens, Hanson said, "We're gonna hit em with a big class action suit."

THAAC, according to Hanson, has a three prong plan involving the Capitol, congress and courts. He estimates a prolonged five year battle over the issue.

## The Issue: Sports Industry vs. Food Industry and Subsistence Use

Hanson defines the issue as economic because the economy necessarily revolves around our natural resources. "When Mother Nature can't supply enough for all, a war develops... We're in a war," he says.

Hanson's "war" seems to be one of sports interest against all other users of the fishery—food industry, the commercial fishery and Indian treaty claims.

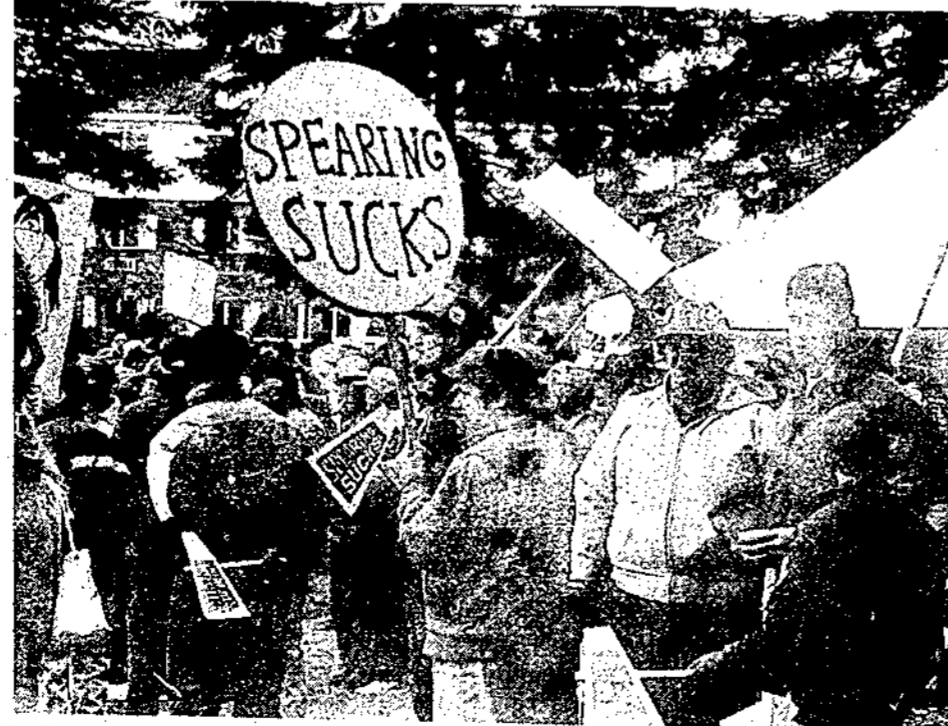
Hanson's objective appears to be eliminating the right of use of the fishery except for the sportsmen/women. He does not mention the concept of sharing or limited use for all groups.

Essentially, Hanson feels that abrogating the treaty rights of Indian tribes is justifiable in view of the sports need. And he is adamant that this attitude should not be identified as "racist" in anyway.

## Hanson on racism

According to Hanson, lobbying against the treaty guaranteed rights of Indian tribes in the United States is not racist because its about resources and economics.

In other words, it is about who controls the resources and who benefits economically from the resources. To simply take away the legal right to use the resources held by Indian tribes and provide (See THAAC, page 13)



PARR rally 1992, Torphy Park, Minocqua. "Spearing Sucks" signs and pins appeared as well as the familiar signs about the DNR. (Photo by Sue Erickson)

# KKK rallies in Midwest

Police using riot shields escorted Ku Klux Klan supporters from a rally last month as protesters chased and taunted them. Protesters threw rocks at one Klan supporter and broke a storefront window, but no arrests were reported.

At least 500 protesters came from across Iowa to Dubuque, plagued by racial strife in recent months. About 50 Ku Klux Klan members and supporters met inside police barriers in Washington Park.

Protesters remained outside the barricades after the rally, and police escorted the Klan members out. Several hundred demonstrators pursued them. Two white men skirmished briefly, but police broke it up without incident.

A few minutes later, a mob of protesters chased a Klan supporter, throwing him down once. He got up clutching a rock, holding the protesters at bay.

The protesters then began throwing rocks and pieces of concrete at him. A travel agency's storefront window was shattered. Police arrived on the scene within moments, escorting the man away in a patrol car.

Police didn't report arrests. As speakers addressed Klan supporters during the rally, anti-Klan demonstrators shouted, blew whistles and rattled coins to try to drown them out. At least one egg was thrown at Klan members.

Three Klan members wore white robes and hoods, while the others wore white shirts, dark ties and black caps.

"I came up here because I want to stand right here and look at these people to let them know that they are not welcome," said one of the anti-Klan protesters, Catherine Moore of Iowa City.

Some streets were closed and police barriers were put up in Washington Park to separate demonstrators and counter-demonstrators. Police in riot gear stood nearby.

The rally was the second trip to Dubuque since November for Thom Robb, an Arkansas man who is national grand wizard of the Knights of the Ku Klux Klan.

"A lot of people don't want us here but a lot of people do want us here," Robb told reporters. "They are the bigots and the haters, not us."

(Reprinted from The Daily Press, Ashland, WI.)

# Chamber helps finance attack on treaty rights

WAUSAU (AP)—The St. Germain Chamber of Commerce, feeling state politicians let northern Wisconsin down, is helping finance a private appeal that seeks to abolish the Chippewa's off-reservation hunting and fishing rights.

The chamber has donated \$2,000 to anti-treaty rights leader Dean Crist to help with his appeal of a federal judge's ruling that bars him from interfering with Indian spearfishers, Chamber President Sam Cardella said.

The chamber is also soliciting donations from other chambers and individuals, hoping to raise thousands of dollars for Crist's appeal, which essentially contends that the state botched a 17-year legal fight over treaty rights, Cardella said.

"Denied the appeal promised by the state and owed to non-Indians out of a sense of fair play, we must back the only game in town," said Cardella, who also owns a resort. "Although the treaty rights appeal ... is a long shot, it is, however, the only one the state bungling has left us."

In January, U.S. District Judge Barbara Crabb, in a civil rights lawsuit filed by the Lac du Flambeau Chippewa band, permanently barred Crist and his anti-treaty group STA from interfering with Lac du Flambeau spearfishers.

STA contends its appeal to the U.S. 7th Circuit Court of Appeals that the Chippewa terminated 19th century treaty rights when the tribe accepted about \$20 million from the federal Indian Claims Commission in the 1970s.

If treaty rights no longer exist, the Chippewa cannot spear spawning walleye on off-reservation lakes, and the lawsuit against STA must be dismissed, STA contended in written arguments to the Chicago court.

The state and Chippewa agreed in

1991 not to appeal the final rulings in the original lawsuit over treaty rights.

The Indian practice of catching spawning walleye with spears in the spring under the treaty rights has caused years of unrest in northern Wisconsin. Spearfishing resumed in 1985.

Crist said the lawsuit has already cost him \$100,000, the appeal will cost at least \$50,000 and lawyers for the Lac du Flambeau band have asked Crabb to order him to pay \$360,000 of their costs.

The largest individual contribution to offset the legal fight has been \$5,000, with a "goodly amount" of \$100 donations, Crist said. Crist said his pizza business has been for sale for two years but there's a new urgency to sell it.

Lawyers for the tribe have described Crist's appeal as frivolous.

Assistant Attorney General Charles Hoomstra worked on the original treaty rights lawsuit for years.

The state never made a direct attack on the existence of treaty rights by raising the Indian Claims Commission argument, Hoomstra said. "It lacks merit," he said.

When the Chippewa asked the commission for additional compensation for the lands and timber that were ceded as part of the treaties, the tribe "expressly reserved" their off-reservation hunting and fishing rights, he said. "They were saying, 'We never gave up hunting and fishing.'"

But given that the court has not ruled on that exact issue, the assistant attorney general said he could understand why Crist's lawyers "want to give it a shot."

Former Attorney General Donald Hanaway, now a judge in Brown County, predicted Crist faced a major challenge simply getting the appeals court to consider his argument, given that the lawsuit deals with a violation of civil rights.



The Minnesota Hunting and Angling Club joins hands with Wisconsin's PARR in efforts to abrogate Indian treaty rights. (Photo by Sue Erickson)

# THAAC continued

(Continued from page 12)

exclusive rights to the sports industry is not deemed as a racist action by Hanson.

In fact, Hanson, while warning PARR members not to make bigoted statements because of poor press, simultaneously declared: "Racism is a thing of the past. What they're (the tribes) doing is inventing racism. So you got to really keep it clean."

If racism doesn't exist, Howard seems to be unduly worried about nothing. Perhaps he thinks the press and video cameras staged the racist remarks and signs of Wisconsinites over the last five years; that the violence and racial slurs have been made up by media. However, MASINAIGAN knows it was all too real and none of this paper's photos or GLIFWC's videos required any staging. Racism is not a fantasy, nor is it a thing of the past. Abrogation of the rights of a minority is a movement of today.

## THAAC part of national anti-Indian network

Besides joining PARR, THAAC has established relationships with several other anti-Indian organizations nationally. Hanson mentioned THAAC's involvement with C.E.R.A. during the rally. Citizens Equal Rights Alliance (CERA) is a national umbrella organization for the scattered state and local anti-Indian groups such as THAAC and PARR.

## THAAC's newsletter, "Makin' Waves," describes THAAC's affiliation and activities:

"Even before its incorporation four years ago THAAC had been studying the Indian treaty issue on both a local and national level. We are associate members of P.A.R.R. in Wisconsin, N.C.F.I.P. in Washington State and C.E.R.A. in Montana. We attended a C.E.R.A. lobbying effort in Washington, D.C. two years ago, have spoken at a board meeting of P.A.R.R.

in Wisconsin, and we had Larry Peterson from P.A.R.R. speak at a THAAC meeting here a year ago.

Almost seven years ago we met Jim Olson at an M.S.C. annual meeting. Jim had been active on the Leach Lake Agreement and gave me the name of the lawyer they used. We formed a relationship with Tom Tobin soon after. He is from Winner, SD and is an expert on Indian court cases.

In 1986 or '87 we went to an M.S.C. board meeting and introduced a motion to have Mr. Tobin hired to file an Amicus Curia brief in the court case involving the three bands from northeast Minnesota. The brief was accepted by the court and instead of the case going to court, an agreement was sent through the legislature. In 1989 THAAC was the only organization from the outdoor community that testified against the agreement at the legislature.

Ever since we received a copy of the Mille Lacs band suit against the state we have been preparing to intervene in the case and/or oppose any agreement that is presented to the legislature. About three years ago we purchased a historical paper from Dr. James Clifton, who is an expert on Indian history. We have hired him as a consultant on this case.

We retained Mr. Tobin two years ago to help us understand what happened in Wisconsin. A year ago we wrote our Governor and Attorney General and asked them to write the Governor and Attorney General of Wisconsin to appeal the Wisconsin case. We also wrote them ourselves. We pointed out that very important documents were not presented in the Wisconsin case and we offered to meet with them and share this material.

A few months ago we also hired a local lawyer, Mr. Steve Froehle. Plans at present are to have each of our two lawyers intervene in the case. If the judge does not let us in they will file Amicus Curia briefs." (See MN hunting, page 14)



Ralliers at the 1992 PARR Rally carried "spearing sucks" signs and picked up on the controversial "Tomahawk Chop," using cardboard tomahawks adapted to their own special message. (Photo by Sue Erickson)



## Video to be aired



The video crew from Upstream Productions film spearing for an upcoming video, "Eighth Fire," to be aired on NBC Sunday, June 21. The video looks at the struggles of Native people in the Great Lakes, Dakotas and Pacific Northwest to maintain rights and sovereignty. (Photo by Sue Erickson)

## STA ordered to pay legal costs

WAUSAU (AP)—An anti-Indian treaty rights group and its leader have been ordered to pay \$182,000 in legal costs to Indians that successfully sued the group for violating their civil rights.

In a decision made public on June 2, U.S. District Judge Barbara Crabb of Madison also gave the Indians until June 10 to argue whether the costs should be doubled as allowed under federal civil rights law.

Brian Pierson of Milwaukee, a lawyer for the Indians, said the ruling sends a message that "there is cost to violating the civil rights of others. This is a large award."

In January, Crabb permanently banned Stop Treaty Abuse-Wisconsin and its leader, Dean Crist, from interfering with spearfishers from the Lac du Flambeau Chippewa tribe.

She ruled STA and Crist conspired to deny the Indians their rights to spearfish on hundreds of northern Wisconsin lakes by verbally and physically harassing them.

The judge determined the violations of the Indians' civil rights were racially motivated.

Under federal law, winners in civil rights cases are entitled to collect legal fees and costs from the losers.

Crist said he was "horrified" by the judge's newest ruling, which he said was directed mostly at him because STA has no money. He called the ruling "ludicrous" and vowed to appeal.

(Reprinted from *The Daily Press*, Ashland, WI.)

## MN Hunting and Angling Club continued

(Continued from page 13)

### THAAC's Misinformation

Hanson made it a point to attack the agreement struck between Minnesota and three Chippewa Bands (Fond du Lac, Grand Portage, and Bois Forte) during his presentation at the PARR rally, using distortions and misinformation.

Hanson stated that "In 1988 the State gave away all of Northeast Minnesota and money..." in an agreement which also provided for tribal commercial fishing in a "huge area of Lake Superior" including "the whole of the Boundary Water Canoe Area." This massive area, Hanson said, is open to "all kinds of netting privileges."

Furthermore, Hanson stated that this agreement "never got out." "Nobody ever saw that agreement."

**Misinformation item #1:** The whole of Northeast Minnesota was given to the tribes.

**FACT:** The tribes received no land from the agreement, only recognition of the treaty hunting, fishing and gathering rights on ceded lands, which includes public lands only. The tribes agreed to forbear on the exercise of certain rights in return for annual payments from the State.

**Misinformation item #2:** The agreement provided for a tribal commercial fishery in a huge area of Lake Superior including the entire Boundary Water Canoe area.

**FACT:** The tribal commercial fishery is limited to the "Grand Portage Zone," which includes only Lake Superior waters adjacent to the Grand Portage Reservation, according to Chief Warden Tom Parent, 1854 Authority, not the Boundary Waters

Canoe Area. All other netting by tribal members is limited to "subsistence netting in accordance with state law," Parent says.

In regard to exercise of the rights, Dale Shively, GLIFWC lakes biologist, says that Grand Portage is the only tribe which has exercised a treaty commercial fishing harvest since the agreement. Grand Portage's commercial fishery is very small, Shively states, with most fishing taking place right off the reservation shores between Grand Portage and Isle Royale. The Grand Portage Zone does not include the Boundary Waters Canoe Area, he said.

To give some idea of scope of the fishery, Shively said that an average annual take by the Grand Portage fishermen would be: 16, 973 lbs. of lake trout; 973 lbs. of whitefish; 313 lbs. of siscowet; and 174 lbs. of herring.

**Misinformation item #3:** The MN-Tri-Band Agreement was never made public—"Nobody every saw that agreement."

**FACT:** Nobody saw the agreement referred to by Hanson, because an agreement such as he describes has never been struck. However, the real agreement, signed by Tribes and the State, was made public through all forms of media at the time of signing. Articles covering the agreement were run in the "Cook County News Herald," "The Minneapolis Star Tribune," and the "Duluth News-Tribune," to mention a few. (see 1988 agreement to the right)

The Fond du Lac Band pulled out of the original agreement and has recently come to another agreement with the State of Minnesota.

## 1988 agreement no secret

(Howard Hanson, THAAC president claims the 1988 agreement between the state and tribes was kept secret, however it was covered in many newspapers. Below is an excerpt from *Chasfield News*, April 6, 1988)

The Minnesota Department of Natural Resources (DNR) has reported that a tentative agreement has been reached between the state and the three Chippewa Indian bands over hunting and fishing rights claimed by them under an 1854 treaty.

"Under this tentative agreement, which must still be approved by both the Indian governments and the State Legislature, the three bands would receive annual payments in exchange for agreeing not to exercise some of their hunting and fishing rights," explained DNR Deputy Commissioner Steve Thorne.

Under the proposed settlement, the bands would regulate their members in the same way as the state regulates non-Indian hunters, trappers and anglers, except that the members of the Grand Portage Band will be permitted to commercially fish in the waters of Lake Superior adjacent to their reservation, and would be allowed a quota of 27,000 pounds of lake trout.

Other provisions of the agreement include:

- Gillnets could not be used except for subsistence fishing in Lake Superior adjacent to the Grand Portage Reservation, in Everetts Bay and Pike Bay in Lake Vermillion adjacent to the Lake Vermillion Reservation, and in the St. Louis River adjacent to the Fond du Lac Reservation;

- No game fish spearing would be permitted except as permitted by state law;

- Deer shaming would be prohibited and big game seasons would be identical for Indians and non-Indians;

- The state would reserve the right to review and approve band conservation codes for compliance with the agreement;

- State conservation officers would be deputized to enforce tribal conservation codes and Indian officers would be deputized to enforce state law; and
- Indian officers enforcing state law would first have to be certified as peace officers by the Minnesota Board of Peace Officer Standards and Training.

The 1854 Treaty settlement area includes all of Cook and Lake counties, all of Carlton County, except the extreme northwestern corner, a small portion of southeastern Aitkin County, a narrow strip in northern Pine County, and St. Louis County east of the St. Louis River, the Swan River and all of Lake Vermillion....

## Minority communities get most of the dumps

By Robert D. Bullard

Despite the numerous laws, mandates, and directives by the federal government to eliminate discrimination in housing, education, and employment, government has made few attempts to address discriminatory environmental practices. People of color (African Americans, Latinos, Asians, and Native Americans) have borne a disproportionate burden in the siting of municipal landfills, incinerators, and hazardous waste treatment, storage, and disposal facilities.

Environmental inequities do not result solely from social class factors. The ability to escape a health-threatening physical environment is usually correlated with income; however, racial barriers complicate this process for millions of Americans. African Americans, no matter what their educational or occupational achievement or income level, are exposed to greater environmental threats in their neighborhoods because of their race.

An African American family with an income of \$50,000 is as segregated as an African American family on welfare. Institutional racism influences local land-use policies, industrial facility siting, and where people of color live, work, and play.

Waste sites and other noxious facilities are not randomly scattered across the landscape. Waste generation is directly

correlated with per capita income, but few garbage dumps and toxic waste sites are located in affluent suburbs. Waste facilities are often located in communities that have high percentages of poor, elderly, young, and minority residents.

The first major empirical study that linked municipal solid waste siting with the race of surrounding residents was conducted in 1979 and chronicled in *Invisible Houston: The Black Experience in Boom and Bust*. From the early 1920s to the late 1970s, all of the city-owned municipal landfills and six of the eight garbage incinerators were located in African American neighborhoods.

From 1970 to 1978, three of the four privately owned landfills that were used to dispose of Houston's garbage were located in African American neighborhoods. Although African Americans made up only 28 percent of Houston's population, 82 percent of the solid waste sites (public and private) were located in African American neighborhoods.

Siting inequities are not unique to facilities where household garbage is dumped. The findings I recently published in *Dumping in Dixie* revealed that African Americans bear a disparate burden in the siting of hazardous waste landfills and incinerators in South Louisiana's "Cancer Alley" and Alabama's "blackbelt." The nation's largest commercial hazardous waste landfill, the "Cadillac of dumps," is

located in Emelle, Alabama. African Americans make up 90 percent of Emelle's population and 75 percent of the residents in Sumter County. The Emelle landfill receives wastes from Superfund sites and from all 48 contiguous states.

Siting inequities in EPA's Region 4 have not disappeared. In 1992, African Americans still make up about one-fifth of the population in the region. However, the region's two currently operating off-site commercial hazardous waste landfills are located in zip codes where African Americans are a majority of the population. For those who would dismiss this pattern as a function of social class, it is important to note that there has never been a shortage of poor white communities in Region 4 (not that anyone is advocating siting waste facilities in low-income white areas).

Siting disparities are not unique to African American communities. In California, the mostly Latino East Los Angeles and Kettleman City have come under siege from companies trying to site hazardous waste incinerators. Kettleman City, a rural farmworker community of perhaps 1,500 residents, of which 95 percent are Latino, already has a hazardous waste landfill. With the aid of the California Rural Legal Assistance Foundation, local residents have contested the construction of the hazardous waste incinerator.

Siting inequities are national in scope. The Commission for Racial Justice's land-

mark Toxic Wastes and Race study found race to be the single most important factor (i.e., more important than income, home ownership rate, and property values) in the location of abandoned toxic waste sites. The 1987 study also found that:

- Three out of five African Americans live in communities with abandoned toxic waste sites

- Sixty percent of African Americans (15 million) live in communities with one or more abandoned toxic waste

- Three of the five largest commercial hazardous waste landfills are located in predominately African American or Latino communities and account for 40 percent of the nation's total estimated landfill capacity in 1986

- African Americans are heavily overrepresented in the population of cities with the largest number of abandoned toxic waste sites, which include Memphis, St. Louis, Houston, Cleveland, Chicago, and Atlanta.

Communities with hazardous waste incinerators generally have large minority populations, low incomes, and low property values. A 1990 Greenpeace report, *Playing with Fire*, confirmed what many environmental justice activists had suspected all along:

(See *Minority communities*, page 19)

## LCO opens recycling station

By Tom Hastings  
Freelance Writer

"Every part of this soil is sacred in the estimation of my people."  
—Chief Seattle, 1853

A ribbon of some unidentified material stretched across the brand new door on the brand new trash compactor. Lac Courte Oreilles Environmental Specialist Mick Isham stood in front of it in the harsh April 1st wind.

"Well, I was going to use a ribbon, but the plastic's not biodegradable," said Isham. "So we got some of the inner bark of Wii-Guup, the Basswood."

With that, Isham, one of the leaders in the effort to get the new recycling system begun at LCO, handed the scissors to Ray Wolf, tribal council member and liaison to the Recycling and Solid Waste Committee.

Wolf held the scissors and looked over to Gaiashkibos, LCO tribal chair and president of the National Congress of American Indians. Wolf asked Gaiashkibos if he wanted to say anything, and the chairman declined, stating that they were doing fine. Wolf smiled at the two dozen witnesses to the ceremonies and nodded to Gaiashkibos, saying, "Yesterday Gaiash was testifying in Washington, DC to Congress; today he's down in the dump." Laughter all around, and Wolf cut the ribbon, opened the metal door, and placed the first bag of solid waste into the compactor. Applause.

Later, Gaiashkibos stated that the entire new facility was the brainchild of Lynn Nell Begay, Business Resource Specialist for LCO. "She started out with recycling barrels at Honor the Earth [pow wow], and pursued this dream for two years. This is a new direction today."

Begay told MASINAIGAN that she was "sensitized by the early environmental movement, and then by the mining threats in our region. Many people don't seem to realize what a beautiful place LCO is. I used to see garbage up and down the roadside, here in the pines and lakes, and I finally went out in my backyard, put down some tobacco, and asked myself what I was going to do about it. That was two years ago."

Begay went to Leslie Ramezyk, LCO Conservation Director for advice. "We connected real quick," says Begay, and they kept plugging away. Finally they got a couple of breaks. DNR funds came through and Braun Intertec of Chicago provided pro bono (free) technical advice via one employee, Louie Vasseur, who is enrolled at LCO. Another spur came from Dick Reese of the Indian Health Service, who strongly urged the tribe to shut down the dump before it polluted the surrounding groundwater. The tribal



Providing an explanation of the operation of the new recycling station at Lac Courte Oreilles during the grand opening is Mick Isham, LCO conservation officer. (Photo by Tom Hastings)

council supported the new recycling center with a resolution, and Susan Aasen, tribal attorney, has done the necessary ordinance work.

"The next phase," says Begay, "is community education on how to use the system properly and then comes our real opportunity—how to beat the failing recyclables markets." She and others are generating ideas—and hopefully funds—for tribal enterprises using recycled materials in the manufacture of new items. But that's in the future.

Ramezyk is thinking of the future, she says, when she works on recycling. In her remarks at the ceremonies she said, "this facility is really for my little two year-old and all the children."

Isham concurred. "We may only be a community of two thousand, but we are now a model for the big cities, who should all be recycling too, so we'll all have fishable, swimmable, drinkable water in years to come."



# Race, poverty, and the environment

By Paul Mohai and Bunyan Bryant

Americans have tended to assume that pollution is a problem faced equally by everyone in our society. But awareness and concern about inequities in the distribution of environmental hazards have been steadily increasing. The first event to focus national attention on environmental injustice occurred in 1982 when officials decided to locate a PCB landfill in predominantly black Warren County, North Carolina.

Protests very similar to those of the civil rights movement of the 1960s erupted. They led to an investigation the following year by the General Accounting Office (GAO) of socioeconomic and racial composition of communities surrounding the four major hazardous waste landfills in the South. The GAO report found that three of the four were located in communities that were predominantly black.

The Warren County incident and the GAO report led the United Church of Christ's Commission for Racial Justice, a participant in the Warren County protests, to sponsor a nationwide study in 1987. The study used systematic and statistically analyzable data to determine whether the distribution of commercial hazardous waste facilities in minority communities fit the pattern found in the South. It found that it did. Specifically, it found that the proportion of minorities in communities which have a commercial hazardous waste facility is about double that in communities without such facilities. Where two or more such facilities are located, the proportion of minorities is more than triple.

In addition, using sophisticated statistical techniques, this study found that race is the single best predictor of where commercial hazardous waste facilities are located—even when other socioeconomic

characteristics, such as average household income and average value of homes, are taken into account. The report concluded that it is "virtually impossible" for this disproportionate distribution to occur by chance, and that underlying factors related to race, therefore, in all likelihood play a role in the location of commercial hazardous waste facilities.

At the time the report was released, Dr. Benjamin F. Chavis, Jr., Executive Director of the United Church of Christ's Commission for Racial Justice, termed the racial biases in the location of these facilities "environmental racism." Because of its national scope and its strong findings, the Commission's report became a major turning point in raising public awareness about the disproportionate burden of environmental hazards on minorities.

A question often raised is whether the bias in the distribution of environmental hazards is simply a function of poverty. That is, rather than race per se, is it not poverty that affects the distribution of environmental hazards? And are not minorities disproportionately impacted simply because they are disproportionately poor (although one has to ask why minorities are disproportionately poor in the first place)?

Classic economic theory would predict that poverty plays a role. Because of limited income and wealth, poor people do not have the means to buy their way out of polluted neighborhoods. Also, land values tend to be lower in poor neighborhoods, and the neighborhoods attract polluting industries seeking to reduce the costs of doing business.

However, the mobility of minorities is additionally restricted by housing discrimination, amply demonstrated by researchers to be no insignificant factor. Then, because noxious sites are unwanted (the "NIMBY," or not-in-my-backyard syndrome) and because industries tend to take

the path of least resistance, communities with little political clout are often targeted for such facilities: The residents tend to be unaware of policy decisions affecting them; they are not organized; and they lack the resources (time, money, contacts, knowledge of the political system) for taking political action. Minority communities are at a disadvantage not only in terms of resources, but also because of under representation on governing bodies. When location decisions are made, this under representation translates into limited access to policy makers and lack of advocates for minority interests.

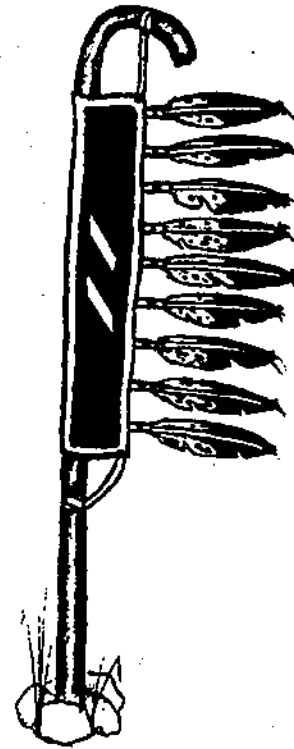
Taken together, these factors suggest that race has an impact on the distribution of environmental hazards that is independent of income. Thus, as part of our investigation, we attempted to assess the relative influence of income and race on the distribution of pollution. We did so by examining the results of those empirical studies which analyzed the distribution of environmental hazards by both income and race. We also assessed the relative importance of the relationship of income and race in the distribution of commercial hazardous waste facilities in our Detroit area study.

From our investigation, we found 15 studies that, like the United Church of Christ study, provide objective and systematic information about the social distribution of environmental hazards. A number of interesting and important facts emerged.

First, an inspection of the publication dates revealed that information about environmental inequities has been available for some time. Rather than being a recent discovery, documentation of environmental injustices stretched back two decades. In fact, information about inequities in the distribution of environmental hazards was first published in 1971 in the annual report of the Council on Environmental Quality.

This was only one year after EPA was created, one year after the National Environmental Policy Act was passed, and only one year after the first Earth Day—an event viewed by many as a major turning point in public awareness about environmental issues. There were nine other such studies published in the 1970s. Clearly, it has taken some time for public awareness to catch up to the issues of environmental injustice.

It is worth noting that most of the studies conducted in the past two decades focused on the distribution of air pollution and hazardous waste. Clearly, systematic studies of the social distribution of other types of environmental hazards, such as water pollution, pesticide exposure, asbestos exposure, and other hazards are needed. Also worth noting is that these studies vary considerably in terms of scope. Some focused on single urban areas, such as Washington, DC, New York City, or Houston; others focused on a collection of urban areas; while still others were national in scope. This is important in that it reveals that the pattern of findings is not an artifact of the samples selected. Regardless of the scope or of the methodologies employed, the findings point to a consistent pattern.



In nearly every case, the distribution of pollution has been found to be inequitable by income. And, with only one exception, it has been found to be inequitable by race. Where the distribution of pollution has been analyzed by both income and race, and where it is possible to weigh the relative importance of each, in five out of eight cases race has been found to be more strongly related than has income.

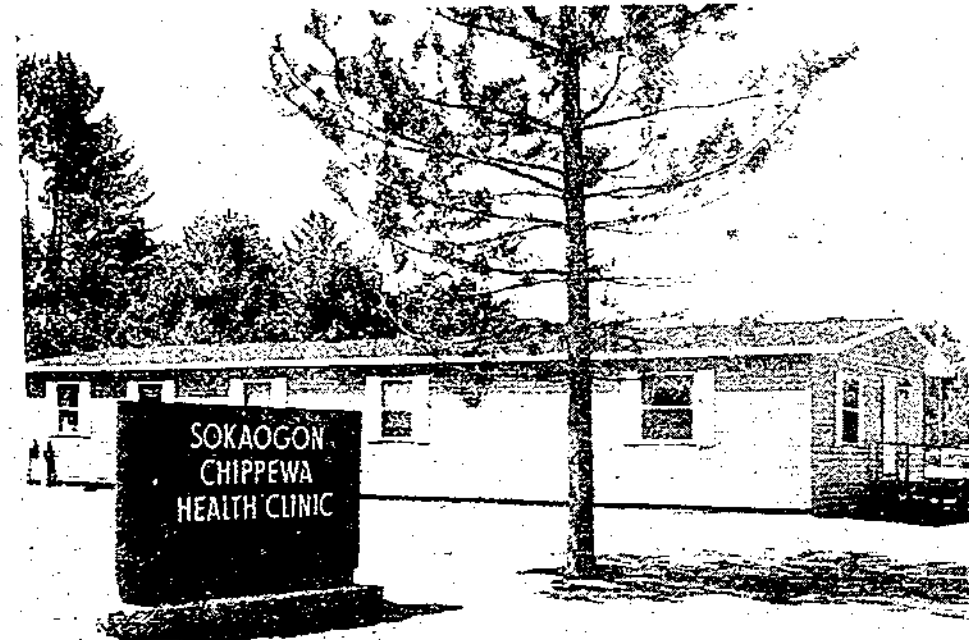
Also noteworthy is the fact that all three national studies which looked at both income and race found race to be more importantly related to the distribution of environmental hazards than income.

Ultimately, knowing whether race or class has a more important effect on the distribution of environmental hazards may be less relevant than understanding how the conditions that lead to it can be addressed and remedied. Currently, there are no public policies in place which require monitoring equity in the distribution of environmental quality. Hence, policy makers have little knowledge about the equity consequences of programs designed to control pollution in this country.

Are some groups receiving fewer environmental and health benefits than others from existing programs? Have the risks to some actually increased? If the social, economic, and political disadvantages faced by the poor and minorities are unlikely to be compensated any time soon, then proactive government policies will be needed to address the issue of environmental inequity.

The distribution of environmental hazards will need to be monitored, existing policies and programs adjusted, and new programs designed to ensure that all groups share equitably in the efforts to control pollution.

(This article is adapted from a longer paper entitled "Environmental Racism: Reviewing the Evidence," forthcoming in B. Bryant and P. Mohai, eds., *Race and the Incidence of Environmental Hazards: A Time for Discourse* (Boulder, Colorado: Westview Press, 1992).)



A newly built health clinic on the Sokaogon (Mole Lake) Reservation helps upgrade the delivery of health services to the tribal community. (Photo by Amoose)

# GLIFWC responds to Noranda: Files comments with WDNR

By Tom Hastings  
Freelance Writer

In a densely-worded twenty page document, the staff of biologists and policy analysts at the GLIFWC explained problems found in Noranda Minerals' "Notice of Intent To Collect Data (NOI) and Proposed Scope of Study, Lynne Project, Oneida County, Wisconsin."

While GLIFWC professionals note that "the NOI adequately identifies various data and studies which will be necessary to properly assess the environmental impacts of the proposed project," the "staff also finds the NOI to be deficient in many ways." GLIFWC filed the comments on April 24, the closing date set by the WDNR for accepting comments. GLIFWC biologist Neil Kmiecik stipulates that, "any of the tribes may submit their own comments," and, indeed, LDF and others have.

The Noranda Minerals proposal is to devote 65 acres to the actual mine site and that some surrounding land be used for rights of way and other mine-associated use. The mine would be primarily extracting zinc, using sulfuric acids and other chemicals.

GLIFWC staff identified several major areas of concern in their analysis of the NOI, breaking down their comments into sections. These include Outstanding Resource Waters, Regional and Cumulative Impacts, Cultural Resources, Current Land and Resource Usage, a number of biological, geological, and water issues, Socio-economic Impacts, Noranda's "Track Record," and Reclamation. These sections of the comments were further broken down into specific items of concern.

The emphasis of GLIFWC comments was to encourage the WDNR to require Noranda to thin: more broadly and analyze their proposed project much more thoroughly. This encouragement took the form of groupings of questions and research direction.

GLIFWC staff noted that they were "guided by a long-term perspective. Environmental impacts that are permanent and irreversible or that are trans-generational are of particular concern. Therefore, studies should be designed and data collected so that the consequences of the proposed project can be assessed not only over the short-term, but for 'seven generations.'"

Dozens of specific items of concern were listed and enumerated, beginning with the observation that WDNR has declared the surface waters either at the site or in close hydrological proximity to the site to be eligible for strict protection. Any water or other liquid migration from the proposed mine site would possibly enter the Willow Flowage, which is not classified yet, although it is eligible now for Outstanding Resource Waters (ORW) classification. Also affected would be the Little Rice Flowage, which is eligible for Exceptional Resource Water (ERW) status. GLIFWC states categorically that no degradation and in fact no permitting of any kind should be granted until the status of



Impacts of mining potentially jeopardize all species. (Photo by Amoose)

these waters is finalized by the WDNR.

A complex arena of concern raised by GLIFWC is the cumulative impact question. This section urges the WDNR to stand back and analyze the overall impact of many forces upon the environment of the affected region, and to place the proposed Lynne mine within that framework. Other forces include proposed mining, encroaching development, chemically-assisted farming, and more. When does a series short-term gains lead to unacceptable long-term loss? GLIFWC comments, at times, became very specific about developing clear methodologies to assess impacts of the proposed project in their review and suggestions concerning the proposed study methods. A few of the general comments include:

"The NOI does not indicate that qualified investigators will undertake the anthropological, archeological and ethno-historical studies needed to examine the Indian historical and cultural sites that could be affected by the project, such as burial grounds, fishing camps, and the McCord village. This is a significant deficiency."

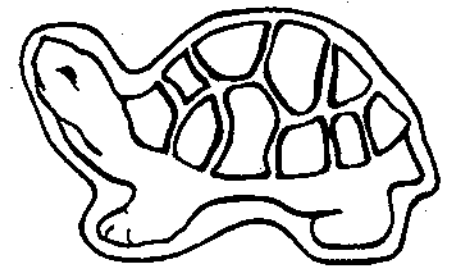
"A study should be conducted on the specific impact which removal of 65 acres of land will have on public hunting, trapping and gathering activities, including those of the Chippewa tribes. This public

land will no longer be available for harvest activities and no longer will serve as plant and animal habitat."

"The list of species that Noranda has chosen to assess is inadequate. The focus is on threatened and endangered species and other species of concern (e.g. raptors and anurans). Threatened and endangered species should be studied and protected. Studies should also be conducted for species that are harvested by the Ojibwe people and others."

"The Willow Rapids may be a major spawning area for the Willow Flowage walleye population and perhaps other species. This rapids has been designated as a fish refuge by both the State and GLIFWC...The rapids area could be degraded by siltation or chemical pollution."

NOI comments are a result of several weeks work by GLIFWC scientific and legal staff. Staff members indicated to Masinaigan that the immense commitment to responding to Noranda's NOI was necessary at this juncture as the entire process takes three to five years and the proper methodologies have to be used from the beginning. The baselines must be accurate according to the state of the art of determining them, and GLIFWC found the Noranda proposal in serious need of work to avoid skewed and incomplete results. □



# Noranda to drill test holes in Vilas Co.

PHELPS—Noranda Explorations Inc. will drill one and possibly two exploratory holes on public land near Secret Lake in northern Vilas County this year, the first such activity on the Eagle River District of Nicolet National Forest.

According to Pam Gardiner, district ranger, the exploratory drilling for minerals is covered by a federal prospecting permit issued by the Bureau of Land Management in consultation with Forest Service in October, 1990.

The drilling activity is the second phase in mineral prospecting, following geophysical ground surveys completed the past winter using electromagnetic equipment. The mining company is looking for a deposit of base and precious metals.

Prospecting consists of drilling core holes about three inches in diameter to a depth generally ranging from 300 to 800 feet, although the holes could be deeper.

Gardiner, whose tension level has risen as she and her staff are confronted for the first time by mineral exploration, said there is nothing in the exploratory phase that is beyond the expertise or knowledge of personnel here.

"I have been thinking hard about the problems we might encounter," she said. "During the next several weeks the Forest Service will be analyzing the environmental effects of the drilling operation described in the plan of operation and prescribing stipulations to avoid or minimize impacts to the natural resources."

Gardiner said written comments from individuals and organizations should be sent to Jeff Herrett at P.O. Box 1809, Eagle River, WI 54521, before June 30. For answers to questions, Herrett can be reached at 479-2827.

The Forest Service explained that core drilling is accomplished using a diesel-powered drilling machine equipped with a diamond-tipped drill bit. The drill is mounted in metal skids and towed by bulldozer from the nearest passable truck road to the drill site. A cleared area about 50 feet by 50 feet will be required for the drilling operation.

The proposed plan of operation also requests that water from Secret Lake be used during the drilling as a lubricant for the drilling tools and to flush out the powdered rock cutting as the drill moves through the rock.

"Water would be pumped from the lake through about 2,000 feet of hose to the drilling site," Gardiner said. "A core drill requires roughly 75 to 150 gallons of water per hour."

(Reprinted from Vilas County News-Review, Vol. 107, No.9)



# Health concerns for fish-eating tribes

By Patrick C. West

There is concern that Native Americans may consume much greater amounts of Great Lakes fish than the general population and hence be at greater risk for dietary exposure to toxic chemicals.

To date, most studies of fish consumption have looked at licensed sport fishermen; they inadvertently excluded reservation-based Indian subsistence fishermen, who, by treaty rights, are not required to obtain state fishing licenses. The few studies that have been completed so far provide only indirect evidence that Michigan Great Lakes reservation Indians may have disproportionately high fish consumption levels.

One study of a traditionally oriented subsistence tribe in Alaska indicates high levels of fish consumption; and a fine study of the Grassy Narrows band of Ojibwa in Ontario, Canada, indicates that they were exposed through fish consumption to higher levels of mercury from a spill than was the surrounding white community.

However, there is scant evidence on the fish consumption patterns of Native Americans in the lower 48 states, and the applicability of these northern-tribe studies to southern tribes could be questionable.

Not all tribes may be as traditionally resource based as the Alaska and Ontario tribes studied, and certainly not all are fishery based.

The Blackfeet in Montana, for example, traditionally refuse to eat fish. But others, such as certain Northwest tribes, and Michigan and other Great Lakes based tribes, have a long cultural tradition of fishing-based economies similar to the tribes discussed above. For these tribes, we might expect higher than average fish consumption.

The Michigan Great Lakes tribes of the Bay Mills, Grand Traverse, and Sault Ste. Marie bands of Chippewa all have a long and well documented fishing culture. When they ceded the lands of Michigan in the Treaty of 1836, they carefully reserved their most important resource, the Great Lakes fishery. (These rights were recently upheld by the courts.)

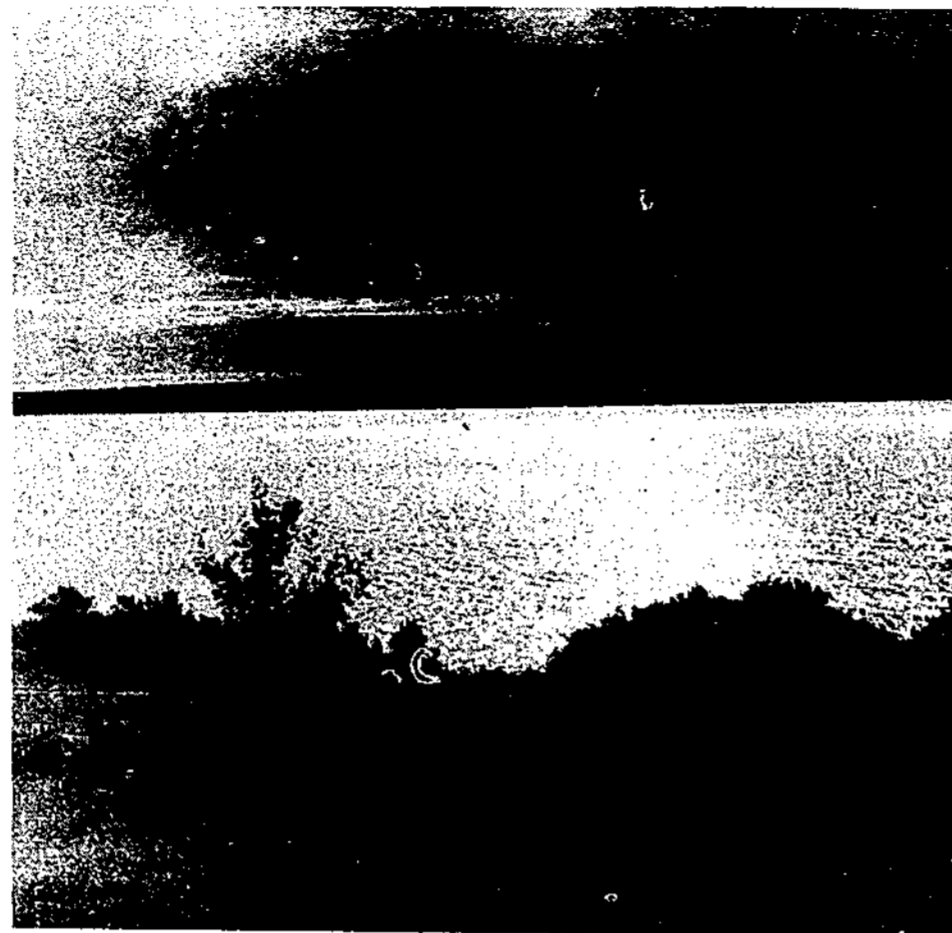
With this resource so highly valued both culturally and economically by these tribes, we would expect to find high levels of fish consumption—especially on the Bay Mills reservation, where high levels of poverty prevail and subsistence small-skiff fishermen are common.

Even for the commercial fishing sector of the economy, it has been well established that much extra fish is distributed among crew members for subsistence consumption (as part of labor compensation) and as part of cultural ritual and tradition.

In addition to these historical and cultural indicators, we have evidence that off-reservation Native Americans in Michigan consume more than whites or than other minorities. Off-reservation Indians do need state fishing licenses, and in our recent statewide survey of consumption by Michigan sport fishermen, we picked up a significant subsample of off-reservation Native Americans.

The sample was spread over 18 randomly drawn cohorts, from mid-January to early June 1988; respondents were asked to recall detailed fish-consumption patterns for the seven-day period prior to filling out the survey.

The current State of Michigan standard used to regulate point discharge of toxic chemicals into surface waters (Michigan Rule 1057) assumes a fish consumption rate of 6.5 grams/person/day. The formula is very complex. However, the important thing to emphasize here is that the greater the fish consumption assumed in



Lake Superior has long been the home of the Chippewa Nation. Consequently, the tribes are vitally concerned about the preservation of the lake. (Photo by Sue Erickson)

the formula, the tighter the standard becomes—in other words, the lower the levels are set for toxics permitted to be discharged by industrial and municipal drain pipes. If assumed consumption is too low, toxic emissions may be permitted that are a danger to public health.

In our study, the average consumption for the full sample was 18.3 grams/person/day, quite a bit higher than the 6.5 gram assumption currently used in Rule 1057.

Further, when the sample was broken down by ethnic groups, non-reservation Native Americans consumed 24.3 grams/person/day compared to 20.3 grams/person/day for other minorities, and 17.9 grams/person/day for whites.

In an analysis involving multiple variables, we found that middle-age Native Americans had the highest rates of consumption of all Native Americans, or 30.6 grams/person/day.

We would expect on-reservation subsistence fish consumption to be even higher than these levels, especially on poorer reservations, such as Bay Mills, where poverty dictates subsistence fishing as a protein source that is also sanctioned by traditional culture.

For all Great Lakes tribes with high fish consumption levels, there is strong reason for concern for the public health of the reservation. By way of illustration, studies have found a high correlation between high levels of consumption of Great Lakes fish and high levels of PCBs in the blood of the consumers.

In sum, a great deal of concern is warranted for the health of Michigan Great Lakes Indians based on studies done elsewhere; based on our sport fish consumption study that includes off-reservation Indians in Michigan; and based on studies tying high Great Lakes fish consumption with high toxic loads in the human body.

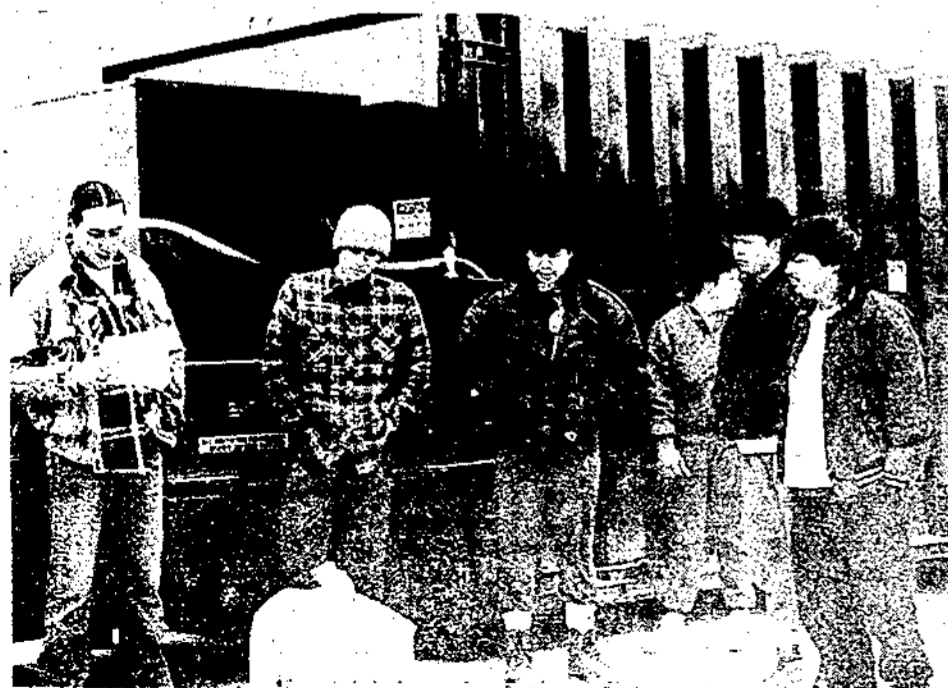
However, direct studies of on-reservation fish consumption are badly needed for Great Lakes tribes as well as for those in the Pacific Northwest and elsewhere. A major study is about to get underway in the Pacific Northwest, and Michigan tribes have approached EPA about the need for studies on their reservations.

These will be key studies not only for assessing the potential impact of fish consumption on the health of Great Lakes tribes but also in terms of protecting their Great Lakes fishing rights.

(Reprinted from the EPA Journal)

There once was a wise Indian  
who listened to white men  
There once was a wise Indian...

(Reprinted from the SHENANDOAH Newsletter)



Mick Isham, LCO Conservation Officer, reads a statement at the opening of LCO's new recycling station. (Photo by Tom Hastings)

# Lake Superior and Lake Baikal connect

Tribes part of international linkage

The Red Cliff Reservation, WI and the Grand Portage Reservation, MN will both host the 17-man kayaking expedition this summer which is linking two of the world's greatest lakes—Siberia's Lake Baikal and Lake Superior.

According to Kris Larson, program coordinator for the expedition, the six-week circumnavigation of Lake Superior will begin on July 5.

The international team, comprised of nine North Americans and eight Russians, circumnavigated Lake Baikal in Sept., 1991.

The two-phase expedition hopes to facilitate greater global national and regional appreciation for these two remarkable lakes, which together account for over 30% of the earth's surface freshwater supplies, Larson states.

Of great interest is the cultural significance and composition of the lakes. "We will be able to share with Lake Superior communities the global importance of these dynamic resources, and in turn, the communities will be able to share their cultural lives with us and exchange age valuable information with the Russians regarding various issues surrounding the lakes," stated North American Team Leader, John Anderson.

The spiritual significance of the Lake for the Chippewa and their long traditional knowledge of the Lake are vital components of expedition. The team will be stopping at Red Cliff on July 8 and at Grand Portage on August 8 and 10 and look forward to the opportunity to learn from the tribes during those days.

One member of the Russian team represents an indigenous population from Russia, the Buryat peoples, states Gail Green, logistics coordinator.

While the expedition is a celebration of the Lake and its unique splendor, it is also to cause international public awareness of issues which surround the survival of both great lakes and to hopefully promote long-lasting ties between the lake communities, states Green.

Expedition sponsors are Lake Superior Center in Duluth and Adventure Club in Moscow. For information contact Lake Superior Center at (218) 720-3033. Tribal contacts are Dick Hoagland, Grand Portage at (218) 475-2277 and Andy Gokee, Red Cliff at (715) 779 3701.

## Prairie Island hosts Indigenous Environmental Network

By Tom Hastings  
Freelance Writer

Joe Campbell is a cherubic-faced Mdwakanton Sioux storyteller. His ample middle and friendly eyes frame a mischievous grin and his ready laugh puts visitors at ease.

Unless those visitors want to bring even more nuclear waste onto his island. Those visitors—and there have been many—are learning that Joe Campbell and his friends are not as trusting and innocent as they look. They can't be. Joe Campbell and his friends have learned the hard way.

But Joe Campbell, Prairie Island Mdwakanton Sioux, had some friendly visitors May 2. Other Sioux—Oglala and Santee—came some 500 miles from Rosebud and Pine Ridge Reservations in South Dakota for a meeting of the Indigenous Environmental Network. Others came from Wisconsin and Minnesota.

Originally, his visitors were proposing to come to help Joe in his battle to keep huge amounts of America's nuclear waste off Prairie Island, a very real threat proposed by Northern States Power, the corporation who owns the nuclear reactor on the island. The Network had met in mid-winter in Minneapolis and had agreed to make helping the Mdwakanton Sioux the top priority of the group.

Then other tribes began to look at the



The Lake Superior fishery is important to both the sport and commercial fishery alike. Therefore, measures to maintain a healthy fishery need to be cooperatively done. (staff photo)

## Minority communities

(Continued from page 15)

The minority portion of the population in communities with existing incinerators is 89 percent higher than the national average

Communities where incinerators are proposed have minority populations 60 percent higher than the national average

Average income in communities with existing incinerators is 15 percent less than the national average

Property values in communities that host incinerators are 38 percent lower than the national average

In communities where incinerators are proposed, average property values are 35 percent lower than the national average.

Native American lands have become prime targets for waste disposal proposals. More than three dozen reservations have been targeted for landfills and incinerators. Because of the special quasi-sovereign status of Indian nations, companies have at-

tempted to skirt state regulations.

In 1991, the Choctaws in Philadelphia, Mississippi, defeated a plan to locate a 466-acre hazardous waste landfill in their midst. In the same year, a Connecticut company proposed to build a 6,000-acre municipal landfill on the Rosebud reservation in South Dakota—a project dubbed "Dances with Garbage." The Good Road Coalition, an alliance of grass-roots groups, blocked the proposal to build the giant municipal landfill on Sioux lands.

A new form of environmental activism has emerged in communities of color. Activists have begun to challenge discriminatory facility siting, biased local land-use policies, illegal redlining practices, housing discrimination, and other problems that threaten public safety. People of color have formed groups and begun to build a national movement against what they defined as environmental injustice. A national policy is needed to begin addressing environmental inequities.

(Reprinted from the EPA Journal)



Members of the Three Fires Society called upon delegates at the WIDFL Convention to be respectful of Mother Earth and all forms of life during an invocation and drum song. Above Black Eagle Sun (center) gives the invocation after being introduced by Joe Rose, Bad River (right of center). (Photo by Sue Erickson)



# Happenings at GLIFWC

## Spring and summer activities

Typically, spring 92 was a rush of activity for all GLIFWC divisions. The spring spearing season coupled with population assessments, hatchery activity, as well as initiation of other resource management projects as the snow melted, had staff heading out for field work en masse.

### Inland fisheries on lakes with spearing and population assessment

Monitoring of the off-reservation spring spearing season and spring walleye population estimates dominated the time of inland fisheries crew this spring.

Biological services administer much of the spearing season activities. This includes finalizing tribal walleye and muskellunge declarations; hiring, training, and supervising about 40 creel clerks; and tabulating/verifying nightly spearing catch totals.

Field work for walleye population estimates were completed on 25 lakes in the ceded territory of Wisconsin and Upper Michigan. Assessments were performed jointly by the USFWS, GLIFWC and the St. Croix Tribe.

During the summer, inland biology staff will be busy with computer entry of data from the spring spearing and population assessments.

Field work will include working with

the U.S. Fish and Wildlife Service on river ruffe projects in Lake Superior and its tributaries. Staff will also monitor any potential off-reservation summer spearing or gillnetting activities.

Groundwork will also be laid this summer for the fall walleye recruitment surveys when electrofishing crews return to the lakes.

### Wild plant section monitors sweetgrass plots

GLIFWC Botanist Jim Meeker has been coordinating a project to re-introduce sweetgrass in the ceded territory. GLIFWC purchased sweet grass rootstock and provided it to tribal members interested in cultivating a sweetgrass plot. Rootstock came with instructions for planting as part of the "garden plot" studies.

Participants are asked to keep track of the plantings and monitor growth. The short term goal is to receive feedback on 1.) the success of planting, 2.) the measure of the aggressiveness of the planted variety; and 3.) the efficiency of working with member tribes on this basis.

The Wild Plant Section has also been working in conjunction with other sections in addressing the forestry management policies of the USFS as defined in their scoping documents.

Meeker and John Heim, wild plant

technician, have been working through the spring on a publication entitled "Plants used by the Great Lakes Ojibwa." Inventorying and describing plants has been a major part of the work this spring. This summer they will be identifying Ojibwa names for traditionally collected plants and welcome input from tribal members with such knowledge.

### Environmental biology: Mining a primary focus

Mining issues have been one of the major focuses of GLIFWC Environmental Biologist Karen Vermillion this spring. Vermillion has assisted GLIFWC staff in preparing commentary on both the RTZ Kennecott Flambeau Mine, Ladysmith and the Noranda Lynne mining projects at various junctures in the legal permitting process.

Summer looks busy with a variety of involvements on environmental issues. Among those Vermillion includes:

- Participating in the UW-Milwaukee's information video program on biological impact of metallic mining in the Wisconsin northwoods.

- Attending Sierra Club's basin-wide Great Lakes Ecosystem Protection Conference in July at Bowling Green University, Ohio. A special committee meeting of leaders from tribes, Sierra Club, and

other environmental organizations will follow the conference to look at building a partnership from a tribal perspective.

- Entering phase II of the Pollution Prevention Alliance involved with community-based pollution prevention projects. The Environmental Defense Fund (EDF), Washington, D.C., is working with GLIFWC, state and community-based groups to implement innovative strategies that will reduce pollution and benefit human health, the environment, and the economy in Wisconsin and the Great Lakes region.

- Manning a booth at the Bad River Health Fair on July 23.

- Participating in the analysis of walleye fish tissue for mercury contamination conducted at the Lake Superior Research Institute's Environmental Health Laboratory.

- Preparing a presentation on present-day Silvicultural practices in the National Forest. In this regard, Vermillion or GLIFWC Botanist Jim Meeker would be interested in hearing comments from tribal members regarding forest management practices and traditional gathering areas in National Forests.

- Addressing mining concerns in the ceded territory as proposed projects enter different phases of the permitting process.

- Addressing the Federal Energy Regulatory Commission (FERC) relicensing process as it continues in the last phases with many of the ceded territory dams.

### Planning and Development Office fosters organizational growth and direction

Jim Thannum, GLIFWC natural resource development specialist/systems analyst lists five major projects addressed by his office this spring.

These included:

- drafting GLIFWC's FY1993 Congressional appropriations testimony and accompanying informational documents;

- assisted in the development of a FY1993 \$318,000 State Tribal Natural Resource task Force proposal to address inland fisheries needs identified in "Casting Light Upon the Waters;"

- assisted in development of a FY1994 \$1,854,518 State Tribal Task Force proposal to expand inland fisheries data collection and analysis in the 1837 and 1842 ceded territories of Wisconsin;

- submitted an Environmental Protection Agency proposal to fund training GLIFWC Conservation Officers in investigating violation of environmental regulations;

- refining and presenting GLIFWC's Long Range Strategic Plan to Tribal Councils. (See GLIFWC activities, page 21)



This Mole Lake sweet grass plot has been carefully tended by Joe Ackley on the Mole Lake Reservation. Re-establishment of sweetgrass, traditionally a significant plant for the Anishinabe people, is part of a project through GLIFWC. James Meeker, GLIFWC biologist, has been directing the program which has established similar plots on several reservations. (Photo by Amoose)

## GLIFWC executive director granted Bush scholarship

The GLIFWC Board of Commissioners recently approved Executive Director James Schlender's request for a year of educational leave in order to take advantage of a Bush Foundation scholarship opportunity.

Schlender has been awarded a year of study under the Bush Leadership Fellows Program. The program provides opportunities for mid-career development for people with demonstrated leadership potential. Schlender will be pursuing legal studies at the UW-Madison.

Schlender will be enrolling in the UW-Madison School of Law "in order to sharpen lawyering skills" which have not been used in his present administrative position. He will be focusing on trial and appellate practice, he says, as well as focusing on the legal issues surrounding tribal self-regulation.



GLIFWC Executive Director Jim Schlender.

The program calls for 24 credits of study, which will include 12 credits of research resulting in paper of publishable quality, he says.

Upon completion of the course, he will receive an L.L.M. Degree, which is an advanced degree in law.

During his absence, Schlender will remain in contact with GLIFWC and be involved in the appropriations work during the year.

Temporary staff changes within the Commission which will be effective in September, 1992 will be implemented to accommodate his one year absence.

Gerald DePerry, GLIFWC deputy administrator, will assume the directorship for the year. Rose Wilmer, executive secretary, will fill the deputy administrator's position, and Dawn Bresette will, in turn, act as executive secretary.



GLIFWC Photographer Amoose holds one of his photos in the "Anishinabe Honor the Earth through Dance" photo exhibit. The exhibit is available for use in schools and public educational displays. This summer it is on display at the Mille Lacs Museum. (Photo by Mary Thompson, Ashland Daily Press)

## GLIFWC activities continued

(Continued from page 20)

Summer months look equally busy for planning and development. Priorities will include:

- implementing GLIFWC's new Long Range Strategic Plan;

- completing system's analysis on the GLIFWC management systems to improve efficiency;

- assist with preparation for GLIFWC's FY 1993 budget allocation process;

- coordinate development of new ANA grant application.

### ANA program involved in education, production of educational materials

This spring, Jim St. Arnold, ANA program director, spent a majority of his time doing presentations about treaty rights, tribal resource management programs and Chippewa culture. Presentations were done for 34 different groups between January and the end of May. The ANA program also manned information booths at the Wisconsin School Board Association conference, the DPI teacher training on ACT 31, and the Wisconsin Council for Social Studies conference. In addition, the ANA program director has been developing a treaty rights guide for grades 4 to 8 attempting to keep it at a sixth grade reading level.

ANA writer-photographer, M.J. Kewley spent the spring photographing cooperative resource management projects underway in Wisconsin and Michigan. This

summer, Kewley will complete work on a cooperative management booklet that will outline projects underway among the 13 GLIFWC-member tribes. This fall, she will produce an educational slide show on the same topic.

### Public Information Office: Informational booths and publications are summer priorities

Public Information staff was absorbed in the annual outburst of activities during the spring months. They have provided informational booths at numerous shows, covered activities related to spear fishing and population assessments, and worked on projects in conjunction with Mille Lacs and the current treaty dispute in that area. Activities included:

- Informational booths at Gogebic County Environmental Fair, the Milwaukee Sentinel Boat and Sport Show, the Minnesota and Wisconsin state Democratic conventions; the Mille Lacs Pow-Wow, Hinckley, MN.

- Development and presentation of "Anishinabe Honor the Earth through Dance," photographic show. The show was up in the M & I Bank, Ashland; the Lake Superior Elementary School, Ashland, and for the summer is on display at the Mille Lacs Museum.

- Assisted with museum displays at the Chippewa Valley Museum, Eau Claire and the Museum of Science and Anthropology, St. Paul, MN. Photos plus infor-

mational materials were provided as part of these exhibits.

- Assisted with the refinement of GLIFWC's Strategic Plan and presentation of the plan to member tribal councils;

- Production of MASINAIGAN; and work on a Minnesota Chippewa Treaty Rights booklet and the GLIFWC Annual Report

- Participation in the HONOR/Mille Lacs Roundtable and Lake Gogebic Chamber of Commerce public information forum.

- Responding to speaking and information requests

Summer months will see PIO staff at the state fairs in Minnesota, Michigan and Wisconsin as well as several pow-wows in the three states.

Work will be started on a book regarding contemporary Anishinabe life and issues for use in schools. Other projects include a t.v. ad for Mille Lacs; follow-up meetings on the Mille Lacs treaty issue; production of the 1992 poster; planning for legislative receptions; and the production of a new four-color wild rice brochure.

### Long range strategic plan provides guidelines for GLIFWC

GLIFWC Executive Director James Schlender along with division heads presented the proposed GLIFWC Strategic Plan, "Wii Gimawanjii'idimin Gaye Wii Nibawaadaanamin" to tribal councils of

member tribes this spring. The GLIFWC plan was first developed at a GLIFWC strategic planning conference in Keweenaw Bay last fall.

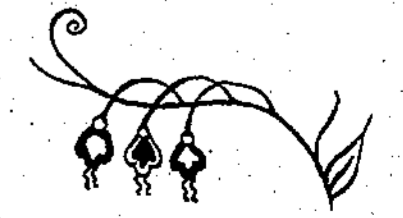
Following several subsequent meetings in which further input and comment was sought from tribal representatives and Commissioners, a proposed final document was drafted. This will be submitted to the Board of Commissioners for final approval.

The document provides guidelines for program and budget planning in the future by establishing priorities for the organization. Five "primary goals" and three "support goals" were identified.

The strategic planning process defines strategies in which to implement the stated long term goals, and ultimately will provide very specific, short-term objectives to accomplish those goals.

Primary goals are in the areas of: natural resource management; tribal heritage; legal activities; political action; and employment/economy. Support goals include communications; internal capacity; and funding.

The plan has been developed with the assistance of Frank Martinelli, a consultant from the Milwaukee Area Urban Development Association. □





# Sterilized lampreys released

By M. J. Kewley  
ANA Writer/Photographer

This spring, Lake Superior's streams teemed with 18,500 transplanted sea lamprey. But these lamprey—captured on spawning runs in Lake Michigan—were sterilized males.

Collected by the U.S. Fish and Wildlife Service, the lamprey are a new control technique used for the first time in 27 Lake Superior tributaries. U.S. Fish and Wildlife Service biologist Mark Bagdovitz said the male lampreys can be sterilized without affecting their spawning behavior. Thus, the males will spawn with the females, but the eggs will not be fertilized. Similar to salmon, the sea lamprey spawn just before they die.

The sterile male release is part of the ongoing resource management project to control the spread of lamprey throughout Lake Superior. The multi-faceted management program is the cooperative effort of the Great Lakes Fishery Commission, whose members include the Great Lakes Indian Fish and Wildlife Commission, the U.S. Fish and Wildlife Service and the Departments of Natural Resources in Michigan, Minnesota and Wisconsin.

GLIFWC Lake Superior biologist J. Dale Shively said Chippewa recognize the devastating effect lamprey have on the Great Lakes. "Lamprey have a severe impact on the rehabilitation of Lake Trout," Shively said.

Sea lamprey invaded Lake Ontario in the 1800s, using the St. Lawrence River as access to the easternmost point of the Great Lakes. Niagara Falls acted as a natural barrier that blocked access to the four remaining lakes. In 1829, the opening of the Welland Canal offered the lamprey a pathway to Lake Erie. But Lake Erie's polluted waters made poor

habitat for the lamprey, so they moved west. By the early 1930s, the lamprey reached Lake Huron and Lake Michigan. With no threat from saltwater predators, the lamprey flourished in the world's largest fresh water basin.

By 1938, commercial fishermen began reporting lamprey in Lake Superior, where they had a devastating effect on the commercial fishery. Before the 1950s, the lake trout harvested exceeded 4.5 million pounds each year; after the lamprey invasion, harvests dropped to less than 500,000 pounds.

Shively said the lamprey kill as many lake trout each year as commercial and sportfishermen combined. Annually, lamprey account for the loss of about 500,000 pounds of lake trout in the U.S. waters of Lake Superior. "One lamprey can kill 40 pounds of Lake Trout in its life cycle," Shively said.

Again this summer, GLIFWC and USFWS technicians will conduct lamprey population assessments on Lake Superior streams. Since 1986, USFWS and GLIFWC crews have conducted larval and adult population surveys on more than 12 river systems from western Lake Superior to the Keweenaw Peninsula.

Technicians use two paddle-like rods to shock the shallow areas of riverbeds. Irritated by the electrical jolt, young lamprey wiggle from the small burrows where they spend the first stage of their estimated 20-year life span.

The river systems provide an abundance of spawning habitat for the eel-like fish. "Bad River is one of the cleanest waters that drains into Lake Superior," GLIFWC Great Lakes biologist J. Dale Shively said. "Unfortunately, the lamprey like that."

The immature lamprey prefer a mixture of sand and muck in which to make their home. During the larval stage of their life, they burrow into the river bed, orienting their heads to filter feed on aquatic microorganisms.

Related to the hagfish, the lamprey are a jawless fish that have existed in oceans for 250 million years. Out of their natural saltwater habitat, the sea lamprey have flourished in Lake Superior.

Bagdovitz said the cooperative lamprey control program was the logical choice on the waters that are utilized by tribal and nontribal members. "We're working together, for the betterment of the resources," he said.

The U.S. Fish and Wildlife Service established a lamprey control team in the late 1950s, with funding provided through the Great Lakes Fishery Commission. The organization conducts fishery research and coordinates management plans among several government agencies, including the Chippewa bands.

Biologists hope surveying lamprey in the larval stage will make chemical treatments more effective. Once immature lamprey are measured, they are removed from the river. Meanwhile, another crew uses specially equipped boats to collect lamprey from deeper areas. A few weeks later, biologists treat the river with TFM, a chemical that kills the lamprey but has little affect on other aquatic species. "As uncomfortable as we have been, we've approved these TFM treatments," Bad River fisheries specialist Joe Dan Rose said. "But we're still looking for non-chemical alternatives."



The lamprey latch on to their prey with their suckling disk and teeth. The teeth of the lamprey are shown above. (Photo by M.J. Kewley)

Rose hopes to build a series of small barrier dams to prevent the lamprey's upstream spawning migration. "We have to know that what we're doing is not going to harm the walleye, the lake sturgeon or the salmonids that inhabit the Bad River system," he said.

U.S. Fish and Wildlife Service biologist Tom Busiahn said the Great Lakes Fishery Commission hopes to reduce chemical use 50 percent by the year 2000. But other alternatives may not be as effective. Since chemicals were first used in 1958, they have reduced lamprey populations up to 95 percent.

Busiahn said in some areas, such as the St. Louis River near Duluth, the lamprey population has grown. "The St. Louis used to be too dirty," he said. "When the river gets clean, the lamprey move in."

Despite ongoing efforts, biologists say lamprey populations can only be controlled, not eradicated, from the Great Lakes. "As we add technology and use integrated management, the number of lamprey will be reduced," Bagdovitz said.

## List of rivers where sterile males were released

MICHIGAN:	WISCONSIN:
Waiksa	Bad
Sucker	Popular
Chocolay	Middle
Salmon Trout	Amnicon
Sturgeon	Nemadji
Misery	
Firesteel	
Potato	
Two Hearted	
Au Tran	
Huron	
Silver	
Traverse	
E. Sleeping	
Ontonagon	
Cranberry	



USFWS biologist Mark Bagdovitz holds a larval lamprey. (Photo by M.J. Kewley)

# Spring update on WI fish consumption advisory

MADISON, WI—State officials have added three water bodies to Wisconsin's sport fish consumption advisory list.

A stretch of the Manitowoc River and its tributaries between Chilton and Clark Mills, Lake Pesobic in Lincoln County, and the Big Rib River from Marathon City to County Trunk Highway N in Marathon County have been added to the routine advisory.

The advisory recommends limited or no consumption of contaminated sport fish, depending on the species and size of fish and the level and type of contaminant. The advisory now lists fish species from 221 water bodies, including lakes, rivers and stretches of Great Lakes shoreline. Wisconsin has about 15,000 inland lakes, 43,000 miles of rivers and streams, and 820 miles of Great Lakes shoreline.

The Department of Natural Resources and the Department of Health and Social Services Division of Health advise that no one eat any size fish of any species taken from the 18-mile stretch of Manitowoc River and its tributaries.

Northern pike and carp from the Hayton Millpond and white suckers from the Manitowoc River near Chilton were found to contain levels of polychlorinated biphenyls (PCBs) ranging from 12 to 77 parts per million, according to Jim Amrhein, an environmental specialist with the DNR Bureau of Water Resources Management.

Walleye and northern pike from Lake Pesobic in Lincoln County and walleye from the Big Rib River from Marathon City to County Trunk Highway N in Marathon County have also been added to the sport fish advisory. Test showed elevated levels of mercury in filets of fish taken from these waters.

The advisory recommends that pregnant or breastfeeding women, women who plan to have children and children under age 15 not eat any walleye and northern pike from Pesobic Lake or walleye from the Big Rib River. Additionally the advisory recommends that everyone else limit their consumption of these species from these waters.

The Department of Natural Resources

and the Division of Health issue a sport fish consumption advisory each spring and autumn. The "Health Guide for People Who Eat Fish from Wisconsin Water," lists which fish from which waters may contain toxic chemicals that may pose a risk to human health, especially to children and pregnant women.

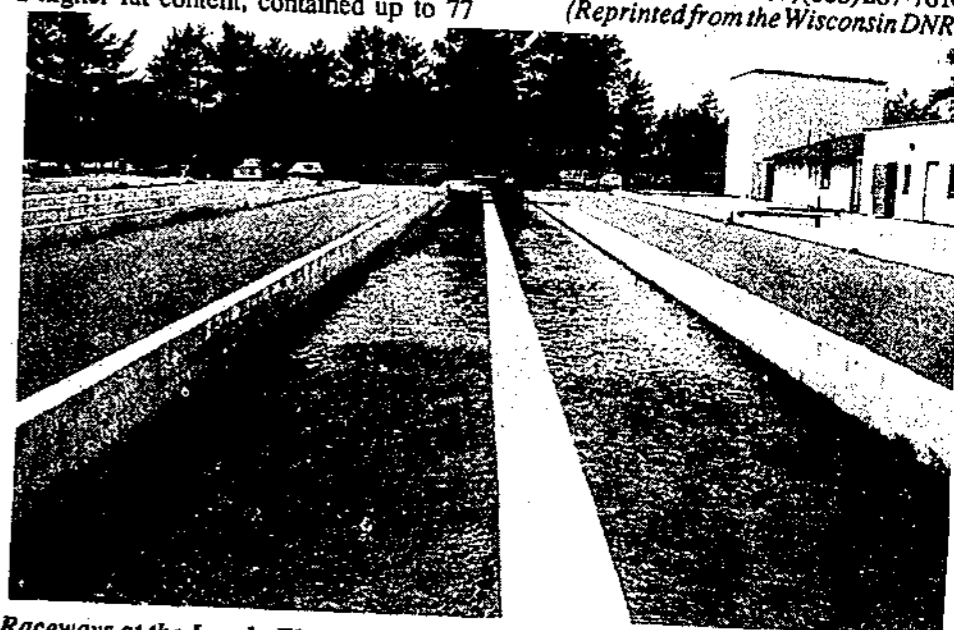
The agencies issued an advisory on the Manitowoc River and its tributaries—including the Killsnake River and Pine Creek—in early March, but those waters are now officially being added to the health guide.

"Northern pike are a lean fish that typically have lower concentrations of PCBs, but samples from pike filets contained concentrations of 12 to 22 parts per million PCBs," Amrhein said. "That means it is very likely that other species of fish from the same area could have even higher concentrations of PCBs. Carp, which have a higher fat content, contained up to 77

parts per million PCBs. That is why we recommend no one eat any fish from these waters," he said.

According to Dr. Henry Anderson of the Division of Health, PCBs are suspected carcinogens that are persistent in the food chain by accumulating in the fat of fish and animals. Mercury exposure can harm the human central nervous system, but Anderson said, it poses a more short-term risk, because the human body can eliminate it over time. However, human fetuses, children and pregnant women are more sensitive to mercury than other adults.

Copies of the Spring 1992 Health Guide for People Who Eat Sport Fish from Wisconsin Waters are available at any Department of Natural Resources office or may be obtained from the DNR Bureau of Water Resources Management, P.O. Box 7921, Madison, WI 53707, (608) 267-7610. (Reprinted from the Wisconsin DNR.)



Raceways at the Lac du Flambeau Hatchery are used to rear fry to fingerling length prior to stocking. (Photo by Amoose)



Neil Kmiecik, GLIFWC Director of Biological Services Division, fertilizes eggs taken from speared walleye at Bond Falls Flowage this spring. Fertilized eggs were transported to Big Redd incubating units on the Lac Vieux Desert reservation. (Photo by Amoose)

## WI fishing: Fond memories vs. fishing technology

By Lee Kernan,  
Director, Bureau of Fisheries  
Management, WDNR

MADISON, WI—I grew up in Wisconsin fishing for bluegills and crappies out of a beat-up, 12-foot wooden boat. My favorite spot was a sunken tree that always had a school of crappies hovering among the mossy yellow branches.

It took me 20 minutes to row to the sunken tree, but I can still feel the excitement as my heartbeat accelerated when I slipped the anchor out of the boat and peered over the shady side to see if the crappies were there. I'd lie for hours on my belly, holding the line in my hand and dangling that tiny minnow right in front of those fish.

Sometimes that flash of white would appear as it opened its mouth to inhale the minnow. More often than not, I'd panic and set the hook too soon.

But those were great days in the sun

and when I did catch a few fish I'd scale and dress them and my mother would roll them in flour and fry them in butter. No one filleted panfish in those days and picking bones was just part of the deal.

Now I run an 18-foot boat, with two motors. I have a paper graph and LC too. Two tackle boxes bulge with more fictional rubber creatures than you can imagine and, at last count, my wife exclaimed I owned more than 20 rods and reels. Do I catch more fish now? Of course. Ultra-lite rods with four-pound test line are much more effective than that black line and heavy gut I used 35 years ago.

Do I enjoy my boat? Sure, it's a pleasure to be able to go almost anywhere at 30 miles per hour. And, I love fishing all around Wisconsin in spots a 12 year-old could only dream of.

Last year I caught a 28-inch walleye that was bigger than my imagination was in 1952. I released it.

Am I having more fun fishing now? Frankly, I'd rather be 12 again.



## 25 lakes electroshocked for walleye population study

By Sue Erickson  
Staff Writer

GLIFWC electrofishing crews recently completed a full schedule of population estimates on 25 lakes. Glen Miller, GLIFWC inland fisheries biologist, organized the assessments this spring and was pleased to complete the entire schedule with exception of four "priority 2" lakes.

Unusual ice-out patterns caused some difficulties with scheduling, he said, as many of the lakes on the eastern side of the state opened simultaneously.

Spring assessments were accomplished through two GLIFWC electrofishing crews, three USFWS crews and one crew from the St. Croix Tribe. GLIFWC contracts for the services of the St. Croix crew, according to Miller. One fyke net crew was also used.

GLIFWC also assisted in a joint mark and recapture survey with the WDNR on Yellow Lake this spring.

Seventeen "priority 1" lakes were among 29 lakes listed for adult walleye population estimates this spring. Priorities are established on the basis of a commitment to annual assessments or because a previous survey may have been judged to be unreliable, says GLIFWC Inland Fisheries Section Leader Steve Shroyer. Considerations such as importance of lakes to member tribes and likelihood of use for tribal harvests are also factors in determining priorities.

"Priority 2" lakes are identified as those which GLIFWC would like to have assessed, but would be dropped if time did not permit, Shroyer says.

While electrofishing gear was the primary equipment used for the mark and

recapture study of walleye, fyke nets were used in three waters—Shell, Big St. Germaine, and Bond Falls Flowage, Michigan.

A variety of data is taken from captured fish, including length, sex, and spawning condition for all walleye. Spine samples are also taken for all fish 20" or larger as well as selective samples from smaller fish.

### Impact of assessment studied

Data was also collected for the occurrence of lymphocystis, an external fungus infection of fish. Shroyer says GLIFWC has had concerns that the handling of fish may be a factor in the occurrence of the infection. Therefore, base line data is being collected.

The effects of shocking are also being studied by GLIFWC and USFWS biologists. The use of fyke nets in Big St. Germaine is part of a joint study, Miller says.

By using shocking on some fish and fyke nets on other fish in the lake, scientists will be able to look at the fish comparatively for possible impacts from the electroshocking process, Miller explains. Possible spinal injuries from the shocking is one area being studied.

### Floy tag response good

This season was also the first for GLIFWC to employ the use of floy tags. Floy tags were used in Squirrel Lake, Big St. Germaine, Kentuck and Squaw Lake.

Miller states that there has been a good response from the public in returning tags from fish. The tags, he says, are used to get an estimate of angler fishing pressure in these lakes, similar to performing a creel census.



Stunned fish collected through electrofishing appear dead for a few minutes only. They remain stunned a couple of minutes before reviving. Data on the fish is taken, and they are returned to the lake as quickly as possible. (Photo by Amoose)

## Hunters predicted to be extinct by 2050

No deer hunters in Wisconsin? It's going to happen in coming decades, predicts a rural sociologist who has studied recreation trends.

The number of deer hunters going into the fields and woods each fall has dropped. By the year 2000, Wisconsin could see 50,000 to 100,000 fewer gun hunters than it did this fall, University of Wisconsin-Madison sociologist Thomas A. Heberlein said.

In fact, sport hunting as it now exists could be extinct by the middle of the next century, Heberlein concluded in his analysis of recreation trends and sociological changes.

Management of the state's deer herd by the year 2050 could be left to fewer than 100,000 well-trained, ecologically sensitive "animal control officers," Heberlein forecasts.

"In a state like Wisconsin where hunting is so deeply ingrained in the social fabric, these figures will seem a bit unusual," he acknowledged.

A leader of the Wisconsin Conservation Congress was skeptical of the prediction.

But an administrator with the State Department of Natural Resources who monitors trends said game managers



shouldn't ignore them.

The number of hunters is probably on an "accelerated decline," said Harry Libby of the DNR's Bureau of Wildlife Management.

"I think we best pay attention.... I suspect he is pretty much on target," Libby said.

According to DNR statistics, 650,000 to 700,000 people now buy gun licenses each year. The deer herd is the largest in

Wisconsin history, and was estimated at 1.3 million animals this fall.

But Heberlein, an avid hunter himself, believes interest has peaked, based on a variety of sociological factors, including an older, more educated male population; smaller, less-structured families; and more anti-hunting attitudes.

"All these factors tend to reduce hunting participation," said Heberlein, chairman of UW's Department of Rural Sociology. "If these trends continue, hunting as we know it will not exist by 2050."

Heberlein analyzed results of the National Survey of Fishing, Hunting and Wildlife-Associated Recreation conducted by the U.S. Fish and Wildlife Service and a social survey of national households done by the National Opinion Research Center.

The research found 39% of males went hunting in 1977, but only about 32% went in 1990.

Projecting a 5% decline per decade in hunter participation produces a model that predicts no males would be hunting by 2050, he said.

"Married men and men with more children are more likely to hunt, but family structures are changing and family sizes are shrinking," Heberlein said.

"I don't see any variable pushing the

numbers up."

Bill Murphy, chairman of the Wisconsin Conservation Congress, a group of outdoor activists that advises the DNR on hunting and fishing policies, acknowledged that hunting has changed from a necessity for a rural society to a form of recreation for a society becoming more urban.

But he doubts Heberlein's forecasts are accurate because Wisconsin likely will retain much of its rural heritage as agriculture remains a key to the state's economy.

"I can't believe in the year 2050 there are not going to be hunters," Murphy said. "I don't believe you can make that broad an assumption."

Nonetheless, the Conservation Congress is spearheading efforts to get schools to teach about hunting, Murphy said.

More youths are growing up in single-parent families, and the passing of hunting skills and experiences from one generation to the next is declining, Murphy said.

But Heberlein doubted education about hunting could replace the social structure that traditionally produces hunters.

"My hunch is we will see relatively slow decline, then it will drop very, very fast," he said.

(Prepared by the DNR Bureau of Information and Education)

# Preserving tradition

## Mole Lake artists awarded apprenticeship grants

By Sue Erickson  
Staff Writer

Keeping customs and traditional arts alive is not easy, particularly as knowledgeable elders "walk on," comments Joe Ackley, Mole Lake drum-maker. Teachers become difficult to find, and the knowledge passed from generation to generation can slip away.

In arts such as Ojibwe drum-making or woodland roach-making, the "how-to's" of a project only compose half of the art. Blended into the construction process is the cultural significance of component parts—a body of traditional knowledge and teachings that give special significance both to the process and the product.

Two Ojibwe artists from the Mole Lake Reservation, Joe Ackley and Emanuel "Doc" Poler, are committed to teaching their skills to tribal members, particularly youth.

"The importance to the community is to pass on these little known teachings and preserve our heritage," Ackley states.

To assist them in their efforts, the Wisconsin Arts Board with funds from the State of Wisconsin recently awarded both men grants to establish folk art apprenticeships in their respective areas, drum-making and woodland roach construction. Both skills are considered "rare and the work often tedious" by the Arts Board.

Most of the apprenticeship will be "hands-on" learning, with the apprentices performing most of the construction process. However, as Ackley relates, "The teachings, ceremonies and instruction will be explained at length as the apprentice

proceeds with each step to ensure that he remembers what must be done to make a Drum."

The men have learned their arts over the years from family members. Poler learned roach-weaving from his brother and his wife; while Ackley was taught drum-making by his father, Charles Ackley, beginning in 1955.

The roach, explains Poler, is headgear used by Ojibwe male dancers as part of their dance outfit. However, the roach is also commonly used by other tribes in the United States.

A 15" roach will take approximately two weeks to construct. The process is time-consuming because it involves tying small bunches of fine porcupine hairs to be placed the length of the roach. Different lengths must be measured out, with the separate bunches descending down the length of the roach from long to short.

Material collection, alone, requires time and knowledge. Roaches require porcupine hair and hair from deer tails, while the drum requires particular hides, a drum body and sinew among other items and special tools.

The laborious nature of the arts assure that neither Drums or roaches are mass-produced. Ackley points out, in regard to the Drum, "you don't make one unless its needed."

Each Drum, he says, has a special purpose or destination. Understanding of the destination lends individuality to each Drum. The Drum used by the Woodland Woodticks, Ackley's Drum group, took five years to construct, he says. It was a process of accumulating the necessary com-



Joe Ackley, left, and Emanuel (Doc) Poler, Mole Lake Band of Chippewa, hold roaches constructed by Poler. Both Ackley and Poler have recently been awarded grants from the Wisconsin Arts Council for furthering their skills in traditional Ojibwe arts. (Photo by Amoose)

ponents, and the Drum slowly came together over a period of time.

The Drum being constructed for the grant project will be given to the youth at Mole Lake, Ackley says.

In the past, Ackley has constructed Drums for the Milwaukee Indian School, the Cedarburg Cultural Center's Music Museum, the Bad River Shypokes (a youth Drum), and the Native American Ministry in Milwaukee.

Roach-weaving and Drum-making are only part of Ackley and Poler's involvement in Ojibwe art and crafts. Currently, they are in the process of making ricing sticks and ricing poles in preparation for the wild rice season.

Once again, traditional know-how takes over in producing high quality ricing gear.

Cedar is gathered for the ricing sticks and collected tamarack is now drying for use in ricing poles. "Cedar seems to have been made for use in ricing, Poler comments, explaining the wood's lightness and texture are easy on the fragile rice stalks while harvesting.

"I've watched people harvest wild rice with broom handles," he relates, "and it looked like 'The Trail of Broken Stalks.'"

Similarly, the ricing poles used to push the canoes gently through the rice beds are made of tamarack with maple crotches. These require several weeks to make as the wood must be dried and then carefully cleaned of knots which may blister the ricer's hand.

Both men also work on various items for dance outfits—aprons, breastplates and chokers, involving bead and quill work and knowledge of traditional designs.

Poler will be serving as the apprentice Drum-maker under Ackley for the grant project, and Ken Van Zile is the apprentice roach-weaver under Poler.

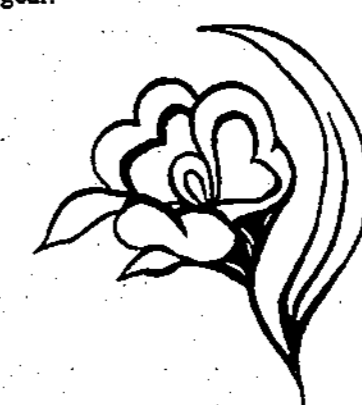
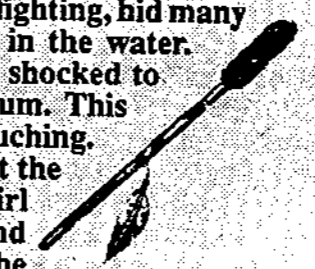
As part of the grant program, a public presentation will be provided on their respective traditional arts. Poler said the presentation is scheduled for August 5 and targeting Mole Lake youth.

The applications of both Ackley and Poler received high ratings in the Wisconsin Art Board's evaluation. With a rating range of 99.9 to 23.0, Ackley scored a rank of 99.50 and Poler a rank of 94.30.

### "De we i gan: The Drum"

(The following story of the Drum was related by Joe Ackley in describing the background and importance to the community of the Drum for a Wisconsin Arts Board grant.)

The Drum came about along time ago. During a fierce battle, a young girl, frightened by all the fighting, hid many days. Sometimes, she was submerged in the water. After many days, she emerged and was shocked to see that Gitchi-Manito had sent her a drum. This drum hovered above the earth, but not touching. That is why even today we try to see that the drum never sits on the ground. The girl took this drum back to her people and presented it to the warriors, the Anishinabe men. Through this ceremony even today the women must present this drum. This is why no female may sit and strike the drum. But, they form a second circle around the drum, protecting the male singers. Today, in our way of life of the drum, it is considered to be the heartbeat of our Nation. The steady beat is equal to one's own heartbeat.





## Red Cliff elder shares knowledge of the sugar bush

By M.J. Kewley  
ANA Writer/Photographer

There's still ice and snow scattered about the forest in April at the Red Cliff Indian Reservation. And while the spring nights still are cold, Mike Newago monitors each day for warm breezes and sky scattered with long-lost bits of sunshine.

The Red Cliff elder waits each year for the signals of spring. By late February, he gathers a few family members and prepares for the annual move to the Newago sugar camp. Tapping in on a lifetime of experience, Mike Newago knows when the sap will run.

"Around 50 degrees, it pours out fast," Newago said. "The best time always is Holy Week. You can take that to mean whatever you want."

This year, Mike taught his 30-year-old nephew, George Newago, how to run the sugar bush. The Newagos have been coming to the same stand of sugar maples for 50 years. And before that—as far back as anyone can remember—their sugar bush was just over the next hill.

Mike spent many years running the sugar bush with his brother, Walter. And when Walter Newago moved away to be in the service, Mike hauled and boiled sap alone. "Everyone asks how I did it alone," Mike said. "I tell them I carved a man out of cedar. When I needed help, he'd come out of the woods."

When Walter Newago died in May 1991, there was uncertainty about the future of the family sugar bush. But George, Walter's son, couldn't let the tradition end. "Someone's got to do it," George explained, "If you want part of your tradition, your family, your heritage to be alive, you've got to do it."

In past years, a dozen Red Cliff families would go to sugar bushes each spring. Now the Newagos are one of a few to tap trees. "It's a matter of placing a value on keeping it going" George said, looking over 160 taps in a seemingly endless maple grove.

Making maple sugar is as inherent to Chippewa culture as harvesting wild rice or sewing moccasins. The Chippewa at-

tribute the discovery of maple syrup to Manabozo, a half-human, half-spirit teacher and trickster told about in traditional stories. According to Chippewa legend, the maple syrup once ran pure and thick directly from the trees. But the abundance made the Chippewa lazy, neglecting their hunting and their families. Manabozo went to look for the Chippewa and found them lying on their backs, letting the syrup drip into their mouths. So Manabozo filled the maple trees with water to thin the syrup. When the people wanted syrup, Manabozo told them, they would have to do some work to earn it.

Maple sugar has provided sustenance to the Chippewa long before the Europeans settled the Great Lakes region. Each spring, Chippewa families moved from their winter camp to the sugar bush. Their food stores low, the men would fish while the women made sugar. Maple sugar—used as a sweet flavoring in many foods signaled the beginning of an abundant warm season.

A German ethnologist who visited the Chippewa in the mid-1800s tells of the many uses of maple sugar. Johann George Kohl, in his book "Kitchi-Gami," said the Chippewa made "grain sugar" by boiling the sap until it crystallizes. By removing the sap before it crystallizes, the Chippewa formed it into shapes, called "cake sugar." A third type, "gum sugar," was produced by putting the thickened syrup into the cold snow. Because the sugar did not crystallize, it had a soft, gummy consistency.

The Newagos make only one product. They boil their sap to the thickened consistency that produces pure maple syrup. It has the sweet, smoky smell of something made the old-fashioned way. Purists like the Newagos would never use gas stoves to heat their sap. "It ruins the flavor, I can taste the difference," Mike said as George tended to the wood burning underneath his kettles.

In late February, they tapped 160 trees, drilling holes deep enough to anchor a 1-inch tap. Every day, the cans must be drained and hauled to the boiling kettle. For about eight hours, George and Mike Newago tend the fire as water evaporates off the boiling sap. "It takes about 50



Mike Newago, left, and George Newago boil down maple sugar sap collected from sugar bush stands on the Red Cliff Reservation. Maple sugaring is a traditional part of early spring for the Newagos who enjoy their own pure maple sugar throughout the year. (Photo by Mary Jo Kewley)

gallons of sap to make one gallon of syrup," George said.

The work is grueling—the Newagos weave through the woods hauling five-gallon sap pails. They empty those into boiling kettles that weigh more than 100 pounds. As it boils, sap that fills four kettles are combined to fill one. When they aren't hauling sap, time is spent splitting wood for the fire. Once cooled a bit, the syrup is siphoned into gallon jugs. And then the process begins again.

Following his father's custom, George keeps a diary of the sugar bush activities. He records the work schedule, the comings and goings of friends and family or a critique of the lunch.

Two of his brothers—one in the Twin Cities and another in Florida—have an

interest in the sugar bush. He hopes that they will soon return to Red Cliff to help. George also has a five-year-old son who he hopes will someday run the Newago sugar bush.

Until then, a few other people stop by to help George, his wife Carol and Uncle Mike. As Mike Newago passes on his knowledge, he talks about this spring being his last year at the sugar bush. But George doesn't take his uncle too seriously. He says next spring Mike Newago will be waiting for the mercury to climb above freezing. He'll be out chopping wood in late February. By March, the trees will surge with sap. And in April—Holy Week in particular—Mike Newago will be at the sugar bush camp. Holes will be drilled, sap and stories will flow, and the tradition will continue another year. □



Boiling sap over a wood fire are Mike Newago (left) and George Newago. (Photo by M.J. Kewley)



Out in the sugar bush, George Newago checks his taps for fresh sap which will be collected and boiled down into syrup. (Photo by Mary Jo Kewley)

## WI Legislative Reference Bureau publishes booklet "Chippewa Off-Reservation Treaty Rights: Origins and Indians"

For those looking for information regarding Chippewa off-reservation treaty rights, a new booklet put out by the Wisconsin Legislative Reference Bureau may prove helpful. "Chippewa Off-Reservation Treaty Rights: Origins and Issues," Research Bulletin 91-1, December 1991 provides a very readable summary on events and issues surrounding off-reservation treaty rights.

The booklet includes an historical perspective, court decisions influencing treaty rights, current court decisions, an overview of both constitutional and natural resource issues as well as a look at the socio-economic impact.

A section on "Racism and Information Issues" is re-printed below:

### Racism and Information Issues

Long before Chippewa people resumed exercise of their off-reservation resource rights, Indians throughout the United States encountered racism. A task force established by the U.S. Department of Justice in 1972 "found full-scale and widespread racial discrimination against Indians." The U.S. Commission on Civil Rights noted in 1981 that Indians have been viewed as an "inferior race" since colonial times and that "racism has served to justify a view ... that Indians are not entitled to the same legal rights as others in this country." The commission asserted that the judiciary of the United States "has also lent support to the myth of Indian inferiority."

Such allegations find support in legal commentaries that examine certain premises upon which courts have relied. The assertion of federal over state authority in the U.S. Supreme Court *Kagama* ruling, for example, appears to rest on a prejudiced view of Indians:

These Indian tribes are wards of the nation. They are communities dependent on the United States. Dependent largely for their daily food. Dependent for their political rights.... From their very weakness and helplessness, so largely due to the course of dealing of the Federal Government with them and the treaties in which has been promised, there arises the duty of protection, and with it the power (italics in original).



Grass dancer in competition. (Photo by Amoose)

Cohen found that the power over Indians claimed in *Kagama* came not from the Constitution but from the Court's perception that Indians need protection—a view that, in turn, depended on a perception of Indians as inferior. As attorney Irene Harvey has observed, "By fabricating inferiorities in Indians, the Court justified rule over them." Or, as expressed by law professor Newton,

...one key to the Court's finding of a congressional guardianship power over Indians was its view of their racial and cultural inferiority.

Discussions of racist perceptions of Indians often focus on lack of information, especially lack of accurate information, as a condition that feeds racism. At a 1977 hearing before the Senate Select Committee on Indian Affairs, Mel Tonasket, an Indian from the State of Washington, testified:

I think a lot of the backlash coming from the common citizens is mainly out of ignorance because of the lack of educational systems to teach anything about Indians, about treaties.... When the population really doesn't know what the rights are and what the laws say, they have to make judgment decisions based on what the media puts out to them or what a politician [says].

That same year, the American Indian Policy Review Commission established by the U.S. Congress reported:

One of the greatest obstacles faced by the Indian today .... is the American public's ignorance of the historical relationship of the United States with Indian tribes and the lack of general awareness of the status of the American Indian in our society today.

Similarly, a 1989 report by the Wisconsin Advisory Committee to the U.S. Commission on Civil Rights cited "numerous complaints regarding the lack of public knowledge about Indian treaty rights." The committee also "found that tensions between Indians and non-Indians have been present for many years in northern Wisconsin" but "have transformed into increased racial hostility and fears of violence" since judicial affirmation of off-reservation resource rights.

The extent of public ignorance regarding the Chippewa treaty rights controversy has been revealed in two recent surveys. The Survey Center of St. Norbert College, which conducted telephone interviews with 514 Wisconsin residents during March and April 1990, found that only 6 percent of those surveyed answered all three of the following questions correctly:

Do you happen to know, are these Chippewa Indian Treaties between Chippewa Indians and the Wisconsin State Government, or are they between Chippewa Indians and the U.S. Federal Government, or are you not sure?

Do you happen to know, did the U.S. Federal Courts give the Chippewa Indians these hunting, fishing, and gathering rights, or have the Chippewa Indians always had these rights, or are you not sure?

Do you happen to know, do the Chippewa Indian Treaties allow them to take unlimited numbers of fish and game, or is there a limit to how much fish and game they can take, or are you not sure?

Similarly, a 1990 study directed by sociologist Lawrence Bobo of the University of California at Los Angeles found that only 9 percent of the 784 Wisconsin residents surveyed were able to respond correctly to all three of the following questions:

As far as you know, do the Chippewa Indians cooperate with the State in monitoring the fishing and deer hunting of tribal members?

To your knowledge, do any of the Chippewa Indian bands have fish rearing and stocking programs?

As far as you know, do the court rulings on Chippewa Indian treaty rights allow the Chippewa unlimited fishing rights in Treaty Wisconsin?

The research team also found a statistically significant correlation between knowledge and level of education, as well as between knowledge and attitudes. Fifty percent of those who answered all three questions correctly favored Chippewa fishing rights compared to only 13 percent of those who answered all three incorrectly. Moreover, 85 percent of those with more accurate information opposed efforts to terminate treaties, compared to only 62 percent of those with less accurate information. Research results have led him to conclude that

...schools and information campaigns can probably play an important role in resolving the treaty rights dispute. Level of education contributes to the accuracy of the information individuals are likely to possess on the treaty rights issue. The better educated are also less likely to hold negative images of American Indians. Knowledge, stereotyping and level of education directly shape attitudes toward treaty rights and knowledge and stereotyping influence the level of support for management. Given the low levels of knowledge and these empirical patterns ... an informational program about the treaties and enhanced discussion of the American Indian experience in the schools would probably encourage a more tolerant response to the treaty rights issue.

The St. Norbert survey suggests that Wisconsin residents support such an informational program. In response to a question about requiring all elementary and secondary schools in WI to teach students about Indian culture, history and government, 74 percent of those surveyed answered affirmatively. A St. Norbert follow-up survey conducted in (See Chippewa treaty rights, page 32)



# Facts about tribal rights

## ACLU updated book gives answers to common questions

The second edition of *The Rights of Indians and Tribes*, produced by the American Civil Liberties Union (ACLU) answers many of the questions which arise in regard to the status of tribes today and is an excellent resource for anyone, Indian or non-Indian, seeking to understand tribal issues.

Author Stephen Pevar notes that issues relating to Indians are often "complex and terribly confusing" as well controversial. While the protection and preservation of rights has been fundamental in the United States, it is difficult to preserve something that is not well understood.

In the introduction Pevar notes that "...unless we know what our rights are, we cannot exercise them, and unless we exercise them, we will lose them."

The book provides a good historical synopsis of federal Indian policy which sets the backdrop for understanding current Indian law in the United States. It also provides legal definitions of terms commonly used, such as "Indian Country" and "Indian Tribe" and so on.

The bulk of the text, however, is presented in an easy-to-read "question and answer" format with large topic sections, or chapters. Examples of chapter areas include: "The Trust Responsibility," "Indian Treaties," "Tribal Self-Government," "Taxation," "Hunting, Fishing and Gathering Rights," and "Indian Water Rights." There are many other areas covered. An excerpt from the book is as follows:

**"What kinds of off-reservation hunting and fishing rights do the Indians have?"**

Many Indians have a federally protected right to hunt and fish outside the reservation. Indians have acquired these rights in two ways. On occasion, Congress has reduced the size of an Indian reserva-

tion, or even eliminated it, without removing the tribe's hunting and fishing rights on that land. Therefore, these rights remain enforceable by the tribe.

On other occasions, Congress has expressly given a tribe the right to hunt or fish outside its reservation. Some tribes, for example, have a treaty right to hunt "on the unoccupied and unclaimed lands of the United States," or something similar to this. Members of these tribes therefore have the right to hunt on unsettled federal lands, such as areas within a national forest where hunting is otherwise restricted or prohibited.

A typical off-reservation right—the one that has created the most controversy—is the fishing right. In treaties with the Northwestern tribes, for example, it was a common practice for a tribe to relinquish most of its homelands and to be promised, in exchange, the right to fish "at all usual and accustomed grounds and stations," both on and off the reservation. Unfortunately, none of the treaties identified the precise location of any of these sites, and Indians have had to identify them one-by-one to the satisfaction of state officials or a court. The leading case in this area is *United States v. Washington*, which defined "usual and accustomed grounds and stations" as being all those locations where members of a tribe customarily fished at or before the time the treaty was signed, however distant from the tribe's usual home and regardless of whether other tribes also fished in the same waters.

In order to prove the existence of a traditional fishing location, the tribe must show where its members fished generations ago. Needless to say, gathering this evidence is not easy because it is almost entirely word-of-mouth. However, many locations have now been identified, and treaty tribes today are exercising their fishing rights at these locations. Some locations are far from the tribe's reservation.

One tribe, for example, proved that it customarily fished forty miles from the shore, which was quite a feat given the equipment that was available.

There are many reasons, of course, why non-Indians usually oppose the designation of an area as a traditional Indian fishing ground. For one thing, if privately owned land now surrounds this location, Indians have a right to cross this land in order to reach their protected area. Likewise, if the traditional site is a river bank that is now privately owned by a non-Indian, tribal members retain their right to fish there whether the owner consents or not.

Money is another factor. The fishing industry in the Northwest is a multimillion-dollar business, and Indians compete with non-Indians for the profits. The more federally protected locations Indians have, the more fish to which they have access.

However, tribes have every reason to assert their treaty rights. Tribes relinquished a large amount of land in exchange for these rights, and the United States should keep its end of the bargain. Maintaining these off-reservation sites was of primary concern to the treaty tribes. As the Supreme Court has stated about the Northwest treaties:

All of the treaties were negotiated by Isaac Stevens, the first Governor and first Superintendent of Indian Affairs of the Washington Territory, and a small group of advisors. Contemporaneous documents make it clear that these

people recognized the vital importance of the fisheries to the Indians and wanted to protect them from the risk that non-Indian settlers might seek to monopolize their fisheries. There is no evidence of the precise understanding the Indians had of any of the specific English terms and phrases in the treaty. It is perfectly clear, however, that the Indians were vitally interested in protecting their right to usual and accustomed places, whether on or off the reservations, and that they were invited by the white negotiators to rely and in fact did rely heavily on the good faith of the United States to protect that right.

As the Court indicated, the government agents who wrote these treaties wished to protect Indian fisheries, but their promise was easy to make at the time because few non-Indians lived in that area of the country, and the fish supply seemed inexhaustible. Today the demand for fish has greatly outstripped its supply, and non-Indians deeply resent Indian treaty rights.

Indians frequently have had to rely on federal courts to enforce these rights. Indeed, state officials, pressured by local citizens, have ignored even federal court decisions. This prompted the Supreme Court to warn these officials that it is "prepared to uphold the use of stern measures to require respect for federal court orders." There even have been court battles between two tribes, each claiming that a location is its exclusive fishing ground.



A moving display of artwork flashes past the observer as shawl dancers "spread their wings" during the dance. (Photo by Amoose)



Brittany Laraby, Bad River tribal member, in traditional dance outfit. (Photo by Amoose)

# The long road from federal domination to self-determination

By James B. Reed

Federal Indian policies and legal decisions have evolved over more than 200 years. Before America won independence in 1776, the European colonial powers entered into treaties with Indian tribes and acquired land from them by purchase rather than by physical conquest, thus establishing a tradition of tribal sovereignty. Under the Articles of Confederation, Indian affairs were left up to the states. Between 1776 and 1871, however, the general policy became to isolate the tribes and push them out of the way of the expanding white society (generally to the West). During this period, the United States entered into treaties with the tribes, tribes were removed from ancestral homelands to reservations and the federal government rather than the states emerged as the regulator of most affairs between Indians and non-Indian. The principle of federal pre-emption of state authority over tribes arises primarily from the Indian Commerce Clause.

Between 1871 and 1928, as the Western frontier was closing, the national Indian policy shifted away from isolating Indians toward assimilating them. Under the General Allotment Act of 1887 large tribal holdings were broken up, and land titles were allotted to individual Indians. After 25 years, the federal trust responsibility expired, and Indians could sell their land. In addition to undermining the communal Indian culture, the act is responsible for the checkerboard pattern of Indian and non-Indian landholdings characteristic of many Western reservations.

During this era, the federal government increasingly imposed rules and institutions on the tribes, thus tribal sovereignty decreased. The Supreme Court held in *United States vs. McBratney, and Draper vs. United States* that Indian reservations are part of the states in which they are located and that states have criminal jurisdiction over crimes committed on Indian reservations by non-Indians against people or property of other non-Indians. As a part of assimilation, U.S. citizenship was

granted to all American Indians by 1924.

The policy of allotting lands to individual Indians was officially halted in 1934 by the Indian Reorganization Act, which created a revolving fund for economic development and authorized tribes to organize their own governments. These were often modeled after non-Indian governments and required ratification by tribal members and approval by the secretary of the interior. A major objective of the Indian Reorganization Act was to break the considerable administrative control that the Bureau of Indian Affairs (BIA, created in 1824) in Washington, D.C., had over many tribes. Today, most reservations are governed by constitutions developed under the Reorganization Act.

The period between 1945 and 1961 marked another change for national Indian policy. In 1949, the Hoover Commission announced that Indians should be integrated into the larger society, and in 1953 Congress issued a joint resolution calling for the termination of federal supervision of tribes in various states. Between 1955 and 1966 Congress ended its recognition of 109 tribes in eight states, affecting 1.4 million acres and 11,400 individuals.

Essentially, termination meant the federal government was no longer a trustee for Indian affairs related to land ownership and management of financial assets. In addition, Indian land would no longer be tax exempt, and federal responsibility for Indian economic and social well-being was repudiated. Public Law 280 was enacted in 1953, giving the states of Alaska, California, Nebraska, Oregon and Wisconsin some authority over civil and criminal adjudication of Indians in their states. Arizona, Florida, Idaho, Iowa, Montana, Nevada, North Dakota, Utah and Washington later assumed some powers under PL-280. (PL-280 was amended in 1968 to require tribal consent before states could assert such jurisdiction and to permit states to cede back their tribal jurisdiction.)

The federal policy of termination gradually faded in the 1960s. The Indian Civil Rights Act was enacted in 1968,

making many features of the Bill of Rights applicable to Indians in their dealings with tribal governments. President Nixon's 1970 message to Congress proclaimed that national policy should strengthen Indian self-determination while preserving the federal trustee obligation.

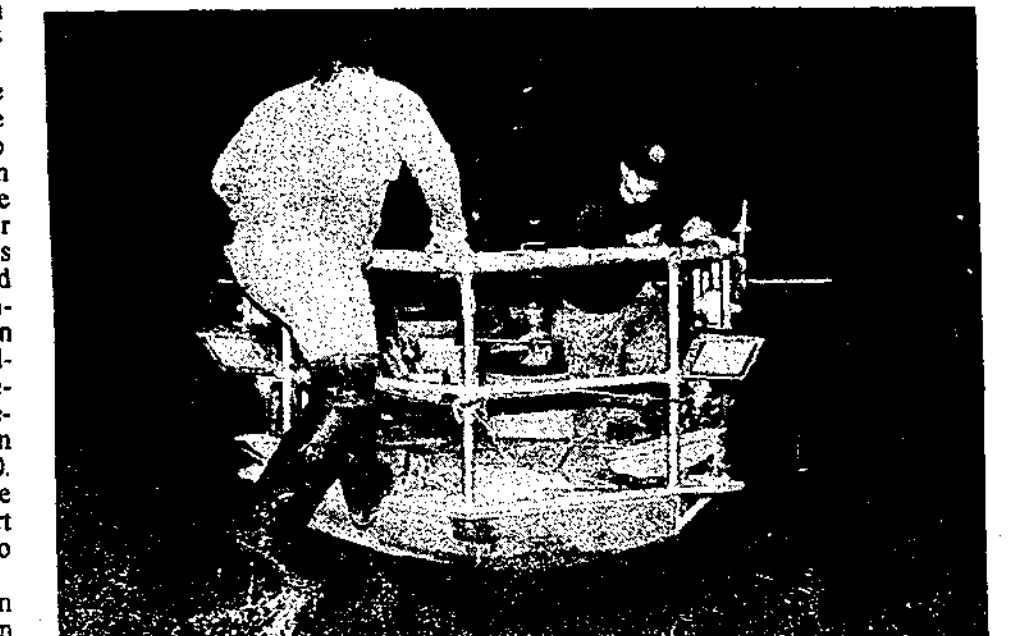
Other important legislation includes the 1971 Alaska Native Claims Settlement Act, which gave Eskimos and Aleuts land in return for renouncing their aboriginal claims. The Indian Self-Determination and Education Act of 1975 declared the end of federal dominance of Indian programs without withdrawing financial assistance. Tribes were allowed full participation in implementing federal health, education and welfare programs through contracts between tribal governments and the relevant federal agencies. The Indian Child Welfare Act of 1978 accorded tribes extensive jurisdiction over child custody issues. Significant actions in the 1980s included the Maine Indian Claims Settlement Act of 1980, President Reagan's state-

ment on Indian policy in 1983, the Tribal Controlled Schools Act of 1988 and the Indian Gaming Regulatory Act of 1988.

In 1989 the Senate Select Committee on Indian Affairs recommended providing each tribe with a direct grant from the Congress rather than appropriating money through the federal bureaucracy. Tribes would be required to have a written constitution, democratic institutions and full accountability. Pilot projects are under way, and the concept is being studied further by the committee. In 1991, the Indian Environmental Regulatory Enhancement Act was passed to help tribes protect the environment and natural resources on their lands.

National policy in the 1990s focuses on tribal "self-determination," that is, allowing tribes to govern themselves and control their own destiny.

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A member of one of the electrofishing crew hops aboard. (Photo by Amoose)

## Spring spearing continued

(Continued from page 3)

### Nightly landing enforcement

As in past seasons, all off-reservation Chippewa spearfishing landings were monitored on a nightly basis by GLIFWC biological and enforcement personnel.

Approximately 40 individuals were hired and trained as creel clerks for the 1992 season, according to Shroyer. Creel clerks count the fish each night as Chippewa spear fishermen return to the landings with their fish.

GLIFWC also assists with the tribal registration stations where tribal members receive their nightly permits. The permits, which are issued on a night-by-night basis establish lake and bag limit for each spearfisher.

The system assures that tribal members do not exceed the established lake quotas, Shroyer notes.

Creel clerks record, numbers, species, and size of fish taken each night. Also record is taken on any tagged fish to accommodate population estimates being performed on many of the lakes.

GLIFWC enforcement staff was also present nightly at each landing. In order to monitor all landings, GLIFWC hired 34 wardens on a temporary basis, according to Brette.

Tribal ordinances allow only two walleye over 20," with one fish being any size and one between 20" and 24."

According to Brette the most citations given to tribal members during the season were for size limit. □



Patty McGeshick, creel clerk and Mike St. Onge, warden record data on LVD catch at Lake Gogebic. (Photo by Amoose)



# Networking the Native community "News from Indian Country"

By Sue Erickson  
Staff Writer

The existence, much less the success, of "News from Indian Country," a newspaper publication of Indian Country Communications Inc., Lac Courte Oreilles, is both remarkable and rare. "News from Indian Country" is one of only three independent, for-profit Native American newspapers in the nation.

Editor Paul DeMain, one of the newspapers' founders, credits both hard work and personal sacrifice of staff and the changing demands of readers for the paper's growth.

Indian Country Communications will celebrate its fifth anniversary in September. It was founded when the Lac Courte Oreilles Tribes withdrew funding for the Lac Courte Oreilles Journal, being printed through WOJB Radio, in August, 1987.

Since its 1987 formation, circulation has risen from 400 paid subscribers to about 2,500 subscribers and another 2,000 counter sales, DeMain relates. Of the readership, about 80% are Indian people.

Readership trends have had some bearing, DeMain says, pointing to "News from Indian Country's" increased circulation and a loss of \$18 million by the Los Angeles Times. "A demand for specialized news today are giving local papers an edge," DeMain states. "We focus on what's important to our reader."

Large statewide papers may carry one or two articles that appeal to an Indian reader, for instance, whereas "News from Indian Country" gives them a broad spectrum of coverage in their interest area.

Defining the mission for the paper, DeMain sees it as "empowering and networking the Native community." He feels the paper has begun that job, but can be more effective

"We will be running names and phone numbers in 'letters to the editor' submissions," he said, in order to encourage Indian people to establish those networks between themselves. "There's a lot happening out there in Indian Country, and we can only cover about 2% of it."

Currently, running with a staff of eight and publishing twice monthly, the pressure is still on but not nearly to the extent of early days.

Both DeMain and Pat Calliotte, assistant editor, devoted many hours as the paper formed and grew. Furnishings from their homes composed the office setting and the commitment involved personal

investment as well as time.

DeMain recalls a critical decision in the winter of 1987 when the paper could not meet payroll. "We had to decide either to cut a \$10 travel check so people could get home and get back to work the next day or just call it quits all together."

The decision was to keep going and the developing company made it through the first three critical years in the black. Today, their distribution continues to rise as they open up one new store outlet per week, DeMain states.

Serving with DeMain and Calliotte on the Board of Indian Country Communications are John Bodin, Robert Preuher, Karen Michel.

The Pow-wow Directory is published below with the permission of News from Indian Country; however, MASINAIGAN will not regularly run the directory. If you are interested in places and dates for pow-wows, contact Indian Country Communications, Rte. 2, Box 2900-A, Hayward, WI 54843.

## JUNE

**AICA Annual**  
June 19-21, Van Hoy Campgrounds  
Union Grove, North Carolina  
(704) 464-5579

**9th Annual Memphis**  
June 19-20-21, Halle Stadium  
Memphis, Tennessee  
(901) 276-4741

**7th Annual Traditional Gathering**  
June 19-20-21, Pow-wow Grounds  
Mole Lake, Wisconsin  
(715) 478-3957

**Creek Nation Festival**  
June 19-21, City-wide  
Okmulgee, Oklahoma  
(918) 756-8700

**5th Annual Yavapai-Prescott**  
June 19-20-21  
Frontier Village Shopping Mall  
Prescott, Arizona  
(602) 445-8790

**2nd Annual Opasquiak**  
June 20-22-23, Pas Reserve  
Manitoba, Canada  
(204) 623-6459

**Virginia Indian Heritage Festival**  
June 20  
Jamestown Settlement  
Williamsburg, Virginia  
(804) 229-1607

**Worcester Indian Cultural Art Lodge**  
June 20-21  
Pratt Junction  
Sterling, Massachusetts  
(508) 754-3300

**Pequot & Narragansett Joint**  
June 20-21, Crandell Farm  
Westerley, Rhode Island  
(401) 364-1100

**15th Annual Lansing Indian Center**  
June 20-21  
Lansing, Michigan  
(517) 487-5409

**1st Annual Wakeby Lake**  
June 19-21, Glen Farms  
Portsmouth, Rhode Island  
(401) 683-5167

**American Indian Federation: Strawberry Festival**  
June 21, Federation Hall  
Lafayette, Rhode Island  
(508) 372-6754

**10th Annual Anishinaabe Way**  
June 26, LCO Honor the Earth  
Pow wow Grounds  
Hayward, Wisconsin  
(715) 634-3041

**4th Annual**  
June 27-28, Blue Jacket  
Xenia, Ohio  
(513) 275-8599

**2nd Annual Summer**  
June 27-28, Lake County Fairgrounds  
Grays Lake, Illinois  
(312) 275-5871

**Order for the Preservation of Indian Culture**  
June 27-28, So. Shore Science Center  
Norwell, Massachusetts  
(617) 337-4308

**Connecticut River Society; Strawberry Moon**  
June 27-28, Ferry Park  
Rocky Hill, Connecticut  
(203) 388-3391

**Chin-Qua-Pin Encampment**  
June 26-27-28  
El Paso Co. Fairgrounds  
Calhan, Colorado  
(719) 475-8896

**Woodland Workshops & Gathering**  
June 27-28  
Minnetusta Cultural Center  
Muncie, Indiana  
(317) 282-4848

**19th Annual Potawatomi**  
June 28-29-30, Tribal Grounds  
Shawnee, Oklahoma  
(405) 964-3855

## JULY

**4th of July Pow-Wow/Rodeo**  
July 2-3-4-5, Fairgrounds  
Window Rock, Arizona  
(602) 871-2666

**Indian Days Encampment**  
July 3-4-5, White Swan Pavillion  
White Swan, Washington  
(509) 865-5121

**14th Annual Red Cliff Traditional**  
July 3-4-5, Pow-wow grounds  
Red Cliff, Wisconsin  
(715) 779-3701

**Sisseton-Wahpeton Wacipi**  
July 3-4-5, Pow wow grounds  
Sisseton, South Dakota  
(605) 698-3911

**20th Annual Oneida**  
July 3-4-5  
Norbert Hill Center  
Oneida, Wisconsin  
(414) 833-6760

**4th of July Pow-Wow/Open Rodeo**  
July 3-4-5-6-7-8-9-10-11-12  
Nespelen Celebration Grounds  
Nespelen, Washington  
(509) 634-4711

**Chief Taholah Days**  
July 4  
Taholah, Washington  
(206) 276-8211  
(See Pow-wow schedule, page 31)

# NAJA seeks to meet needs of Native American journalists

By Sue Erickson  
Staff Writer

ONEIDA—Growth, in terms of numbers, needs and interests, were all apparent as journalists from Canada and across the U.S. assembled for the Eighth Native American Journalists Association (NAJA) Conference in the Radisson Inn, Oneida this spring.

Conference organizer and newly elected NAJA President Paul DeMain, Indian Country Communications, Lac Courte Oreilles, said the conference drew approximately 300 participants. While impressed with the enthusiasm and degree of participation, DeMain feels NAJA needs to provide more opportunities in specialty interests and in advanced media technology.

DeMain noted that while journalism at the center, or the hub, we need computer technologists and technical skills in order to survive and advance in the media world today.

He hopes to see more assistance from the folks in radio, television news and mainstream press in defining agendas for upcoming conferences.

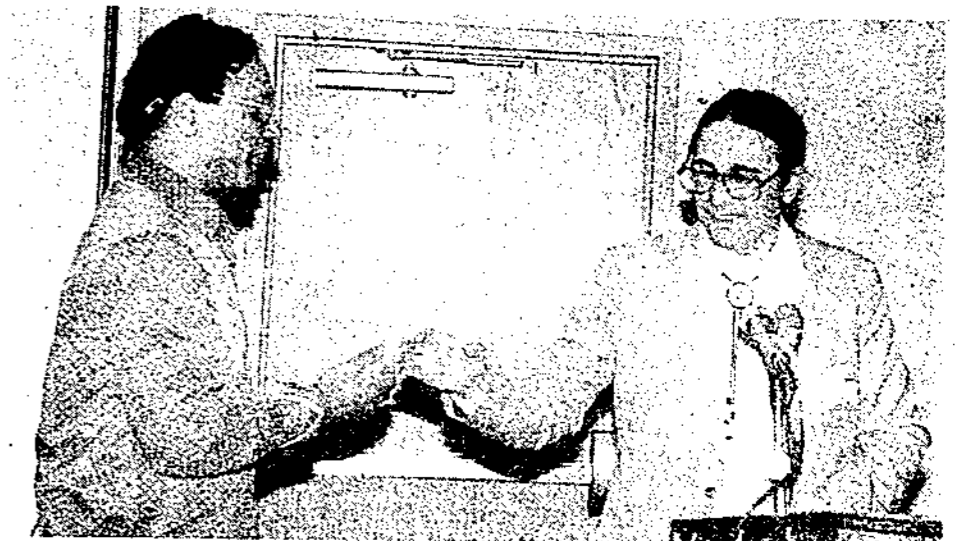
The 1992 meeting featured 37 workshops covering all aspects of journalism as well as keynote presentations on critical Indian issues, such as gaming and treaty rights. Others dealt with technical skills such as desktop publishing and photography.

One of NAJA's missions has been to encourage and promulgate a Native American viewpoint in the media. In order to accomplish this, the association encourages students to enter the media fields and the development of further media skills for use within local communities.

NAJA sponsors four students to attend the conference each year as well as provides free lodging for others in attendance. Students produced a newsletter while at the conference as part of a practical training exercise.

NAJA also co-sponsors summer training institutes for Native American youth interested in journalism. One such institute will be held in Madison this summer, DeMain noted.

DeMain felt that the conference lacked sufficient on-the-spot equipment both for the training components as well as for general use of conference participants. He hopes to see more equipment available at



Awards were part of the 8th Annual NAJA Convention, giving recognition to the many fine journalists in Indian Country. Above, NAJA's new president, Paul DeMain, congratulates one of the award-winners. (Photo by Amoose)

future conference sites as well as encourage retailers to promote their equipment and software at the conference.

Recognition and encouragement of Native Americans excelling in media productions comes in the form of awards for publications of various formats, feature articles, news coverage, video and photographs are presented annually to Native Americans excelling in these areas of media.

The 1993 conference is scheduled for Kamloops, British Columbia in May. Meanwhile NAJA also has its eye on the Unity Conference set for Atlanta, Georgia in 1994. The conference is a large gathering of minorities in the media, DeMain

says, and has been in the planning since 1990.

As President of NAJA, DeMain will be serving on the United Conference Board of Directors as treasurer. However, NAJA's President will be President of the Unity Conference in 1994, providing some real national opportunities for the Native American contingency, which is the smallest group represented at the conference.

DeMain is encouraged by the growing numbers of Native Americans entering the mainstream press as well as increasing involvement in tribal news media. The challenge for NAJA is to continue to meet the needs of Native Americans in the increasingly technological field of news.

# Pow-wow directory

(Continued from page 30)

**Arlee Pow-Wow**  
July 4  
Arlee, Montana (406) 745-4242

**10th Annual Pow-Wow**  
July 4-5, Garrett County Fairgrounds  
McHenry, Maryland  
(301) 963-7284

**5th Annual Manitoulin Island Traditional**  
July 4-5, West Bay  
Manitoulin Island, Ontario, Canada  
(705) 377-5362

**10th Annual Pow wow**  
July 4-5, Garrett Co. Fairgrounds  
McHenry, Maryland (301) 963-7284

**24th Annual Northern Ute**  
July 4-5-6-7, Tribal Grounds  
Fort Duchesne, Utah  
(801) 722-5141 ext. 156

**10th Annual Traditional**  
July 5-6-7, Shunk Road Reservation  
Sault Ste. Marie, Michigan  
(906) 635-6050

**Poundmaker/Nechi Pow-Wow**  
July 10-11-12, NECHI Center  
Edmonton, Alberta, Canada  
(403) 458-1884

**Bear River Pow wow**  
July 10-11-12, Old Indian Village Rd.  
Lac du Flambeau, Wisconsin  
(715) 588-3286

**Kahnawke Mohawk**  
July 11-12, Tekawitha Island  
Montreal, Quebec, Canada  
(514) 632-8667

**19th Annual Honor the Earth Traditional**  
July 17-18-19, LCO Reservation  
Hayward, Wisconsin  
(715) 634-2100

**Kickapoo Pow wow Days**  
July 17-18-19  
Kickapoo Reservation  
Horton, Kansas

**14th Annual Keweenaw Bay Traditional**  
July 24-25-26  
Ojibway Campground  
Baraga, Michigan  
(906) 353-6623

**1st Annual Rising-Falling Water Pow-Wow/Festival**  
July 25-26, Tribal Grounds  
Fredericksburg, Virginia  
(804) 769-1018



Ojibwe columnist Jim Northrup, Fond du Lac, (right) and Terri Bisonette, News From Indian Country staff, were among the many participants from the tri-state region at the NAJA conference in Green Bay. (Photo by Amoose)

## AUGUST

**14th Annual Honoring Sobriety**  
July 31-August 1-2  
Mash Ka Wisen Treatment Center  
Sawyer, Minnesota  
(218) 879-6731

**12th Annual Bad River Pow-Wow**  
August 21-22-23  
New pow-wow grounds  
Odanah, Wisconsin  
(715) 682-7111

**Editor's Note:** We encourage people to contact these pow wows to confirm the dates and places.





Fire fighters participated in fire training sessions at the Lac Courte Oreilles Reservation as well as in Ashland and Bayfield, WI this spring. Sponsored through the Great Lakes Agency Bureau of Indian Affairs, annual fire training sessions are open to all community fire department personnel. (Photo by Amoose)

## Chippewa treaty rights

(Continued from page 27)

April 1991, in which 55 percent of respondents said they support the exercise of treaty rights, also found support strongest among those aged 18-24 (83 percent) and college graduates (69 percent).

Before any of these surveys were available, the WI Legislature included the following provisions in 1989 Wisconsin Act 31:

[The state superintendent shall] In coordination with the American Indian language and culture education board, develop a curriculum for grades 4 to 12 on the Chippewa Indians' treaty-based, off-reservation rights to hunt, fish and gather. (S. 115.28 (17) (d), WI Statutes)

[Each school board shall provide an instructional program designed to give pupils] At all grade levels, an understanding of human relations, particularly with regard to American Indians, Black Americans and Hispanics. (S. 118.01 (2) (c) 8, WI Statutes)

[Each school board shall] Beginning September 1991, as part of the social studies curriculum, include instruction in the history, culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in this state at least twice in the elementary grades and at least once in the high school grades. (S. 121.01 (L) (4), Wisconsin Statutes)

To implement these laws, the Wisconsin Department of Public Instruction has sponsored conferences for educators, prepared extensive resource guides for teachers, and developed classroom activity units concerning the histories, cultures, and tribal governments of Wisconsin Indians. The department's American Indian History and Culture Program plans to create additional resources to help teachers meet the requirements of the law.

Troubled economic conditions as well as ignorance and misinformation have been cited as contributors to the conflict about the exercise of off-reservation resource rights. Although northern Wisconsin was experiencing poverty and unemployment

before the resumption of off-reservation hunting, fishing, and gathering, certain groups have used racist appeals to blame the Chippewa for these deteriorating conditions and have alleged that spearfishing has caused declines in tourism and sport fishing. Reports by the WI Department of Development have contradicted such claims, however, and have suggested, instead, that tourism is flourishing. Perhaps Professor Strickland identified the villain in this scenario when he wrote that northern Wisconsin's economic distress "provides a fertile bed for the exploitation of fear and frustration".

Other coincident conditions have been cataloged by historian David Wrono. Many of today's tourists seek amenities unavailable at aging, rustic resorts. Long weekends are replacing week-long vacations. Fishing itself is being affected by water pollution and shoreline developments that destroy spawning beds. And "the focus of advertising, the thrust of the resort business psychology, is locked on the theory that tourists go north to fish," a 1987 study by the University of Wisconsin-Extension found that only 8.3 percent of tourists cited fishing as the main reason for their trips.

Since 1984 there have been complaints of media bias and media "overkill" as well as acknowledgment that both print and broadcast media have documented displays of racism. On the one hand, the media have shown treaty rights opponents shouting obscenities and racial taunts. On the other, as noted by GLIFWC administrator James Schlender, "The search for 'news' often looks for division and glosses over the educational aspect of reporting current events." It has been reported that the presence of TV cameras has sometimes precipitated protest activity. Regardless of whether media attention has contributed to the nature and extent of boatlanding demonstrations, critics have accused the media of failing to cover treaty rights stories accurately and objectively and of trying, in Schlender's words, "to deal with a complex issue through simple messages conveyed by their headlines, 'sound bites,' and file footage." □

## Economic fears and misconceptions

(Continued from page 11)

### Implications for Mille Lacs

Even with substantial increases in northern Wisconsin tourism expenditures, Chippewa tribes are still being made convenient scapegoats for the failure of obsolete, poorly managed resorts unable to adjust to changing market conditions. Unfortunately, the Mille Lacs Tribe will likely be made a scapegoat for any tourism businesses that fail within their region given similar shifts in tourism markets, and structural changes in the industry. It will be much easier for a local business owner to blame the Mille Lacs Tribe for his or her bankruptcy than to acknowledge management failures or changes in tourism markets.

While nobody can deny that the Wisconsin Ceded Territories' estimated \$240 million annual angling expenditures are substantial, they represent only a small percentage of the state's overall tourism expenditures of \$5.4 billion dollars. Furthermore, Northern Wisconsin tourism is not a one-industry town comprised solely of sportfishing for walleye. Mille Lacs will most likely face similar claims that any harvest of the fishery resource will threaten the tourism economy, despite the fact that its Casino development efforts diversify and stabilize the regional economy and meet the needs of changing tourism markets.

Contrary to claims by anti-treaty groups, they cannot scientifically document or verify that visitors have stayed away from Northern Wisconsin resorts because of spearfishing activities or controversy. Jack Grey, Survey Conductor for U.W. Extension, explained surveys could tell where visitors came from, what attracted them, and how much they spent. "But I can't tell you how many people stayed away from northwoods resorts because of the spearfishing controversy. Nobody else can either." Anti-treaty forces will likely use misinformation campaigns to spread fear among non-Indian businesses and promote a spirit of conflict with the Mille Lacs Band. They have found that a perceived threat to one's economic livelihood is one of the most efficient ways to gather support for their position of confrontation. ■



About 400 dancers participated in the Mille Lacs pow-wow, Hinckley this spring. (Photo by Amoose)

### MASINAIGAN STAFF: (Pronounced MUZ IN IAY GIN)

Susan Erickson ..... Editor  
Lynn Spreutels ..... Assistant Editor  
Amoose ..... Photographer



MASINAIGAN (Talking Paper) is a bi-monthly publication of the Great Lakes Indian Fish & Wildlife Commission, which represents thirteen Chippewa tribes in Michigan, Minnesota and Wisconsin.

Subscriptions to the paper are free. Write to MASINAIGAN, P.O. Box 9, Odanah, WI 54861 or phone (715) 682-6619. Please be sure and keep us informed if you are planning to move or have recently moved so we can keep our mailing list up to date.

MASINAIGAN reserves the right to edit any letters or materials contributed for publication as well as the right to refuse to print submissions at the discretion of the editor.

Letters to the editor and guest editorials are welcomed by MASINAIGAN. We like to hear from our readership. The right to edit or refuse to print, however, is maintained. All letters to the editor should be within a 300 word limit. Submissions should be received by the 10th of the month in order to be included in the upcoming edition.

Letters to the editor or submitted editorials do not necessarily reflect the opinion of the Great Lakes Indian Fish and Wildlife Commission.