

MASINAIGAN

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

Fall 1993



Anishinabe infant in tikinagan (cradleboard)

Great Lakes Indian Fish
& Wildlife Commission
Public Information Office
P.O. Box 9
Odanah, WI 54861
Wisconsin Magazine of History
816 State Street
Madison WI 53706

NON-PROFIT
BULK RATE
U.S. POSTAGE
PAID
ASHLAND, WI
PERMIT # 225

Printed by Triangle Press, Chippewa Falls, Wis.

Grants expand GLIFWC capabilities in resource management and education

By *Natalie De Pasquale*
HONOR intern

Odanah, Wis.—Private foundations are beginning to play an important role in funding projects developed by the various divisions of Great Lakes Indian Fish and Wildlife Commission (GLIFWC). These are activities for which the current GLIFWC budget can't support, explains GLIFWC planner Bill Koenen.

Currently, Koenen has gained support from several foundations, underwriting biological staff, treaty education efforts, and a wild rice re-seeding planning project.

GLIFWC's Great Lakes fisheries section recently benefited from a Northwest Area Foundation grant. The grant, approved mid-September, will provide a full time fisheries biologist for the Grand Portage tribe in northern Minnesota. The tribe and tribal fishermen played an active role in obtaining the grant, which will run for a period of three years. GLIFWC will administrate the program for the first two years; however, the Grand Portage tribe will fully administrate the final year of the program.

A McKnight Foundation grant made possible a wild rice rehabilitation planning project now in its first year. The grant sponsors a joint project between the St. Croix, Mille Lacs, and GLIFWC to evaluate the possibilities for restoring wild rice in areas of the St. Croix river and watershed and the Rum river system within the Mille Lacs boundaries. The project includes identifying historical sites for rice re-seeding and feasibility studies on the two river systems.

Wild rice project coordinators hope to incorporate local landowners and environmental groups in future re-seeding projects in these areas and develop a stewardship relationship, according to Koenen.

The Peace Development Fund works for the "promotion of social and economic justice and nonviolent conflict resolution" and has contributed to the publication of GLIFWC's educational materials and introduction into

local public school classrooms and curriculums. Treaty rights booklets, providing background on Chippewa treaty rights and self-regulation, were the focus of the one year, "Teaching Peace" grant. The grant, Koenen explains, assists the Public Information Office in making educational materials available to school districts and the public who express an interest in learning more about treaty rights both from an historical and a contemporary perspective.

The "Teaching Peace" program is designed to work with teachers and students in sensitizing curriculums and attitudes, Koenen said.

The Wisconsin Community Fund recently funded the publication of the Wisconsin edition of Understanding Chippewa Treaty Rights and has been active and supportive in the past of many GLIFWC educational projects.

In July of this year, an Environmental Protection Agency (EPA) Education Grant was approved to produce a ten minute dissolved slide show that will present an informative guide to the risks associated with consumption of fish shown to retain high concentrations of mercury.

The project is also supported in part by Otto Bremer Foundation and the Minnesota Counsel for Non-Profits. The video emphasizes the traditional Anishinabe view of the importance of fish in the culture. It will include identification of mercury discharge sources and the potential health risks to consumers in the Indian community.

Koenen explains that the health risks from mercury contamination can be elevated among the Indian populations because of the high fish consumption rate in some communities. "The full impact has not yet been determined, and it is important that the communities know what these levels are and what the health effects can be," he said.

The Otto Bremer Foundation expanded the support with a focus on Anishinabe student involvement in project development and production, while the Minnesota Council for Non-Profits provided a summer intern to collect data on mercury levels in fish.

Mary Ganz, a student at Northland College, spent ten weeks compiling data from current state advisories in the ceded territories and worked closely with the biological staff in the video production. Both foundations worked as partners with GLIFWC in implementing the EPA grant.

Administration for Native Americans

Quite separate from the private foundations, the Administration for Native Americans (ANA), through the U.S. Department of Human Services, is in its fifth grant program at the Commission. The latest ANA grant is a two-part project, the first phase of which is scheduled to be completed in March 1994. Two interns, Ken Sarnstrom and (See grants, page 12)

New staff



Ann McCammon recently joined Jim Zorn as a policy analyst in the Division of Intergovernmental Affairs. Ann is a member of the State Bar Association and a '92 cum laude graduate from the University of Minnesota Law School.



Andy Goyke is working as the Inland Fisheries Section Leader and comes to us from the University of Maryland where he is pursuing his PhD in marine, estuarine, and environmental science. Andy is married and has two children.



Owen Larson grew up in Hayward, Wis. and is now attending WITC-Ashland. He is a computer archive intern with Administration for Native Americans (ANA) program on the computerized archival system.



Ken Sarnstrom is from Mellen, Wis. and is studying office systems administration at UW-Whitewater. He is an intern with the ANA program working with Owen on the same project. (Photos by Amoose)

Officer training stresses safety and procedure

By Natalie De Pasquale, HONOR intern

Ashland, Wis.—The Great Lakes Indian Fish and Wildlife Commission's enforcement division is charged with the protection the rights and resources of member tribes in the ceded territory. Therefore, the GLIFWC conservation officers annually take two weeks out of regular patrols in early August to participate in an in-service training conference to reinforce and sharpen skills in officer safety, interview techniques, posture, firearm use, and general knowledge of tribal conservation law.

The annual in-service, held in Ashland, Wis., accounted for 72 hours of training per warden where only 40 are contractually required. Chief Warden Charles Bresette arranged for a variety of field scenarios designed to target these skills in conjunction with Professor Kirk Beattie, UW-Stevens Point and GLIFWC Lt. Richard Semasky and Gerry White.

Scenarios included: 1) a fishing enforcement exercise to run a standard check of safety equipment and bag limits; 2) a probable cause/reasonable suspicion stop that required the officers to testify in court as to why they investigated a slowly moving vehicle, upon which they found an uncased weapon; and 3) shooting from the roadway where the officers would discover that the subjects were shooting slugs, and not actually hunting grouse, as the officers were told.

The scenarios were videotaped in order to critique officer performance. Real life scenarios stress officer safety and courtroom procedure, vital to an officer's daily duty in the field, Bresette said.

Courtroom sessions were also conducted with the help of the Honorable Joe Corbine, Bad River Tribal Judge; the Honorable Jean Buffalo-Reyes, Red Cliff Tribal Judge; and Red Cliff Prosecutor Steve Bouley.

Sergeant Jack Lemieux conducted a segment on first aid awareness, alerting officers of potential health risks when dealing with accident victims. All the wardens are certified in first aid and CPR annually, and are looking to be certified in cold water rescue by the end of 1993 through funding from the BIA.

Conservation officer Jackie Strauch of the Michigan Department of Natural Resources gave an introduction to Defensive Arrest Tactics (DAT), another area in which Chief Warden Bresette would like to certify four of his wardens as instructors. The DAT training includes the use of chemical deterrent agents, compliance holds on nerve pressure points, and use of force continuum.

Don Zabel and Fred Kruger of the Wisconsin Department of Natural Resources (WDNR) gave updates on state laws and use of aerial enforcement. GLIFWC and the WDNR are funding a project jointly to use this system in locating offenders for jurisdictional purposes.



GLIFWC wardens gathered at the Sigurd Olson Institute, Ashland, Wis., for two weeks of training this summer. The training covered officer safety, first aid awareness, courtroom procedure, firearms training, off-reservation model codes, etc. (Photo by Amoose)

In addition, training subjected the officers to a written test comprised of approximately 700 questions covering the Off-Reservation Model Code Manual and the Keweenaw Bay Tribal Conservation Code Manual. The test required an entire day to complete, with a review session at the end of the in-service.

Firearm and range training, including qualifications, are required semi-annually by contract. The wardens recently were issued new Glock model 22 .40 caliber semi-automatic duty weapons. They were instructed by senior firearms specialist Sgt. Jack LeMieux and Sgt. Larry Mann in clearing obstructions and malfunctions and firing on eight range courses, according to Bresette. They went through drills incorporating the four positions used when drawing the weapon as well as what to shoot for at different range distances.

The range training ended with a competition shoot among the officers "to get them a little involved," Bresette said. This year, top shooting honors went to Conservation Officer Clay Rumph from Lac Vieux Desert.

"It was a hollow victory," Clay was overheard saying, "Shalifoe wasn't out there." Sgt. Don Shalifoe of Keweenaw Bay, member of the Native American Fish and Wildlife Shoot Team for the last several years, was out for knee surgery.

Bresette has four wardens presently in school at the Chippewa Valley Technical College in Eau Claire, Wis. Three wardens will be stationed the Keweenaw Bay reservation, and one at the Lac Vieux Desert reservation. Two others from Bay Mills will be leaving in March for the Federal Law Enforcement Training Center in New Mexico.



As part of a two week training session, GLIFWC wardens spent time in tribal court studying court procedures. Above, Nathan Kane, GLIFWC warden stationed at Mole Lake, provides court testimony. (Photo by Natalie De Pasquale)



GLIFWC wardens spent time in the Bad River Tribal Court studying court procedures. Above, from the left: Bradley Bearheart, Gordon Arbuckle, Steve Bouley, Red Cliff tribal prosecutor, and Kirk Beattie, instructor from Stevens Point, Wis. Standing is Ken Pardun. (Photo by Natalie De Pasquale)

Electroshocking crews return to lakes for fall assessments

By Natalie De Pasquale
HONOR intern

Not rain, nor sleet, nor snow, nor dark of night can keep the GLIFWC electroshocking crews off the inland lakes of Michigan, Wisconsin, and more recently, Minnesota during spring and fall assessments. In fact, shocking requires the dark of night, so the hardy crews are often at work on the lakes until the small hours of the morning.

Their craft, rigged with electric-shockers which reach off the bow of the boat into the water, can look eerie to the unknowing observer. The boats are designed so a DC current travels through the shoreline waters and temporarily stuns the fish. Crew scoop them up with nets and transfer them into an aerated stock tank.

Once the crew has collected around one hundred fish, the boat is stopped and the fish work-up begins. This involves identifying species, sizing, and scale sampling before returning them to the water. Any walleye over 10" has a spine sampling taken from the dorsal fin, while scale samples are taken from walleye between 4"-8." The technicians also look for tags from previously sampled and studied fish, as well as any abnormalities or fish diseases, noting the presence or absence of them in a given lake.

The electroshocking season lasts for eight weeks each fall and spring. The data is the basis for population estimates on walleye, bass, yellow perch, northern pike, and musky. The young of the year, especially walleye up to one year old, are targeted in order to determine natural reproduction in the lakes and health status of the fish.

GLIFWC inland fisheries biologist Glenn Miller leads five teams, three crews from GLIFWC, including St. Croix, and two from the U.S. Fish and Wildlife Service. The Department of Natural Resources (DNR) conducts electroshocking surveys of their own, and together the agencies meet and exchange information and data.

Lakes chosen for electroshocking are usually requested by GLIFWC member tribes or the DNR, or are targeted due to heavy spearing activity, according to Miller.

About half of the approximately 200 lakes shocked in the spring are repeated in the fall to produce an annual report in April of the findings. All data collected is compiled into a GLIFWC database. Dependent upon the numbers involved, some lakes shocked in the fall will be targeted for population estimate surveys in the spring, for possible re-stocking efforts, or for possible quota or bag limit changes.

Electroshocking is also used for mercury contamination assessments. Five lakes, including Big St. Germaine, Squirrel, Squaw, Butternut, and Kentuck, are being shocked for samples this year. Scientists are looking for disease or high concentrations of mercury.

The latter four lakes have been used in the study every year, spring and fall, for the last five years. The study will require at least ten years, the average life span of the walleye.

Miller said this fall will be the first time Minnesota lakes will be shocked by GLIFWC. Several lakes in the 1854 ceded territory as well as Lake Mille Lacs will be shocked with the technical assistance of GLIFWC crew members.



Butch Mieloszyk displays a hard-won musky. Mitch Soulier stands by to assist returning the fish to the water after biological data was collected. (Photos by Amoose)



Joe Livingston records biological data and collects walleye scale samples aboard an electroshocking boat at Pelican Lake.

GLIFWC inland fisheries crew hit the lake shores for annual fall electrofishing assessments. Above: Mitch Soulier and Butch Mieloszyk scan the water for stunned fish.

Cast changes in Mille Lacs case

By Sue Erickson, Staff writer

While the State of Minnesota and the Mille Lacs Band of Chippewa are not scheduled for court until May 15, 1994, there is no lack of activity in preparing for the court hearings. In particular, there are changes in the cast of characters involved in the suit, with some moving to join and others dropping out.

Preparation towards litigating the treaty claim was revitalized following the failure of the Minnesota Legislature to approve an out-of-court settlement agreement last spring.

Uncle Sam backs Mille Lacs

Good news came recently to the Mille Lacs Band when the U.S. Justice Department announced its intention to join the band in the suit. A hearing on the Justice Department's request will take place in St. Paul on October 19th before Judge Jonathan Lebedoff.

The department says that the 1837 Treaty provisions barred the state from enforcing state hunting, fishing and gathering regulations on band members in the ceded territories.

If the Justice Department is granted intervention, it will strengthen the band's case by bringing in additional resources and also the other party to the treaty agreement in question.

Costs make some counties drop-out

In previous actions, nine counties and landowners were granted the right to intervene in the case as defendants because of their respective interests in the case.

However, as costly litigation faces the counties, some of them considered dropping out of the coalition known as the "Joint Powers Board." According to a report in the Mille Lacs County Times (Aug. 18 1993), the Joint Powers Board had Mille Lacs, Aitkin,

Kanabec and Pine counties as members voting to pay their full share of litigation costs. Crow Wing County dropped out, but reconsidered when an associate status at half the cost was made available. Also holding associate status are Sherburne, Benton, Isanti, and Morrison counties.

According to Joint Powers Board attorney Jeff Chaffee, associate status on the board holds one vote, while full status holds two votes on the board.

A full share cost on the Joint Powers Board would be \$10,820 for the remainder of 1993 and \$30,449 for 1994, according to the County Times report.

Save Lake Mille Lacs Association seeks to intervene

On August 24th, the Save Lake Mille Lacs Association (SLMLA) filed a motion to intervene as a defendant in the Mille Lacs Band vs. the State of Minnesota treaty case.

Formed in 1992, the SLMLA is an organization of sports groups who feel the treaty claims of the Band jeopardize landowners' and sportsmen's rights in the ceded territory.

The SLMLA's motion to intervene had a mixed reaction from other parties. Mille Lacs feels that natural resource regulation is the province of the state government, not individuals.

The landowners, somewhat surprisingly, also registered opposition. Their co-counsel Gary Persian is reported as saying that he doesn't "like associations to come in. They're far-flung; their interests are diverse. If one association comes in, what about the others?" (*Mille Lacs Messenger*, Aug. 29, 1993).

Satellite offices in MN bring GLIFWC biologists to ceded areas

By Sue Erickson
Staff writer

1837 Treaty area

Within the last year the Great Lakes Indian Fish & Wildlife Commission (GLIFWC) has expanded its Biological Services Division to include satellite offices in Minnesota. The offices serve the 1854 Treaty and 1837 Treaty areas in the state and are located in Duluth and Mille Lacs respectively.

Gary Regal, inland fisheries biologist, is stationed at the Mille Lacs Reservation and is setting up an off-reservation fisheries management program for 1837 ceded territories.

Regal came to GLIFWC from Michigan where he previously worked with the USFWS Sea Lamprey Control Program and the Great Lakes Research Laboratory in Ann Arbor, MI.

The office was opened in the end of March 1993 when Regal began work on his first task, which is to complete an inventory of lakes and streams in the ceded territory.

Regal says the inventory has consumed a considerable portion of his time so far. The inventory is computer-based and provides information on size, location, depth, public access, stocking records for each body of water.

Regal regards the process as basic to any ongoing resource management. "It's information you have to know before you can effectively make management deci-

sions," he says. The inventory should be complete by the end of the year.

He is also initiating shoreline electro-fishing in Mille Lacs Lake this fall. Fall assessments look at the end of the year walleyes, he says. In order to understand the dynamics of a fishery, you have to look at all life stages. The assessments should provide an index of relative abundance, Regal says. He will also be looking at the diet of the walleye and doing some random sampling in order to determine what they are using for forage.

Regal will be working with the Mille Lacs Band's Department of Natural Resources which will be patrolling off-shore for assessments.

GLIFWC and Mille Lacs will compare on and off shore assessment data and coordinate the results. They will also be using data available from the Minnesota DNR. Population estimates will be the major focus of assessment activities.

Regal prefers to coordinate data and use a holistic approach to resource management. The Band, he says, has a comprehensive water sampling program which he would like to tie in with the fisheries.

Regal's program will also be looking at the sturgeon fishery in the St. Croix River. While the Band is interested in all the aquatic resources in the ceded territory, the walleye fishery in Mille Lacs Lake is a priority, Regal says.

He looks forward to working cooperatively with other fishery managers and coordinating information and activities. (See Minnesota biologists, page 42)



Here's a line up of experienced defensive players for the Minnesota Vikings and the American Indians. Enjoying themselves at the A.I.M. pow-wow in St. Paul, are Eddie Benton-Benai, educator, consultant and spiritual leader; Joey Browner, former line backer for the Vikings; and Clyde Bellecourt, American Indian Movement leader and Indian rights activist. (Photo by Amoose)

Commercial fishery is important to K.B. economy

By Natalie De Pasquale, HONOR intern

Keweenaw Bay, Mich.—A total of seventeen commercial fishing boats have been registered this year at the Keweenaw Bay (KB) Indian Community. Eleven boats were registered to fish within reservation waters of Lake Superior, while six larger tugs, those being over 27 feet, work outside of the boundary lines.

Commercial fishing rights were reasserted by the community and confirmed by the 1977 Jondreau decision after a tribal member was cited for selling fish caught within reservation waters.

Commercial licenses can be obtained by a Keweenaw Bay tribal member with proof of ownership of a commercial tug. Crew members must also be from KB and hold a non-commercial tribal hunting/fishing license.

KB fisheries biologist Mike Donofrio determines a total allowable catch for the commercial fishery through population assessments and divides that number among the licensed fishermen, giving them an equal quota.

Lean lake trout harvested for commercial sale require the advance purchase of a \$.07 tag per fish, while those caught for subsistence only require a tribal hunting/fishing license.

Sport fish such as walleye, sturgeon, and salmon are not saleable in any season.

Commercial netting requirements are set by Keweenaw Bay tribal regulations, and are enforced by conservation officers of the tribe and the Great Lakes Indian Fish & Wildlife Commission (GLIFWC). Nets measure up to 4,000 feet when used with small boats; the large rigs have a maximum of 12,000 feet. Both require a four and one half inch stretched webbing. Depths of 180 feet or less constitute the catch of lean lake trout, while greater depths are used for fats and chubs, depending on the season, also declared by the tribe.

Safety regulations are equivalent to those set by the U.S. Coast Guard requiring the boats to have night flares, life jackets, and a throwable floatation device.

A new statute will take effect next season requiring tribal commercial fishermen to open their boats to any state, federal, or tribal officer for random safety and licensing inspections. The checks will probably begin as joint courtesy inspections before the law goes into effect next year, according to Sergeant Don Shalfoe of GLIFWC.

Great Lakes Indian Fish & Wildlife Commission game wardens patrol Lake Superior aboard the Ojibwa Lady, a 25-foot Boston Whaler. The vessel is fully police equipped with twin 140hp Evinrude motors; radio communication with both the Coast Guard and the surrounding sheriffs' departments; radar; depth finders; Loran 'C, a location indicator, and a net lifter that has on occasion been mistaken for a large machine gun.

The tribal and GLIFWC patrols have been working together with the Michigan Department of Natural Resources (MDNR) for several years. Both the MDNR and GLIFWC agree that the relationship is open and symbiotic. It is comprised of information sharing and witnessing between the agencies, allowing for differences in jurisdiction and authority.

"We're here to protect the resources and work together within whatever framework. We're not concerned with politics. We have a long history together. There are no grudges nor is there any philosophical freight to load us down," said Jim Ekdahl, MDNR District 1 supervisor.

GLIFWC's Lt. Richard Semasky agrees. "So long as we protect the resource. We have a very good working relationship with the Michigan DNR. It's been so for years," he states.

The agencies are also participating in shared training efforts. The two have set up an inter-agency, border wardens conference between Michigan, Wisconsin, and Minnesota, and regularly conduct open presentations, in-service training, and occasionally target practice. □



A tribal fishing tug moored north of the Keweenaw Bay reservation is one of several large tugs licensed by the tribe. The tribe also monitors all treaty commercial fishing by its members. (Photo by Amoose)

Keweenaw Bay receives EPA multi-media grant

By Natalie De Pasquale
HONOR intern

The Keweenaw Bay Indian Community recently received a multi-media grant from the Environmental Protection Agency (EPA) to outline a program that will deal with the tribes' solid waste management as well as water and air quality.

Bill Beaver, environmental specialist acting as a liaison between the tribe and the U.S. government, says his intentions for the office have remained the same since his arrival last March, and that is prevention.

Presently Beaver is cataloging the resources available to the tribe in relation to solid waste. No landfills are available to the tribe within their own county, so the direction has turned to reducing, reusing, and recycling. Source reduction and public education are main goals, Beaver said.

"Curbside recycling may prove to be a bit costly, due to the rural setting of the community, therefore a drop-off site is probably the way to begin," he said.

From there, the tribe can always look into expansion. He intends to educate tribal children, as he says they're a little more receptive to the change. Going into the schools is also a good place to reach them, he said.

While Beaver says air quality is good right now, he assured that it will continue to be monitored, and any potential problems will be dealt with before they have a chance to become problematic.

Beaver is concerned with water quality on and through the reservation. He works with Claudia Johnson Schultz from the EPA, Division 5, to develop standards for the tribe.

The first steps to develop these standards were taken by the tribal council in

1991 in the form of a resolution to make water quality a priority on the reservation. Prior to this resolution, the tribe had been using standards developed by the Michigan Department of Natural Resources.

"We're dealing with prevention, really, at this point," said Beaver. "There's a suit pending with copper range smelting that we're trying to get through."

They're coordinating that effort with Keweenaw Bay's tribal attorney Joseph O'Leary, as the copper smelting is in the ceded territory.

Another potential problem involves water treatment systems. The Baraga system will be handling the water treatment from the newly opened prison. Beaver feels this might be pushing the facility's capacity and will keep a close eye out for potential problems.

Zoning ordinances are also being reviewed and updated to include provisions

for run-off codes. So far this has been handled informally and has worked very well, according to Beaver.

Wetland delineation is just being initiated. Once they are designated, regulations for their protection will be considered. For now the permitting process will remain with the Army Corps of Engineers.

Two other grant programs are part of the environmental office. Howard Reynolds, Keweenaw Bay environmental specialist, is conducting studies on water quality and solid waste through another EPA grant, while simultaneously monitoring illegal dumping.



Center for Sustainable Development proposed for UP

By Susan Erickson
Staff writer

Houghton, Mich.—Friends of the Land of the Keweenaw (FOLK) took the lead in organizing discussions related to a proposed Center for Sustainable Development for the western U.P. and northeastern Wisconsin this summer.

Craig Waddell, Michigan Technological University, coordinated several discussion groups in an effort to develop the proposal with participation from diverse groups and interests.

One definition of sustainable development forwarded by Waddell is taken from the Brundtland Report, *Our Common Future*. "Sustainable development 'is' economic activity that allows us to 'meet the needs of the present without compromising the ability of future generations to meet their own needs.'"

According to Waddell, efforts towards achieving sustainable development must include the following basic concepts:

- ① respect for and protection of biodiversity;
- ② an understanding of the effects of continued, exponential human population growth on the environment and the need to control our own numbers;
- ③ the importance of preventing, not just managing, pollution, including the importance of IJC's recommendation for zero discharge of persistent toxic substances;
- ④ the importance of switching, where possible, from nonrenewable to renewable resources;
- ⑤ the significance of the environmental imperative to reduce, reuse, and recycle;
- ⑥ the relationship between socioeconomic justice and environmental quality;
- ⑦ that a significant part of our current environmental problems are cultural, not simply technological;
- ⑧ basic assumptions which are part of "uncontested terms," such as progress, efficiency, competition, and growth, must be questioned;

⑨ consideration of appropriate, traditional or innovative low-tech solutions vs. high tech fixes to reduction of environmental problems.

The idea of developing a model for a sustainable relationship between human economic activity and the environment followed the formation of FOLK in 1988 to oppose a proposed pulp and paper mill in Arnhem, Michigan. Their work resulted in a report entitled "Sustainable Development for the Keweenaw" released in 1990.

Further discussions following the report resulted in the proposal for a Center for Sustainable Development to be staffed by four people. The proposal has already attracted interest from some foundations.

Waddell says the proposed Center's principle activities would include:

- ① public education on sustainable development;
- ② facilitate research and develop a sustainable model of the relationship between human economic activity and the environment;

③ grant writing;
④ networking nationally and internationally; and

⑤ facilitating communications between groups in critical areas.

Two meetings this summer brought together numerous local/regional organizations, including the business community, to provide input into further development of the proposal by defining specific needs and ideas.

Demonstration projects in the Keweenaw area, with the business and environmental communities working cooperatively were proposed.

The U.S. Citizens Network has also recommended the regional initiative as a demonstration project, according to Waddell.

The Friends of the Land of the Keweenaw steering committee is continuing to work on the proposal this fall, meeting in August and September at the Tribal Center in Assinins, Michigan.

Fisheries biologist joins Bay Mills staff

By Natalie De Pasquale, HONOR intern

Brimley, Mich.—The addition of Ken Gebhardt, fisheries biologist, to the Bay Mills tribal staff is one more step the band is taking to resume management of their natural resources.

Commercial fishing is the primary means of over 100 tribal fishermen in the Bay Mills community. The rights exercised under the 1836 Treaty are currently managed through the Chippewa Ottawa Treaty Fisheries Management Authority (COTFMA), the inter-tribal body that also manages the Sault Ste. Marie and the Grand Traverse bands' fisheries, Gebhardt says.

Gebhardt's job is to develop a biological database of the fisheries containing population estimates, health status reports, growth, mortality and survival rates, and determine total allowable catch. "I'm working with the tribe to get information from unfished waters to prove that the populations are unexploited," he explains.

It will take several years to work towards that goal, as each commercial fisherman is asked to submit a monthly catch report. Gebhardt calls them "goldmines" for the biological data they can provide, and he says the fishermen are very supportive and helpful in offering this data. Without them, he goes on, they would not have the biological data imperative to determining their own total allowable catch.

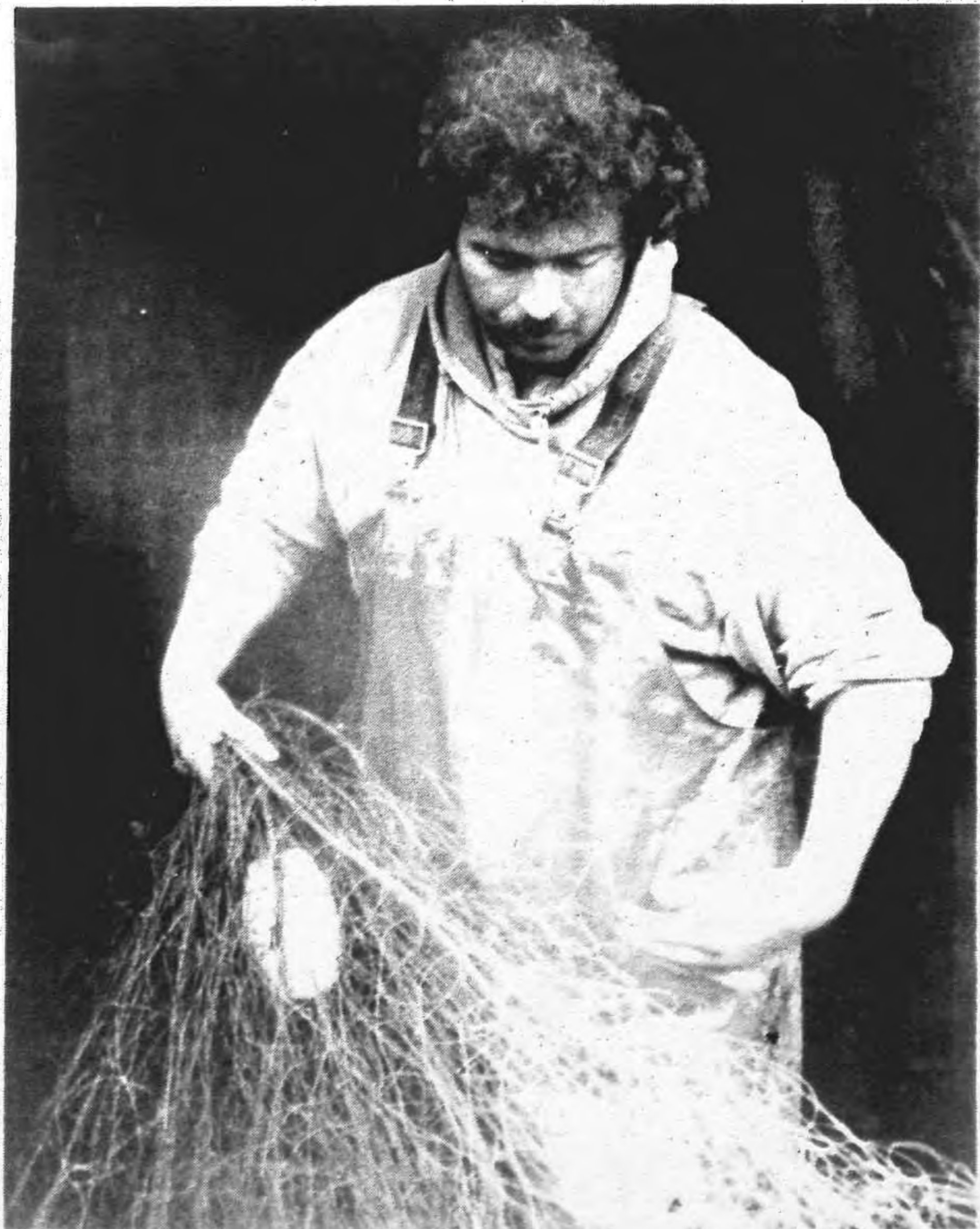
The commercial fishery relies on gill netting as a primary means for obtaining the whitefish, chubs, herring, walleye, salmon, and perch off of the small boats where trap nets are neither practical nor affordable. This process has been under constant fire from sportsmen's groups and other commercial fishermen since the 1971 court case involving Albert LeBlanc, according to Gebhardt.

According to Kathryn Tierney, attorney for Bay Mills, an agreement was reached in 1985 between the state and the Sault Ste. Marie and Grand Traverse bands in Michigan, as to where gill nets can be placed in the Great Lakes. Bay Mills expressed much discontent over the consent agreement, however, it still applies to the Bay Mills fishermen and runs through the year 2000, Tierney says.

Allocated commercial fishing is determined by location, with closures to certain areas around the Great Lakes occurring throughout the fifteen year agreement. At the end of this period, the use of gill netting may be up in the air and bound for the courts once again, Tierney comments.

"We as a society have finally realized that we can't treat anyone any worse because of their color," says Tierney of the attitude of many non-Indians on the issue of the gillnets and other treaty issues, "but we're sure not going to treat them any better. Honoring a commitment made by the United States government is honorable, but now it's an inconvenience to these people."

Still, she and Ken push forward in the ecological and legal battle for the government of Bay Mills to take the lead in management of the tribes' protected rights. ○



A Bay Mills commercial fisherman stores his nets for the winter. (Photo by Amoose)



Bay Mills explores inland treaty rights

By Natalie De Pasquale
HONOR intern

Brimley, Mich.—“No lawsuit has been filed as yet,” stressed Kathryn Tierney, attorney for the Bay Mills Indian Community, “we’re exploring the scope of the Inland Rights Treaty of Washington (1836). For now, it’s an unresolved treaty issue.”

Where inland treaty rights are concerned, Tierney explains that the tribes in northern Michigan are sitting in a very similar seat to the pre-Voigt decision tribes in Wisconsin around twenty years ago. Many tribal members have been arrested over the years by state authorities for exercising hunting and fishing rights that may have been retained by the 1836 Treaty.

In 1971 Albert LeBlanc, a Bay Mills tribal member, was arrested and convicted for gill netting in Lake Superior. In 1974 he won his appeal as the court ruled the fishing rights still existed. That court’s decision was upheld by the Michigan Supreme Court in 1976 and by the U.S. Supreme Court in 1979.

It’s the actual wording of the 19th century document that is being held in question. Article 14 states the rights of the land belong to the Indians “until the land is required for settlement.” This portion of the treaty, says Tierney, is being explored in great detail before any court case will be filed on behalf of the tribe.

“This history (of the LeBlanc case) applies to this treaty issue,” Tierney says, “only that issue dealt exclusively with the Great Lakes. The issue of the land is a whole new ball game.”

Tribal members have been hunting in the ceded territory in recent years virtually unobstructed by the Michigan Department of Natural Resources. The members have been clearly instructed to stay off private land, and to only take what they need, when they need it while this unresolved treaty issue is pending.

The Federal courts recognized the tribes’ right to take migratory birds in 1991, and the tribe has since adopted the state’s point system to keep the resource unendangered.



GLIFWC wardens are stationed at the Bay Mills Indian Community, the Keweenaw Bay Indian Community, and the Lac Vieux Desert reservation, all in Michigan. Pictured above, front row: Donald Carrick, Bay Mills; Duane Parish, Bay Mills; Lt. Richard Semasky, Keweenaw Bay; Donald Shalfoe, Keweenaw Bay; Duane Mesegan, Keweenaw Bay. Back row: Clay Rumph, Lac Vieux Desert; Richard Hall, Lac Vieux Desert; James Rasanen, Keweenaw Bay; and Patrick LaPointe, Keweenaw Bay. (Photo by Amoose)

When the birch trees start dying: Ecological mysteries at LVD

By Natalie De Pasquale
HONOR intern

Watersmeet, Mich.—There were, at one time, seven natural wild rice beds on local water systems for the members of the Lac Vieux Desert (LVD) band to harvest. Today there are none.

Lac Vieux Desert itself was once a thriving source for traditional people to gather manomin (wild rice), until the natural balance of nature was somehow disrupted and the rice was no longer able to sustain itself.

Archie McGeshick, an elder from the tribe, has spent many long days reseeding some of the beds with bought and donated rice. He has reseeded lakes, including Crooked Lake, two years in a row, but he’s met with little success thus far.

The cause for the demise of the wild rice is still up for debate, though most locals concur that it has something to do with fluctuating water levels caused by a dam built by the Wisconsin Valley Improvement Company, a hydro-electric power plant.

Their fifty year license is up for renewal by the Federal Energy Regulatory

Commission (FERC), who will soon determine whether or not they can keep the dam and under what conditions and guidelines. The band is discussing their options in anticipation of detailed biological reports from studies presently being conducted on soil, water, and geology in conjunction with the Michigan Intertribal Council.

From that information, they will discuss stipulations regarding the lease on the dam with company officials and the FERC. This “ecological inventory” should help define what harmful effects the dam is responsible for within the ecosystem, according to Betty Martin, manager of the Lac Vieux Desert fish hatchery.

The band is beginning to take an active role in managing their resources and their environment. The Lac Vieux Desert planning division has not applied for their own multi-media grant from the Environmental Protection Agency (EPA), says George Beck, director of the division. However, they are working with the Michigan Intertribal Council, the EPA, and the Bureau of Indian Affairs to complete the inventory on their reservation land.

Betty Martin feels that LVD’s case against the hydro-electric company’s dam



Thirty-three candidates received certificates on July 23 for completion of the 400 hour Law Enforcement Basic Recruit Training Program at Chippewa Valley Technical College, Eau Claire, Wisconsin. Robert Teets (right), Law Enforcement Coordinator at the College, presented a certificate to Clay Rumph, Great Lakes Indian Fish and Wildlife Commission warden stationed at the Lac Vieux Desert Reservation, Watersmeet, Michigan. (Photo submitted)

would be stronger, had the ecological inventory been completed at an earlier date.

However, the assessment will still be invaluable, and with the help of Michigan Intertribal Council’s Dwight Sergeant who is assisting the inventory, prevention of future environmental degradation can be achieved, says Martin.

“My grandfather was 93 years old when he died,” she said. “He told me that the rabbits he snared this year were diseased like he’d seen only once before in his life....that was back in the 50’s, I think he said. Then there was an outbreak of TB. I

don’t know what it means, but there are diseased rabbits, the partridge aren’t anywhere, and the birch trees are dying. When the birch trees start dying, there’s some serious trouble.”

Martin said she can’t speculate the scientific aspects of this ecological mystery, but she’s hoping to find some answers as the planning department works with other agencies as time and money allow.





Treaties, tribes, environmental protection

No more tokenism for tribes

By Sue Erickson, Staff Writer

The need for increased and timely tribal involvement in policy-making and adherence to the principle of "zero discharge" was emphasized in the comments submitted to the U.S. Environmental Protection Agency (EPA) by GLIFWC's Lakes Committee on EPA's Draft Great Lakes Water Quality Guidance.

The Lakes Committee, a constituent committee of Great Lakes Indian Fish and Wildlife Commission (GLIFWC), is comprised of six Chippewa bands in Michigan, Minnesota and Wisconsin with treaty-retained rights to commercially fish in Lake Superior. Among the Committee's purposes are 1) to protect the treaty-reserved right in the Great Lakes and their tributaries and 2) to recommend action on actual and potential environmental degradation which could impair treaty harvests. The EPA's draft Great Lakes Water Quality Guidance was published in April 1993 with comments due by September 13, 1993. The Guidance is required by the Clean Water Act and, once finalized, will:

- ✓ govern the waters within the Great Lakes system, including those within the jurisdiction of Indian tribes;

- ✓ establish minimum water quality standards, antidegradation policies and implementation procedures;

- ✓ require Great Lakes States and affected tribes to adopt consistent provisions within two years of the final Guidance's publication.

In its comments on the Draft Guidance, the Lakes Committee is critical of the EPA and the Great Lakes Water Quality Initiative process for failing to "effectively integrate tribes as meaningful partners in the development of the draft Guidance." The Committee feels the Federal Government has failed to provide the tribes with the ability to develop an environmental infrastructure with the technical and scientific expertise needed to assess environmental problems.

While it is good that the EPA is currently providing grants to assess those needs for tribes, it is late in doing so. Consequently, an adequate understanding of tribal needs and concerns was not available as the Guidance was being completed. The Committee also comments that the Guidance must recognize and be based upon a government-to-government relationships between Indian tribes and the United States. This requires a recognition of tribal environmental protection authority and that the EPA execute its trust responsibility towards Indian tribes "in a way that does not infringe upon or in any way undermine the cultural, social, economic, and legal rights of Indian tribes in the Great Lakes basin."

The protection of the tribes' uses and interests in the Great Lakes and its ecosystem should be assured, the Committee states. Any activity by federal or state governments which would impair tribal uses should be prohibited. This would include any activity that would adversely impact the exercise of off reservation treaty hunting, fishing, and

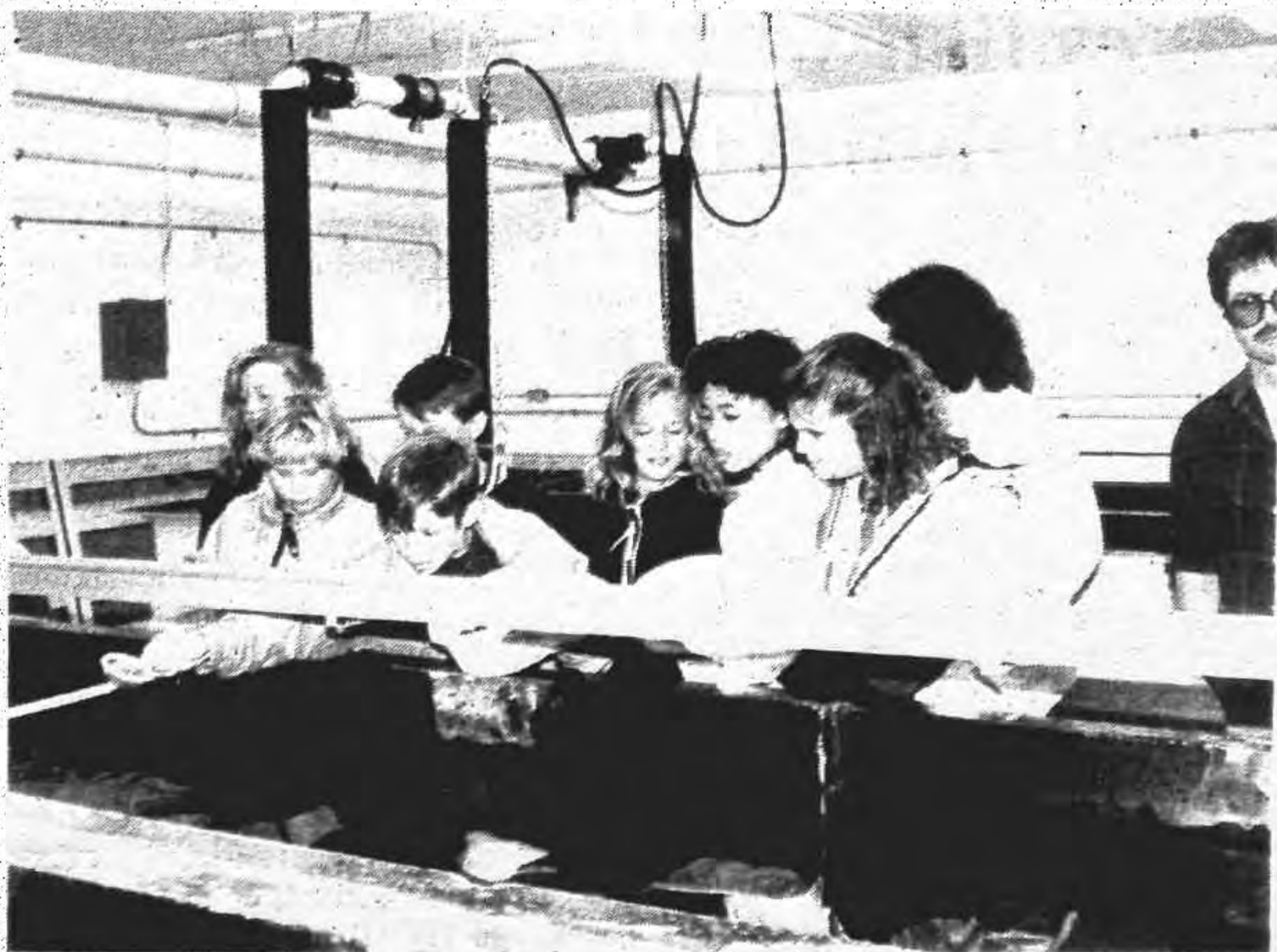


Lake Superior—a precious resource. Above, breakers hit the shore of Whitefish Bay, Michigan. (Photo by Amoose)

gathering rights, such as the mass loading of toxins into the water column. The Committee feels that when options are available, the strictest alternative is preferable, and that the "Guidance should err on the side of pollution prevention."

The Lakes Committee also recommends that the Great Lakes National Basin, particularly Lake Superior, be considered as an Outstanding National Resource Water, and that Human health criteria be designed to protect the populations which rely most heavily on the resources in question, stressing that "averaging" should be avoided as it may not reflect problems in native populations.

Sufficient protection from either mercury or PCBs is not found in the Guidance, according to the Committee's comments, as these toxins tend to be airborne. The Committee feels effort must be focused on regulating sources of these toxins, and that EPA makes sure that the tribes are properly involved in the Great Lakes Toxic Reduction Initiative and not simply provided with "token" participation.



Children from the Sacred Heart School visit the new hatchery at Keweenaw Bay, Michigan. The Keweenaw Bay hatchery moved to its new facility in March 1993. The hatchery raises native fish for stocking into Lake Superior and adjacent streams. (Photo by Amoose)

Superior Lakewatch enters third season—volunteers needed

Duluth, Minn.—Superior Lakewatch, organized by Lake Superior Center, in Duluth Minn., is a program in which citizens help scientists monitor Lake Superior's water quality.

Volunteer boaters from Ontario, Michigan, Wisconsin and Minnesota use a simple tool called a Secchi disk to measure water clarity at sites around the lake. Sites are sampled repeatedly each year. After several years of sampling, this data can serve as an early warning system for declining water quality. Data collected through the program is made available to scientists, policy makers and the public with the overall goal of protecting Lake Superior.

The program has two objectives: to collect baseline information on Lake Superior's water clarity as one aspect of water quality, and to increase public involvement with Lake Superior.

Although citizen lake monitoring programs are well established for inland lakes, this is the first attempt to have citizens monitor one of the Great Lakes. Lake Superior is the largest lake in the world by surface area. Because it is so large and has international shorelines, volunteers are needed to supplement agency monitoring. Last season, Superior Lakewatch volunteers sampled 150 sites that otherwise may not have been monitored.

More, however, needs to be done, because a large number of sites need to be consistently monitored before Secchi data can indicate trends in water quality. Superior Lakewatch is looking for people who boat on Lake Superior regularly, care about the health of the lake and are willing to return to the same site repeatedly, to be volunteer samplers. Interested? Call Ann Sigford, Superior Lakewatch Coordinator at 218-720-3033.

Sea lamprey control program may be threatened

Marquette, Mich.—A cash shortfall in a sea lamprey control program could cause a resurgence in the number of the parasites in the Great Lakes, leading to serious damage to sport and commercial fishing, a federal official said on August 12.

Sea lamprey populations are controlled by killing them with chemicals when they swim up Great Lakes tributary streams to spawn.

Gary Steinbach, a fishery biologist who heads a sea lamprey control team with the U.S. Fish and Wildlife Service out of Marquette, Mich., said control operations will cease on all but Lake Superior and Lake Huron without more federal funds.

Steinbach said federal dollars to the lamprey program are staying relatively stable. But the program is facing some additional costs over the next few years that will mean reduced services without additional money.

"It doesn't look too good," Steinbach said. "There could always be a last-minute reprieve. We're keeping our fingers crossed, but right now it looks like we're going to be limited in our activities as far as treatments go next year."

Lake Michigan fish populations could be severely damaged if control efforts there cease, he said. The sea lamprey is an exotic species that entered the Great Lakes around the turn of the century. The shipping locks around Niagara Falls and the Welland Canal into Lake Erie aided their invasion.

Because it is an exotic species, the lamprey had a devastating effect on native fish populations. Lamprey prey on sport fish like lake trout, whitefish and salmon, Steinbach said.

The lamprey attach themselves to their host and feed off them. The host fish often

"More fish are killed by sea lamprey than are taken by sport fishermen and—I believe—commercial fishermen combined."

—Gary Steinbach

die from weakness, disease or infection, Steinbach said.

"More fish are killed by sea lamprey than are taken by sport fishermen and—I believe—commercial fishermen combined," Steinbach said.

Julian Nelson, of Bayfield, said he started commercial fishing in the 1930s and gave it up in 1965 because of the lamprey.

"In those days, there were at least 30 or 40 commercial fishing boats just out of Bayfield," Nelson said. "I guess there are only four or five now."

Lamprey populations have been reduced in recent decades through control efforts, but those efforts are threatened by a cash crunch, Steinbach said.

Controlling lamprey populations requires constant effort, he said. One additional cost the program is facing involves the need to re-register its chemicals with the Environmental Protection Agency, Steinbach said. This process will cost more than \$1 million, and without extra funds to cover it, the money will have to come from direct control operations, he said.

Steinbach said it would take only a few years without control efforts for lamprey populations to explode and seriously damage fish populations.

(Reprinted with permission from the Milwaukee Sentinel)



Signs at Whitefish Bay, Michigan, provide background on treaty rights of the Chippewa. (Photo by Amoose)

COTFMA tests show Great Lakes fish within consumption guidelines

Sault Ste. Marie, Mich.—Independent laboratory testing shows that two of the most popular species of Great Lakes fish on the commercial market are well below the guidelines used by federal and state governments for assessing contaminants and making recommendations about consumption.

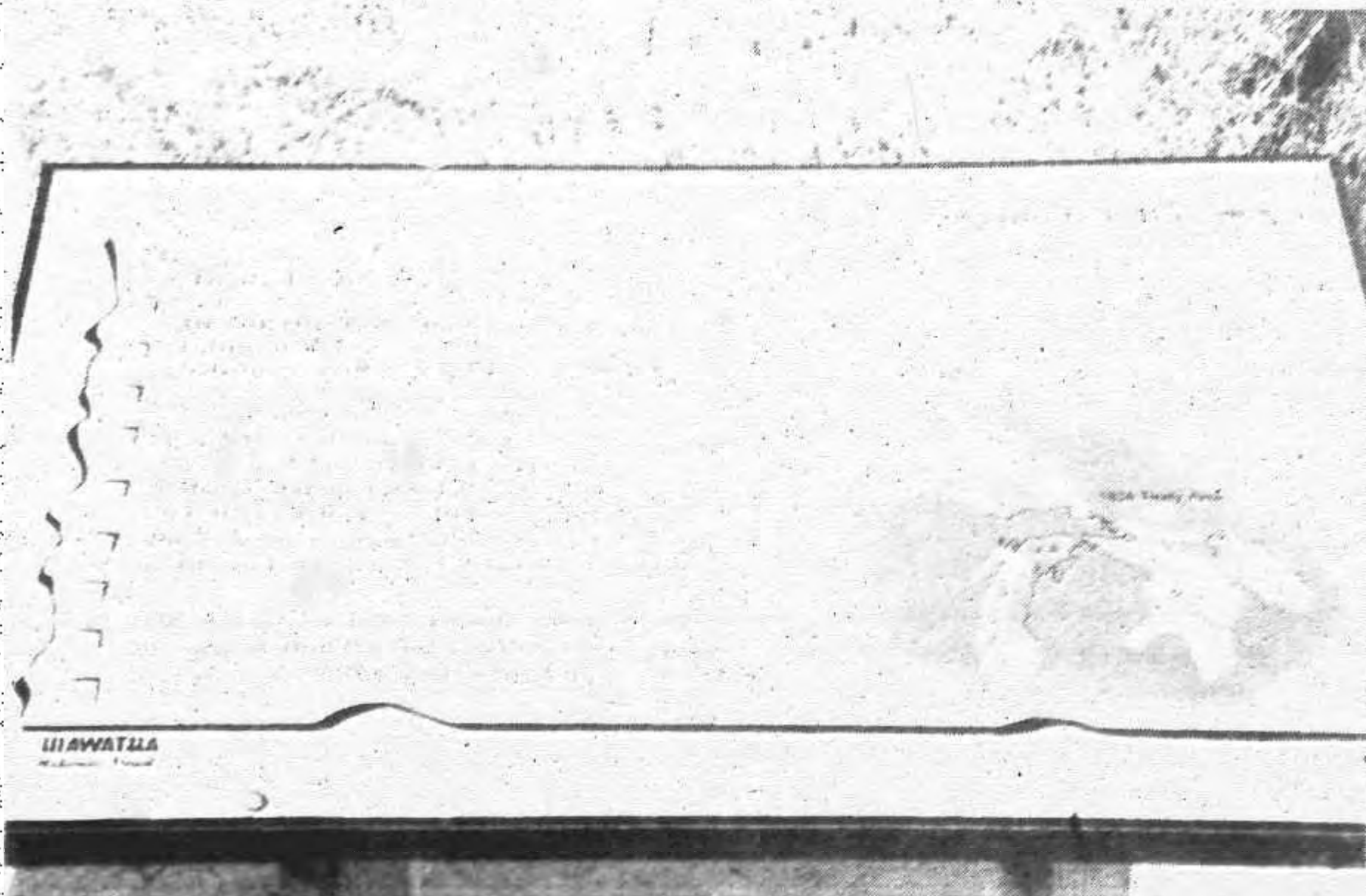
Lake trout and lake whitefish collected from the Whitefish Bay area of Lake Superior in 1992 were analyzed by laboratories in Mississippi and Missouri. "The laboratories reported that levels of mercury, total PCBs and other organochlorines were substantially lower than both federal and state guidelines," according to Tom Gorenflo, director of the Inter-Tribal Fisheries Assessment Program (ITFAP) of the Chippewa-Ottawa Treaty Fishery Management Authority (COTFMA).

"Lake whitefish were exceptionally low in contaminants, with mercury and PCB levels ten times below consumption guidelines," according to Gorenflo.

Tribal fishermen commercially harvest whitefish from the treaty-ceded waters of the upper Great Lakes and sell much of it in restaurants and retail outlets throughout Michigan and the Great Lakes Region. In 1992, ITFAP initiated a fish contaminants monitoring program to test species of Great Lakes fish harvested by tribal fishermen.

"These lower contaminant levels are indicative of a two decade trend of declining contaminants throughout the Great Lakes," said Amy Owen, Environmental Scientist for the Inter-Tribal Fisheries Assessment Program (ITFAP). The U.S. Fish and Wildlife Service attributes the decline to increased regulations restricting the discharge of toxic substances in the Great Lakes, and ITFAP expects the trend to continue.

For more information, or to receive a copy of the contaminants report, call Amy Owen, Environmental Scientist with COTFMA at (906) 632-0072.



Suttons Bay marina access debated

By Bill O'Brien
Enterprise news editor

A federal court hearing set for late July on tribal fishing access to marinas in Northport and Suttons Bay marinas was adjourned in favor of more negotiations on the issue.

The hearing on the Grand Traverse Band's request for "emergency relief" to allow access to the harbor facilities was postponed by U.S. District Judge Richard A. Enslin. The court has summoned "special master" negotiator Francis McGovern to meet with state and tribal officials, and

likely village officials from Northport and Suttons Bay, to attempt to negotiate a resolution of the access issue.

The tribe on July 9 filed a motion for a court order to allow tribal fishermen access to public marinas to conduct fishing operations provided through federal treaties, and to allow continuation of a court-ordered trap-net fishing "experiment" program mandated by Judge Enslin last fall.

That followed the July 2nd arrest of tribal fisherman George A. (Skip) Duhamel in the Northport marina on charges of trespassing and disorderly conduct.

In a modified motion filed with the court by tribal attorney William Rastetter,

the tribe limited the access issue to the Northport marina, because it is closest to the waters where the trap-net experiment is being conducted. It also confined its request to the three tribal fishing vessels participating in the trap-net fishing experiment.

But the Suttons Bay village marina, which tribal fishermen have utilized since fall without incident, has also been drawn into the dispute.

The tribe received a letter in late July from Suttons Bay officials stating that tribal fishing boats may not use the facility to unload tribal fishing boats, although village administrator Marylouise (Punky) Idema said that directive does not apply to boat moorings or gasoline purchases.

"Our position is that until we are told that it's okay, we are obligated to follow our contract with the (state DNR)," Mrs. Idema said. The state contract does not allow commercial operations based at the marina, and the Village Council has turned down several proposals from businesses wanting to use the marina.

"We've never not allowed the (Indian fishing) boats to come in here," Mrs. Idema said, although tribal fishermen have also not attempted to unload fish at the facility. "We haven't been confronted with that yet."

Sources indicated that "special master" McGovern has been called into the issue to expedite a possible resolution. A law professor at the University of Alabama, McGovern helped negotiate the historic fishing agreement signed in 1985 between the state and federal government, state sport fishing groups and three federally-recognized Indian tribes in Michigan. He specializes in major federal court cases involving large numbers of clients, including water contamination and asbestos issues.

McGovern can meet with all of the involved parties without requiring a formal

court hearing. He is expected to meet with top administrators in the DNR Fisheries Division, along with officials from Suttons Bay and Northport, before making any recommendations to the court.

Until the negotiations are held, Northport Village administrator Greg L. King said the issue "is in a holding pattern." But he is hopeful that the special negotiator can help resolve the issue.

"We don't mind sitting down with these people," King said. "All we want to do is get this thing resolved so there are no more altercations... our beef is with (Skip) Duhamel. We haven't had a problem with any other Indian fishermen."

The village, through attorney Will Davison, filed a memorandum in opposition to the tribe's request for declaratory relief from the federal court, also claiming that commercial fishing operations are not permitted in the village's agreement with the State Waterways Commission for marina operations.

But tribal officials say they're wary of any "quick fix" resolutions to the dispute. Rastetter is hopeful that any federal court directive will extend beyond provisions of the trap-net fishing experiment, which is scheduled to conclude by Oct. 1. The tribe claims the experiment can't be completed without access to both marinas.

"We are under a court order to do this project; we're not doing this on our own," Rastetter said. "The tribe has a responsibility to protect its members which are participating in this experiment."

Judge Enslin ordered the trap-net program be conducted with the DNR to determine the feasibility of using trap nets on tribal fishing boats instead of gill nets, which kill all the fish captured in the nets.

(Reprinted with permission from The Leelanau Enterprise, Leland, Mich.)



GLIFWC warden Donald Carrick and Bay Mills conservation officer Terry Carrick by the vessel used by Bay Mills to patrol tribal commercial fishing activity on Lake Superior. (Photo by Amoose)

Counties vs. Great Lakes clean-up

Duluth, Minn.—The Great Lakes Council of County Associations (GLCCA) held its annual conference on August 12-14, in Duluth, Minn. Membership includes county associations from Illinois, Indiana, Iowa, Michigan, Minnesota, New York State, Ohio, Pennsylvania, and Wisconsin.

The purpose of this organization is to "provide the opportunity for the officers, directors, and staffs of the Great Lakes associations to share mutual political and policy concerns with their counterparts throughout the Great Lakes region." The conference was hosted by the Minnesota Counties Association and their St. Louis, Minnesota affiliate.

The opening keynote, "Constitutional issues and County Government" was delivered by James Catron, the county attorney from Catron County, New Mexico.

Catron's rather dramatic presentation brought many nods of approval as he presented the Rush Limbaugh view of what

America should be and painted efforts by EPA and other regulatory agencies as un-American, irresponsible bureaucracies bent on destroying free enterprise through regulation.

While there may be some thread of truth to his basic thesis, it was not germane to the Great Lakes issues and concerns. His disdain for administrative agencies was surpassed only by the outrage directed at civil servants, elitists, and the Earth First! tree spikers who are "committing attempted murder."

He even explained that the Constitution did not give us rights, God did! The National Environmental Protection Act (NEPA), Attorney General Reno, William Riley, blind salamanders and other endangered species, congresspersons, FDR, and some old Englishman, "William the Bastard" (William the Conqueror) all received scathing reviews for the role each has played in shaping policy or society.

By this time it became clear the conference was a VERY thinly discussed assault on the Great Lakes Initiative (GLI), the Clean Water Act, and wetlands regulations. Workshop presenters included a Mark Pifher, an attorney with Anderson, Jonson & Gianunzio law firm in Colorado Springs, Colorado. Pifher reviewed pending legislation, the Coastal Management rules and regulations, watershed acts, and action plans and their "devastating effects on the economy."

The last workshop consisted of a panel composed of representatives from the Western Lake Superior Sanitary District, Minnesota Pollution Control Agency, Lake Superior Paper Industry, and the Potlatch Corporation. The participants joined forces in presenting the perspective of the Great Lakes Water Quality Initiative, should it pass and become law. County legislators "learned" that this misguided effort to clean up the Great Lakes will actually cause

more toxic harm to the water resources of the region. This will occur because regulation will keep Great Lakes industries from being competitive. The effect will enhance the market position of Third World countries, which are a major source of non-point pollution to the Great Lakes.

"Incredible!" was the word used by Commissioner Frank Koehn (Bayfield County, Wisconsin) to describe the conference. Koehn went on to state, "Once again the counties have been derelict in their duty. Counties missed the opportunity to address the real issues and concerns facing the Great Lakes bioregion."

Mining, garbage incineration, aging nuclear power facilities, fish advisories, toxics in the water, and a host of real issues and concerns were not raised. Instead GLCCA opted to provide the forum for industry to attack all efforts to clean up the Great Lakes region."

(Reprinted from HONOR Digest)

NAFWS assists Canadian tribes at regional meeting

By Natalie De Pasquale
HONOR intern

Green Bay, Wis.—The annual meeting of the Great Lakes Region of the Native American Fish and Wildlife Society (NAFWS) brought together tribal biologists, environmental specialists, and conservation officers from the midwest and Canada. The conference, held at the Radisson, Green Bay, aimed at improving communication among resource managers to achieve common goals: protection, management, and regulated harvest of natural resources.

Co-hosts of the conference were the Great Lakes Region of NAFWS, the Bureau of Indian Affairs (BIA), the U.S. Fish & Wildlife Service (USFWS), and the Environmental Protection Agency (EPA). Hospitality, including traditional feasts and receptions, were graciously provided by the Oneida and the Menominee Nations.

Assisting Canadian tribes as they seek to reaffirm and implement their treaty rights was one of the primary goals during the conference. Tribal leaders and technical staff from Canadian Indian nations gathered information regarding tribal self-regulation and off-reservation resource management.

Faith McGruther, COTFMA executive director, moderated a Canadian/United States resource management panel with Chief Jeff Monague of the Beausoleil First Nation and Kirby White Duck of the Golden Lake First Nation.

"They came forth and asked for our help," said Ed Fairbanks, regional director of NAFWS. "We're going to determine this week whether it is better to expand the society to include our Canadian neighbors or to help them set up their own. We've got to give them all we've got—technical, legal, all of it. The bottom line is that they're here, that we're together," he went on to say.

Other discussion groups brought together tribal lobbyists and officials from Washington D.C. to discuss the budget process. Information regarding the Congressional process for the technical staff and how to affect the outcome of legislation and funding was shared.

"The tribes have come a long way in understanding the system. They affect the budgeting process by doing their homework within their delegations," says Fairbanks.

Fairbanks feels the focus on resource management in the past several years has not highlighted the role of conservation enforcement. He considers it critical that an infrastructure be developed to coordinate the training of all the officers working for the tribes and tribal agencies in the Great Lakes region.

He looks to the BIA to fund such a project so each individual officer can be evaluated by a conservation supervisor, allowing the different agencies to work together more effectively. The project was not funded this year, although Fairbanks does not yet give up hope.

The regional conference saw the completion of a two part training effort designed to address real world environmental situations faced by enforcement officers in the field. Funded by the EPA, training covered assessments of environmental damages and provided reports and EPA policies to the officers.

The NAFWS annually qualifies regional shoot teams comprised of tribal conservation officers. The regional teams then compete at the national conference in Washington in spring. The Great Lakes Region took top gun honors last May during the NAFWS national meeting in Saskatoon, Saskatchewan with Lac du Flambeau's Eric Chapman. The team placed second overall behind the Plains Region.

This year's team has some new faces, including that of the first-ever female of-



Range instructor Ray Villebrun is assisted as he tacks up targets for the NAFWS shoot team competition. (Photo by Natalie De Pasquale)

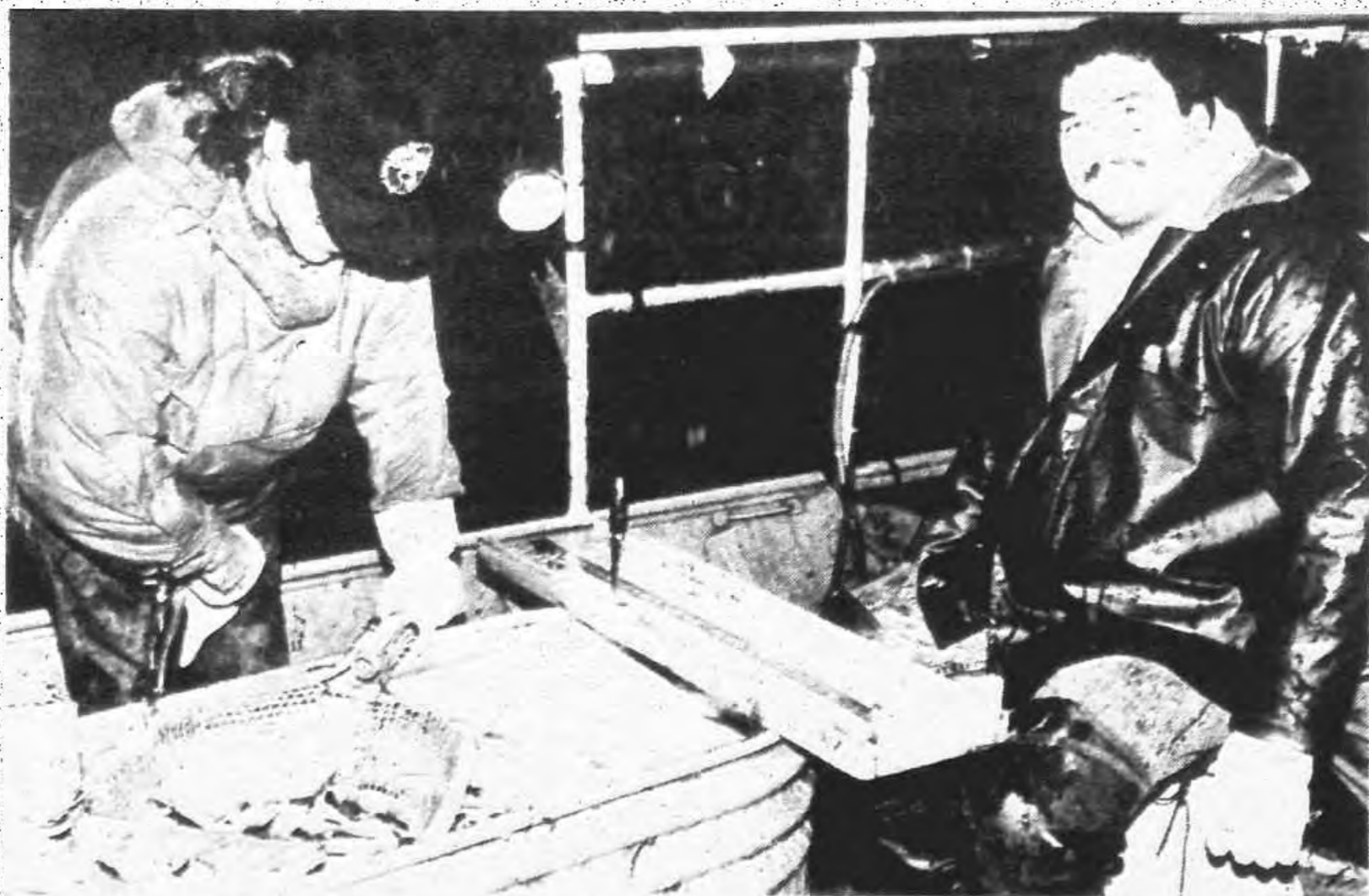
ficer to qualify for a regional team. Karen Coon placed fifth among the officers to take the role as alternate shooter among teammates Eric Chapman, Terry Carrick of Bay Mills, Bill Bailey of Grand Traverse, Ken Washington of Leech Lake.

The officers coach other conference attendees in another inter-departmental exchange: the fun shoot. Three perfect scores were registered by Steve Mortonson, Greg Bunker, and Tom Callison, while Oneida conservation secretary Rocky Hill was given the bottom honors.

BIA biologist Bob Jackson was honored with the William Eger Award for Biologist of the Year. The Patricia Zakovec

Conservation Officer of the Year award went to Mike King. Both recipients were nominated from tribes throughout the region as outstanding in their field in dedication and achievement.

The Society is putting together a scholarship fund for Native American youth in honor of Pat Zakovec, NAFWS past president. The scholarship will go to a student who enters a technical environmental program in order to encourage youth to pursue these fields. Hannibal Bolton, USFWS, fisheries associate manager II, has made fundraising for the scholarship a priority. Events and raffles will be held throughout the year in support of the fund.



Dale Cornelius and Dave Parisien, GLIFWC fisheries aides, prepare to "work-up" fish snagged by sending electric shock waves through the waters of Pelican Lake, Wis. (Photo by Amoose)

GLIFWC grants

(Continued from page 2)

Owen Larson, work under director Jim St. Arnold in developing a computerized archival system for GLIFWC.

Sarnstrom and Larson completed their full time intern status in August, and have both returned to school. The two will continue to work on a part time basis for the duration of the project, Ken via modem from University of Wisconsin—Whitewater, and Owen in office evenings and weekends.

Completion of the project will include finalizing all linkages within the system, provide training to both GLIFWC staff and member tribes in the archival software program used, and the purchase of CD-ROM for the member tribes. St. Arnold reports.

Past ANA projects have included the publications, "Bishigendan Aki" (Respect the Earth) and "Chippewa Treaties: Understanding and Impact," a dissolved slide show for the 1854 treaty area; training for tribal judges, development of a treaty resource manual; and training of tribal hunter safety instruction, St. Arnold says.

GLIFWC will continue to look to granting organizations for support in both biological and public education programs. Their past support has contributed substantially to the success of the Great Lakes Indian Fish and Wildlife Commission in providing assistance to member tribes, as well as local communities, in designated areas of need.

Ground broken for Red Cliff walleye rearing ponds

By Claire Duquette, Daily Press News Editor

Red Cliff, Wis.—As Red Cliff officials turned over ceremonial first shovels of earth on September 22 for three new walleye raising ponds, they extended thanks to many others who helped make the ponds a reality.

For the past three years, the Red Cliff Tribe has worked with Fish for the Future, a Cable area sports group, and the Eau Claire Conservation Club in a walleye stocking program.

Using eggs stripped from tribally speared walleye, fry and fingerlings are raised then placed back in the waters from which the eggs came.

Although the eggs have been incubated in a tribal hatchery, the fry have been raised in whatever Department of Natural Resources-approved ponds have been available.

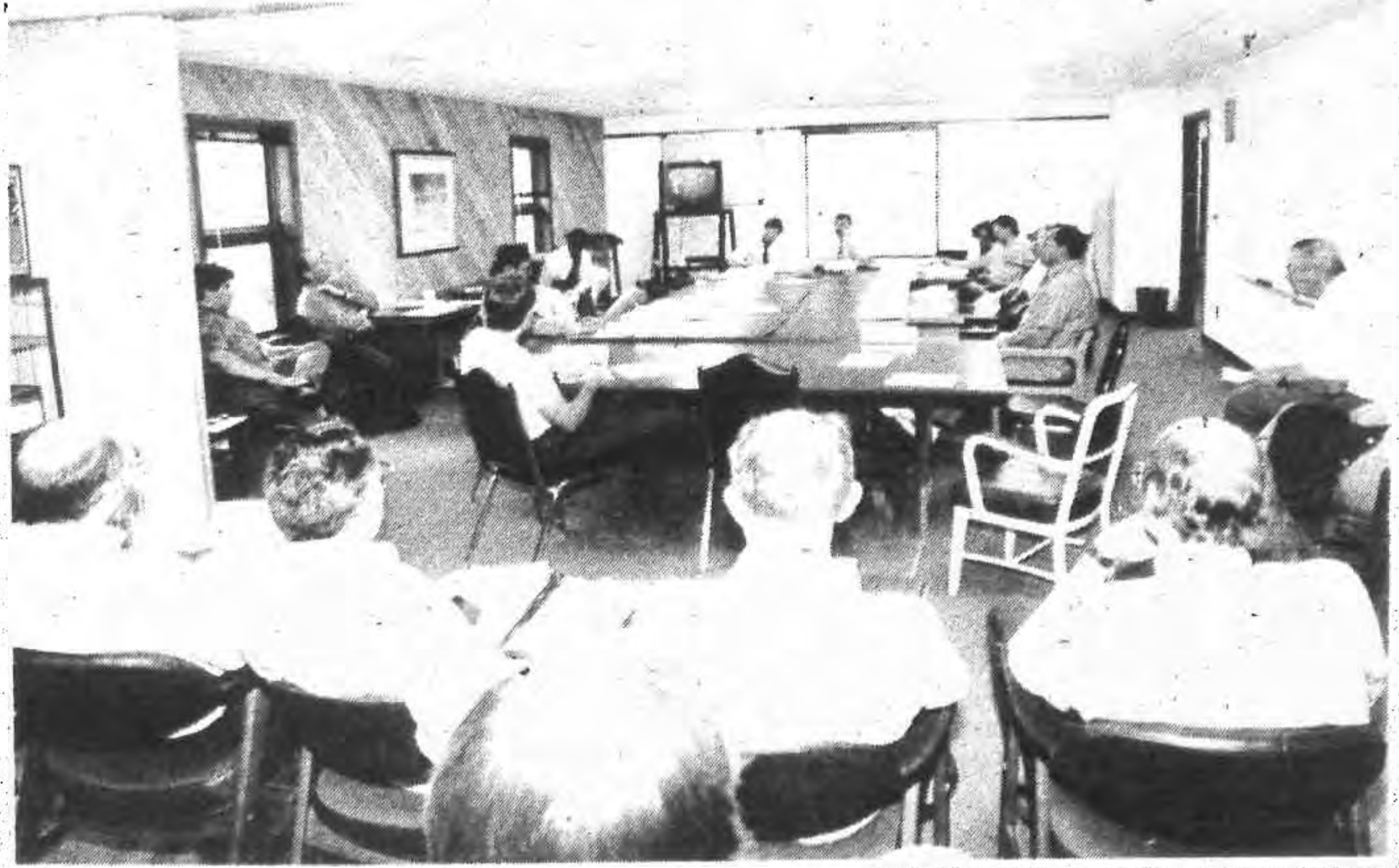
"We wanted more complete control over the rearing ponds to achieve a higher survival rate," said Mike Gallinat, a fisheries biologist from the Red Cliff Tribe.

Construction of three one-acre ponds, funded by a \$60,000 grant from the Otto Bremer Foundation, \$35,000 from the Red Cliff Tribe and \$15,000 from the U.S. Forest Service through the Price-Rusk-Taylor County Resource Conservation and Development Council, will mean the walleye fry can be raised in an environment free from predator fish that may eat the young fish.

Gallinat estimates 25,000 four-inch fingerlings can be raised in each of the three ponds annually, beginning next year or in 1995.

The warm-water rearing pond dovetails with the construction of a \$300,000 tribal hatchery building at Red Cliff that will be used to raise cold water species to be released into Lake Superior.

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



The State/Tribal Natural Resources Task Force, chaired by Representative Frank Boyle, convened in Park Falls, Wisconsin, in August. The Task Force is exploring ways to promote cooperative initiatives between tribes and lake organizations. A number of speakers already involved in grassroots, cooperative efforts provided presentations on the victories as well as tribulations of tribal/lake organization efforts over the past several years. The Task Force is exploring options for state legislation that would provide funding, or technical support, for grassroots efforts. Legislative staff will be preparing a background memo for the Task Force on these projects and possible new programs to consider for a legislative proposal. (Photo by Amoose)

Lac du Flambeau begins comprehensive plan for reservation development

By Natalie De Pasquale
HONOR intern

Ideas and recommendations from the Lac du Flambeau tribal public were solicited this summer during a series of public hearings on a variety of topics, including natural resource management.

Information and concerns from the hearings will be used in the development of a comprehensive master plan for the reservation in accordance with a grant from the Bureau of Indian Affairs (BIA).

Areas such as Indian youth and education; housing; gaming and economic development; culture; health; and administration and government were all issues of concern during the series of hearings.

A panel of experts attended each hearing to listen to public statements. Panelists formulate recommendations to be submitted to the tribal council for consideration as the plan is developed.

Robert Jackson, BIA fisheries biologist, Minneapolis, Minn., and Hannibal Bolton, U.S. Fish and Wildlife Service fisheries associate manager II, Minneapolis, Minn., were available as panelists on natural resource management.

Larry Wawronowicz, Lac du Flambeau's Fish and Game Director, discussed the Indian Fish and Wildlife Jurisdiction Act. The Act basically would enhance tribal enforcement jurisdiction to also include non-Indians using the resources located on the reservation, he said.



Hannibal Bolton, U.S. Fish & Wildlife Service (left) and Bob Jackson, Bureau of Indian Affairs listened intently to testimony from Lac du Flambeau tribal members concerning environmental concerns on the reservation. (Photo by Natalie De Pasquale)

Tribal authorities would be cross-deputized with equivalent state authorities so as to protect and conserve. While concerned about the controversy this Act may arouse, Wawronowicz stated the need for such action was growing as more and more non-band members enjoy the on-reservation resources.

"My concern is for the locals," Wawronowicz said. He went on to de-

funding, a program that addresses a variety of environmental needs.

"Funding usually has to be project specific to get the dollars. Multi-media offers the ability to have wide use of the money," stated Moser.

His plans for the funding included closing landfills as money became available, developing recycling projects on reservation, dealing with underground storage tanks, testing homes for radon, and setting up a sulphur dioxide monitoring station.

"So far the air here is good. It has been established as such," he remarked, "but the quality can decline rapidly if not kept in check."

Steve LaVake, Lac du Flambeau director of personnel development, urged the tribal membership to be proactive through greater planning rather than reactive.

He said the tribe has yet to take an effective role in zoning and land use planning, and that environmental impact studies are needed. At present there are no laws or regulators to protect things like eagle nests, and growth management is relatively nonexistent.

LaVake also asked for programs to teach the old ways in environmental protection to the reservation's youth. He proposed a systematic structured setting for the elders to teach the next generation.

scribe a five year parks plan beginning with a park in downtown Flambeau with funding from the state. Sand Beach is on the agenda for next year, followed by Leech Beach and other subsequent projects for the next few years.

Kurt Moser, Lac du Flambeau's Water Resources Specialist, discussed numerous environmental needs. Lac du Flambeau recently applied for multi-media

Managing a precarious balance

Wilderness versus sustainable forestry

By Dennis Martinez

Modern resource management has yet to provide consistent, positive results, and has, in fact, made many wonder if it is even on the right track. Dennis Martinez maintains that Western concepts have caused us to forget the views of those who managed the land long before the Europeans "discovered" an "untouched wilderness." The indigenous people, living fully within nature, recognized their part in the relationship with the land and lived up to the responsibilities that come with it. Management is critical, he agrees. But what does that entail?

Decay, death, birth and growth are part of our everyday experience. These are organic processes that all of us are intimately familiar with. Ceremonies have evolved over time in all indigenous, non-Western cultures that celebrate these organic changes in a spirit of supplication, reciprocity and thankfulness. Land stewardship practices have also evolved in indigenous cultures which work with and even direct these natural processes. Yet most of us in the larger industrial, Western culture live, work and study in a human environment seemingly at odds with our everyday perceptions of nature. We live in an environment which is structured economically, technologically and intellectually like a machine.

A way of being inspired by the machine has dominated Western culture from the mid-nineteenth century until the present time. When nature is viewed in this way, it is imagined to be unchanging unless it is disturbed. Then, when nature is disturbed, it automatically returns to its former preferred state, called a "steady-state," just like the workings of a machine might be expected to do. The Western science of theoretical ecology uses mathematical models to describe nature in this machine-like way. But in the last two decades, computer modeling based on changing mathematical variables which describe more complex systems than previously considered possible has begun to alter the 19th century machine metaphor. Computer models of natural systems are coming closer to our everyday experiences of nature. It may be that a truer picture of nature is now asserting itself on our viewing screens.

But even with this new thinking most resource managers, as well as the environmental movement, as a whole are still thinking about nature in terms of the 19th century machine metaphor. The modern Western belief in the constancy and stability of nature was expressed by George Perkins Marsh in *Man and Nature* as early as 1864. Marsh says, "Nature, left undisturbed, so fashions her territory as to give it almost unchanging permanence of form, outline and proportion, except when shattered by geologic convulsions; and in these comparatively rare cases of derangement, she sets herself at once to repair the superficial damage, and to restore, as nearly as practicable, the former aspect of her dominion."

Roots of the modern environmental movement

The principal prophets of the modern environmental movement—Emerson, Thoreau, Muir and Leopold—have repeated and enlarged the same theme of nature functioning optimally when left alone. Modern environmental preservationists draw their most compelling inspiration from these earlier 19th century transcendental philosophers.

The notion of "transcendental" implies something beyond our senses which is greater than we are. In this case, nature itself is viewed as a kind of divine manifestation. Nature is conceived as being perfect because God is perfect. Transcendentalism grew out of 17th and 18th century English Natural Theology which saw God revealed through His principal work, nature. You could know God if you knew His creation.

The Western myth of a transcendent God can be traced as far back as Plato's "Ideal Forms." They were envisioned to be the perfect, never-changing reality behind all surface phenomena. The ultimate reality of the Universe for the early Greeks was perfect musical harmony and could only be perceived by mathematicians. Most 20th century theoretical ecologists also share this view. Isaac Newton, the principal architect of modern physics and the modern mechanistic world view, placed himself squarely in the tradition of Natural Theology by searching for the ultimate natural laws (i.e., divine laws) of the universe. The laws of physics were compared to a clock designed by God to function with perfect constancy and precision without any further divine intervention.

When viewed from this historical perspective we see how similar the industrial exploitation of nature, on the one hand, and the counter-industrial effort to preserve nature, on the other, really are. Both industrialism and preservationism see nature essentially in mechanical terms. Either nature is so perfectly engineered that any human interference would only result in inefficiencies or deficiencies in the system; or human interference, as in industrial resource use, can be compensated for by corrective engineering. If we destroy one part, we have only to find a replacement, like the interchangeable parts of modern machinery. Universally valid scientific laws, which are felt to lie behind all surface phenomena, will tell us how to re-engineer nature so that all the parts fit together.



Forestry management practices continue to be a concern of Chippewa tribes. Many forest species, including native plants, trees and shrubs, have cultural and medicinal uses to the tribes, but are no longer abundant or accessible. (Photo by Sue Erickson)

Gifford Pinchot, the German-trained father of modern "scientific forestry" at the turn of the century, and naturalist John Muir's chief philosophical rival, epitomized both the modern resource management view and the optimistic 19th century belief in scientific progress. That view holds that if we can learn scientifically how natural systems function, then we will be able to engineer forests so as to produce a sustained timber yield indefinitely. A century of actual forestry practices has invalidated this assumption.

Both preservationists and conservationists have their roots in this dominant mechanistic mode of Western thinking—but it is beginning to change in response to modern systems analysis. The new scientific acceptance of change and uncertainty is partly a response to the failure of classical mechanistic models to explain certain discrepancies. For example, why is environmental degradation occurring in nature preserves and parks? Why has current resource management failed to compensate for industrial use on public lands? And why have the current theories failed to accurately predict wildlife population trends, especially among species that are threatened by over-harvesting or loss of habitat? A truer understanding of nature is needed to answer these questions.

Reciprocity—not wilderness!

"When people don't use the plants, they get scarce. You must use them so they will come up again. All plants are like that. If they're not gathered from or talked to or cared about, they'll die."

(See *Wilderness versus sustainable forestry*, page 16)

Some thoughts on sustainable development

By John Manty
Superior Vision

There has been much activity and discussion focused on "sustainable development" recently. It is a complex subject. The following thoughts are offered with the intention of furthering this important discussion.

Permanence

It is the permanence implied by "sustainable" that attracts in this impermanent world. A society which has predicated its economics on building obsolescence into its products and on short term profits and in consequence is staggering under the burden of such shortsightedness is in desperate need of an alternative which will shift its focus from the next quarterly report to the seventh generation to come.

This permanence implicit in the term "sustainable development" necessarily implicates culture as a whole. In fact it pertains more directly to the realms of politics, the arts, philosophy and religion than it does to economics which is the sector usually given the exclusive focus in discussions on sustainable development.

Biocentrism

It is in dealing with the fundamental questions of who we are and how we fit into the scheme of things that we decide how we should take a living from the earth. Are we a part of nature or are we separate and above it? That is the first question to be answered. Those who see themselves as part of nature describe their world view as "biocentric" and describe those who see themselves as separate and above nature as "anthropocentric." Taking this step from the anthropocentric to the biocentric is the essence of the term "development" in "sustainable development."

Home

Bioregionalism is a critical concept for an effective approach to sustainability. Bioregionalism recognizes that the concept of "home" must be revitalized if sustainability is to be achieved. Our corporate society has become nomadic. People's only ties are to the corporation they work for, their nuclear families and their careers. If their career requires a move from the Midwest to one coast or the other, they do so with no consideration for the sense of roots and connection to a community they might be leaving behind. This has resulted in a society which has always been able to abandon its problems: pollute or use up one place—move on to the next; cut down the forest—move on; mine the copper—move on.

At some point we will have to stop running, take a stand and say "Come hell or high water this is my place, I am going to stay and defend it. Gary Snyder says that once a few people make a stand, stand up to the government and the powers that be and

say to them "This is our land. We are going to be here for a thousand years," things begin to change for the better.

Implicit in this statement is the recognition that sane living in the present is, in part, dependent upon our ability to connect ourselves to those who will follow in future generations.

This is where all those educational things about learning about your place come into play: learning the geology, how the people who lived here before us lived on this land, where their sacred places were, where the wild berries are, the fishing holes, learning the plants, the animals, the seasons. Learning to be aware. This is the way a place becomes home and over the generations a great body of knowledge and shared experience is built up and passed down. The elders are revered, the community comes together. When a foreign company comes in to mine our precious ore or cut our timber and take away the profits, this community will mount an effective opposition.

Think globally, act locally

All of the issues involved with the slogan "Think Globally and Act Locally" are critical to sustainable development: ozone depletion; global warming; degradation of drinking water; an unregulated chemical industry; circle of poison legislation; deforestation; farming practices, soil loss and desertification; mining the oceans with drift nets; mining and recycling; economic justice; all of these issues will have to be addressed in a local as well as national and international context in order to effect solutions.

Democracy

Any progress toward sustainable development will be dependent upon our democratic freedoms which afford us the opportunity to exchange ideas, petition our government, organize, publish, run for office and engage in the political process in all the ways this democracy affords us.

All the signs point to the frightening conclusion that the understanding of democratic principles and the willingness to go to the wall to defend them is very suspect in this economically oriented and poorly educated society.

As the environment deteriorates, as it surely will, the world economy will deteriorate leading to tremendous pressure on reigning political systems including ours. Consequently one of our most important goals must be to work to educate our society about the importance of democratic principles.

Democratic freedoms, of which economic freedom is just one and not the most important one, are at grave risk in the coming ecological crisis. It will require a sophisticated and dedicated population of democrats, willing to risk all, to safeguard our freedom in the coming crisis. Without

freedom there is no hope for the natural world.

Population

Sustainable development, may mean a contraction in human economic activities and human numbers for most bioregions of the world. This is exemplified in places like Los Angeles, a city of millions bringing in large portions of all of its necessities from other places, in no way sustainable on its own and its existence severely impacting the region's ability to maintain the integrity of its ecology.

This is the point of view from which we must begin to consider the concept for application in the Lake Superior bioregion. We need to ask how many people at what level of impact can this bioregion tolerate?

The population of the world is quickly moving toward 6 billion and is projected to reach 10 billion in the next 40 years or so. Sustainable development will call for not just reductions in the rate of growth but actual reductions in population. Fundamental religious beliefs, ignorance, pov-

erty, illiteracy, subjugation of women and economic justice are issues which will have to be dealt with in this context.

Binational program to restore and protect Lake Superior

When discussing sustainable development in the Lake Superior Bioregion, the Binational Program must be our central concern. The Lake defines us. It is being destroyed by us. The International Joint Commission recognized this and recommended that the Lake Superior Basin be made a zero discharge demonstration zone. The implementation of the Binational Program will be a giant first step toward making this bioregion sustainable.

If we can do this in a context of the broader implications of sustainable development as discussed above, we will have come a long way toward achieving our objective.

(Reprinted from Superior Vision, a newsletter for the Lake Superior Bioregion)



Miss Indian World, Gloria Snow, traveled from Canada for an appearance at the Hickley, Minnesota contest pow-wow. (Photo by Amoose)

Clinton appoints Ted Strong to President's Council on Sustainable Development

By Richard La Course
Yakima Nation Review

Portland, Ore.—Ted Strong, executive director of the Columbia River Inter-Tribal Fish Commission (CRITFC) in Portland, Oregon, was appointed by President Clinton on June 14 to the President's Council on Sustainable Development.

Strong caught Clinton's attention when he addressed the Timber Summit in Portland last April 2 with the President and Vice President Al Gore in attendance.

The council will assist in producing U.S. policies geared to encourage economic growth, job creation, and environmental protection. Vice President Gore said, "This Council will help us forge a new partnership among representatives of industry, labor, government, environmental organizations, and civil rights organizations. That partnership is vital to our success in addressing the global environmental issues facing every nation."

Comprised of 25 members their primary goals are:

- Develop specific policy recommendations for a national strategy for sustainable development that can be implemented by public and private sectors.

- Respond to the recommendations in Agenda 21, the comprehensive international policy declaration nations of the world agree to, as a pledge to global environmental action, and contribute to the U.S. plan to be submitted to the U.N. Commission on Sustainable Development, the international commission created at the Earth Summit to help insure implementation of Agenda 21.

- Sponsor projects that demonstrate and test the viability of the Council's recommendations and that encourage comprehensive approaches.

- Recognize outstanding sustainable development achievements through an annual Presidential award.

- Educate the public about the far-reaching opportunities in sustainable development.

The council will divide into issue specific committees to develop strategies in particular areas and meet quarterly over an initial two year term that may be renewed for another two years.

Council members include members of the President's cabinet, representatives of industry, environmental organizations and the academic community.

Strong, 45, became executive director of CRITFC in Portland in May of 1989. From 1976 to 1985 he was comptroller and enterprise director for the Yakima Nation, of which he is a member. He worked as a management consultant for the Warm Springs Confederated Tribes in Oregon from 1985 to 1989.

He is the son of the late James Strong Sr. and Margaret Strong. He graduated from Granger High school in 1965 and



studied economics and business accounting in Dallas, Texas. After completing his studies Strong worked for the Navajo Nation at Window Rock, Arizona, in accounting and administration. He subsequently became comptroller for the Blackfoot Tribe of Montana before working for the Yakima Nation, of which he is an enrolled member.

(Reprinted with permission from Portland Indian News)

Wilderness versus sustainable forestry

(Continued from page 14)

These are the words of Mabel McKay, Makahma Pomo elder and basket weaver. Mabel represents an indigenous tradition which is in direct opposition to the dominant Western conservation ethic. In her simple exhortation to "take care of the plants," she points out an alternative to the legacy of 19th century transcendentalism which still controls modern environmental thinking.

Plants need people as much as people need plants. This is the meaning of reciprocity. Instead of "wilderness," the indigenous world lies fully within nature. There is no Indian word for wilderness, in the sense of people separate from nature. Traditionally, indigenous people have felt at home in nature. John Muir viewed "wild" nature as a sacred place in the sense that Natural Theology teaches, but nature was not necessarily felt to be home. Thoreau was not comfortable in the wilderness of the Maine woods. He preferred the cultivated, almost "pre-suburban" landscape of his native Massachusetts. Transcendentalists viewed "wilderness" as a temporary spiritual recharging station, a refuge from the stresses of the industrial mode of existence, much like modern urban environmentalists who backpack into wilderness parks for a couple of weeks for the spiritual and aesthetic experience.

But now listen to Mihilakawna Pomo elder and basket weaver Lucy Smith, recalling her mother's teachings:

"We had many relatives and...we all had to live together, so we'd better learn how to get along with each other. She said it wasn't too hard to do. It was just like taking care of your younger brother or sister. You got to know them, find out what they liked and what made them cry, so you'd know what to do. If you took good care of them you didn't have to work as hard. Sounds like it's not true, but it is. When that baby gets to be a man or woman, they're going to help you out. You know, I thought she was talking about us Indians and how we are supposed to get along. I found out later by my older sister that mother wasn't just talking about Indians, but the plants, animals, birds—everything on this earth. They are our relatives and we better know how to act around them or they'll get after us."

The indigenous concept of reciprocity as expressed by Lucy Smith means helping our relatives so that they will help us. This is the meaning of the ceremonial phrase, "All My Relations." It is an affirmation of our caretaking responsibilities. In the old days, the caretaking responsibility took the form of family responsibilities for their section of "turf" on communal lands. This is still true today in many remote Indian communities, and it ensures sustainable subsistence and harvesting practices for themselves and future generations.



Indigenous people and dirt bikers

Locking up traditional lands and treaty lands in wilderness preserves and parks, coupled with the forced relocation of indigenous people, has seriously disrupted or prevented traditionals from carrying on subsistence livelihood and their caretaking responsibilities. In the "multiple use" land philosophy of public agencies, Native people become just another "user group" lumped in with Boy Scouts and dirt bikers. Environmental organizations with their "wilderness" philosophy have played a major role in the disruption of traditional land stewardship. Some examples of this philosophy in action are:

- ✳ The forced relocation of the native Aweeneechee people when Yosemite National Park was established.

- ✳ The 1975 purchase by the Nature Conservancy of 22,000 acres out from under Granada del Valle, a Chicano rural development project in Los Ojos, New Mexico. The good stewardship practiced by local communities was ignored in order to "preserve biodiversity" within the acquired land.

- ✳ The 1987 legislation to form El Malpais National Monument in New Mexico. This purchase included 13,000 acres considered to be ancestral lands of the Acoma Pueblo. The Sierra Club and National Wildlife Federation lobbied for the bill, ignoring the cultural claims of the Acoma Pueblo.

- ✳ Refusal of the Sierra Club to support indigenous claims to ancestral lands at Sinkyone on Cape Mendocino in California.

- ✳ The November 1992 confiscation of livestock owned by the Western Shoshone in northern Nevada by the BLM. This occurred on range lands historically overgrazed by non-Indians and now being locked up so nature can balance herself. It included the arrest of local Shoshone ranchers—all in violation of the 1868 Treaty of Ruby Valley. Treaty obligations viewed in the traditional caretaking context are also environmental issues.

Coyote and the monkey wrench gang

"When people don't use the plants they get scarce" is more than a metaphor or traditional truth; it is a biological fact that is rooted in a basic truth of nature—change. Decay, death, birth and growth are the stuff of ordinary existence and the stuff of which the universe is made at all levels of space/time. There is always an element of uncertainty in change. It is not for nothing that many tribes consider Coyote to be the Creator of the world. Coyote is capricious and unpredictable. Some tribes in western Washington call the Creator simply "Changer."

Only recently have a few forest research scientists discovered that forest ecosystems need periodic disturbance to maintain forest health. Coyote has snuck into the BLM and Forest Service computers, disrupting the steady-state notion that nature is unchanging (See Managing a precarious balance, page 17)

Managing a precarious balance

(Continued from page 16)

unless disturbed. This is real "monkey-wrenching" at the conceptual level. Phrases like "mimicking natural processes," "ignorance of complex ecosystem interactions," and "the whole is more than the sum of the parts" are being thrown around.

It is not just change that is important, but the ecologically appropriate kind and rate of change that count. Over-harvesting and under-harvesting, overgrazing and under-grazing, catastrophic wildfires or slash-fires, and total fire exclusion, are all inappropriate. Certain practices or concepts may lead to a kind of "ecological stability" at the landscape or watershed level, but it is a stability that is found to be poised as precariously as a bonfire on a snowball. Among such concepts are included biodiversity, diverse wildlife habitats, and uneven-aged/multi-layered forest structure. These are some of the current working concepts in the field of "New Forestry" and give forest ecosystems a measure of resiliency in the face of repeated disturbances. A few public land agencies are now beginning a process of determining how much and what kind of disturbance is required to maintain stability.

In the Klamath Mountains of southwestern Oregon, a combination of overuse and underuse has reduced forest soil productivity to a point where vast areas of forests are not regenerating—even when planted four or five times. Without the appropriate level of disturbance and rate of change, we are experiencing a downward spiral of ecological degradation.

Indigenous people and fire

It is easy to blame historic overharvesting (or Coyote) for this current state of imbalance, and to conclude, as preservationists do, that if the forest had never been disturbed in the first place, nature would have taken care of herself. What would the forests of southwestern Oregon and northwestern California (the Klamath Mountains) have looked like if no timber harvesting had ever taken place? We need only look at places where old-growth has been undisturbed. We could assume that these few remaining old growth stands are "natural," except that two significant historical factors are missing: indigenous people and periodic low-intensity fires. Both have been legally excluded from the forest.

The historical (pre-European) forest of interior southwestern Oregon at low to middle elevations was probably a varied and healthy forest maintained in this condition by frequent light ground fires which served as periodic disturbances. Those "frequent light ground fires" were mostly set by local Indian people (Shasta, Takelma, Karuk) in order to enhance food/fiber production and gathering/hunting.

The native grasses and pine-needle litter carried the light ground fires without burning the whole forest down. Native grasses create a permeable forest soil surface which enables entire watersheds to soak up water like a sponge. They check surface erosion and enhance soil fertility by continually decomposing feeder roots. They also check woody plant invasion through severe root competition for water and nutrients. Light periodic fires in temperate climates offer many benefits.

If all of this sounds like a "natural" balance of nature, it may be instructive to remember that this is a description of a forest managed by indigenous people. Unmanaged (preserved) forests are no more healthy than forests that have been clear-cut. Insect and disease epidemics sweep through southwestern Oregon, seemingly unable to distinguish crowded second growth from crowded old-growth. We're talking about an historical forest structure, habitat quality, and species composition and distribution created by indigenous people. They accomplished this by keeping the forest in a state of "arrested seral succession" through the use of controlled burning. That is to say, constant intervention by people produced a kind of precarious balance or ecological stability that acknowledged change as a fundamental feature of nature, and worked with and directed natural processes, especially fire.

The fire mosaic

The best model that we have of competent land management is the tens-of-thousands-year-old Native American management style. Traditionally, Indians (usually the older women) cleared small openings in the forest and maintained them by prescription fire. The late summer to late fall fires stimulated fresh deer and elk browse, and native foods like bunchgrasses, clovers, forbs and bulbs. When stored food supplies were running low in midwinter, and before the salmon and steelhead runs, deer came to these meadows to feed, and some were killed for food. With the fish runs came the clovers and "Indian greens." Then came the forb and grass seeds, and later the bulbs called "Indian potatoes." Finally, late flowers like tarweed and Clarkias appeared.

Different places were burned at different times, with varying intervals between fires. In this way a mosaic of vegetation types and plant communities was created. Only the arroyos and riparian borders and flats were heavily wooded and uniformly shady. On the slopes and ridges and in the valleys, the land was open and park-like. The full spectrum of sun to shade prevailed in most places. Since southwest Oregon was heavily populated with Indians and since Indians utilized hundreds of plants and animals from virtually every biotic type, most forest lands were burned



Traditional-style male dancer at the Hinckley contest pow-wow this summer. (Photo by Amoose)

at one time or another. Average burning intervals for each place was about eight years. Lightning ignited fires were common in the high mountains, but the intervals between lightning fires at any given site were significantly longer than Indian fires. These fires enabled all stages of plant species succession to the present in one watershed or landscape.

The fire mosaic was the principal reason for the tremendous variety and numbers of wildlife when Europeans first settled North America. Indian burning was universal. It was also the principal reason for the abundance of water: at that time springs flowed, according to our Indian elders, that flow no longer, and creeks that are now dry half the year ran all year long. Valleys were laced with marshes dammed by huge downed timber and beavers. Native bunchgrasses grew higher than a man's head in these valleys.

Most Indian burning has ceased in North America. Periodic, low-intensity fires which regularly disturbed (i.e., changed) the forest and which helped create the incredible biodiversity, water quantity and productive soils enthusiastically described by nearly every early traveler that left a written account are mostly gone.

The spirit of changer

The North America that European peoples invaded and settled was not a "virgin" land undisturbed by people. There was no "pristine wilderness" here. Prairie and forest was to a large extent the creation of indigenous peoples. The main justification by Europeans for genocide—that land was not being used to its productive potential by its Native inhabitants—is false. Vast meadows and smaller forest openings which had been maintained for millennia by In-

dian burning became farms and towns without the need to fell a single tree. Old-growth trees, fully realizing their genetic growth potential because Indian fires kept them optimally spaced, supplied the timber that built Euro-American civilization. Prairie soils, enriched by millions of decomposing grass roots over thousands of years and protected from tree invasion by fire, grew the wheat and corn that fed America and a good part of the rest of the world. These soils also fed the European livestock that sustained the invaders. To deny this considerable contribution to the economic welfare of European peoples in North America is also to deny Indian people their place in the history of this continent.

Decay, death, birth and growth—a constantly-changing life—was a reality well understood by Native peoples. Fire, along with wind and water, were the material or "seen" manifestations of the Creator—the spirit of Changer. Indian people worked in harmony with Changer as well as all other relatives when they used fire as a management tool. But you have to be careful with fire. Fire is like Coyote. Fire destroys as well as creates. But then isn't death really the same as life?

Aho!

Dennis Martinez is of Pima ancestry and is a land restorationist working with the Ten Tribes Intertribal Wilderness Council in northern California and southern Oregon.

(Reprinted from Winds of Change magazine—American Indian Education & Opportunity, Spring 1993; Volume 8, Number 2 • ISSN #0888-8612. Published by the American Indian Science & Engineering Society (AISES), 1690 30th Street, Suite 301, Boulder, Colorado 80301, (303) 492-8658 © All rights reserved.)

Landings revisited through trial

Was Stop Treaty Abuse protest racially motivated?

By Sue Erickson
Staff writer

Wausau, Wis.—Inside a quiet courtroom of the U.S. Federal Court, Western District, Wausau, Wisconsin, Lac du Flambeau spearfishermen and witnesses sat solemnly on one side of the room and Dean Crist, leader of Stop Treaty Abuse (STA)/ Wisconsin, with supporters sat on the other, waiting their call to the witness stand. The somber, quiet setting provided a stark contrast to the shouts, whistles, jeers and threats that haunted the boat landings where the same people had probably last met during earlier spring spearfishing seasons.

The question before Federal Judge Barbara Crabb was the motivation of STA and its leaders in the protests at the spearfishing landings, particularly whether it was spurred by a racial animus. The issue did not relate to validity of Chippewa treaty rights, according to Brian Pierson, American Civil Liberties Union (ACLU) attorney, acting on behalf of the Lac du Flambeau spearfishers and the Wa Swa Gon Treaty Association in the suit.

In a January 1992 ruling Crabb permanently banned STA and its members from the spearfishing landings. However, the 7th U.S. Circuit Court of Appeals, Chicago, ruled in April that a trial was necessary to determine the motivation of Crist and STA members.

If the ruling favors STA and leader Dean Crist, Pierson believes the injunction banning STA from landings would still be in place under state law, but Crist would not be responsible for \$186,000 in attorney's fees. Pierson does not expect a ruling from Judge Crabb for several months.

Her ruling can be appealed to the 7th U.S. Court of Appeals in Chicago, he says.

As Judge Crabb explained to the parties, the Court is bound by an opinion from the 7th Circuit to accept that opposition to spearfishing and gill netting could be a sincerely held belief. "If the protest is solely because of detriment to resources, if that is the sole motivation, that would not be a violation," she said.

"The question is whether that's why the defendants came to landings or whether they came because they were also racially motivated," Crabb explained. "It is clear under the 7th Circuit opinion, that it is not enough to have a sincere opinion about detriment to resource, if you also have a racial animus against Indians. The question is not whether racial animus is the motivator, but a motivator."

To that purpose Pierson called seventeen witnesses to the stand describing the protests and actions of protesters, including STA leaders Dean Crist and Al Soik, at the landings. Spearfishers who provided testimony included: Tom Maulson, Lac du Flambeau Tribal Chairman and spearfisherman; Scott Smith, Robert Martin, Nick Hockings, Brooks Big John, John Mayo, Donald Smith, Denise Wildcat, Leon Valliere.

Witnesses recounted numerous instances where racial slurs—verbal or through signage—were directed at them as Indian people, attacking and/or ridiculing their culture, heritage and race. "Timber niggers," f— Injun," "squaw," "welfare warriors," and "the only good Indian is a dead Indian," are a few of many comments reported by witnesses at protests that were organized by STA.

Threats of death, frequent stoning, and boats being rocked by protesters' wakes were also recounted as witnesses recalled nights during the springs of 1989, 1990, and 1991.

M.J. Kewley, a reporter for the Wausau Daily Herald during those years, told about chants she heard while reporting for the Herald, such as "Dead Indian, dead Indian" and tunes led by Al Soik based on "Old McDonald," with phrases such as "and a half-breed here and a half breed there."

Kewley also recalled an incident at Sand and Dam lakes where large groups of protesters and a small group of Indian people and supporters were present. "There was a confrontation," she said. "I noticed a small group of treaty supporters being cornered by some protesters. The protesters were yelling racial insults at a black man there. 'Nigger' and 'Go back to Milwaukee,' and 'Shoot his brother'" were some of the comments she recalled.

Dean Acheson, editor of the Lakeland Times, Minocqua, stated that at a 1989 rally in Minocqua, Dean Crist encouraged people to go out and protest on the water.

He said that in an interview in 1989 with Dean Crist regarding spearfishing protests, STA intended to go to the boatlandings to minimize the harvest of the Chippewa and that the intent was to encourage protest at the landings. Acheson said that Crist felt that by (See Trial, page 19)



Numerous witnesses were called to the stand during the Dean Crist/STA trial in Wausau, Wis. this summer. Taking a break from the courtroom are a few veterans of spring spearfishing landings, some of whom were called upon to testify during the trial. From the left, Brian Cross, Carol Cross, Anita Kroser and Matthew Koser, Lac du Flambeau; Fred Ackley, Mole Lake and Art Koser, Lac du Flambeau. (Photo by Sue Erickson)

Reporter objects to reporting at Crist trial

(M.J. Kewley distributed this letter in response to the reporting on her testimony at the Dean Crist trial which she felt was skewed and misleading regarding the nature of her testimony.)

Dear Editors:

I am writing in regard to the AP wire story you published (*Milwaukee Sentinel*) on page 11A, August 18, 1993, regarding my testimony in federal court.

As a journalist, I found it difficult to see my thoughts blown out of context. I also found it disturbing to see quote marks around words I did not say. I fault myself for allowing a lawyer to supposition me into what-ifs and maybes. I regret that I was not fully able to explain my thoughts on the subject while in court.

What happened was a simple case of a lawyer manipulating a witness. What the story lacked was the questions preceding my answer, which formed the context in which I spoke. As the story's lead read, it appeared I offered the analogy of red-haired Norwegians. That was not the case.

My comments in court should in no way lend an air of legitimacy to Dean Crist and STA. For three years, I watched Crist and STA, under the guise of "concern for the resource," terrorize Indian people. Information about the effect of spearfishing on the fishery was as available then as it is now. Crist only tempered his tone when he realized his racism was not playing out well in the press.

Our journalistic code teaches us to provide fair and equal space to those arguing an issue. But at what point do we cross the line and give credence to a band of idiots? STA/W's so called "concern" for the resource does not include real environmental issues such as mercury contamination or water quality. Their "concern" is directed only at Indian people.

One of the most rewarding moments in my life was the day I no longer had to force myself to record Crist's prattle. I wish to dispel any confusion that might have been created by either my convoluted response in court or the subsequent reporting of it.

I credit Mr. Crist's attorney as an able manipulator. My mistake is my own naivety, to think that a lawyer in federal court might be interested in a search for the truth. If Mr. Crist is not a racist, he should be sickened by what his organization became.

Sincerely,
Mary Jo Kewley, Wausau, Wis.



Stan Webster, Oneida traditional dancer. (Photo by Amoose)

HONOR considers branch in D.C.

By Sue Erickson
Staff Writer

Milwaukee, Wis.—Two major initiatives were forwarded during the HONOR Board meeting this summer, including the approval of fund-raising efforts to purchase lands for the "Return of the Homelands" project and the establishment of a branch office in Washington, D.C.

The "Return of the Homelands" project was begun by HONOR in 1992 as an effort to restore reservation land bases. The Board action to approve fund-raising for the purchase of lands within reservation borders was another step forward for the fledgling project, according to Executive Director Sharon Metz.

A mailing for the "First Acres" of the Return of the Homelands project, was sent out following the Board's approval of the fundraising effort. Metz said the importance of focusing on land cannot be over-emphasized.

The return of lands to the reservations affirms tribal sovereignty, because "the very essence of tribal sovereignty is land," she states. Return of the land also reaffirms the treaties, most of which have been broken by the U.S. government and represents an effort to return lands that were guaranteed to tribes under these agreements.

The program, Metz explains, has five aspects, which include:

- Encouraging religious communi-

ties to give back excess land within reservation borders;

- Locate sponsors who will purchase or contribute towards purchasing a parcel of land;

- Fundraising by HONOR;

- Provision of technical assistance and personnel resources to tribes who encounter local resistance to reacquisition of reservation land holdings; and

- Providing college interns to assist tribes with research related to reservation lands.

In another matter the Board approved pursuing the establishment of a Washington, D.C. branch office. The effort is being coordinated by Diane Wyss, HONOR Board of Directors and member of the finance committee. The office would facilitate communications with the East Coast and monitor legislation, according to Metz. In particular, it would provide the organization with direct communication on late-breaking issues to the national office in Milwaukee and assist in better informing HONOR members. Wyss is conducting a feasibility study on the branch office, including means to fund office space and staff.

The HONOR Board will next be meeting in a retreat at Green Bay, Wis. The retreat is for the purpose of long-range planning for the organization. Metz hopes to establish a framework for the next 3 to five years of organizational goals.

Washington retains ban on Crazy Horse beer

Olympia, Wash.—A malt liquor named after revered 19th century Sioux leader Crazy Horse will remain banned in Washington, the state Liquor Control Board ruled on September 8. "Sale of this beer is particularly unconscionable in light of the ravages alcohol has brought to Native American people," said board member Mike Murphy.

A second board member, Jack Rabourn, said that among all the testimony and letters the panel received, only the brewer and one citizen favored lifting the ban, which has been in place since early 1992. Spokesmen for the brewer, Hornell Brewing Co., of Brooklyn, N.Y., and American Indian foes of the label were not immediately available for comment.

Washington is the only state to ban sale of the beer, which at one point was outlawed by Congress. The 1992 national ban was overturned on First Amendment grounds by a federal judge in New York. The board cited state law which it says gives it authority to ban any beer label it finds or that targets alcohol use among certain groups.

(Reprinted from the Associated Press)



Andy Nelis, Bad River, takes a break from dancing at the Indian SummerFest pow-wow in Milwaukee this fall. (Photo by Amoose)

Trial continued

(Continued from page 19)

reducing Chippewa harvest it would leave more fish for the sportsmen. He also testified that Crist said that by crowding boat landings with protest vehicles it would make it difficult for spearers to launch their boats.

Pierson also entered as evidence a flyer written by Dean Crist and distributed by STA entitled "Chippewa Treaty Rights: What are the Issues?" The flyer states that all Chippewa people get benefits such as free food, free housing, and a \$20,000 yearly stipend. Through testimony of witnesses, Pierson was able to bring forth numerous inaccuracies and misleading statements in the pamphlet.

A video of Crist at a meeting at Sugar Camp Town Hall also showed Crist actively organizing protests that would inhibit spearfishing. He was also aware that protesters were using such things as wrist rockets and was concerned that wardens and police officers would not be hit.

Attorney Richard Sommer attempted to show that Dean Crist's participation in

the protest was not anti-Indian in nature, but rather based on a concern for the fishery.

During testimony Crist characterized the protest as being modeled after the civil rights movement and Vietnam-era protests which were peaceful in nature, such as organized sit-ins.

Sommer brought out that Crist's schooling had all been integrated and that in the past, Crist had worked with minority youth in summer camps. Crist said that he has had Indian friends, "never harbored any prejudice," and "never discriminated against anyone," either in employment or as a patron in his pizza parlor.

Crist said that STA formed to try to get the State of Wisconsin to include information needed for effective litigation at the time and to "get to the issues" whether through court or the political process.

STA, he said, was incorporated in June 1988 and the programs designed to implement the interest of STA were done with legal counsel of Attorney Fred Hatch. (See Landings revisited, page 36)

Indian education in Wisconsin

A review of Act 31

By Jeff Peterson

Luck, Wis.—If there was a silver lining to Wisconsin's bitter and divisive Chippewa treaty rights controversy, many believe it arrived in a 1989 legislative mandate requiring the state's 427 independent school districts to include the study of Indian history, culture, and tribal sovereignty in their curricula. After a half-dozen years of racial strife it had finally become clear that the root of the white backlash against treaty rights was ignorance, and that the best opportunity for building understanding between cultures lay with public education. Quite simply, the vast majority of boatlanding protesters were not only ignorant of Indian issues, but ignorant of their ignorance as well. Few had any sense of the historical context in which treaties were written and signed; almost all suffered with the most negative stereotypes of Indian people as drunks and welfare bums who long ago signed off on their cultural heritage in favor of assimilation. "Act 31," as the new law was known, promised a remedy for generations of such misunderstanding.

It is tempting to say that Act 31's evolution began with the arrival of Columbus, but for brevity's sake I'll condense its history somewhat, beginning with a lawsuit prompted by the arrest of two Lac Courte Oreilles Band members for spearfishing outside reservation boundaries in 1974. That lawsuit was settled nine years later in a ruling by the 7th Circuit Court of Appeals—the "Voigt Decision"—which held that Chippewa descendants of the signers of certain 19th-century treaties are legally entitled to broad hunting, fishing, and gathering rights within the ceded territory of northern Wisconsin.

Newspaper headlines proclaiming that the Court had "granted" Indians virtually "unlimited" rights prompted angry reactions from many Whites, and racial tensions began to boil. Posters announcing "Indian shoots" began to appear in bars, while in the woods near Chippewa reservations signs were found saying "Save a deer, shoot an Indian." In the Hayward, Park Falls, and Minocqua areas, anti-treaty groups sprang up almost overnight claiming that the treaties were outdated and should be abrogated by Congress.

Citing a "general atmosphere of intimidation" against Indian people, the Lac Courte Oreilles Tribal Governing Board, by a resolution adopted on September 5, 1984, convened an Ad Hoc Commission on Racism, directing its 11 members to "study the incidence, prevalence, and impact of alleged racism, prejudice, and discrimination" on the Lac Courte Oreilles Tribe. After hearing testimony from 42

people and accepting 23 exhibits and 100 pages of written material, the Commission issued a report later that year titled "Wisconsin's Educational Imperative: Observations and Recommendations of the Ad Hoc Commission on Racism." In its summary, the report concluded that racism has existed historically in Wisconsin and that it had intensified in recent years: "We regrettably must find that racism directed against American Indians is prevalent throughout Northern Wisconsin. Such racism is manifest within our educational institutions, the mass media that gives us information, the social fabric that surrounds us, and even within our places of worship."

One of the strongest recommendations made by the Ad Hoc Commission was that schools throughout the state should "incorporate within their curricula and within school related activities aspects of the rich heritage and many contributions of the American Indian culture." They urged the American Indian Language and Culture Education Board (AILCEB)—a gubernatorial-appointed body attached to the Department of Public Instruction (DPI)—to act aggressively in seeking to make such instruction mandatory.

In 1987 the AILCEB adopted a resolution calling on the DPI and the American Indian Study Committee—a subcommittee of the state legislature chaired by Amnicon Democrat Frank Boyle—to enact the legislation called for by the Ad Hoc Commission. In 1988, Representative Boyle introduced legislation pursuant to the AILCEB initiative. Boyle's bill was ultimately incorporated into Wisconsin Senate Bill 31, the biennial budget, which was signed by Governor Thompson on August 3, 1989.

The provisions of Act 31 now have the force of law; they were written into the statutes as follows:

Chapter 115.28(17)(d)

"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 Indian's treaty-based, off-reservation rights to hunt, fish and gather."

Chapter 118.01(c)

"Each school board shall provide an instructional program designed to give pupils:

(7) "An appreciation and understanding of different value systems and cultures."

(8) "At all grade levels, an understanding of human relations, particularly with regard to American Indians, Black Americans and Hispanics."

Chapter 118.19(8)

"Beginning July 1, 1991, the state superintendent may not grant to any person a



license to teach unless the person has received instruction in the study of minority group culture and tribal sovereignty of the federally recognized American Indian tribes and bands located in the state."

Chapter 121.02(1)

"Each school board shall:

(h) "Provide adequate instructional materials, texts and library services which reflect the cultural diversity and pluralistic nature of American society."

(1)(4) "Beginning September 1, 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."

This last provision is included as one of what are called the "twenty standards" by which all public schools in Wisconsin are evaluated by the DPI. Here is how the law directs the state superintendent to deal with cases of questionable compliance with the standards:

Chapter 121.02(2)

"Nothing...prohibits the state superintendent from conducting an inquiry into

compliance with the standards upon receipt of a complaint."

Chapter 121.02(3)

"The state superintendent shall...upon receipt of a petition signed by the maximum number of electors allowed for nomination papers of school district officers...conduct a public hearing in the school district."

The law goes on to say that, if a school district is found to be substantially out of compliance with one or more of the twenty standards, it will be given a certain amount of time to correct the problem. If, at the end of that time the problem still exists, the district may be fined an amount up to 25% of its state aid.

The resumption of school this fall will mark the second anniversary of the date by which schools were supposed to have implemented Act 31. How are they doing? Extremely well, according to Frank Boyle, who says that although the idea seemed radical in 1989, mandatory instruction in Indian studies has come to be an accepted part of the curriculum in most public schools. Others interviewed for this article were less sanguine. Where community members have expressed their support for (See A review of Act 31, page 40)

Language preservation a priority for AILCEB

By Natalie De Pasquale
HONOR intern

The 1992-93 academic year will bring a total of \$1,515,264 in grant money to Native American students in Wisconsin's higher education system, according to one subcommittee of the American Indian Language and Culture Education Board. The Governor-appointed Board meets monthly to discuss issues surrounding Indian education and culture.

The state scholarships are need-based and are only available to students with tribal verification pursuing undergraduate degrees in Wisconsin universities, colleges, and technical schools.

With the appointment of John Benson to State Superintendent of Public Instruction, the Board is hoping to take Indian education to new heights. They would like to begin by talking with Superintendent Benson about what exactly "Indian education" is, and what he may be able to do to promote it further in Wisconsin's schools.

The requirements mandated by law are hardly controllable, as the content of a state-required course is purely up to the local autonomy to decide. With very few Native Americans sitting on Wisconsin's local school boards, it is difficult to see that the material being presented is accurate and reflective of the culture.

"The knowledge is not there," said Al Pyatskowitz, chairman of the Board, referring to some of the presenters being called into schools to educate on Indian culture. The Board feels a system of validating presenters for classrooms should be developed. This would help ensure that the limited amount of time allotted to American Indian study is, at the very least, accurate.

Another concern of the Board is language instruction. "We need to have the kids speaking the language," said Dana Jackson, Bad River education coordinator and fluent speaker of the Ojibewa language.

The Board hopes to enlist the state university system in training fluent speakers of native languages to teach within their respective tribes.

Since much of a culture is expressed through the language and the loss of a language can occur in one generation, the Board feels immediate attention must be directed towards language preservation efforts. They hope to develop a formal proposal for language preservation that the Board can support and then begin to seek out the assistance needed to follow through.

There is also an expressed concern over acculturation and assimilation of more highly educated students into the dominant, corporate world. The Board is exploring options that would assist the tribes in recruitment of their graduates into positions with the tribe.



Archie Mosay, St. Croix tribal elder and Ojibewa spiritual leader, 92, keeps warm on a chilly evening during the Hinckley pow-wow. Mosay, fluent in his native language, spends time teaching the Ojibewa life-style. (Photo by Amoose)

Weaving the future: Indian education

The Indian Education Act Amendments of 1988 authorized a White House Conference on Indian Education. The purpose of the Conference was to study public schools and their delivery of services to Native American students, and to make recommendations for improvement.

The Conference was also authorized to "explore the feasibility of establishing an independent Board of Indian Education." The White House Conference on Indian Education was finally held four years later, on January 22-24, 1992. The 113 resolutions proposed to the President by the Conference delegates are contained in the Conference's two volume report, published earlier this year.

Deja vu: The idea of a forum to discuss Indian education is not a new one. In 1967, a special subcommittee for Indian education was convened to study the "educational needs of native children and the federal government's failure to meet those needs."

The subcommittee found that one primary reason for the failure of national policy and programs for Native Americans had been the "exclusion or token involvement" of natives in determining policy or planning program. A report on Indian edu-

cation, issued in 1969, included recommendations for both an Indian Board of Education and a White House Conference on Indian Education.

Throughout the 1970s and 1980s tribal involvement in Indian education increased. Legislation, including the Indian Self-Determination and Education Assistance Act of 1975 and the Indian Education Amendments Act of 1978, authorized the increased involvement of Native Americans in public school programs. However, inadequacies persisted. The 1988 legislation sought to address those failings through the authorization of the White House Conference.

Conference delegates made recommendations based on information contained in 30 state, regional and tribal reports. This information had been gathered by state steering committees that included tribal leaders, education officials from Bureau of Indian Affairs schools, state Indian education departments and public schools, and representatives from Indian education organizations. Native people in the local communities participated by expressing their concerns and ideas to the steering committees.

Delegates addressed a comprehensive list of topics, ranging from early childhood

education programs to adult education. Topics also included the delivery of services, school environments, and tribal partnerships.

Prevalent in each topic area discussed was the recognition of native sovereignty, the need for increased and uniform funding for all education services and programs, the integration of native culture in all aspects of education, and the involvement of native parents, tribes and communities in determining what the needs are and how they should be met.

Recommendations included strategies to ensure that native students would have equal access to programs and services from pre-school through graduate and adult edu-

cation, assistance for tribally controlled community colleges, increasing the number of native teachers, and "linkages" between educational institutions to share resources and "partnerships" between tribal, state and federal agencies.

Delegates included action plans for most of the recommendations they made. Additionally, conference delegates recommended that instead of creating a Board of Indian Education, Congress should pass legislation that would provide "adequate fiscal support to develop, implement and maintain tribal departments of education."

(Reprinted from *Indian Report*, a publication of the Friends Committee on National Legislation)



Circles of dance, circle of friendship

By Natalie De Pasquale
HONOR intern

Now that the cold north winds have returned for their annual invasion of the Northland, so completing the circle of another summer pow wow trail, hundreds of drummers, dancers, and vendors will pack up their tents, winterize their campers, and settle in for the duration.

The weekend-long celebrations dotted the summer calendar and the map, honoring the Earth, the children, the elders, and the Native American spirit of survival. Tradition moved throughout the gatherings passing down Ojibewa culture to the generations that follow, Indian and non-Indian alike, teaching the old ways and ensuring the continuation of the Lake Superior bands.

Walking through the tribal campgrounds an hour before Grand Entry offered a glimpse at the preparations taken by dancers to ready themselves for the day's

celebration. Campfires brewed hot coffee to take the chill off the always cold showers.

Sunrise ceremonies would greet the day and talking circles provided a forum to share teachings, experiences, and friendship.

Tobacco offerings and smudging ceremonies took place to prepare participants spiritually as they dressed out in full regalia for the dancing that would go on long into the night.

Drummers and singers filled the woods with beautiful songs, serving wake up calls to those gathered. Eagles presented themselves around the dance circle, soaring through the sky and promising a good day.

Traveling the pow wow trail reunites distant friends and family scattered about Indian country. Emotions can run high when a familiar dance outfit is seen in the crowd. Smiling faces greet each other everywhere, and for a little piece in time, heavy hearts are lightened.

Pow wows offer a unique opportunity for vendors, beaders, leatherworkers, and

silvercrafters to display their talents and show their wares. Colorful turquoise and intricate beading adorn those gathered. Sometimes one can even receive a lesson in a given craft by a patient teacher. Even in these ways the traditions and culture is carried on.

A pow wow wouldn't be the same without wild rice, corn soup, and lots and lots of fry bread covered in honey, cinnamon and sugar, or the tangy ingredients of an Indian taco. MC's tend to stage their own fry bread cook-offs so as to get a sampling from every stand.

Traditional feasts brought people together for fresh venison, wild game, and even the occasional turkey.

Children are respectful and helpful to their elders, their brothers and sisters, demonstrating that they are learning the old ways. They dance around the circle and sometimes trip over their own feet, but are undeterred and dance again.

Sacred fires burn through the night, the men and boys tending to its needs.

Plates are set out to the west, inviting the spirits to the celebration.

Some elders have taken it upon themselves to hold truly traditional pow wows without the pomp and circumstance that sometimes encompasses larger gatherings.

As one tribal elder put it at the Lac Vieux Desert pow wow, "We need to find our way back to the old way. It was preserved for us and should be preserved for those who will come later. What are these 'new' ways? There was nothing wrong with the old ways. These are what we teach. The true ways of our people."

To be sure, the pow wow trail is becoming more of a pow wow highway. Native people are getting back to the old ways and teaching the new generations to respect the Earth, their elders, the two-legged and the four-legged. Encouraging each other to be the best they can be and know that they are surrounded, even on the coldest, darkest night in the middle of February, by friends and family that will once again meet on the pow wow trail. ○





Photos
by
Amoose



Wolf Camp teaches independence

By Natalie De Pasquale, HONOR intern

Summer vacation encompasses a wide variety of traditions—baseball, beaches, picnics—but none stand out in the childhood memory quite like the time spent at summer camp.

Twenty-seven middle school boys set out for two weeks to the Lake Superior shores of Sand River outside of the Red Cliff reservation. They were not there to learn to survive, but to learn to live.

Camp director Dick Young began with an idea a few years ago that centered around the need for the boys to experience life in the wilderness in a somewhat unstructured environment.

The philosophy revolved around teaching practical skills such as fishing and hunting, while leaving behind the timetable of scheduled activities. He felt the boys needed to have time set apart for them to be just growing boys, learning to be young men. With that thought in mind, several high school aged boys were recruited to act as junior counselors to their younger brothers.

According to Young, the idea of the camp was first introduced into talking circles for the boys to explore. They discussed interests and ideas for the adults to consider in the planning phases, while assessing their own desires and expectations. Some of the boys had dreams of this camp in relation to a wolf, hence the name, Wolf Camp.

With the help of the Red Cliff Men's Club, community volunteers, the Tribal Council, and some elders, the first Wolf Camp was held last summer, assembling a handful of kids recruited from Bayfield's schools, and a few counselors and elders, all learning from Mother Nature and each other.

In its second year, Wolf Camp showed growth in size as well as scope. Ed Bainbridge taught a segment on Ojibewa language and told a few Anishinabe stories around a campfire; the boys took night hikes using only the stars as guides; demonstrations were held in trapping, hide tanning, and smoking fish; and emphasis was placed on gun safety.

The boys developed independence, says Young, recalling the continual reminders required for them to take responsibility for themselves. That included keeping their own tents relatively clean and neat, taking turns at dish duty, signing kayaks in and out, and generally helping out with other camp chores.

Five students from the University of Minnesota at Duluth (UMD) were on hand during the second week to add the edge of scholastics to the camp. The students spent their summer traveling to different youth-related outings teaching the kids plant identification and water purity testing, along with practical crafts like making rope from birch bark. The kids at Wolf Camp will receive some academic credit in school for their participation with the UMD students.

Young takes pride in the growth and maturity of his kids, and considers Wolf Camp successful to the goals and ideals originally set forth. He hopes for continued interest in the boys and in the community, and even at the conclusion of two long and exhausting weeks, will set his sights on next year.



Mike Newago, Red Cliff, better known as Uncle Mike, prepares a net to demonstrate traditional Chippewa netting to youth at summer camp. (Photo by Amoose)



Helping out in the Wolf Camp kitchen an expert does the fry bread. (Photo by Amoose)



Steamy hot chili was popular fare at Wolf Camp during some damp days this summer. (Photo by Amoose)

Iron legs and spirit of steel

By Natalie De Pasquale, HONOR intern

Ask Jim Weaver what exactly it is he does and he'll tell you that he walks.

And walks, and walks about 20-25 miles a day. Weaver is walking across the country from Minnesota through Wisconsin, the Upper Peninsula of Michigan, Indiana, Ohio, Pennsylvania, and whatever other states happen to be on the way to the nation's Capitol.

A 72 year old Ojibewa elder from White Earth, Weaver is also known as Ironlegs. The name paints a colorful and accurate picture of a man doing what it takes to find his place in a government that, according to him, has outgrown its constituents and become impersonal.

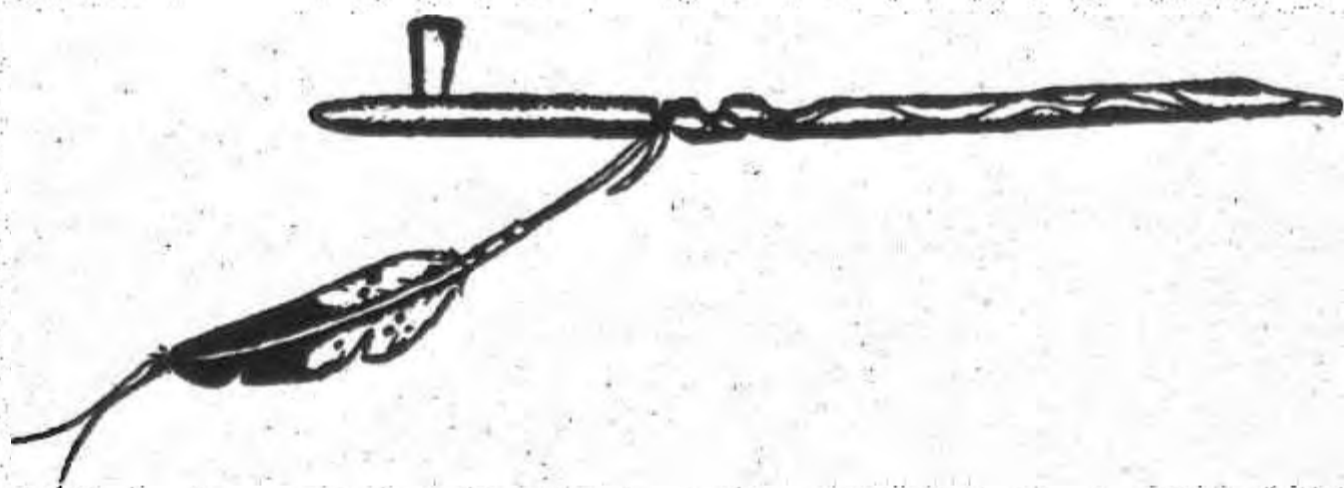
Weaver is walking with a purpose for he has a message to deliver to President Clinton face-to-face. Among concerns that he cites are: the Indian governmental system as constructed by the Indian Reorganization Act of 1934; the mining companies that are stripping the life out of Mother Earth; and the injustice done to political prisoner Leonard Peltier (whose last appeal was denied yet again, this time by the Supreme Court).

Weaver began his journey around July 5 after a lengthy fast and sending a powerful letter to the President asking for a simple face-to-face discussion about problems Jim perceives in Indian country and possibilities for change.

Taking the occasional day out to Pow Wow, Jimmy is currently making his way towards that meeting in Washington, D.C. that President Clinton has yet to confirm via the soft shoulder of the road with only the aid of an eagle-feathered walking staff and his very own two feet.

Weaver expects to reach the Capitol before the middle of November after covering an approximate 1,300 miles on foot.

He has no doubt that he will reach his destination. His power comes from the message that was given him to deliver: iron legs, and a spirit of steel.



Highgrounds Pow-Wow draws big crowd

By Sharon Metz
HONOR

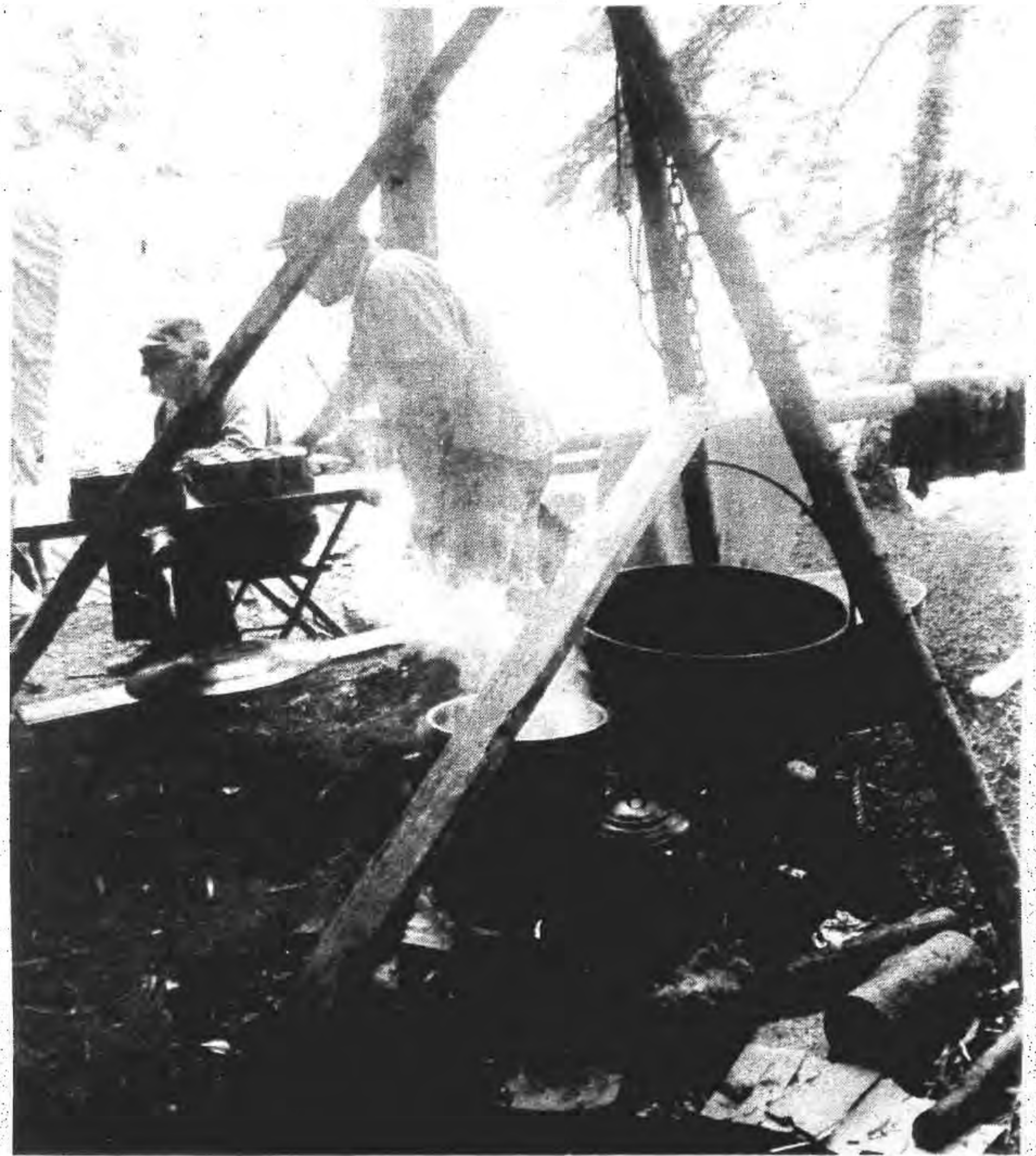
Neilsville, Wis.—During the week of September 13 through 19, 1993, the "Moving Wall" was displayed at the Highground in Neilsville, Wisconsin. The Moving Wall is a half-size replica of the Vietnam Veterans Memorial in Washington, D.C., popularly known as "The Wall," is inscribed with 58,000 plus names of those who died in the Vietnam War. Originally meant to tour the country for two years, the Moving Wall has proven to be such an important and popular tribute, it has remained on the road for more than five years, with confirmed engagements far into the future.

Turnout exceeded expectations at the first annual "Warrior" Traditional Pow-Wow, held Friday through Sunday at the Highground. Grand entry included an impressive number of eagle staffs and flags from Indian veteran units from around the

country. A traditional feast was served on Saturday night and a breakfast Sunday morning. While precise statistics are not available, the pow-wow committee noted that the event was well attended. A button was a requirement for those attending the pow-wow.

William Morrison served as master of ceremonies for the pow-wow. Blazing Saddles was the host drum and LCO's "Soldiers Drum" was a special invited guest drum. John Sharlow was the head male veteran dancer, and George Amour and Ellen Danforth were head male and female dancers, respectively. Sharlow and Amour were Co-Chairs of the event.

Dennis Tierney, a Vietnam veteran and Executive Director of Highgrounds fostered a long-time wish for a pow-wow to be held at the Highground. This year the first annual pow-wow became a reality through his pursuit in finding people who shared his dream.



The coffee pot was always on in the Wolf Camp kitchen at Red Cliff this summer. Kids learned how to cook in the wilderness among a host of other survival skills. (Photo by Amoose)

O Mother Earth

Never will I plow the earth.
I would be ripping open the breast of my mother.

Never will I foul the rivers.
I would be poisoning the veins of my mother.

Never will I cut down the trees.
I would be breaking off the arms of my mother.

Never will I pollute the air.
I would be contaminating the breath of my mother.

Never will I strip mine the land.
I would be tearing off her clothes, leaving her naked.

Never will I kill the wild animals for no reason.
I would be murdering her children, my own brothers and sisters.

Never will I disrespect the earth in anyway.
Always will I walk in beauty upon the earth my mother,
Under the sky my father,
In the warmth of the sun my sister,
Through the glow of the moon my brother.

Submitted by Lawrence William O'Connor
Chicago, Illinois

The repression of Indian religious freedom

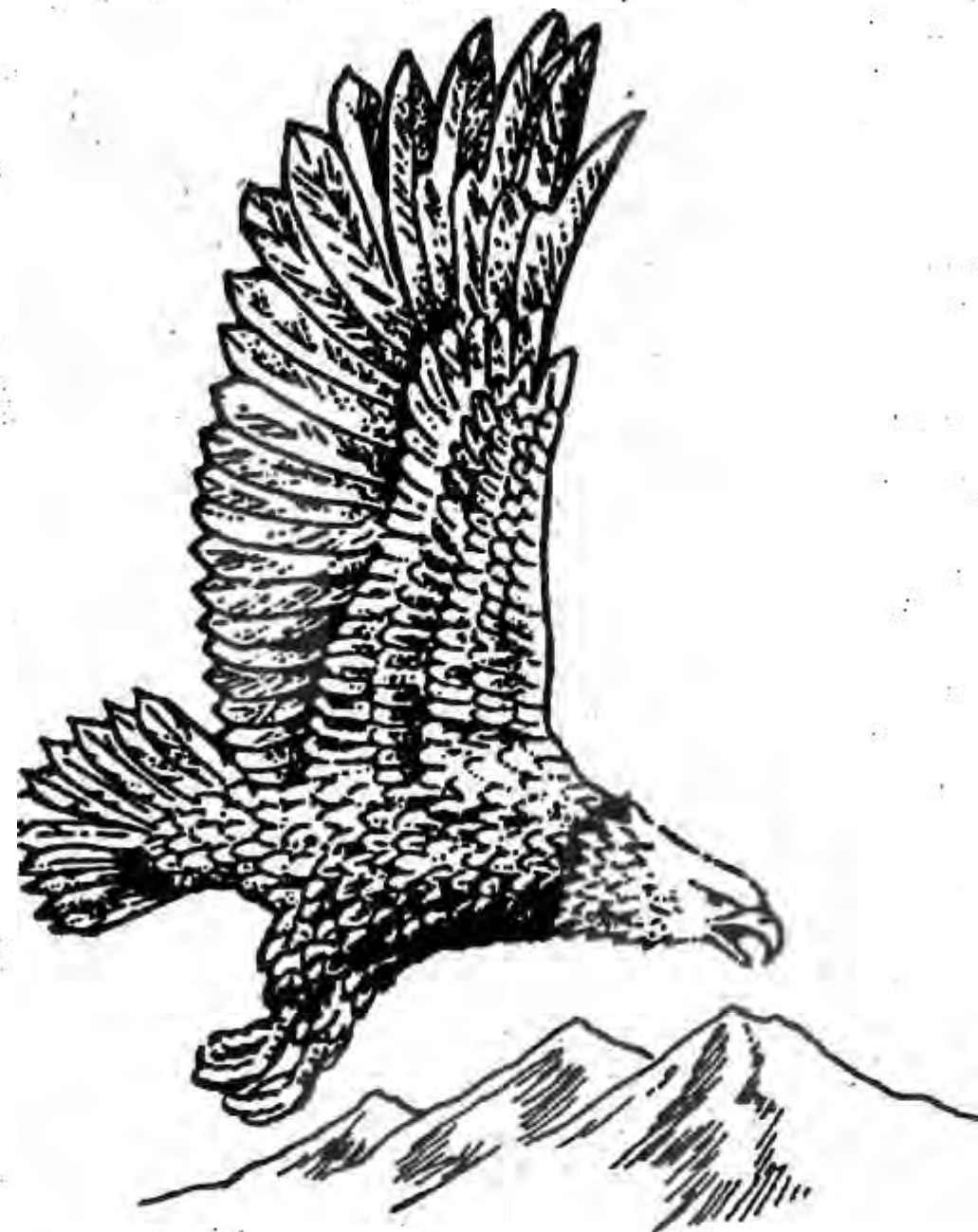
By Patricia Nelson Limerick, Ph.D.

In the 1890's, Captain A. E. Woodson brought remarkable energy to his job as an Indian agent. When he arrived at the Cheyenne and Arapaho reservation in Oklahoma he found the Indians "indulging in the grass dance and enjoying the medicine feasts without molestation." Accordingly, his "first act was to forbid dances and feasts..." Once begun, Woodson launched himself wholeheartedly into the business of forbidding. He undertook to prohibit the practices of medicine men or shamans, the custom of sharing goods with relatives, traditional forms of marriage, and visits to other reservations. When the Cheyenne and Arapaho people resisted his interference in their lives, their defiance only convinced Woodson that he was in the right. "An agent must sacrifice any desire to be popular," Woodson wrote, "if he be inspired to do his whole duty."

Captain Woodson's enthusiasm for the exercise of power, his reports to the Commissioner of Indian Affairs show, was unending and unquenchable. When the Cheyenne and Arapaho people resisted his orders and hired another white man to pursue his removal, Woodson wrote to the Department of the Interior explaining his struggle with his charges. The Indians, he said, showed "a rebellious spirit in opposition to the methods which have been inaugurated with the sanction and approval of your office..." This resistance had gone as far as "an open expression of disapproval of my regime, which is distasteful to the old men who are wedded to barbarous customs..." Woodson had simply "endeavored to institute newer, and in my opinion, better methods tending to the improvement of the condition of these people..." The Department's response was, for Woodson, very gratifying. The Indians had to be restrained "from the indulgence in any practices which tend to continue them in barbarism..." Woodson's "efforts have met with the full sympathy and approval of your office." Indeed, Woodson was empowered to "inform these Indians that your efforts to control them in a more civilized method of life meets the approval of this office..."

"Let [the Indians] know that the power of Government is behind you," the officials in Washington told their agent in Oklahoma. Those words make it impossible to dismiss Captain Woodson as a peculiar, eccentric, or anomalous individual. He was, instead, a delegated agent of his nation, attacking religious freedom on government orders.

The contradictions between American ideals and American practices form a familiar theme in our national history. Everyone knows that many of the founders of the American nation, who demanded their natural right of freedom and who complained about their "enslavement" to the British king, were themselves slaveowners. Everyone knows that much of national history, from the Thirteenth Amendment ending slavery down to the Civil Rights Acts of our time, has been driven by a campaign to bring ideals and practices into a closer harmony. But the national contradiction represented by Captain A. E. Woodson has received much less in the way of public attention or efforts to provide a remedy. A nation, dedicated to freedom and committed to the separation of church and state, imposed on Indian people a formal policy of the prohibition of Native religions and forced Christianization. Adopted in 1791, the First Amendment declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." For most of the two centuries of this country's history, the First Amendment has



been held suspended, waiting for a full and active application to the religious rights of Indian people.

From the origins of the British Empire in North America, colonists assumed that civilization and Christianity were inseparable parts of the same package. As the distinguished historian of Indian policy, Francis Paul Prucha, has noted, while English civilization and the Christian religion "could be separated in theory, in practice they were nearly always combined." One English writer put the case in a nutshell: "We give the savages what they most need. Civilitie for their bodies. Christianitie for their soules." The founding of the United States left this premise virtually unchanged. As Father Prucha sums it up, "It was the goal of the United States to civilize, Christianize, and educate the Indians so that they could ultimately be absorbed into the mainstream of American society." Accordingly, the United States "set about to change the fundamental cultural patterns of the Indians in a self-righteous paternal manner."

As waves of Christian religious enthusiasm swept the United States in the nineteenth century, a missionary movement gained both influence and eager workers. As Protestant church groups worried about the souls of heathens in Africa, Asia, Hawaii, and North America, the federal government fully welcomed the missionaries as partners in Indian policy. In Prucha's words, "The United States government accepted as allies in its work of civilization the Christian churches of the land," with "the

two processes, civilizing and Christianizing, . . . inextricably mixed." Federal funds for Indian education provided partial support for missionary schools; the government, for instance, sometimes constructed the schoolhouses that Christian missionaries would teach in. For government officials as much as for missionaries, Christianity was so manifestly the right religion—indeed, the only religion with a claim on truth—that the question of religious liberty for Indians never entered their minds. To nineteenth century white Americans, the First Amendment protected the exercise of *religion*, while what the Indians practiced was superstition, primitive rites, and peculiar customs—practices that, to the nineteenth century Anglo American mind, did not deserve the First Amendment's guarantees of liberty.

Over the course of the nineteenth century, the partnership between church and state became more pronounced and more official. The terms of President Ulysses S. Grant's Peace Policy hinged on "the conscious intent of the government to turn to religious groups and religious-minded men for the formulation and administration of Indian policy." And, "building on the long history of close relations between the federal government and the missionary groups in Indian matters," Father Prucha writes, "the nation now went far beyond simple cooperation of church and state in educational matters. It welcomed official church societies and church related individuals into fuller partnership; and to a large extent these groups came to dominate official government policy and administration of Indian affairs..."

As these "government functions were handed over to the churches," did anyone raise the questions of religious freedom and of the separation of church and state that seem so obvious to us today? Indeed, as Father Prucha notes, "[m]uch was made of the question of religious liberty," but not at all in the terms we might expect. The question was entirely one of religious liberty *between and among Christian churches*. "By religious freedom," the Christians "meant liberty of action on the reservations for their own missionary activities..." and they "made no move to grant as much as a hearing to the Indian religions."

In the early 1880s, Secretary of Interior Henry Teller further tightened the already very narrow meaning of religious freedom. In December of 1882, Teller wrote the Commissioner of Indian Affairs, to "call your attention to what I regard as a great hindrance to the civilization of the Indians, viz., the continuance of the old heathenish dances..." If, Teller said, the Indians "are not willing to discontinue them, the agents should be instructed to compel such discontinuance." Teller found, as well, in the "influence of the medicine men," a second "great hindrance to the civilization of the Indians." The medicine men used "their conjurers' arts to prevent the people from abandoning their heathenish rites and customs." "Steps should be taken," the Secretary of the Interior said, "to compel these impostors to abandon this deception and discontinue their practices," practices that were "without benefit" and "positively injurious." Similarly, Teller lamented the irregularity of traditional marriage customs, and the Indian's "very general custom of destroying or distributing his property on the death of a member of his family." Here, too, the government should "formulate certain rules that shall restrict and ultimately abolish these practices."

"If it is the purpose of the Government to civilize the Indians," Teller argued, "they must be compelled to desist from the savage and barbarous practices that are calculated to continue them in savagery." To put an end to the "pemicious influence of these heathenish practices," Teller created a system of Courts of Indian Offenses. Agents would (See Religious Freedom, page 28)

What can I do to help?

1) Write a letter to your Senators asking them to co-sponsor S. 1021. 2) Write a letter to each member of the Senate Indian Affairs Committee asking them to support and advance S. 1021: Dennis DeConcini (D-AZ), Thomas Daschle (D-SD), Kent Conrad (D-ND), Harry Reid (D-NV), Paul Simon (D-ILL), Dan Akaka (D-HAW), Paul Wellstone (D-MN), Ben Nighthorse Campbell (D-CO), Byron Dorgan (D-ND), John McCain (R-AZ), Frank Murkowski (R-AK) Thad Cochran (R-MS), Slade Gorton (R-WA), Pete Domenici (R-NM), Nancy Kassebaum (R-KS), Don Nickles (R-OK). Letters should be addressed to: The Honorable _____, United States Senate, Washington, D.C. 20510.
(Reprinted from NARF Legal Review)



March on Washington for Leonard Peltier

On November 20, 1993 there will be a march and demonstration for jailed Indian leader Leonard Peltier, a man who has spent over seventeen years incarcerated for a crime he did not commit. Evidence was fabricated, witnesses coerced, and evidence of his innocence withheld. The prosecuting attorney has admitted three times in a court of law "we don't know who killed those agents." Yet, there seems little hope for justice in the judicial system.

On July 7, 1993 the Eighth Circuit Court of Appeals once again rejected Leonard's claims, not because they were invalid, but because they had not been filed in a timely fashion. Now we must join together to request from our elected officials that a political remedy be initiated. Leonard is too good a man to languish in prison. He needs to rejoin his children and grandchildren, and work hands-on for his (and all) people.

Please write to your local Congress people and Senators. Ask them to look into the case and voice their support. Suggest that they contact Senators Daniel Inouye, Paul Wellstone, or Congressman Ronald Dellums or Don Edwards. Send a check or money order today to the *Leonard Peltier Defense Committee Legal Strategy* to ensure that our expenses for such an enormous operation can be paid, **and be there on the 20th!!!**

We urge you to try to attend this important event. Without you physically being there for Leonard, there's a chance we will not be taken seriously. We will literally need thousands of supporters to join us that day. By keeping in touch with us we will be able to give you updates and information to help make this less of a burden to you. Local support groups will be organizing caravans and bus rentals and arrangements will be made for food and shelter.

Leonard Peltier has given up nearly one third of his life for us. The least we can do is sacrifice one weekend for him.

Yes, I will contribute to the effort! Here is my contribution of \$ _____

I am committed to being there:

Name _____ () _____

phone number

Address _____

City, State & Zip _____

International office of the Leonard Peltier Defense Committee, P.O. Box 583, Lawrence, KS 66044 (913) 842-5774 FAX (913) 842-5796



Getting set to go fishing the old way with canoe and nets are some of the Wolf Camp kids. Coordinator Dick Young assists "Uncle" Mike Newago in loading the canoe. (Photo by Amoose)

Religious freedom

(Continued from page 27)

assemble "tribunals" of three Indian judges, who would, in much of their activities, investigate, convict, and punish offenders who persisted in following their Native religions.

Created by an executive action from the Department of the Interior, these courts were of doubtful legality. They did not derive their authority from a constitutional provision, nor from an act of Congress. Instead, the authority behind them rested on a widespread Anglo American belief that Christianity was the only true religion, and Indian religions were simply variations on superstition and barbarism.

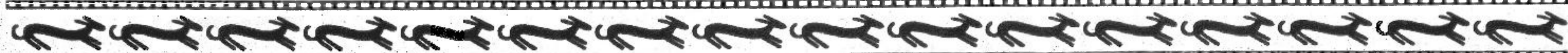
When codified, the "requirements" that the Courts of Indian offenses were charged with enforcing made religious practices a central target. "The 'sun-dance' and all other similar dances and so-called religious ceremonies," read one requirement, "shall be considered 'Indian offenses.'" "[A]ny Indian found guilty of being a participant" would, on a first offense, be "punished" by the "withholding of his rations for not more than ten days." For a repeated offense, the penalty would be the withholding of "rations for fifteen to thirty days, or incarceration in an agency prison for a period not exceeding thirty days." The range of punishable offenses included "any plural marriage hereafter contracted;" the destruction of property in mourning for a lost relative; "the practice of bands of Indians making or returning visits to other Indians;" and "the usual practice of so-called 'medicine men.'" If a medicine man "resort[ed] to any artifice or device to keep the Indians under his influence," "adopt[ed] any means to prevent the attendance of children at the agency schools," or use[d] any of the arts of a conjurer to prevent the Indians from abandoning their heathenish rites and customs," he was to be "confined in the agency guardhouse until such time as he shall produce evidence satisfactory to the court, and approved by the agent, that he will forever abandon all practices styled Indian offenses under this rule."

To get out of prison, by requirement of the United States government, an Indian religious leader had to renounce his faith and declare his intention to stop practicing its rituals. Every religious leader did not, of course, suffer this fate. Federal agents on reservations varied considerably in the vigor with which they followed their orders, and Indian people developed effective strategies of offering an appearance of submission, while maintaining their customs in secret. Even if it was unevenly enforced, the suppression of Indian religious liberty stood as formal, official United States policy. In the nation's long-running campaign to bring its practices into harmony with its ideals, this story demands the attention of the American public and its elected leaders.

"I am satisfied," wrote D. C. Govan from the Tulalip Agency in Washington, "that the greatest obstacle to progress and to the advancement of the young Indians is the old Indian. He still clings to his old superstitions and cherishes secretly the old traditions and teachings of his savage ancestors." It was "cruelty," thought W. N. Hailmann, Superintendent of Indian Schools, to hand the Indian young over to "the savagery of the old Indians." The federal government had to act "to protect the young Indian against the old."

The campaign against Indian religions was, at its core, a campaign against the Indian family. Ties holding parents to children, grandparents to grandchildren, uncles and aunts to nephews and nieces, elders to juniors, knit tribal societies together. In those terms, it is hard to imagine a better way of shaking, eroding, and fragmenting identity and morale than the agents' campaign to discredit Indian elders. How, one wonders, did the officials think that they could put a society back together again, after the federal government had—purposefully, consciously, intentionally—torn the generations apart? Federal officials held to a remarkable faith that one could remodel a society with the precision of a surgical operation, cutting off the influence of the older generation and leaving the younger generation not only intact, but capable of achieving a coherent, balanced life with a suddenly changed economy, religion, and family structure.

The campaign against family ties went beyond the effort to pit older people and younger people against each other. Many (See The repression of Indian religious freedom, Page 31)



A shawl dancer sweeps around the dance circle. (Photo by Amoose)

Plans to build on Indian site blocked

A Superior Court judge in California ordered Cal State Long Beach officials to halt development of a piece of university land that many American Indians consider sacred.

The judge issued a temporary restraining order barring any activity on the land until the matter is heard in court Sept. 13.

The American Civil Liberties Union filed a complaint on behalf of 30 American Indians who are demanding permanent access to the site.

Many American Indians believe the land is the site of an ancient Gabrielino Village called Puvungna and the birthplace of the deity Chunquichnish.

Until this year, the land was used by organic gardeners and American Indians had access to it. But in February the gardeners were asked to leave the land and a chain-link fence was erected around the site.

(Reprinted from *American Indian Report*, a publication of The Falmouth Institute, Inc.)

ACLU vows to fight bill targeting racist logos

The executive director of the Ohio Civil Liberties Union (ACLU) said her group would try to block any effort by the Ohio state legislature to deny public funds to groups that display a racially or ethnically demeaning name or logo.

Christine Link, of the ACLU, said the bill introduced in the Ohio legislature on July 27, would be a clear violation of the First Amendment.

The bill is aimed at the Cleveland Indians name and Chief Wahoo logo, but it would also affect universities, colleges and other schools. It calls for the creation of a tribunal to determine which names and logos are racist.

(Reprinted from *American Indian Report*, a publication of The Falmouth Institute, Inc.)

Tribes threaten boycott of Wal-Mart's if burial site disturbed

The National Congress of American Indians (NCAI) is urging Wal-Mart Stores Inc. to prevent a mall parking lot from being built on a site believed to include a sacred burial ground.

The mall site is in Paso Robles, a town in central California where developments have destroyed the other four known Indian sites.

Wal-Mart, and 500 parking spaces for its store, are to be located at one end of the 39-acre mall, but not the end where the burial site was discovered.

A test dig at the Paso Robles site uncovered a finger bone and skull, which the coroner confirmed were American Indian. An environmental report said the site was a significant cultural resource and descendants of the Indians who are thought to have dwelled there said they consider it the equivalent of a Christian cemetery.

Archaeologists say the Indian settlement may have been established 4,000 years ago, dating back to the time of the pharaohs in Egypt.

The NCAI, in a July meeting held in Green Bay, Wisconsin, said it will seek a boycott of all Wal-Mart stores in the United States by all Indians, unless the company takes action "to support sacred Indian sites when Wal-Mart pursues business ventures with any developer."

Until recently, Wal-Mart said that it supports the preservation of Indian culture, but the Paso Robles problem was in the hands of the developer.

Last month, Wal-Mart asked the developer to meet the archaeologists and NCAI representatives to discuss whether a cemetery exists and, if it does, to try to change his plans.

Wal-Mart executives and the developer believe that no burial site exists on the property, but archaeologists are convinced that it does, noting that ancient Indian communities almost always included burial grounds.

(Reprinted from *American Indian Report*, a publication of The Falmouth Institute, Inc.)



Stop grinning for the camera and watch where you're going, Steve! Or should it read... Steven Moore, Bad River, skillfully guides his canoe through the thick, lush bed of manomin (wild rice) as his partner, Dana Jackson, Bad River, deftly harvests tender kernels from the fragile, green stalks that bend to the touch of the swiftly-moving ricing sticks. They harvest the manomin much as their ancestors did in years past, carrying on an age-old tradition. (Photo by Amoose)



Ada Deer was honored by her tribe, the Menominee, following her appointment as Assistant Secretary of Indian Affairs, Dept. of the Interior. Above, Gaiashkibos, Lac Courte Oreilles tribal chairman, presents Ada Deer with an Eagle Feather during ceremonies. (Photo by Natalie De Pasquale)

Third Annual Land Consolidation Conference

By Sharon Metz
HONOR

Green Bay, Wis.—Members from 18 tribes from 13 different states gathered in Green Bay, Wis., Sept. 20-23rd to strategize on how to consolidate reservation lands. This year's conference was hosted by the Oneida Tribe of Wisconsin. Conferences in 1991 and 1992 were held on the Umatilla reservation in Oregon and the Salish-Kootenai reservation in Montana.

The original concept behind holding land consolidation conferences was how tribes could get reservation lands back into tribal hands. Representatives from agencies and organizations ranging from the Nature Conservancy, to the Federal Home Administration, to the Federal Land Trust and the Bureau of Indian Affairs (BIA) gave presentations.

Other organizations such as First Nations, HONOR and the Northwest Renewable Resource Center participated—as did experts in probate and will writing. The 1991 conference, held on the Umatilla reservation, laid out a smorgasbord of strategies and tools for consolidating reservation lands.

While many of the same agencies were participants this year, much of the conference time was devoted to fractionated lands. In other words the rights and realities of Indian land owners who own very small parcels of land—fractionated lands—too small to do anything with, but which are in private ownership due to the 1887 Dawes Land Allotment Act.

These parcels, sometimes minuscule, are a major headache for the BIA which must send checks—often for under \$5—to numerous individuals who own a small piece of property. It's a problem for tribes who cannot consolidate lands through purchase or acquisition unless all the owners agree to sell or transfer their parcels. And, the Indian land owners want compensation and access to their parcels as well as accommodation from the tribes in pursuing their personal property development.

Hostility from some individual Indian entrepreneurs over the authority of their own tribal government was clearly articulated. In fact, individual land owners problems consumed a major part of the conference time.

During the conference a public hearing (with opportunity for recording testimony) was held on the federal Indian Land Consolidation Act and its scheduled 1994 reauthorization. Paula Wallis of the ILWG coordinated the public hearing and testimony process at the conference.

The conference and agenda were coordinated by the Indian Lands Working Group chaired by Dave Tovey (Umatilla). A feature of the conference was a tour of Oneida lands and an explanation of the land consolidation role of the Oneida Land Committee. The conference banquet keynote speaker was Delmer "Poncho" Bigby. Comedian Charlie Hill entertained the crowd after the banquet.

The Fourth Annual Land Consolidation Conference is tentatively scheduled for either Tucson or Phoenix.

"First Acres" presentation made by HONOR

By Sharon Metz, HONOR

Green Bay, Wis.—At the Third Annual Land Consolidation Conference in Green Bay, Wisconsin, on September 21st, HONOR presented the Oneida Tribe with a check for \$1,000 and a pledge of at least \$5,000 more to be used toward acquiring a 33 acre parcel of woodland/wetland land within the Oneida reservation borders.

As part of its "Return of the Homelands" project, HONOR began fundraising in July for actual acreage within reservation borders that tribes wanted to re-acquire. Members from all over the country as well as members from France and Japan have contributed to the project.

Tribal Chairwoman Deb Doxtator, received the check and noted the priority that Oneida has placed on restoring its land base. Sharon Metz, Director and President of HONOR and Reverend James Dolan, first vice-president of HONOR made the presentation on behalf of HONOR.

Metz recalled that Oneida is the site of HONOR's 1988 organizational meeting at which the five HONOR Principles were adopted. She also noted that the Oneida tribe was the first to provide the background support and documentation needed to participate in the Return of the Homelands—First Acres project.

Those interested in participating in the project are encouraged to contact HONOR, 2647 N. Stowell Avenue, Milwaukee, WI 53211.

Cleveland Indians keep Wahoo logo despite protests

Cleveland Indians owner, Richard Jacobs announced last month that the team would keep the Chief Wahoo logo because most fans were in favor of keeping it. Jacobs said the logo is "a caricature of a noble race, a brave race." But others described the decision as insensitive.

Bishop Donald E. Pelotte, the only American Indian bishop in the Roman Catholic Church, said that by retaining the Chief Wahoo logo, the Cleveland Indians missed an opportunity to promote the dignity of American Indians.

Pelotte, now head of the Gallup, N.M., diocese, lived in the Cleveland area for ten years before becoming a bishop in Gallup.

Ohio Sen. Jeffrey D. Johnson, of Cleveland, promised to reintroduce legislation prohibiting the use of public funds for the construction, management and operation of the sports complex where the team plays while team operators use the Chief Wahoo logo.

Local Native American organizations have promised to continue protesting the logo until the team decides to drop it.

(Reprinted from *American Indian Report*, a publication of *The Falmouth Institute, Inc.*)



Chippewa "break dancing." (Photo by Amoose)

The repression of Indian religious freedom continued

(Continued from page 28)

tribal people felt obligated, often by tenets of their religions, to share their material possessions with relatives. This generosity drove the federal officials to distraction. "Another vice," said Captain John G. Bourke, "is their care for their relations. They are entirely too fond of their relations. They will do anything for them if they are poor." "We must smother (the Indian's) inherited propensity for hospitality," proclaimed Agent A. E. Woodson.

"The most common and pernicious custom" among the Indians, Woodson said, "is the habit of visiting their relatives and friends and eating their substance. All food supplies are common property." Why not tolerate, even celebrate, this generosity? Agent Woodson supplied the answer, with his characteristic directness: "Their lavish hospitality militates against the accumulation of wealth by individuals."

Woodson's remark calls our attention to the economic component of the federal officials' objections to Indian religions: Native customs of sharing, of hospitality, of feasting, or of sacrifice of property in mourning ceremonies, interfered with the accumulation of property and the pursuit of profit. While the agents' assumption that Christianity was the only legitimate faith was clearly a religious prejudice, it was a prejudice solidly reinforced by practical, economic considerations. One sees this factor clearly at work in the disapproval of dancing. Because of dancing, Joseph Clements wrote, the Santee Indians "neglect their work. . ." Because of the dances at the Crow Creek Reservation, Agent Fred Treon said, the Indians had "but little time to attend their stock and farms."

For these nineteenth century Anglo-Americans, forcing the Indians to adopt the

habits of materialistic, profit-minded white American society was as essential a task as forcing them to adopt the habits of Christianity; indeed, the two sets of habits appeared to the federal officials as mutually interdependent and equally necessary. The enterprise of demanding devotion to a new work ethic and the enterprise of demanding devotion to a new deity were inextricably intertwined.

"Christianity," declared I. J. Wooten in 1895, "is the calcium light of civilization, quickens the love of justice and morality, and is, above all, the most powerful agent that can be used to obliterate the practice of the degrading and superstitious rites of the medicine man held in reverence by all Indians." Wooten was not, of course, a missionary himself; he was a prime example of a federal employee acting as an official advocate of one religion's right to subordinate another. In his hostility toward the practices of medicine men or shamans, Wooten was typical of the agents of his time.

The practice of traditional healing ceremonies was, in other words, transformed into a crime, as George B. McLaughlin, agent at the Blackfeet Reservation in Browning, Montana, reported, "I have already begun punishing 'doctors' for these offenses, and hope in time to break up their barbarous custom."

The attack on the medicine men undertook to loosen the tight connections between religious practice and physical health, between spiritual life and material life. It was, as well, part of the attack on the authority of elders in tribal societies. The defeat of old religious practices, the agents recognized without regret, would require breaking the power of the leaders of Indian societies.

These struggles of power rested, finally, on physical force. By the 1890s, the wars of conquest were officially over; but the power politics of conquest remained unsettled. The actual battles were, in many ways, only a prelude to this campaign on the part of the agents to convince the Indians that, in Lt. V.E. Stottler's words, agent for the Mescalero Apache, "the Government is supreme, and will do what it pleases with them or theirs." Perhaps the Pine Ridge Agency in South Dakota showed this condition of conquest-in-progress most clearly. The Pine Ridge Reservation had been a center of the Ghost Dance, the religious movement that promised a return of good times and a retreat of white conquest. Panic and alarm on the part of agents facing this movement had triggered the events that led to the killing at Wounded Knee in December of 1890.

In this context, the suppression of religious freedom carried down-to-earth meanings of power and dominance. To the agents of the 1890s, religion could rebuild a conquered people's morale; religion could make them defiant; religion could make them hard to rule. In those terms, suppressing religion was as vital a part of conquest as sending troops out to engage in direct military combat.

But Indians possessed a great constant. Persistent enthusiasm for their own religions marked all of their dealings with the official representatives of the American nation. And yet it was the Anglo-American custom to reserve the word "religion" for "Christianity," and to assign the words like "superstition" or "barbaric customs" to Indian faiths. "Gross superstitions of the worst kind are rampant," Rev. A. B. Shelly told the Board of Indian Commissioners in 1895, describing the religion of the Hopi Indians. The Omaha, their agent Wm. H. Beck reported, "claim that they have a right to their religious observances, which are in fact the barbaric customs of their progenitors." These habits of language, of course, connect to important and down-to-earth consequences; the First Amendment, after all, guarantees protection of religion not for "barbaric customs," "superstitions" or "heathenish practices."

In the century since the 1890s, that policy has softened, and in some ways, reversed itself. The American Indian Religious Freedom Act of 1978 declared a national regret over a history of direct, blatant repression of Indian freedom. And yet, by the terms of the 1988 Supreme Court's decision in the Lyng case, the 1978 act has been reduced to a minor requirement that federal land management agencies, planning a disruption of a site sacred to Indian religions, must consult with Indian people. After having consulted, the agencies are free to discount the priority of the Indian claim.

Despite repeated, public declarations of regret over the patterns of the past, one might argue that the change consists of an increased subtlety in the pressures put on Indian religious practice. In the 1890s, Captain A. E. Woodson was, at the least,

direct and unambiguous in his determination to crush Indian religions. In the 1990s, people like Captain Woodson are comparatively rare creatures. But another, more subtle form of opposition to native religions has entered the picture, as federal agents who are simply intent on other goals entirely—resource development on public lands, for instance—rank Indian religious practices second to mainstream American social or economic goals. Instead of Captain Woodson's characteristic bluntness, the 1990s version of opposition to Indian religious freedom can speak a much more subtle language. Instead of the direct orders of Captain Woodson, the challenge to Indian religions today can come in the form of a long, detailed report from a federal land management agency, advocating development of a particular site, and treating an Indian religious ceremony, centered on that site, as a quaint, colorful but dismissable relic of a lost time. Undramatic and indirect as this bureaucratic behavior may seem, its effect on religious practices can be nearly as destructive as the direct attacks of the late nineteenth century.

While public attention has focused on the Indian wars, actual military engagements were only a small part of the process of conquest. Less "colorful" and seemingly less dramatic than the fighting at the Washita or Little Big Horn, the agents' fight for control on reservations—control of Indian people's economic, political, social, family, and religious lives—was just as crucial a part of the story as were the battles waged by the Army. The refusal to recognize the right to the free exercise of religious belief and practice was an essential component in the conquest of native people.

A denial of Indian religious liberty is an undeniable part of our inheritance from the nineteenth century. But this inheritance is not a matter of fate, forced upon us against our will. Some of the injuries of the past are irreversible, beyond repair or redemption. But on this question, there are meaningful choices still to be made. We can continue the patterns of injustice that have their roots in the conditions of conquest. Or we can, in the most concrete way, profit from the lessons of history and break from the track of past injustice. "Let [the Indians] know that the power of Government is behind you," the officials in Washington told Captain Woodson when he launched his campaign to prohibit their religion. A century later, one can imagine a different message from Washington, a message more in harmony with American ideals. Let the Indians know, the new message would read, that the power of Government now stands behind them, and behind their right to religious freedom.

(Patricia Nelson Limerick is a Professor of History at the University of Colorado, Boulder, Colorado, and is a longtime supporter of the Native American Rights Fund (NARF). Footnotes have been omitted by MASINAIGAN. For a complete listing, please contact us. Reprinted from NARF Legal Review)



A two-headed giant

By Sue Erickson
Staff Writer

Crandon, Wis.—It was tough enough for the Mole Lake band of Chippewa the first time the corporate giant Exxon came to the Crandon area, poised to open a zinc/copper mine just miles from the band's small homeland.

The band fought hard during the early 1980's to oppose Exxon's proposed mine, which jeopardized the environment of their homeland. But today Mole Lake faces a two-headed giant, as Exxon has reappeared in a joint venture with Rio Algom Limited, a major Canadian mining corporation, to announce the formation of the Crandon Mining Company and their intent to pursue permits for the mining operation near Mole Lake.

Even though Exxon suddenly decided to halt the permitting process in 1986, stating the value of zinc and copper were down, the band did not believe its departure was permanent nor give up the fight, according to Fred Ackley, Mole Lake tribal judge. In fact, in 1986 the band filed a suit in federal district court against Exxon, the state of Wisconsin, and Forest, Oneida and Langlade counties, claiming occupancy rights to lands the band claims were promised as part of the 1854 treaty negotiations.

The lands in question also pertained to the proposed mine site. The tribal claims were denied in a decision by U.S. Judge Robert Warren in 1988. The band appealed, but the appeal decision, which was recently filed by the 7th US Circuit Court of Appeals, upheld Warren's decision. The band has petitioned for a rehearing before a 15 judge panel, Ackley states. In fact, on Sept. 14th, when Exxon/Rio Algom announced their intent to pursue the mining



Fred Ackley, Mole Lake tribal judge.

permits, they also were asked by the Court to respond to Mole Lake's brief.

Once the Court receives Exxon's response, a decision will be made as to whether a rehearing will be granted, Ackley states. The Mole Lake band remains committed to opposing the mining operation, Ackley says. A recent vote by the tribal public told leadership not to give up.

Mole Lake's concerns regarding the mining project are several fold. For one, the band's homeland is at risk, and the band has little faith in assurances of technological safety, effective environmental protection, or that reclamation efforts would truly work. The track records left by mining companies worldwide make Ackley doubtful and unwilling to take the risk for his reservation.

In reality, he comments, it would take about 400 years to see if reclamation is truly effective. "There are no proven reclamation plans," he says. Water diversion,

Exxon, Rio Algom partnership to seek crandon mine permits

Crandon, Wis.—Exxon Coal and Minerals Co. and Rio Algom Ltd. announced on September 14 the formation of Crandon Mining Co., a Wisconsin partnership that will seek permits to develop a zinc and copper deposit near Crandon.

The two companies have evaluated the environmental, engineering, financial, marketing and staffing aspects of the project and agreed to an initial mining rate of 5,500 tons per day for the proposed underground mine. The deposit was discovered by Exxon in 1975 and plans to develop a mine were initially developed in the mid 1980s. An unfavorable marketing outlook for copper and zinc caused Exxon to suspend its permitting effort in 1986.

"We look forward to working cooperatively with the people in the Crandon area and with state officials to make this project a success," said J. D. Goodrich, Jr., president of the newly-formed Crandon Mining Co. Speaking at a press conference in Crandon in September, Goodrich added: "We are set to restart permitting soon."

Goodrich said that Crandon Mining Co. anticipates that recoverable ore reserves of about 30 million tons, grading 9.4% zinc and 0.4% copper, will be mined during the first 15 years of operation. "Providing that economic and marketing considerations are supportive, there is an additional 25 million tons of primarily copper-bearing ore that could be mined later, extending total mine life to approximately 25 years," he said.

Goodrich noted that development of an underground mine at Crandon would bring significant economic benefits to Wisconsin. "A mine like this would have a total investment of several hundred million dollars and 400 to 500 full-time mining jobs," he said. "That's a big and very positive economic impact, particularly for the Northwoods."

Goodrich emphasized that the underground mine can be developed in an environmentally responsible manner and with only modest changes to the development plans proposed in the mid 1980s. "We will work with all appropriate governing bodies to be sure the mine complies with all applicable environmental permits, laws and regulations," he said.

water pollution, and the lowering of water tables due to mining operations will jeopardize the traditional rice beds of the tribe and the entire ecosystem.

Mole Lake's notification of Crandon Mining Company's intent to pursue mining permits came two hours prior to the press announcement. Somebody walked into the tribal offices with a notice around 9 a.m. The public announcement was at 11 a.m. Ackley believes that state officials were also aware in advance of this announcement but did not feel notification of local governmental bodies, at least that of the tribe, was necessary.

Ackley feels this could be in violation of the state code 144.839 which requires agreement from local governments. At best, it appears devious and intentional, "but that's how they operate," he states, himself a veteran of the first round opposing Exxon in the 1980s. Other tribes' interests are also at risk with the proposed Crandon mine site.

Tribal leaders from Mole Lake, Menominee, Stockbridge-Munsee, and Forest County Potawatomi met to discuss the issues... which, in reality, are the same issues their ancestors held council over time and again... what to do when non-

Indian interest decides to further degrade the remaining Indian holdings?

Ackley believes the two-headed giant is ready to put on a good show, well-prepared, in fact. Just two days after the press announcements letters from the Crandon Mining Company had already arrived in everyone's mail box asking for opinions on the mine.

Ackley's remarks contain a twinge of cynicism. Somehow he doesn't think environmental protection, despite the elaborate process of permitting and the lengthy studies, usually wins out over money and politics, but that doesn't mean the tribe is willing to give up.

In fact, a Ni Win (four tribes) meeting took place on Sept. 24th with Mole Lake, Stockbridge-Munsee, Forest County Potawatomi, and Menominee participating.

All four tribes, Ackley says, agreed to stand together in opposition to the proposed mine.



"Enter at your own risk"—Exxon's warning sign behind the gate to its proposed mining site in 1986. The risks of the mine go beyond the site itself; however, and the Mole Lake band, a neighbor to the mine, stands ready to oppose it. (Photo by Sue Erickson)



Chippewa leaders voice concerns about proposed WI mine

The leaders of three Chippewa tribes criticized plans by Exxon Minerals and Rio Algom Ltd. to open a copper mine adjacent to the Mole Lake Reservation in northern Wisconsin. Exxon and Rio Algom announced intentions to enter the state mine permitting process on September 16.

Arlyn Ackley, Chairman of the Mole Lake Sokaogon Chippewa said, "These companies have already demonstrated their arrogance and disregard for the rights and well being of our people in making this announcement. Our tribe was not even notified that an announcement was to be made. This is outrageous. As a sovereign government, under Wisconsin statute 144.839, we will have to negotiate as a full party to any local agreement to permit this project. Yet the company made this announcement without even recognizing our existence or that of the neighboring Potawatomi tribe."

The Mole Lake Reservation lies immediately adjacent to and downstream of the proposed mine. In the 1970's Exxon made an attempt to mine the deposit and was met with stiff resistance by the tribe.

"Exxon claimed it would be an 'environmentally safe' mine in the 70's," Ackley said. "They claimed it wouldn't harm our sacred wild rice beds or water resources. We had to spend our own money on tests to prove their project would in fact contaminate our subsistence harvest areas and lower

the water level of Rice Lake. Exxon's claims of environmentally safe mining were unfounded."

"I think these companies are willing to lie," Ackley said. "Their history is one of pollution, destruction and death. Just last month, more than 70 Yanomama Indians were massacred by miners in the Amazon forest. As far as we are concerned, Exxon and Rio Algom are of the same mind set. Let it be known here and now that these companies are prepared to plunder and destroy our people and lands for their insatiable greed. They may be more polite in North America, but they are no less deadly to Native people."

Rio Algom, a Canadian based mining company, is familiar to Gaiashkibos, Chairman of the Lac Courte Oreilles Chippewa. "Until six months ago Rio Algom was owned by Rio Tinto Zinc. RTZ refused to consult with my tribe when they opened the Flambeau Mine at Ladysmith, Wisconsin."

"We have treaty rights to hunt, fish and gather within the area these mines will effect. Our subsequent court case with RTZ brought to light the activities of subsidiaries like Rio Algom. This company has a track record of destroying resources vital to Native peoples. Rio Algom's Elliot Lake Mine in Ontario killed mile after mile of the Serpent River. All the fish and aquatic life died."

"In 1985, Rio Algom opened the East Kempville tin mine at Yarmouth, Nova Scotia, promising 20 years of jobs. It closed after just six years, due to low metal prices, throwing more than 220 people out of work and leaving behind an open pit a mile long, a quarter mile wide and 200 feet deep. The unreclaimed mess had contaminated local streams, ground water wells and the Tusket River."

"Our communities, Indian and non-Indian, need sustainable economic development, not boom and bust economies. Last fall Rio Algom gave the Province of Nova Scotia six months to find a new buyer before the mine permanently closed. In exchange for \$80,000 per month from the government to keep the mine mothballed, Rio Algom postponed demolition of the site. We don't want these burdens here."

"It is time for the people of Wisconsin to wake up," Gaiashkibos said. "Citizens must demand state laws that will provide real protection to all the people of Wisconsin. We need to adopt tougher ground water quality laws that make mining companies meet the same standards as other industry."

We need to create laws that will stop 'Rad Actors' like Rio Algom from working their ways in Wisconsin. If we are to sellout our children's resources for corporate profits, then we must demand severance payments based on the wealth taken

from our future generations. None of these protection are now in place in Wisconsin," Gaiashkibos concluded.

Lac du Flambeau Chairman Tom Maulson said, "The state of Wisconsin is determined to develop a mining district in our ceded territories. First RTZ/Kennecott at Ladysmith, then Noranda announced intentions to mine at Lynne, just north of my reservation and now Exxon and Rio Algom at Mole Lake, the headwaters of the Wolf river. More sites are under exploration. The Potawatomi live very near Mole Lake, and the Menominee reservation is down stream on the Wolf River. All our lands are threatened."

Maulson lead the struggle to exercise treaty spearfishing rights in Wisconsin. He said, "Our elders tell us that when our grandfathers ceded these lands to the United States that it was our understanding that we were allowing our mother to be disturbed only as deep as the plow could turn over."

"We were deceived then, we will not be fooled now. These mining projects threaten everything that we have as a people, our lands, our waters, our wild rice, our fish and deer, our sacred medicines, even the air we breathe."

"We were put on this Turtle Island to live in harmony with our Mother the Earth. We cannot sell her to allow her to be abused for profit by Rio Algom or Exxon, or Noranda. She is our mother."

Mining top priority for Protect the Earth gathering

By Natalie De Pasquale, HONOR intern

Lac du Flambeau, Wis.—"Getting back to our roots" was the theme for the eighth annual Protect the Earth gathering at the Lac du Flambeau reservation in Wisconsin this summer. The gathering, designed to create awareness and provide environmental education, attracted a wide range of environmentally concerned individuals and organizations.

Talking circles were the medium used to discuss issues on mining in the ceded territory, nuclear issues, Native American sovereignty, religious freedom, and education.

Though the mining issues were the heart of the gathering this year, the soul was provided by the talents of such folk singers as Skip Jones and Mitch Walking Elk. They entertained the troops in the trenches of environmental reconciliation and worked with the kids to produce an inspiring rendition of "The Children of the World."

The anti-mining strategists worked out a plan of action to oppose a proposed mine by Noranda near the Willow River and began to organize themselves in their commitment to target pressure points for the upcoming gubernatorial election in Wisconsin.

The "Gathering of the Waters" ceremony took place under skies cleared by a full-rainbow and the watchful eye of a white-tailed eagle. Water collected from wells, streams, lakes, faucets, clouds, rivers, and a diving fin were each poured into a large metal tub as the collector told the water's tale of pollution and chemical degradation.

The very few pints that contained the remnants of uncontaminated water were released into the tub with great trepidation by the possessors, relaying that they were aware how rare pure water is. As one conservationist put it: "If you were to take all of the water of the earth and make it equivalent to 5 gallon jugs, exactly one teaspoon of those 5 gallons represents the total drinkable water on the entire face of the planet."

Many national environmental organizations were represented, groups like Greenpeace, Wisconsin Greens, ECCOLA, and Earth First!, along with a display of natural solar energy that provided power for the sound system and stage lighting through the use of solar panels. Representatives of the very small company volunteered time and equipment that they "begged, borrowed, and stole" so as to make a positive impact on the minds of users. Their goal was to demonstrate that there are feasible ways to alter one's energy sources that would not be a detriment to the atmosphere like the burning of fossil fuels.

Similarly, the agenda of the two day gathering was devoted to finding alternatives which will be the basis for a healthy and continued existence on planet Earth.



Nature is providing "dead end" signs to industrialized society regarding both its continued exploitation of nonrenewable resources and continued dumping of toxic wastes into the environment. Tribal governments join concerned organizations taking action to pursue a healthier course of existence for the entire ecosystem. (Photo by Sue Erickson)

Mercury in walleye worries spearers

By Terry Rutlin, City Pages staff writer

The boat landings were quiet this year, a welcome change for the Chippewa spearfishers who have had to endure racial taunts and the threat of violence just to spear a good meal. As one concern recedes, attention is being drawn to another threat—one that poses a greater long term danger. Many of the walleye speared are contaminated with potentially dangerous levels of the heavy metal mercury.

An analysis of spearfishing records from the Great Lakes Indian Fish and Wildlife Commission indicates that from 1986 to 1991 about one out of every four walleye the Chippewa speared were on the state's fish consumption health advisory. That's at least 27,404 fish, with at least 325 of these walleye receiving the state's strongest warning: "Do not eat any quantities of these fish."

In all likelihood, the actual numbers are much higher since many of the lakes speared have never been tested for mercury contamination. The effects of eating significant quantities of contaminated fish are a mystery. No state, federal or tribal agency has ever looked at how the Chippewa may be harmed by eating contaminated walleye.

People aren't developing dramatic festering tumors or facing a painful and agonizing death because of the mercury in walleye. It is the subtler, harder to detect effects of mercury poisoning, like decreased learning abilities, impaired physical development, and a deterioration of motor skills that have some people worried.

"It makes me depressed just thinking about it," said Nick Hockings, a spearer from the Lac du Flambeau band. "My gut feeling about this isn't one of optimism." Studies have shown that kids and unborn babies are most at risk from mercury, which attacks the central nervous system. "A lot of people around here who fish have big families with a lot of young kids," Hockings said.

"The last thing we want to do is start loading them up with mercury. But we are not going to stop spearfishing because of the mercury, especially not after fighting for so hard and long in the courts and on the boat landings for the right to do so."

The Chippewa have openly exercised their treaty rights to hunt, fish and gather wild foods off their reservations since their rights were re-affirmed after a lengthy federal court battle with the state of Wisconsin.

Many non-Indians find it difficult to understand the importance of treaty rights like spearfishing. It is a difficulty brought about by the lack of education about the original civilization of this land.

"It defines who we are," said Walt Bresette, a tribal member from the Red Cliff band of Chippewa. "It is essential to our identity. It's like what corn is to the farmer. What makes the farmer makes the Chippewa."

Both Bresette and Hockings said, many Chippewa ignore the health advisories for the simple fact that they are issued by the state.

"The state is never to be trusted," Bresette said. "That is the first motto of survival for us. So when they issue an advisory, we are intuitively skeptical because every time in the past they have told us they are going to help us we have lost more than we originally had. It's an intuitive reaction."

Hockings agrees. "The state's credibility is shot all to hell," he said. "But I have a feeling if the advisories came from the Great Lakes Indian Fish and Wildlife Commission, people would listen to them more."

Mad Hatters and Mercury in the Environment

Scientists believe that most of the mercury entering the environment does so through a few main sources. These include emissions from coal-burning power plants, incinerators and also from latex house paints, which contain small amounts of mercury to inhibit mildew.

This, after entering the air, falls into lakes when it rains. Mercury in its elemental form poses little environmental hazard. But when it enters lakes, bacteria in the sediment converts mercury to methylmercury by adding one carbon and three hydrogen atoms to each atom of mercury.

It is this compound, organic methylmercury, that causes the problems. Methylmercury—because it contains carbon and hydrogen—can be taken up much more easily by living organisms.

It gets in the food chain and becomes more and more concentrated as small organisms are eaten by larger ones. This process, known as bioaccumulation, concentrates the mercury to the point where it can reach potentially hazardous levels in larger predatory fish like walleye, northern, musky, and bass.

Studies have shown that these fish seem to suffer little to no ill effects from the mercury. But when humans eat these fish and themselves accumulate significant amounts of mercury, problems can develop, most notably in the nervous system.

The phrase "mad as a hatter" actually came about because of the mercury used in the making of hats in the 1800's. It caused many hatters to sink into a state of dementia. Today, only in the worst of the worst cases does mercury cause this degree of brain damage.

More common effects in adults start with a tingling around the mouth. This can spread to the arms and legs as exposure increases and even result in impaired motor skills.

Acidic lakes have more mercury-contaminated fish

Acid rain never became as great a direct threat to lakes in northern Wisconsin as some once feared. Today, it's the indirect effects of acidification that have some scientists concerned. Studies show that even a slight lowering of the pH in a lake can increase the amount of mercury in fish, said Carl Watras, a research supervisor at the University of Wisconsin Trout Lake Research Station just north of Minocqua. "The more acidic the lake, the more mercury you are going to find in the fish," he said.

One strongly suspected cause of the acid-mercury relationship is a naturally existing bacteria that converts mercury into methylmercury, which absorbs much more readily into the food chain than regular mercury. These bacteria, known as sulfur bacteria, thrive in acidic conditions. So the more acidic a lake is, the better the bacteria grow and reproduce, and the more mercury the bacteria can then convert to methylmercury, Watras said. Acidic conditions are also thought to inhibit mercury from escaping from the water, thus adding to the amount available for conversion to methylmercury, he added. "Acidification is like a double whammy," Watras said.



Nick Hockings, Lac du Flambeau, sharpening his spear. (Photo by Amoose)

But it's unborn babies and small children who face the greatest risk from mercury contamination. Studies have shown that even tiny amounts of mercury can impair physical skills such as walking and also cause a delay in speaking. Larger doses are known to cause birth defects and even brain damage.

Mercury does this by attacking nerve cells. Every nerve in the human body is connected to another nerve by what is known as a synapses. These charges travel through chemicals known as neurotransmitters. When mercury gets in neurotransmitters, it degrades the signal being sent from one nerve to another. It's like the spark plug in a car misfiring, causing reduced performance.

"That's why we see, at least in people with high doses of mercury, that they have difficulty performing certain physical skills and have tingling in the extremities," said Richard Hoffman, an expert on mercury and professor at the University of Minnesota School of Medicine.

Once the problem develops, it doesn't go away, even after the mercury flushes from the body, said Marie Kuykendall, a Lac Courte Oreilles band member who conducts mercury research at the University of Wisconsin—Superior. "That's the bad thing about mercury," she said. "Once it has done its damage, the damage is there forever." Hoffman and Kuykendall are currently studying tribal members of the Red Cliff Reservation for the effects mercury and PCBs (from fish) may have had on these people.

But Red Cliff members get most of their fish from Lake Superior. And though preliminary results of this study show no great health impact from mercury by eating Lake Superior fish, Hoffman cautioned against extrapolating these findings to people who eat large quantities of fish from inland lakes, which have a much greater problem with mercury contamination than Lake Superior. (See Mercury in walleye, page 36)

The poison in our lakes

Mercury in Minnesota

By Jim Woehrle

Another fishing season begins.

The alarm wakes you at 5 a.m. for your first fishing trip of the year. Across the bay, dawn's pale light reflects on still waters and morning stars promise a clear day.

You and your 6-year old daughter, Sarah, are out on the lake before sunup in your new bass boat, outfitted with pedestal seats, live well, fish locator . . . the works.

Sarah catches her first big fish, a 4-pound walleye. She reels in the whopper, as she calls it, all by herself. Her eyes shine with excitement.

Suddenly a 3-pound bass hits your Day-Glo-orange rubber worm after a perfect cast to the edge of the lily pads. Another lunker for your live well.

Your wife, three months pregnant, and your 2-year-old son are just rising in the cabin. The coffee is brewing. It's 8 a.m., time to come in for a breakfast of fresh fish.

As you near the shore a pair of loons calls and you see one dive. "Dad, look!" Sarah whispers. "What's that animal on the rocks?" You spy the mink, "looking for a breakfast of fish, just like us," you tell your daughter.

Another beautiful morning in northern Minnesota.

What's wrong with this picture?

What this family doesn't know is that the fish in this lake are contaminated with mercury an invisible toxin that can damage the nervous system of a growing fetus or a young child. They don't know that there is a Fish Consumption Advisory put out by the Minnesota Department of Health showing that this lake and many others throughout Minnesota have fish with potentially harmful levels of mercury. No sign at the boat landing alerted them to any potential health hazards.

Minnesota's lakes no longer can be viewed nostalgically as pristine. Scientific evidence shows that we have a growing problem with mercury pollution in our lakes, fish and the wildlife that eats fish. Minnesota's fish have been showing a 5-percent-per-year increase in mercury since 1970. Mercury concentration increases as it moves up the food chain, with the large predator fish—the ones most prized by anglers—having the highest concentration.

Airborne mercury pollution from manmade sources is poisoning our lakes. Pregnant women who eat fish contaminated with mercury can accumulate mercury in their bodies. Mercury is known to be a neurodevelopmental toxin that is especially damaging to the sensitive, growing fetus. "At low maternal mercury levels, fetuses may develop cerebral palsy, physical deformity and mental retardation even

if the mother exhibits no outward symptoms," says a Clean Water Action study published last year. "Ingestion of contaminated fish is the primary pathway of human exposure in the United States."

Pamela Shubat, environmental toxicologist and fish consumption advisory specialist with the Minnesota Department of Health, says women of childbearing age and children shouldn't eat fish containing more than .66 ppm (parts per million) of mercury. Adults should eat only one meal of such fish per week if their diet includes sport-caught fish three or more months of the year. About 40 percent of the lakes tested and listed in the 1992 Minnesota Fish Consumption Advisory are in this category. You cannot trim or cook mercury out of the fish. And just because the lake isn't listed in the advisory doesn't let you off the hook, it only means that fish from it haven't been tested.

Women aren't the only ones facing possible health problems from eating too much fish. "Recent research indicates that men's sperm production might be impaired at lower mercury levels than where (more obvious) neurological damage could occur," Shubat says.

While humans can read fish consumption advisories, wildlife cannot. Minnesota's state bird, the common loon, is a fish eater. A Minnesota Pollution Control Agency (MPCA) study found high and perhaps lethal levels of mercury in the bodies of dead loons collected over a six year period.

Mink and otter also have fish diets. Canadian researchers fed mink mercury contaminated fish at levels found in some Minnesota lakes—1 ppm which is also the legal Food and Drug Administration mercury limit for commercial fish. The mink died. A recent MPCA study shows high levels of mercury in trapped otter and mink.

So how and why is mercury poisoning Minnesota's lakes?

Mercury, a silver-white poisonous metallic element, has been with us since the earth was formed. It has been mined and used by humans for thousands of years, but it took the industrial revolution to release this toxic heavy metal into the environment on a grand scale.

With the advent of large-scale copper, gold and mercury mining and the burning of coal to fuel industrial progress, mercury has entered our environment. Studies show that about 60 percent of global emissions are from human activity while 40 percent are from natural sources like volcanoes and rock. Scientists estimate that about 4,500 tons of mercury are emitted globally into the earth's atmosphere each year. The burning of coal and garbage incineration are the two biggest sources of airborne mercury pollution in the United States.

Once in the atmosphere, mercury washes out of the air in rain and snow or is deposited dry on land and water. Mercury then converts through biological processes into methylmercury—an organic form of mercury that can get into the food chain. Once in a lake, methylmercury moves up the food chain, its concentration bioaccumulates and is greatly magnified.

Mercury in the water also can be absorbed by fish through their gills. As a result of all this bioaccumulation and absorption, large predator fish—walleye, northern, bass, muskie, lake trout—can have mercury concentrations in their bodies up to a million times higher than that of the surrounding water.

Mercury contamination of fish seems to be worse in northeastern Minnesota lakes. Atmospheric analysis reveals that some precipitation over northeastern Minnesota originates from ill winds originating in the industrial Ohio River valley, where the greatest amount of coal is burned. These weather movements push acidic deposition and mercury fallout over Michigan, Wisconsin, Minnesota and Ontario, all of

which suffer from about the same level of mercury contamination of fish. (The other major pollution problem associated with these smokestack emissions—acid rain—makes mercury contamination even worse. Studies in Minnesota and Wisconsin show that the lakes with higher acidity somehow increase the amount of methylmercury available to fish.)

We humans rely on the aquatic food chain, as does the wildlife that is becoming poisoned by it. Will that connection prompt us to act responsibly to turn back the scourge of mercury that our society released from the earth? It will mean changing the way we produce our energy, handle our garbage and manufacture products. These changes must come soon.

Note: All of Michigan's lakes including Lake Superior have fish consumption advisories due to mercury contamination.

(This is an edited version of the article "Something Fishy" that appeared in the May 1993 issue of Minneapolis St. Paul Magazine. Reprinted from Superior Vision, a newsletter for the Lake Superior Bioregion)



Planning and thinking about the IJC's Seventh Biennial meeting

By: Gayle Coyer
NWF Organizer, Lake Superior Project

Mark your calendar and plan to attend! The International Joint Commission's (IJC) Seventh Biennial meeting will be held in Windsor, Ontario, from Friday, October 22, to Sunday, October 24, 1993. An application is pending for funds for a bus and lodging assistance for Lake Superior citizen activists to travel to and from Windsor to participate in the meeting. We'll know in a couple of weeks and we'll be contacting folks through the mail. If we don't receive the funds we'll try to coordinate carpools, inexpensive places to stay, etc.

The bus ride will be long, but it will be worth it. We'd likely leave from Duluth, Minn. early in the morning of Thursday, October 21, and travel the 15 hours to Windsor from Duluth through northern Wisconsin and the U.P. of Michigan through lower Michigan. We'd leave Windsor to return home on Sunday morning, October 24th.

The Seventh Biennial meeting of the IJC promises to be the most important one yet in the struggle to protect the Great Lakes! If you recall, it was the Fifth Biennial meeting where the recommendation to make Lake Superior a demonstration zone for zero discharge of persistent toxic pollutants was created. It was the Sixth Biennial meeting where the governments accepted the recommendation and committed to the Binational Program to Restore and Protect the Lake Superior Basin.

Now, it is two years later and the Seventh Biennial meeting will soon be here—What Progress Has Been Made??? Also industry will be at this meeting by the boat load to try to force the IJC to reverse its stand on zero discharge and eliminating chlorine as an industrial feedstock. **WE CAN'T LET THIS HAPPEN!**

Here's a quick overview of important events happening at the Seventh Biennial.

- Friday 1:00:** IJC Board reports including the Chlorine Phase-out Case Study and an open mike discussion.
- 8:00-9:30:** Presentation on Lake Superior Binational Program and progress being made; open discussion.
- Saturday 11:30:** Presentation to IJC Commissioners by Great Lakes environmental groups.
- 12:30-2:00:** Rally for Zero Discharge
- 2:30-6:00** Public hearings before the Commissioners.

If you need more information on plans for attending the IJC meeting please contact Laura Rose Day at 313-769-3351 or Gayle Coyer at 906-942-7332. See you at the IJC meeting!

(Reprinted from *Superior Vision*, a newsletter for the Lake Superior Bioregion)

Mercury in walleye

(Continued from page 34)

"It's the old apples and oranges thing. You just can't compare the two," he said. One way people can lower their mercury levels is by eating smaller fish. In theory, this is a good idea. But in the reality of spearfishing, it's another matter entirely.

"I have never consciously passed up a large fish," Hockings said. "I don't know anyone who has, either. When you can get them, you get them. It's just boom, boom, boom. It's usually cold and you don't want to be out there all night. You just want to get your fish and go home."

Many of these fish are eaten at Powwows and other gatherings throughout the year. And the larger fillets are eaten just as quickly as the rest, and they are just as likely to be eaten by children and women of childbearing age.

"It's nothing to go through 30 walleye a night. And in a situation like that, you can't keep track of this filet and that. You eat what you get."

An emerging trend among spearers is an avoidance of what they view as the more polluted water.

Last year Hockings refused to spear the Big Eau Pleine Reservoir about 20 miles south of Wausau. "I don't have any scientific evidence, but in my opinion it's a pretty good assumption that a lot of those fish are going to be polluted," Hockings said.

"With all those factories on the river, the water never did look all that good."

Bresette contends that the contamination violates treaty rights. He bases this position on the fact that the state and federal government set pollution permits for coal-burning power plants, incinerators, and the like.

"If you can't harvest the fish because they are poisoned, you lost that right," said Bresette, who doesn't allow anyone in his family to eat fish speared on inland lakes.

"That is an abrogation of treaty rights." (Reprinted from *City Pages*, Wausau, Wis.)



The International Joint Commission (IJC) calls for a standard of "zero discharge" into Lake Superior in order to assure that the water quality of the lake does not deteriorate further. Development around the Lake and resulting pollution is jeopardizing the lake and its ecosystem. Above is the Northern States Power Company's coal pile on the Ashland, Wis. waterfront. (Photo by Sue Erickson)

Landings revisited

(Continued from page 19)

The basic concern, he said, were the resources in the ceded territory, the impact on those resources, and how it (spearfishing) affected the quality of life of every one.

STA consisted of several hundred people, Crist said. They gave donations and there was a \$10.00 membership fee. Initially, the money was to be used for litigation, he said, which Hatch unsuccessfully attempted.

At a later Board meeting, STA Board of Directors voted to destroy all records of memberships, all records of contributions, and board minutes, Crist said.

When questioned as to the incidents described by previous witnesses, Crist stated that some of them did occur, but he was on the water most of the time. "It was evident that anything defamatory hurt more than helped us, so I tried to stop that," he said.

Crist stated that STA always talked against violence. In regard to "leapfrogging" spearfishing boats on the water, Crist stated that STA "encouraged everybody to

protest safely on the water." In cross examination he stated that "we probably supported making high wakes," and that it would be difficult to stand in the bow of the boat if the wakes come in." Spearers had testified earlier as to falling down in their boats due to the wakes.

Sommer attempted to show that spearfishing was detrimental to the resource, which was not the issues of the trial, Pierson says. However, he said, "the judge did not bar any evidence relating to concerns about spearing if Crist could connect them to his own motivations."

Pierson felt that the trial went well considering the limited amount of time available to present the evidence. He felt he was able to provide a great deal of evidence of racial slurs at the boatlandings, and also evidence connecting STA members, including Dean Crist, to racial stereotyping including racial slurs. The "inflammatory falsehoods" in the STA pamphlet he also thought were primary evidence of a racial animus. He also feels that the evidence provided is sufficient to withstand appeal.

Notes on Whitefish Bay

"Big Abe" LeBlanc

Attributed by the abundant supply of whitefish, native people and their ancestors have fished this bay for over 1,000 years. Although Chippewa Indians ceded much of their land to the United States in the Treaty of 1826, they retained the right to fish these waters.

On September 27, 1971, Albert "Big Abe" LeBlanc of the Bay Mills Indian Community chose to exercise these fishing rights off this shore. He was arrested and found "guilty" in violation of State fishing regulations.

Tribes select sites for nuclear waste

Mescalero Apache and Skull Valley Goshute expected to receive \$2.8 million apiece

By Valerie Taliman
News From Indian Country

Skull Valley, Utah—Two Native Nations, the Mescalero Apache and the Skull Valley Goshute Tribe, are moving forward in the process to select tribal lands for nuclear waste storage despite widespread criticism from environmentalists and Indian groups who are advocating that reservations be declared "Nuclear Free Zones."

During an August interview, Leon Bear, Goshute tribal secretary-treasurer, said his tribe sent a letter to the U.S. Nuclear Waste Negotiator on August 6 indicating that the Goshute are ready to enter into "credible and formal discussions" to build a facility to store high-level nuclear waste on their reservation.

Both the Goshute and the Mescalero Apache of New Mexico have so far received \$300,000 in DOE funding and are each applying for an additional \$2.8 million to continue studies for potential waste storage sites, according to Victor Trembules

of the Department of Energy's Office of Civilian Radioactive Waste Management.

Trembules said he is "reasonably confident" that both tribes will receive the \$2.8 million available to continue environmental and social-economic studies for potential nuclear waste sites, called "Monitored Retrievable Storage" (MRS) sites by the DOE.

If the Goshute or Mescaleros accept the responsibility to store the nation's nuclear waste, they must commit at least 450 acres of tribal land to house more than 10,000 metric tons of nuclear waste. The nuclear waste would be transported by truck and/or railway from more than 70 commercial nuclear reactors around the country.

DOE's plans call for the nuclear waste to be stored for 40 to 50 years until it can be moved to a permanent underground repository planned for Yucca Mountain, Nev. The much delayed and highly controversial project that was supposed to be built by 2010, but is more than a decade behind schedule, is costing taxpayers \$1 million a day.

To acquaint the Goshute tribal members with the idea of storing nuclear waste, the DOE parked a 50,000 lb. nuclear waste cask outside the local convenience store so that the community could see a sample of the steel canisters that will be used to transport nuclear waste if negotiations with the DOE are successful.

A year ago, the tribe signed a resolution opposing nuclear waste storage on Native lands that was developed by an international grassroots group, the Indigenous Environmental Network. The Goshute later reversed their position after traveling to other countries and U.S. facilities to see how nuclear waste is handled.

The tribe's executive committee used a portion of the funding they received from DOE to travel to France, Germany, Sweden, England and Japan to visit various nuclear facilities. After a year of study, Leon Bear said the tribe's executive committee decided the project is safer than the military toxins they are currently surrounded by.

"I have children and I don't want to see anything happen to them," said Bear. "We are studying this project to make sure that our people will not be jeopardized."

The Goshute have selected two potential MRS sites on their 18,000-acre reservation, one of which lies approximately two miles from the community hall and the homes of 25 tribal members that reside on the reservation.

Bear says there are 113 enrolled members in the tribe who will benefit from the jobs and revenue the project could bring. The executive was told that 1,500 jobs will be created during construction and that the facility will permanently employ 500. A 50-year contract with DOE would also bring revenue, roads, schools, a hospital and other opportunities, he said.

But it will also bring nuclear waste from a federal agency that has a bad track record in Indian country where thousands of Native people have been contaminated by radioactive waste from a host of DOE facilities involved in the nuclear fuel cycle.

There are many Native leaders who say the MRS program poses serious health and environmental threats to Indian communities and call the proposal "economic

blackmail." At a time that funding guaranteed by treaty rights is being slashed in the federal budget, millions of dollars are being offered in exchange for toxic waste.

Two weeks ago, a group of nine environmental and Native organizations urged President Clinton not to nominate a new U.S. Nuclear Waste Negotiator, following the departure of David Leroy who left his post on June 11. They pointed out that Reagan had left the post vacant for more than two years during his presidency.

In a letter to Clinton, the groups called the MRS program "dangerous and wasteful" and quoted U.S. Sen. Ben Nighthorse Campbell who denounced the program last year.

"It's like the old treaties," said Campbell. "The government is playing the same game. If you're hurting bad enough, you'll sign anything," he said referring to the huge economic incentives being offered by the Nuclear Waste Negotiator.

"Under pressure from the nuclear power industry, the Energy Department hopes that by dumping radioactive waste in a large temporary facility, it will create the illusion that such waste is disposable," the groups told Clinton.

"In doing so, DOE hopes to placate the concerns of an increasing number of citizens who are alarmed at the growing volume of radioactive waste which is, in fact, non-disposable."

The organizations signing the letter included Native Americans for a Clean Environment, the Water Information Network, the National Environmental Coalition of Native Americans, Public Citizen, Greenpeace, Nuclear Free American and the Southwest Research and Information Center.

Meanwhile, the lure for jobs and economic development in Native communities suffering from high unemployment is a major factor influencing decisions to accept nuclear waste.

While the rest of mainstream America has elected not to dump nuclear waste in their own backyards, the prospect of it ending up on Native lands appears to be growing.

(Reprinted from *News From Indian Country*, published by Indian Country Communications, Inc. Hayward, Wis.)



Plains Indian tepee. (Photo by Amoose)

This newspaper is recyclable.
Please recycle



Regional eco-war changes Ontario policy

By David Frood
Canadian Reporter for the Alliance

Thunder Bay, Ontario—The battle zone of Clayquot Sound of Vancouver Island is not a purely West Coast environmental phenomenon. In its own restrained Eastern Canadian way, Ontario is experiencing a similar war over forest practices. It's not a conflict that's likely to be quickly resolved . . . nor an environmental campaign that will die away.

The debate over forestry methods has always been more subdued and academic in this Great Lakes province, in part because the forest industry is a much smaller player in the Ontario economy than in British Columbia. The prime factor, however, has been that the commercial forest of the province is more remote and hidden from large urban centers than is the case in B.C.

Public awareness of the state of Ontario's northern forests and the way they've been logged was galvanized in the late 1980s by the fight over old growth white and red pine forests in Temagami, a part of northeastern Ontario near the Quebec border. There, the polite discourse ended when urban environmentalists joined forces with the native people to try to stop the logging of towering stands of ancient trees.

Protestors blocked the Red Squirrel Road, a newly-constructed access route to logging sites, for months. The Clayquot-style civil disobedience resulted in dozens of people being arrested, including the current premier of Ontario, Bob Rae.

The "hot" ecological war around Temagami forced several changes, including several reductions to the cut, various moratoria or deferrals on cutting, more area excluded from harvesting and a land claim settlement with the Tema Augama Anishanabe, the native band with a reserve in the heart of the disputed area.

The Temagami crisis is by no means completely resolved. Most parties to the dispute have been left dissatisfied, although it is clear that sawmill and logging interests have had to make the greatest change from the situation that previously existed.

While Temagami is a specific region, the policy shake-up from the battles there is drawing a "line in the sand" across the whole of Ontario. One initiative provoked, or at least accelerated, by Temagami is the Old Growth Forests Policy Advisory committee. The committee was set up last year by the Ontario government to suggest ways of identifying and protecting old or natural, undisturbed forest areas.

The committee's interim report, while conciliatory in tone, is clear in its recommendations. It concludes that there's little original pine forest left and what there is has to be stringently protected. It says a ban on cutting the old pine stands of Temagami and most of northeastern Ontario should continue until each site is identified, as-

essed and given a conservation and rehabilitation plan.

The "line in the sand" also extends across the whole province, with the committee suggesting that all old growth pine areas be protected—even if it means certain jobs are lost.

"The Committee understands that modifying conventional harvesting practices will increase wood delivery costs and that harvestable volumes will be reduced," says the report.

The old growth policy report officially extends the debate to northwestern Ontario, up to now a fairly quiet backwater in the raging argument over forest conservation. The remaining white and red pine stands, which occur over an area westward from Lake Superior to Kenora and Sioux Lookout, are even more sparse and depleted. Some logging goes on, but with ever increasing constraints placed on sawmills.

But pressure to conserve what's left will mount. As the report notes, only small areas of old growth red and white pine remain in Ontario. It will take immediate action, using the most exacting and effective scientific research and reforestation practices to let this pitiful remnant survive and reestablish itself.

Dr. Willard Carmean, a former professor of forestry and an expert in white and red pine, says the picture for forests is bleak but not hopeless. For him, the issue is as much biological diversity as it is protecting spectacular groves of towering 100 or 300-year-old trees for aesthetic pleasure or wildlife habitat.

Carmean says white and red pine have been neglected for far too long. He blames it on the nature of Ontario's forest industry. Since the 1930s, forestry has been increasingly dominated by pulp and paper mills. Ironically, that industry grew as a result of earlier high-grading by sawmills that stripped the forest of big trees.

Taking smaller trees, primarily the strong fibred black spruce, pulp and paper demanded reforestation of the same. Carmean says this ignored both the ecological and economic significance of red and white pine.

The second human-induced destroyer of red and white pine has been fire suppression. While it protects life, property and existing commercial forest stands, mass fire suppression has the most devastating effect of all on the boreal and Great Lakes forest ecosystems.

It has led to the steady depletion of fire-regenerated species such as red and white pine, which depend on the intense heat of natural wildfire to open their cones and scorch away debris to expose mineral soil. It has led to the huge and unnatural proliferation of seed and suckering species such as aspen and balsam fir.

Carmean says red pine is the easier species to rehabilitate. Controlled field tri-

als consistently show it grows faster than any other softwood tree. Carmean says this proves the shortsightedness of past forestry policy.

He says white pine will be harder to regenerate, since it has been even harder hit by over-cutting and is also the victim of a disease imported by man—pine "blister rust" which came from Europe just before the First World War. It is part of the reason why so much of Ontario's white pine forest is old growth. New seedlings and young trees are the most susceptible.

For 70 years, blister rust and other exotic diseases to which white pine has no natural immunity have laid waste to the paltry plantation efforts of the government.

Man-induced disease is the second

threat to Ontario's provincial tree, ravaging new stands to the point where only extra-ordinary measures can hope to counter-act the damage that has been done. Carmean thinks the genetic protection of Western pine species can be passed on to the Eastern white pine to let it resist these scourges.

Ontario is learning the lesson taught by bitter experience in other forested areas of the world: while natural catastrophes result in natural forest progression, unnatural catastrophes require "unnatural"—and very costly and exhaustive—reforestation by man.

(Reprinted from *Superior Vision*, a newsletter for the Lake Superior Bioregion)



Economic diversity the theme of NCAI mid-year conference

By Natalie De Pasquale
HONOR intern

Green Bay, Wis.—Recognized tribes from across the nation met to discuss issues of both national and local concern to Indian country during the mid-year conference of the National Congress of American Indians (NCAI) held in Green Bay, Wis. this summer.

While gaming and religious freedom remained to be priority items, the theme of economic diversification was heard throughout the conference.

Known as the "oldest and largest national organization representative of and advocate for national, regional and local tribal concerns," NCAI lends credibility and support to those resolutions passed, thus securing attention to such items.

The mid-year conference, entitled "Emerging Indian Economies," focused on education, housing, tribal sovereignty, gaming, and veteran affairs. Eighty-one resolutions, covering a gamut of areas, resulted from the conferees work.

NCAI President Gaiashkibos, Lac Courte Oreilles tribal chairman, addressed the general assembly sending out a strong message that the tribes "need to focus (their) time and energies on a new direction of tribal sovereignty in emerging economic development efforts and activities in gaming."

Gaming, he stated, is important as it supports the sovereign governmental authority of the tribes. However, tribes should also be actively seeking other economic options.

He feels it is important to coordinate tribal/state authority to retain the inalienable rights and privileges afforded native people and that economic development options can be best explored cooperatively.

In regard to the Native American Free Exercise of Religion Act introduced to Congress by Senator Daniel Inouye, Gaiashkibos emphasized NCAI's support

of the measure and commitment to an expedient passage. Gaiashkibos noted that the right to practice traditional teachings and beliefs handed down for generations is long overdue.

Another issued addressed by Gaiashkibos regarded the confusion arising from the officially recognized definition of an Indian. Gaiashkibos promised an interpretation intended to circumvent misunderstanding.

He also noted that NCAI was preparing to meet with the new Clinton administration on several governmental levels, including a meeting with the President himself.

In other areas of his address, Gaiashkibos applauded the support of non-Indians present at the first-ever parade in honor of Native Americans held in downtown Green Bay, along with the positive impact the Congress had on the local economy.

NCAI will next convene at its annual meeting in Reno, Nevada from November 29 through December 3, 1993. The theme of the annual convention will be: "Emerging From the Four Directions: NCAI Leading To Meet Future Challenges."



Gaiashkibos, Lac Courte Oreilles tribal chairman and president of the National Congress of American Indians, addresses the full body at the midyear conference in Green Bay, Wis. (Photo by Sue Erickson)

42 million fish released by northwest tribes in 1992

Habitat loss and environmental degradation have led to a decline in wild fish stocks throughout the Northwest. Releases from tribal hatcheries are providing viable fishing opportunities while recovery efforts continue for wild salmon stocks. Puget Sound and coastal treaty Indian tribes released 42.8 million fish in 1992 and have released an average of 45 million fish over the last five years, according to recently released figures.

"The fisheries enhancement efforts of the tribes benefit everyone," said Bill Frank, Jr., chairman of the Northwest Indian Fisheries Commission. "These releases make significant contributions to fisheries and have come about because of the spirit of cooperation that exists between tribal, state and local governments."

Hydroelectric dams, agricultural and forest practices, urbanization and the channeling and diversion of rivers have made

impacts on habitat critical to the survival of fish species. The subsequent decline in wild fish populations has brought about the need to take fishing pressure off critically depressed runs.

The 42.8 million fish reared and released by the tribes in 1992 included 15.4 million coho; 12.8 million chinook; 12.4 million chum; 46,000 pink; 48,000 sockeye; and 1 million steelhead. Some of the fish released were the result of cooperative efforts between the tribes and the state Department of Wildlife, United States Fish and Wildlife Service, Trout Unlimited, and other sportsmen and community groups.

"We are proud of these cooperative efforts," Frank said. "By working together we are able to accomplish much more than we could alone."

(Reprinted from the Northwest Indian Fisheries Commission News, Olympia, WA.)

State and tribe reach compromise in water dispute

Nevada and the Pyramid Lake Paiute Tribe signed a formal agreement removing a major obstacle to the settlement of a century-old battle over water rights in northern Nevada.

The state agreed to relinquish its claim to the banks and beds of the Pyramid Lake and Truckee River inside the Pyramid Lake Indian reservation. In return, the Pyramid Lake Paiute Tribe agreed to follow all applicable state permit laws for water allocation.

The "memorandum of understanding" was signed by Nevada Sen. Harry Reid, Interior Secretary Bruce Babbitt, and Pyramid Lake Chief Alvin James.

The agreement clears the way for the implementation of a 1990 settlement designed to assure future water supplies for the Reno area and to protect the Stillwater Wildlife Refuge and the endangered Cui-ui and Lahonton Cutthroat Trout fish. The settlement also allows the Federal Government to buy out farmers' water rights.

(Reprinted from American Indian Report, a publication of The Falmouth Institute, Inc.)





Lookin' cool at the Sault Ste. Marie pow-wow. (Photo by Amoose)

A review of Act 31

(Continued from page 20)

Indian education, they suggest, the Act 31 mandates are being met or exceeded. In other districts, Act 31 has received little more than lip service. Negative attitudes toward state mandates in general coupled with a lingering antipathy toward Indians translate into business as usual in too many of Wisconsin's social studies classrooms, they contend.

Ken Rogers, Director of Instructional Services for Cooperative Educational Service Agency (CESA) #12 in Ashland, says compliance with the letter of the new law is relatively easy, but that most districts are having problems complying with what he calls the "heart" of Act 31. Under Rogers' supervision, CESA #12 has developed an articulated K-12 Indian studies curriculum which is available to all the schools in his northwestern Wisconsin district. Not all have adopted it, however. "Different dis-

tricts have different priorities," explains Rogers. "It really comes down to what the administration thinks is important. In some districts it's sports, in some it's building projects, and in others it's curriculum development and teacher training."

As consultants to the DPI, Bill Gollnick and Francis Steindorf have spoken before an estimated 5,000 public school teachers around the state, introducing DPI's new Classroom Activities in Chippewa Treaty Rights curriculum guide and answering questions about Act 31. Both express concern over the fact that early recommendations by DPI staff suggested that two to four weeks on Indian issues at each of three different grade levels would satisfy Act 31 requirements.

"That's not nearly enough," says Steindorf. "What we'd really like to see is Indian studies integrated into all aspects of the curriculum; not just in social studies

Jay Treaty: Alive and well?

By Bonnie Lowe
Jay Treaty Rally Organizer
United States

Almost a thousand Chippewa Indians from Canada and the United States rallied on August 5th to commemorate the 199-year-old Jay Treaty.

Leaving Fort Frances, Ontario, over 500 First Nation people marched across the International Bridge in a colorful wave and into the city of International Falls. There they joined with Chippewa people from the United States at Smokey Bear Park.

The rally was organized by The Minnesota Chippewa Tribe and The Canadian Chippewa Tribes. The purpose was to promote public awareness of the Jay Treaty and other Treaties related to border crossing rights.

When the Treaty of Paris was signed between Britain and the United States, it failed to make provisions recognizing the existing rights of Indians in Canada and the United States.

The Jay Treaty of 1794 recognized the inherent right of the indigenous people of the North American continent to freely pass between Canada and the United States. Passage included land or inland navigation and the right to freely carry on trade and commerce with each other.

However, Canada does not recognize the Jay Treaty and Indian officials say that the United States has not followed it closely enough. Under Canadian policy, Indian people are treated the same as anyone else when Customs and Immigration are involved.

This makes it difficult for Chippewa people on either side of the border, as pointed out by Gary Frazer, Executive Director of The Minnesota Chippewa Tribe. In the case of the Indian people, what was once a unified nation is now split by an international border. Dean Bruyere of Grand Council Treaty #3 compared the

Canadian border to the "Berlin Wall of North America."

"The Jay Treaty didn't give us our rights, it reinforced them," said Mike Mitchell, Grand Chief of the Akwesasne Reservation of the Mohawk people in New York. "For close to 20 years we have been struggling to maintain those rights."

Similar rallies were being held simultaneously along the international border in British Columbia and New York on the same day. "It is a good day to fight for our rights," Mitchell said. "There is no such thing as a Canadian Indian or an American Indian. You are the citizens of your own (Indian) nations first."

"We are not strangers, but we are separated," said Chief Leon Jordan of the LacLaCroix First Nation.

Bonnie Lowe, rally organizer for the United States side, remarked on the cooperation of the customs officials.

An international gift exchange between the Indian participants was a highlight of the rally, which was addressed by Gary Donald, Chairman of the Bois Forte Reservation Tribal Council.

"I'm pleased with the communication we had with the organizers," said Verne Kulyk of Canadian Customs. "We're pleased that the rally was a peaceful one." American customs officials had no comment.

Rally participants wore black ribbons and were allowed to cross the border without having to go through customs.

Those taking part consumed sandwiches, candy bars, chips and beverages. Minnesota Chippewa Tribe staff members Terri Bendix, Heidi Bogda, Linda Troseth, Pam Hughes, Tami DeVault with additional assistance from Ardith Morrow, Luella Seelye, the Falls Summer Youth staff, and Tame DeVault's family made one-thousand sandwiches for the event. Staff said they "would be happy if they never had to see bologna again!"

(Reprinted from *Ourselves*, Cass Lake, Minn.)

and history, but in art, music, science, math, etc." Like Rogers, Steindorf believes it's crucial that school administrators actively support multicultural approaches in education; without their leadership, he says, most teachers lack the motivation to change what they're comfortable with and the status quo prevails.

Bill Gollnick now works for the Oneida Tribe as Director of Legislative Affairs, but he remains very interested in the success of Act 31. He likes to remind people that John Benson, who assumed office as State Superintendent of Schools on July 1, enthusiastically supported Act 31 as a candidate. "Mr. Benson appeared before the Great Lakes Inter-Tribal Council seeking their endorsement," recalls Gollnick. "He received it in large part because of his expressed interest in facilitating Act 31 compliance statewide." Now that he's in office, people should remind

Superintendent Benson that Indian studies is an ongoing concern, says Gollnick.

But how will we know when we've reached the goal of full compliance with Act 31? Currently the only mechanism in place for such assessment is DPI's audit procedure, in which a team of specialists visits a school to look at written curriculum, observe classes, and conduct interviews.

Audit teams look at only one academic area at a time (Act 31 requirements fall under the purview of social studies), and then only visit schools on a 10-year rotation. According to Francis Steindorf, several schools in Wisconsin have already been cited as deficient in meeting the Act 31 standard; others with similar deficiencies may not be caught for eight years, depending on when they are next due for an audit in social studies.

(See Indian education, page 43)

Status of Major Indian Legislation 103rd Congress—First Session

Number of Bill	Title	Reported in House	Passed House	Reported in Senate	Passed Senate	Date Approved	Law No.
H.R. 1267	A bill to grant state status to Indian tribes for the purpose of enforcement of the Solid Waste Disposal Act.	Referred to the House Committee on Energy and Commerce March 9, 1993 Referred to Subcommittee on Transportation and Hazardous Materials March 22, 1993					
H.R. 1425	A bill to improve the management, productivity and use of Indian agricultural lands and resources.	Referred to Subcommittee on Native American Affairs April 13, 1993 Subcommittee hearing held June 18, 1993					
H. R. 334	Lumbee Recognition Act	Referred to Subcommittee on Native American Affairs February 4, 1993 Executive comment requested from Interior April 9, 1993 Forwarded to full committee and ordered reported June 16, 1993					
H.R. 478	Amendments to Internal Revenue Code of 1986 allowing credit against income tax for severance and personal property taxes paid to a tribal government.	Referred to Ways and Means Committee January 6, 1993					
H.R. 1846/ S. 295	Native American Trust Fund Accounting and Management Reform Act	Referred to House Subcommittee on Native American Affairs June 2, 1993 Referred to Senate Committee on Indian Affairs April 22, 1993					
S. 100	A bill to provide incentives for the establishment of tax enterprise zones and for other purposes. (Contains tribal provisions)	Referred to Finance Committee January 21, 1993					
S. 162	A bill to Amend the Internal Revenue Code of 1986 allowing Indian tribes to receive charitable contributions of inventory	Referred to Finance Committee January 21, 1993					
S. 184	Utah Schools and Lands Improvement Act of 1993	Referred to Committee on Energy and Natural Resources January 26, 1993 Reported to Senate with amendment June 16, 1993					
S. 211	A bill to amend the Internal Revenue Code of 1986 to provide tax credits for Indian investments	Referred to Finance Committee, January 26, 1993					
S. 260	Indian Education Assistance Under Title IV of the Arizona-Idaho Conservation Act of 1988	Referred to Committee on Indian Affairs January 28, 1993					
S. 278	A bill authorizing the establishment of Chief Big Foot National Memorial Park and Wounded Knee Memorial	Referred to Energy and Natural Resources Committee February 2, 1993					
S. 284	Amendments to the Food Stamp Act of 1977 permitting state agencies to require households residing on reservations to file periodic income reports . . .	3/31/93	3/31/93	3/29/93	3/29/93	4/1/93	103-11

(Reprinted from *American Indian Report*, September 1993)

Opponents push to amend Religious Freedom Act

State attorneys across the country are attempting to derail the Religious Freedom Restoration Act, charging that it could compel prison authorities to meet unreasonable demands by prisoners.

The legislation, which was unanimously adopted by the House in May, would counteract a 1990 Supreme Court ruling that upheld the right of the states to bar the use of drugs in religious rituals. The case involved two Native Americans who were fired from their jobs as drug counselors for using peyote during religious ceremonies.

A coalition of religious groups—liberal and conservative—argue that the bill is necessary to uphold religious freedom and that the state attorneys are exaggerating the consequences of the measure.

The state attorneys have cited prisoners' demands for steak, wine and civilian clothes, organically grown vegetables washed in distilled water and a number of

other bizarre requests based on religious convictions. These cases are being litigated, the state attorneys say, and would be affected by the bill if it is adopted without amendment.

In 1990, the Supreme Court abandoned a test used in earlier cases that required the state to prove it had a compelling interest in enforcing a statute that infringed on religious freedom.

The Senate bill would allow the state to infringe on religious rights only if it furthers a compelling government interest and is the least restrictive means of furthering that interest. The bill is supported by Attorney General Janet Reno, who said she opposes any amendment to exempt prisoners.

State attorneys said the legislation could cost states hundreds of millions of dollars.

(Reprinted from *American Indian Report*.)



Bowen © 1984

Schlender returns to Indian Country and GLIFWC

By Sue Erickson
Staff Writer

Odanah, Wis.—For GLIFWC's executive director James Schlender there is no question about it—he is glad to be back. After a year of study at UW-Madison, Schlender missed his life both at his home in Lac Courte Oreilles and his office at GLIFWC.

Schlender took a year's educational leave in order to take advantage of a fellowship awarded him from the Bush Foundation. He is pursuing his Master's Degree in law.

His year combined research and course work at the university. His thesis paper explores the question of whether or not there was a sale in the 1837 Treaty. Schlender says the research is complete and the paper begun, but he will have to complete the writing this year.

Back at the GLIFWC offices in Odanah, Schlender is busy catching up with the activities of the Commission. Although he remained in contact throughout

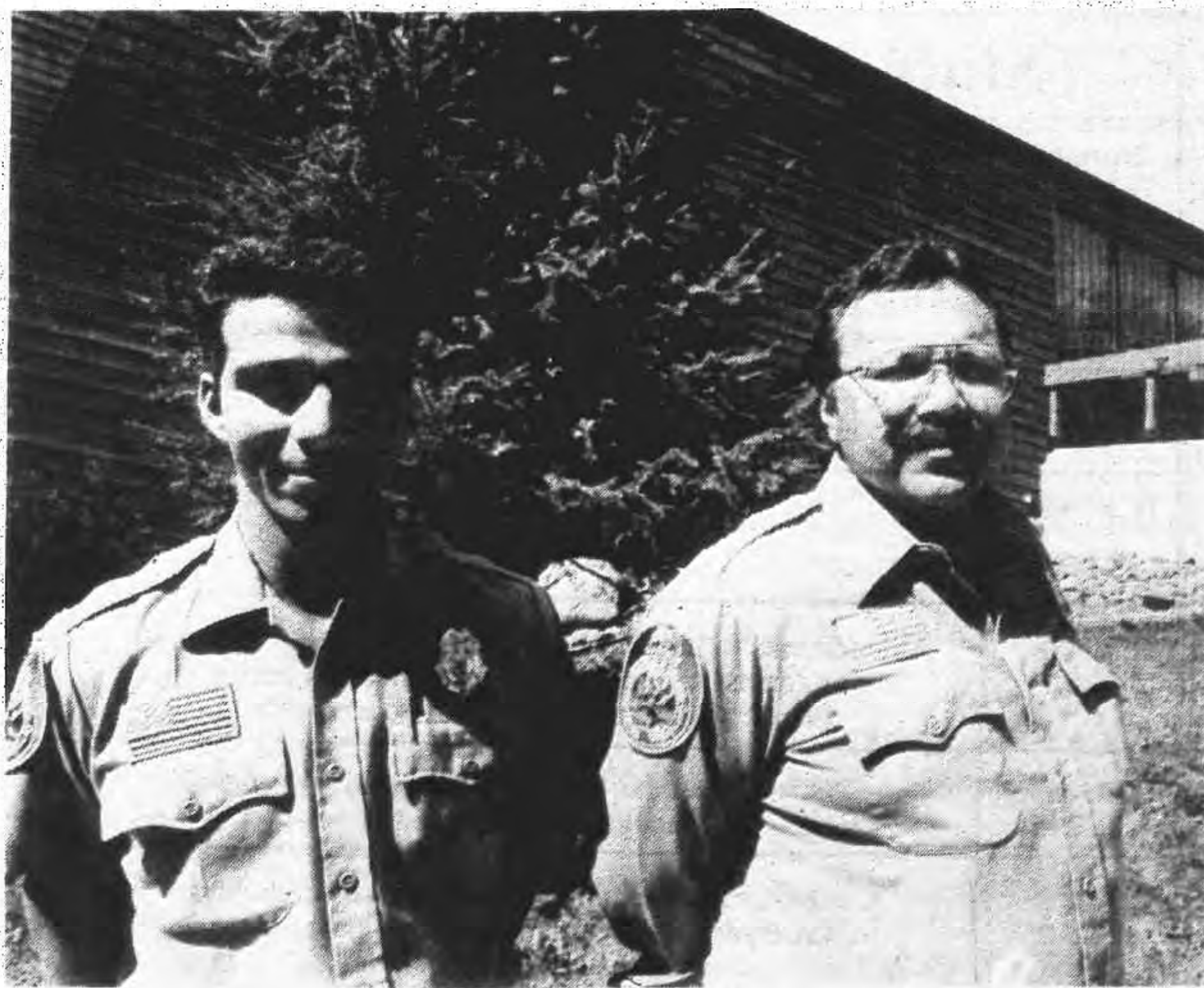
the year and participated in some administrative functions, he will need some time to become reoriented to the progress and projects of each division.

"Actually I missed involvement in the daily action of the Commission," he states. Meanwhile, Gerald DePerry, who served as acting director during Schlender's leave, was also happy to be relieved of the position and resume his normal tasks as deputy administrator.

Schlender was grateful for the staff support provided during his leave and through the transitional periods. Everybody showed good spirit, flexibility and a willingness to give that extra effort in order to accommodate the change, he says.

Continuing to implement elements of GLIFWC's strategic plan is on Schlender's agenda for the coming year. Specifically, he hopes to be looking at upgrading GLIFWC's technical capabilities and infusing Anishinabe culture into the work place.

And so, GLIFWC welcomes him back and looks forward to the progress 1994 will bring.



GLIFWC enforcement has expanded to the Bay Mills area in eastern Michigan. Donald Carrick, left, and Duane Parish began protecting the rights and resources of tribal members in the ceded territory on August 1. They will tentatively enter a program in Basic Police Training in Artesia, New Mexico next March for 16 weeks.

Presently, the two are enforcing tribal law pertaining to commercial fishing in Bay Mills and providing tribal assistance with the fishery as requested. Recent growth in exercise of the off-reservation treaty rights inland prompted the addition to the conservation enforcement department.



Minnesota biologists

(Continued from page 5)

1854 Treaty area

In the 1854 Treaty area, GLIFWC staff, including wildlife biologist Gerry Belant and biological technician Bruce Lampfer, are stationed at the 1854 Authority office in Duluth. The GLIFWC satellite office opened in August 1993.

Belant and Lampfer were both hired last spring and spent their first several months of orientation at the main GLIFWC office in Odanah, WI. Their responsibilities include assisting member tribes in wildlife management in the 1854 ceded territory. Affected member tribes include Fond du Lac, Bois Forte and Grand Portage.

Their first order of business has been to assist Fond du Lac with structuring the moose and deer seasons, according to GLIFWC wildlife section leader Jon Gilbert.

This includes setting up registration stations, reviewing rules and regulations governing the seasons, and gathering population information on both deer and moose. Developing a sound data base on the resources is a critical management tool, Gilbert remarks.

Belant and Lampfer will be working with the member bands to identify other projects and needs in regard to wildlife management, Gilbert says. They are also looking at potential projects that may be performed cooperatively with other agencies, such as the Minnesota Department of Natural Resources or the U.S. Fish and Wildlife Service. Joint projects have proved successful in Wisconsin, Gilbert says. These projects may relate to fur bearers, wild rice, or the "Circle of Flight" initiative which involves wetlands and waterfowl.



Gary Regal, GLIFWC inland fisheries biologist stationed at Mille Lacs. (Photo by Sue Erickson)

Ojibewa warrior honored with Eagle Feather

Sgt. Joseph A. Le Garde was recently presented an Eagle Feather at the Grand Portage reservation in recognition of his courage as a warrior during Desert Storm. An account of his actions which also won him a Silver Star follow below:

The President of the United States takes pleasure in presenting the SILVER STAR MEDAL to

Staff Sergeant
Joseph A. Le Garde
United States Marine Corps

for service as set forth in the following

CITATION:

For conspicuous gallantry and intrepidity in action while serving as the Section Leader, Antitank (TOW) Company, 3d Tank Battalion, Task Force RIPPER, 1st Marine Division during Operation DESERT STORM on 25 February 1991. Early that morning, Staff Sergeant LeGarde moved his section forward of the Battalion in response to a message indicating that enemy tanks were approaching. Positioning himself well forward, he identified two platoons of Iraqi tanks and one platoon of armored personnel carriers rapidly closing. Staff Sergeant LeGarde quickly directed his squads into their primary firing positions and without regard for his own safety, delivered suppressive fire from a heavy machine gun. From an exposed position, he maintained firm control over his squads and directed the identification, isolation, and destruction of five Iraqi tanks and one armored personnel carrier. Staff Sergeant LeGarde's courage and leadership during this engagement inspired his fellow Marines and contributed significantly to the success of his unit's mission. By his during actions, decisive leadership, and loyal dedication to duty, Staff Sergeant LeGarde reflected great credit upon himself and upheld the highest traditions of the Marine Corps and the United States Naval Service.

WI white-tailed deer population close to management goal

Madison, Wis.—Wisconsin's deer population is currently very close to the population goals set by Department of Natural Resources (DNR) wildlife managers, according to results of surveys the department has conducted this summer.

"Statewide, the deer population is about one million animals," says Arlyn Loomans, acting DNR deer specialist. "That is down from a high of 1.3 million in 1990 and just about the level the department has set for statewide management goals."

As a result, the department will issue fewer antlerless permits for hunters during the 1993 season than it has in recent years when population levels exceeded management goals, Loomans says. Antlerless permits allow hunters to take does and fawns.

The decrease in permits is aimed at reducing the antlerless quota, or the number of antlerless deer wildlife managers project hunters will kill, by 56 percent, Loomans says.

"The deer harvest this fall will be down significantly from the 1992 season. We anticipate a potential gun harvest of approximately 200,000 and a bow harvest of about 50,000, for a total deer harvest of 250,000 in 1993, compared to 349,298 in 1992," he says.

The deer population is lowest in the northern one-third of the state, and that is the area where wildlife managers have set the lowest antlerless quotas. "The antlerless quota for this region will allow for a kill of less than 4,000 during the gun season compared to 50,000 in 1992," Loomans says.

As a result, wildlife managers anticipate that many deer hunters who have hunted in the north the past few years will move to other areas. This decreased hunting pressure will likely result in fewer bucks being killed in the north, Loomans says. "The total buck harvest for the north might fall between 25,000 and 30,000, compared to 35,700 bucks taken in 1992."

The deer population in the central region of the state is also down, primarily due to poor fawn production and survival during 1992. Wildlife managers have reduced antlerless quotas for that area as well. Antlerless quotas for 1993 in central Wisconsin are set at 8,800, compared to a harvest of more than 16,000 in 1992. Loomans says the combined bow and gun buck harvest in Central Wisconsin region is expected to be approximately 9,000 compared to 11,642 in 1992.

In the southern two-thirds of the state, intensive harvests in recent years have reduced deer herd levels in most deer management units to the established goals. As a result, wildlife managers have also reduced the antlerless harvest goals in these areas. "Our quotas for this area total approximately 90,000, compared to an antlerless kill in 1992 of 110,000," Loomans says.

Wildlife managers anticipate a buck harvest of more than 80,000 during the bow and gun season within the southern portion of the state. However, Loomans says, the buck harvest could potentially be somewhat larger because standing corn fields and heavy rains during the 1992 season may have reduced the harvest.

Legislative updates

Senate approves court bill

The Senate approved legislation in July that would provide \$50 million a year for approximately 170 tribal courts.

The bill would create the Office of Tribal Justice Support, which would administer \$50 million in base funding each year. The court would be allowed to use the money for expenses, including personnel salaries, reporting, record management, acquisition of law libraries, computer research, revision of tribal codes and rules of procedure and facilities construction or renovation.

The House Natural Resources Committee is also considering a tribal courts bill. The House bill provides the same amount of money, but does not contain language authorizing judicial conferences. The bill calls for a study of federal court review of tribal court decisions.

Senate passes environmental bill

The Senate approved a measure July 21 that would grant funds to tribal governments to develop and establish their own environmental protection programs.

The Indian Environmental General Assistance Program Act would allow the Environmental Protection Agency to tailor each grant to fit the needs of the tribe.

The grants will allow the tribal governments to develop the technical, legal and administrative structure to develop effective tribal environmental legislation.

(Reprinted from *American Indian Report*, a publication of *The Falmouth Institute, Inc.*)



LVD's Dream Team strikes gold

Lac Vieux Desert, Mich.—Lac Vieux Desert's (LVD) "Dream Team" brought home the gold from the 1993 North American Indigenous Games this summer. It was truly a dream come true and a classic story of the little guy making it big, says coach Betty Martin, LVD.

Martin and Shelly Hazen, former Watersmeet H.S. girls basketball standout, coached the team of six who kept scoring win after win in the tournaments held in Prince Albert, Saskatchewan.

Martin says the team of six was somewhat intimidated at first. Fancy, coordinated uniforms, tall players and large teams made the competition look formidable to LVD's six girls, whose singlets bore hand-painted numbers and whose shorts did not match.

However, deciding that it is not the clothes or the shoes that count, but the players, the girls faced the action with determination to do their best. All the drama

and tension of recovering from a trailing position and scoring the winning basket at the buzzer were part of the competitions that led them to the final play-off against Team Saskatchewan—a place they had never dreamed of obtaining when they first arrived.

The final game was tough, but Martin says the girls had "a winning attitude," which served them to recover from a 15 point trailing position to win a victory over Saskatchewan by 79-71.

It "was the happiest moment in our lives when they received a gold medal around their necks on the stage directly from the hands of 1964 Olympic Gold medalist Billy Mills!" says Martin, following her return from the victorious trip.

Dream team members included: Shasta Klingman, forward; Jolene McGeshick, center; Sadie Belongie, guard; Jeanie McGeshick, guard; Vera Klingman, forward; and Honey May Antone, forward.



The "Dream Team." (Photo by Betty Martin)

Indian education in Wisconsin

(Continued from page 40)

A better yardstick of Act 31's success would be some kind of criterion-referenced test designed to determine exactly what students at different grade levels do and do not know about Wisconsin Indians. Such a tool does not yet exist, but it is in the works. University of Wisconsin-Milwaukee Professor of Curriculum and Instruction Randy Goree is developing such an instrument, tentatively called the "Native American Awareness Survey," which will be appropriate for use by teachers and students alike. Goree began this project with an admittedly unscientific survey of some 200 Milwaukee-area residents, in which he asked 40 questions dealing with everything from historical facts and popular stereotypes to whether Indians pay taxes. "Most of them failed quite badly," he says. A presentation of these findings before the Wisconsin Indian Education Association convinced Goree that there would be a great deal of interest in a more formalized test. His survey will be administered for the

first time this fall in selected school districts around the state.

So far we know very little about the real, long-term effects of Act 31, though there are glimmers of hope (points of light?) in many school districts where instruction in Indian history, culture, and tribal sovereignty is finally being accorded an appropriate place in the curriculum. We are certainly better off with Act 31 than without it, but true compliance—and the concomitant growth in appreciation for cultural diversity—will probably come about as much from community involvement and grassroots political pressure as from the threat of government sanctions.

(Jeff Peterson is a Chapter 1 reading teacher in the Unity School District, Balsam Lake, Wis. He also serves as teacher representative on his school's Title V Indian Parent Committee and is an active member of the Wisconsin Greens. He was a participant in the Witness for Nonviolence program in support of Chippewa spearers and their families during the boating protests of the late 80s and early 90s.)



MASINAIGAN STAFF:
(Pronounced MUZ IN I AY GIN)



Susan Erickson Editor
Lynn Sprentels Assistant Editor
Amoose Photographer

MASINAIGAN (Talking Paper) is a quarterly publication of the Great Lakes Indian Fish & Wildlife Commission, which represents thirteen Chippewa tribes in Michigan, Minnesota and Wisconsin. GLIFWC's member tribes are listed to the right.

Subscriptions to the paper are free. Write to MASINAIGAN, P.O. Box 9, Odanah, WI 54861 or phone (715) 682-4427. 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.

Letters to the editor or submitted editorials do not necessarily reflect the opinion of the Great Lakes Indian Fish and Wildlife Commission.

GLIFWC MEMBER TRIBES

Michigan

Bay Mills Indian Community
Route 1, Box 313
Brimley, MI 49715
(906) 248-3241

Keweenaw Bay Indian Comm.
Route 1
Baraga, MI 49908
(906) 353-6623

Lac Vieux Desert Band
P.O. Box 466
Watersmeet, MI 49969
(906) 358-4722

Minnesota

Bois Forte RBC (Nett Lake)
Nett Lake, MN 55772
(218) 757-3261

Fond du Lac Chippewa Band
RBC Building
105 University Avenue
Cloquet, MN 55702
(218) 879-4593

Grand Portage Band
Box 428
Grand Portage, MN 55605
(218) 475-2279

Mille Lacs Chippewa Tribe
HCR 67, Box 194
Onamia, MN 56359
(612) 757-3261



Wisconsin

Bad River Chippewa Band
P.O. Box 39
Odanah, WI 54861
(715) 682-7111

Lac Courte Oreilles Band
Route 2, Box 2700
Hayward, WI 54843
(715) 634-8934

Lac du Flambeau Band
Box 67
Lac du Flambeau, WI 54538
(715) 588-3303

Mole Lake Chippewa Band
Route 1
Crandon, WI 54520
(715) 478-2604

Red Cliff Chippewa Band
Box 529
Bayfield, WI 54814
(715) 779-3700

St. Croix Chippewa Band
P.O. Box 287
Hertel, WI 54845
(715) 349-2195