

# Masinaigan

A Chronicle of the Lake Superior Ojibwe

## WI Natural Resources Board passes Emergency Order to ignore tribal declarations and increase angler bag limits

By Sue Erickson  
Staff Writer

Odanah, Wis.—The Wisconsin Department of Natural Resources (WDNR) can now raise bag limits on lakes declared by tribes in which the full tribal declaration was not taken during the spring spearing season.

This power was given to the WDNR through the passage of Emergency Order FH-42-98(E) by the Wisconsin Natural Resources Board (NRB) at their May 27th meeting in Rhinelander.

A total of 51 lakes were effected as of June 1 when limits were raised to a three bag limit on 39 lakes and a five bag limit on 12 lakes in the ceded territory.

According to GLIFWC Executive Administrator James Schlender the new rule substitutes unilateral decision-making for good faith state/tribal discussions. The rule also provides greater access to "apparently available" fish for only the non-treaty fishery and ignores tribal declarations and intentions for summer and fall harvest. Finally, it places tribes in the position of a scapegoat should the WDNR decide that bag limits must be lowered in the subsequent year.

Schlender says that the new rule seems to show more fish are available than the WDNR-proposed bag limit

rule has indicated over the years. This is the position that the tribes have had since its proposal and adoption.

"The only way to make sense of this inconsistent (WDNR) policy is to conclude that non-Indian anglers' bag limits are being manipulated by the WDNR in order to prompt those anglers to pressure the Chippewa into reducing their harvest. Non-Indians are thus used as pawns and the public is deceived. Resulting in public outrage, which should be focused on the WDNR policy makers, is diverted to the Chippewa."

—Excerpted from *Keeping Our Word: Indian Treaty Rights and Public Responsibilities 1990 Federal Report*

The NRB opted to ignore issues raised by GLIFWC when they voted the Emergency Order into effect six to one.

Prior to the NRB meeting, Schlender had outlined his concerns in a May 18th letter to WDNR Secretary George Meyer. Issues raised by Schlender in his letter are as follows:

1) The WDNR should not assume that any Tribe has waived its right to fulfill its harvest needs or that unilateral WDNR action is a substitute for tribal consent.

Schlender emphasized that only tribes themselves can say what their intentions are to harvest during the sum-

mer and fall seasons. However, GLIFWC has received numerous requests from tribal leaders and tribal members about seasons, mesh size and net length requirements that would apply to more than 40 lakes over 1,000 acres with a remaining tribal quota.

Schlender questioned the wisdom of the WDNR relying on past summer and fall harvest seasons as a guide for increasing state bag limits.

2) The effect of the proposed rule would be to restrict tribal harvest. Essentially, the rule would raise angler harvest on those lakes where the Department decides that tribes will not fish beyond spring spearing, Schlender stated.

If the tribes decide to continue fishing in the summer and fall, as is their right, the WDNR "may" adjust angling harvest in the next year. This, Schlender points out, puts the tribes in the position of either limiting tribal opportunity or being perceived as the culprit responsible for limiting sport opportunity the following year.

"Perhaps the tribes will be castigated as retaliatory for taking what it had declared months before," he said. Then, the tribe will face even greater pressure to declare an even lower number should the Department further lower the angling bag limit in the subsequent year.

(See WDNR, page 7)



Bad River tribal members Sis Plucinski and her son Mike found plenty of walleye in their Lake Mille Lacs gill net during the spring season. (Photo by C.O. Rasmussen)

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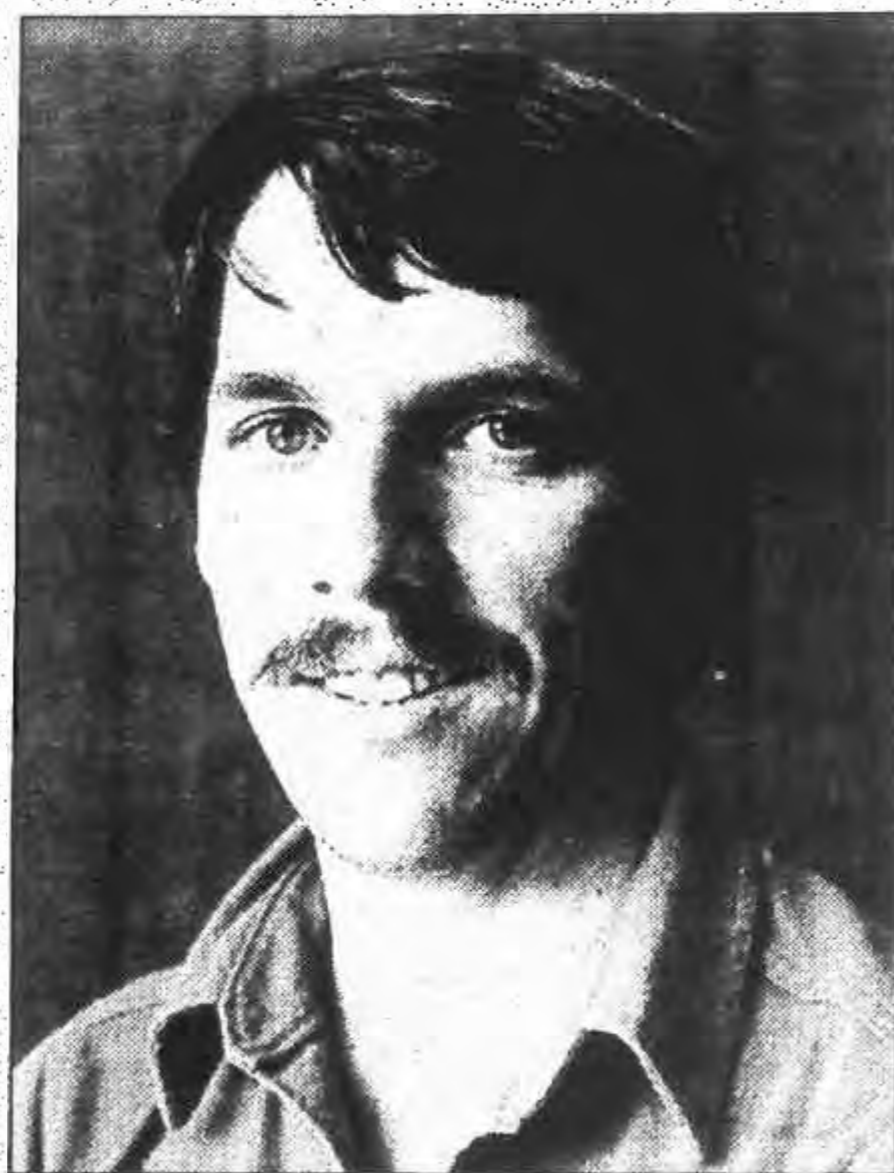
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# Crash in Wisconsin fisher population due to state overharvest of nearly 100%

By Sue Erickson, Staff Writer



Jonathan Gilbert

Odanah, Wis.—The state harvest of fishers in every zone was nearly 100% over quotas for the 1997-1998 trapping season, causing a crash in the fisher population and leaving the state 4,000 under the established population goal, says Jonathan Gilbert, GLIFWC wildlife section leader, following a meeting with the Wisconsin Department of Natural Resources (WDNR) to discuss quotas for upcoming trapping seasons.

Gilbert says the total fisher harvest for last season took 43% of the total population, an unsustainable level of harvest. The population goal has been set at 9,000 fisher. Today, there are an estimated 4,000 in the state.

Gilbert sees the same trend in the otter population, for which no population goals have been established, but which has experienced the same hard-hitting harvest as the fisher from state-licensed trappers.

## 1990 Strickland report addresses WDNR manipulation of tribes and bag limits

*(Editor's note: The following is excerpted from Keeping Our Word: Indian Treaty Rights and Public Responsibilities.)*

... These are only three illustrations of an ongoing strategy by the state and the WDNR to adopt the most laissez-faire to management strategies for those lakes not speared and the most conservative of conservative strategies for lakes which are speared by the Chippewa—thus creating the impression that it is the Chippewa who are bringing forth the new restrictions on angling.

"To illustrate the logical failure of this WDNR strategy, consider two identical lakes, with an identical number of fish in them: If Lake A is not selected for tribal harvest, the WDNR considers angling to be "self-regulating;" in other words "safe harvest" levels are irrelevant and the WDNR does not monitor or regulate the angling, other than to enforce the five-walleye bag limit.

"However, if the Chippewa spearfish in Lake B in the early spring the WDNR says that angling which occurs later in the season is no longer self-regulating and the WDNR must lower the bag limit to stay within its new ultraconservative "safe harvest" level. This makes no sense; if anglers take 500 fish from Lake A by August, the WDNR assumes that the remaining fish provide fewer "bites" and the "self regulated" angler moves on to another lake.

"However if spearkers take 100 fish from Lake B in April and anglers move in and take 400 by August, the WDNR

argues that on this lake the "self regulating" reduction in "bites" is no longer sufficient—even though the Chippewa have not harvested the lake for several months and an identical number of fish remain in the identical lakes.

"The only way to make sense of this inconsistent policy is to conclude that non-Indian anglers' bag limits are being manipulated by the WDNR in order to prompt those anglers to pressure the Chippewa into reducing their harvest. Non-Indians are thus used as pawns and the public is deceived. Resulting public outrage, which should be focused on the WDNR policy makers, is diverted to the Chippewa.

"George Langley, owner of the Eagle Sport Shop in Eagle River and head of the 24-member Eagle River Guide Association summed it up: "They [the WDNR] were implying that the reason for the decline in the walleye fishery was spearing; when the reduced limits were imposed, not a word was said about the DNR's management over the years. . . What does that say to you? It says, 'Those Damn Indians are killing all the fish, so we're going to take some away from you.'"

"Langley believes that the WDNR should have instituted a three-walleye bag limit several years ago because of increasing pressure on the fishery from sport anglers. The three percent of the annual walleye catch that the Chippewa harvest is subject to more WDNR attention and observation, monitoring, press coverage, and political manipulation than the entire other 97 percent."

Besides potentially grim consequences for the species, tribal trappers will have lowered quotas in the next season. With a crashing fisher population the total allowable quota of fisher will be much lower than in 1997-1998, and the tribal half of the quota will reflect that decline.

The '97-'98 fisher quota in Zone A was 200, divided between the tribes and state. The tribes harvested 100 in Zone A during the first month of the season, Gilbert says, so the zone was closed to further harvest the first week of December. The tribes total harvest was 105 fisher, five over quota.

The state did not monitor the season, tallying totals after the season was closed, only to discover that state-licensed trappers had taken 200 fisher, or 100 over their quota.

The Zone B quota was 750, and state trappers took 1491 fisher; Zone C's quota was 400, and state trappers harvested 785; Zone D's quota was 500, and state totals were 1,058.

Gilbert says state resource managers claim they cannot monitor the harvest and close a season if quotas are met. Consequently, Gilbert fears a similar overharvest could likely occur by state-licensed trappers next season.

However, the state still maintains that the tribal season should be closed if the tribal quota is met. "They seem to be saying we can go over our quota, but you shouldn't go over yours," Gilbert says.

Quotas for the 1998-1999 season are set at: Zone A - 160; Zone B - 180; Zone C - 150, and Zone D - 180.

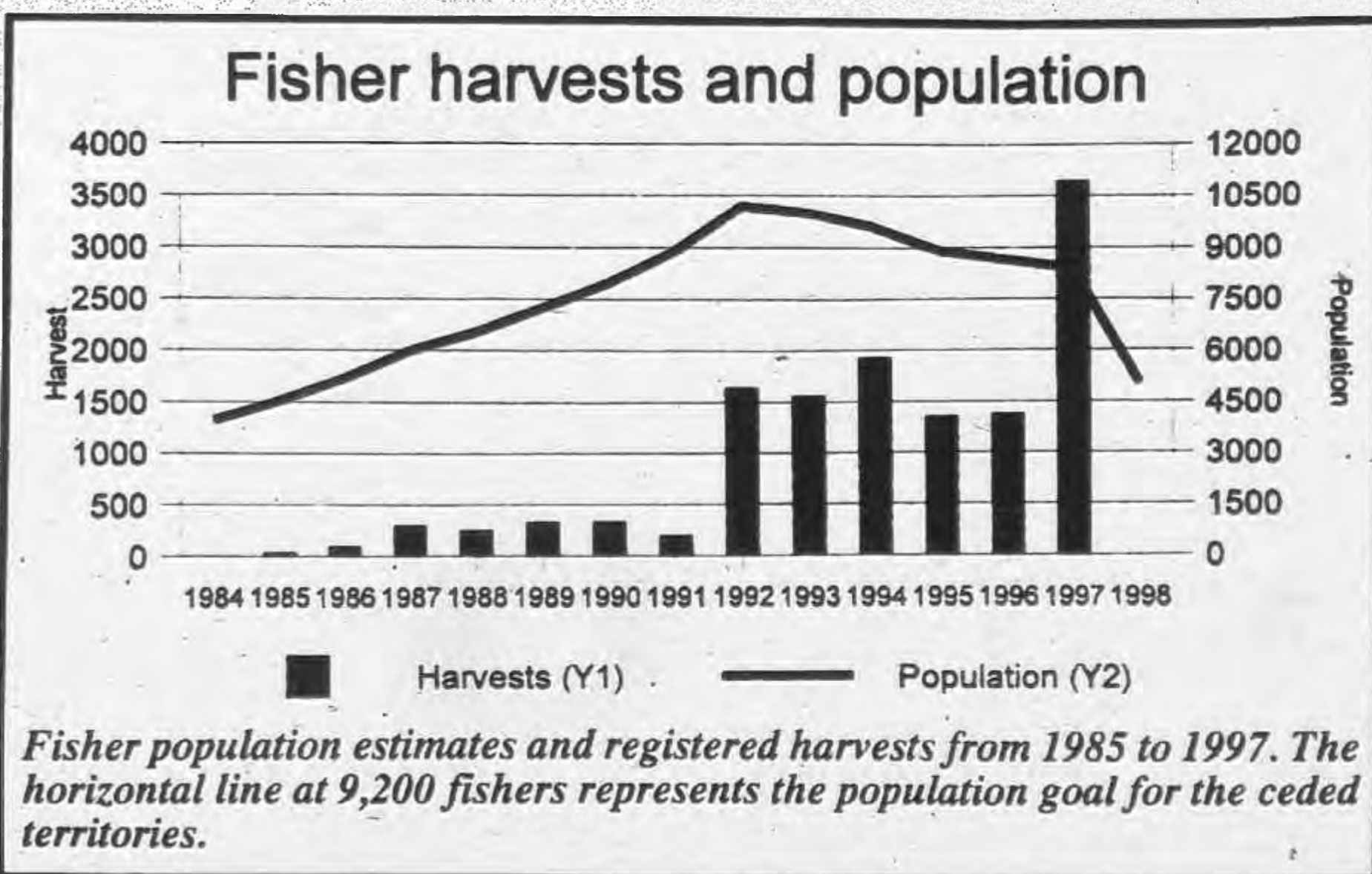
The 1997-1998 otter season did not have a quota set. Rather there was a three bag per day limit. Tribal trappers took 44 otter during the season, and state-licensed trappers harvested 2,772 otter, a number which Gilbert feels could be taxing the species. For 1998-1999 a quota has been set at 1770 otter.

Bobcat were not hit as hard as the fisher and otter last season. The quota was 150 bobcat. The state harvested 216, and the tribes took 17 bobcat. The quota for the upcoming season will remain at 150 bobcat, which Gilbert views as management for no increase in the bobcat population or a very slow increase.

The outstanding and unanswered question remains: Will the state manage the harvest so that established quotas are meaningful? Otherwise, why have them, Gilbert wonders.

Zone	97-98 Quota	State Harvest	Tribal Harvest	98-99 Quota
A	200	200	105	160
B	750	1491	64	180
C	400	785	10	150
D	500	1058	47	180

"They (the state) seem to be saying we can go over our quota, but you shouldn't go over yours."  
—Jonathan Gilbert, GLIFWC wildlife biologist





# Fond du Lac opens 1998 spring spearing season

## Calm, cold and successful on Green lake

By Sue Erickson  
Staff Writer

Reports indicated the ice was out on Green lake, Chisago county, Minnesota. Water temperature was about right for walleye. Even though the calendar was just being flipped from March to April, the time for spring spearfishing had arrived, and Fond du Lac members were ready to fish.

Four boats from the Fond du Lac Band of Chippewa gently hit the water of Green lake at dusk on April 1st, opening the 1998 spring, treaty fishing season.

A total of ten fishermen slowly motored out into the night, disregarding a wind that still retained an icy winter bite.

They were there to legally exercise the treaty right to fish in Minnesota's 1837 ceded territory for the first time.

Local, tribal, and state enforcement and biological staff far outnumbered the spearfishermen on the Green lake landing that first night. Local enforcement officials had secured the land-

ing early in the evening.

Yellow police tapes and wire fencing cordoned off the landing in anticipation of possible protests or trouble as had been experienced in Wisconsin over ten years ago. But Green lake landing remained very quiet. The night's silence broken only by the occasional crackle of an enforcement radio or conversation staff as they waited for spears to return off the lake.

Minnesota Department of Natural Resources (MN DNR) were present with their mobil unit and enforcement boats. GLIFWC wardens and biological staff were on site along with Fond du Lac's enforcement and biological staff, who monitored the fishing that night.

No one knew what to expect as Ojibwe tribal members began to exercise their treaty right under the 1837 Treaty, for the first time since the right was affirmed in federal court. But tribal, state and local enforcement officials were prepared to respond to trouble both on and off water.

State and tribal wardens, bundled up against the windchill, patrolled Green



*The landing at Green lake, Chisago County, where Fond du Lac tribal members opened the spring spearing season in Minnesota's 1837 Treaty ceded territory, had been cordoned off by local enforcement in preparation for numerous onlookers or protesters. Thankfully, the landing remained peaceful and quiet throughout the evening. (Photo by Sue Erickson)*

lake throughout the night, monitoring both the spearfishing activities and watching for signs of on-water harassment.

Only one incident slightly jarred the peaceful, celebratory mood of the first evening. Someone threw rocks at tribal fishermen from the shore. But this was handled quickly by local law officials, according to Fond du Lac's Natural Resources Commissioner Ferdinand Martineau.

Drive-by onlookers slowed as they passed the landing, curious, but quiet.

Fond du Lac's staff came prepared with a portable barbecue grill, brats, chips, and munchies to help pass the hours of waiting. MN DNR staff escaped the cold in the DNR mobil unit for spells of time. Other staff jumped in their trucks and ran heaters. The wait was long and cold on the landing. But the cold did not seem to deter the spears from going after their bag limits.

Following the guidelines of the Model Code for the 1837 Treaty harvest in Minnesota, staff had checked for off-reservation permits when the fishermen arrived at the landing and now waited to measure and weigh the fish on the landing when they came off the water. Once the data was recorded, fishermen would be allowed to load up their catch and leave.

It was past midnight when the last boat came in off the lake, concluding the first night of spearing in the Minnesota 1837 territory. A total of 40 walleye were harvested. All went well.

This remained true for FdL throughout the season. "Fond du Lac's first legally sanctioned season went terrific," comments Martineau. "The co-

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—Ferdinand Martineau, FdL Natural Resources Commissioner

ordination between county, state, and tribal agencies went well."

On April 4th roofing nails were found spread on Green lake landing, he says, but otherwise, the season was good.

Fond du Lac members are already looking forward to a fall netting season and plan to complete remaining quotas, Martineau says. "We are also thankful to Mole Lake for donating their '98 Mille Lacs lake allocation to the Fond du Lac band, providing us with additional opportunity."

FdL tribal members who opened the spring spearing season on April 1st included Robby Abramowski, Don Shabiash, Dion DeFoe, Jeff Savage, Bruce Savage, Phillip Savage, Tom Whitebird, Laverne Shotley, Randy Barney, Don Wuollet, and Ed Jaakola.

FdL monitoring staff included three creel clerks, Sean Thompson, Terry Perrault, and Reggie De Foe, and two conservation officers, Bernie Roy and Russ Rule. Also present were Martineau and FdL Biologist Brian Birkholder.

The first night was a success in every way, thanks to the participation and planning of all involved from the local communities, the state, and tribes.



*Randy Teed and John Moyica, GLIFWC creel clerks, measure walleye taken during the first treaty fishing season on Mille Lacs lake. (Photo by Sue Erickson)*



# All was quiet on the western front: Minnesota's first spring treaty season successful

By Sue Erickson  
Staff Writer

The 1998 off-reservation spring spearing/netting season broke early with the assistance of El Nino's unseasonable warmth in the northland. Lakes shed their icy shells and water temperatures rose to stir the spawn of walleye. Ojibwe fishermen launched their boats in quest of walleye as early as April 1st in Minnesota and April 2nd in Wisconsin.

Through both spearing and netting the first spring treaty harvest in Mille Lacs lake provided 30,046 lbs. of walleye and 1,522 lbs. of northern pike, to members of seven bands. Other species harvested by spear and net were yellow perch (185 lbs.), tullibee or cisco (59 lbs.), burbot (271 lbs.), and white sucker (397 lbs.). A quota balance of about 10,000 lbs. of walleye remains to be taken in later seasons.

Joining the Mille Lacs and Fond du Lac bands during the first spring fishing season in Minnesota's 1837 Treaty territory were five Wisconsin bands, including Bad River, Red Cliff, St. Croix, Lac du Flambeau, and Lac Courte Oreilles. The Mole Lake band did not participate, but donated its quota to Fond du Lac.

"People were aware of the historical aspect of treaty harvest activity in the Minnesota ceded territory, particularly Mille Lacs lake itself," says GLIFWC Inland Fisheries Section Leader Joe Rose. "It was the consciousness of that historical significance that made the fishing activity that much more meaningful."

Mille Lacs Commissioner of Natural Resources Don Wedll was pleased with the season overall. "Tribal members got out to fish; fish were available; local sheriffs did a superb job of securing landings; and coordination with the state was good."

Tribal members focused on fishing, rather than a media event and went about their business fishing for food and ceremonies, Wedll says.

Netting was the predominant method used on Mille Lacs lake, although some members tried their hand at spearing as well.

Traditional spearers from Wisconsin bands also enjoyed netting and took a few pointers from the Minnesota fishermen who have relied primarily on netting for generations.

Pleasant weather, the sense of an historical occasion, and intertribal involvement gave the season a special aura.

Approximately 3,000 lbs. of walleye were taken from Mille Lacs lake

through spearing, says GLIFWC Inland Fisheries Section Leader Joe Rose.

The remaining 27,000 lbs. was harvested by net. Wedll was pleased that the mesh and net size were effective in targeting fish. The average walleye taken, he says, was about 1.9 lbs., which is the same fish anglers are taking. The harvest of northern pike was well under quota.

Rose, who helped coordinate the biological management of the 1837 spring harvest in Minnesota, was pleasantly surprised by a season that worked out well. "Tribal members really felt good about the success they had and the relative absence of harassment. We have a great appreciation for that!"

"Good cooperation between the state, tribes, and the law enforcement community in Minnesota was notable," Rose says. "Enforcement personnel did a nice job in responding to potentially difficult situations and preventing things from getting out of hand."

With recollections of harassment and protest experienced on Wisconsin boat landings less than ten years ago, tribal, state and local officials as well as tribal members, entered the first Minnesota season with some concern.

Only a few reported incidents occurred during the season, involving rock throwing at several lakes and a few incidents of verbal harassment, according to Gerald White, GLIFWC chief warden.

"The sheriff's were firm in advance," Wedll says, attributing the peacefulness of the first 1837 Treaty spring fishing season to an aggressive and firm stand taken by local officials.

Possibly the most difficult part of the season was keeping up with the intense monitoring required for the treaty fishery, Rose says.

He was impressed with the hard work, long hours, and good job done by tribal conservation officers, biologists, and creel clerks involved in monitoring the harvest from both spearing and netting.

Minnesota staff were available both late at night to measure and weigh fish taken by spear-fishermen and once again early in the morning to monitor when nets were pulled.

"Duty was almost around the clock," Rose commented. "Staff put in some hellacious hours and did a good job."

The treaty fishery is managed through a daily permit system, which requires all landings open to be monitored and all harvest to be counted and weighed. Twelve citations were issued during the Minnesota season.



Preparing for on-water patrol on Mille Lacs Lake, Gerald White, GLIFWC Chief Warden (left) and Brett Haskins, GLIFWC conservation warden, Mille Lacs, slip an enforcement boat into the water. Already afloat is the Ojibwe Lady, captained by Tim Tilson, GLIFWC warden from Keweenaw Bay. The Lady was brought down to Mille Lacs Lake for the opening of the season. (Photo by Sue Erickson)

## Truth and rumors surrounding Mille Lacs area tribal harvest

The treaty harvest this spring has resulted in numerous rumors, many of which when checked turn out to be either distortions of the truth or downright untrue.

**Rumor No. 1:** The Minnesota DNR intends to close Mille Lacs if the sports harvest quota is met.

**The truth:** Marcy Dowse, communications director for the DNR says this: The rumor of the Mille Lacs closure was the result of a newspaper column in which Jack Wingate, DNR fisheries research manager, was quoted saying that the DNR is "walking a tight rope" in regards to the potential of meeting the sport harvest quota on Mille Lacs of 220,000 pounds of walleye. Wingate also speculated on the closing of Mille Lacs if the quota were to be reached.

Dowse says that the DNR would monitor the first two weeks of open water season. "If the harvest should show a trend toward exceeding the quota, we will meet with the Mille Lacs Fishery Input Group to analyze the data. But we're not saying anything about instituting a catch-and-release season or changing any regulations without input from the public."

Dowse says that the DNR would

not make any regulation changes without consulting the local input group. "We are hopeful that we will be right on track with our projections and we'll have no need for any action."

Nonetheless, the DNR does admit to a 30-percent chance of anglers exceeding the quota, and they have been advised by the attorney general's office that the quota cannot be exceeded.

**Rumor No. 2:** The state record walleye was taken by spear during the tribal harvest.

**The truth:** According to DNR conservation officer Bruce Hall, who has been present at most of the tribal fishing operations this spring, the largest fish taken was just over 11 pounds.

Hall said, "I have to give credit to the tribes. They saw a lot of larger fish that they didn't take. They stuck to their limit of one fish over 22 inches. One person told me he saw a 36-inch swim through, and I believe him. The Wisconsin tribes in particular have been doing this a long time, and they are very good at judging the size of fish they see under the water."

**Rumor No. 3:** Bags of fresh walleye have been found along the roads in the Mille Lacs area.

(See Truth, page 14)



# 27,218 walleye taken in '98 WI treaty season

Odanah, Wis.—Preliminary figures indicate a harvest of 27,218 walleye in Wisconsin's 1837 and 1842 ceded area for the 1998 season, leaving a quota balance of about 10,000 walleye available for later treaty fishing opportunity. Bands harvested about 72% of their total walleye declarations.

This was the third highest total harvest since spring spearing began in 1985. The record was set in 1995 with 30,249. 1996 brought in 28,327 walleye to tribal dinner tables.

A number of Wisconsin spearers also spent several weekends at Mille Lacs lake in Minnesota this year during the first spring spearing/netting season in the Minnesota 1837 Treaty ceded area, which may have impacted the total Wisconsin harvest.

In Michigan, members of the Lac Vieux Desert band took a record of 3,479 walleye, topping the previous high in 1995 of 2,230 walleye.

'98 was also a record year for the Lac Courtes Oreilles (LCO) and Mole Lake bands in Wisconsin. LCO brought

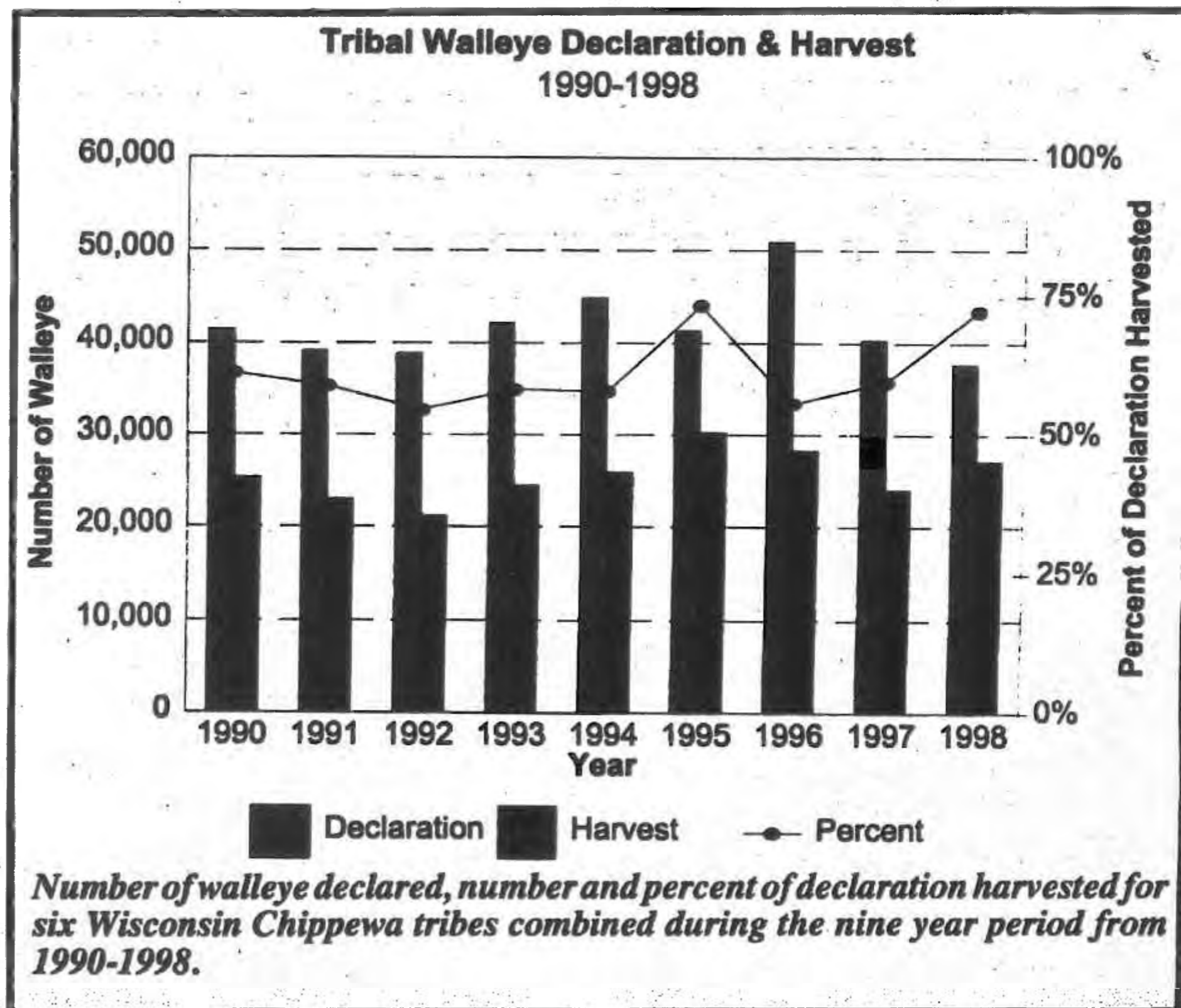
in 4,218 walleye, harvesting 97% of their declaration and exceeding the 1995 high for the band of 3,475. Mole Lake members took 5,198 walleye, topping their previous high in 1995 of 4,107.

Lac du Flambeau band members harvested the most walleye during the season, taking 10,996; however, this figure fell short of their record harvest in 1996 of 15,085.

## Muskellunge

Tribal members took 271 muskellunge from lakes in Wisconsin's ceded territory this spring, harvesting 20% of their declaration. Lac du Flambeau members took the lead in musky harvest with 103 fish. Muskellunge harvest figures for other Wisconsin bands are: Lac Courte Oreilles—63; St. Croix—58; Mole Lake—38; Bad River—8; and Red Cliff—1.

A total of thirty-three citations were issued during the treaty season. The majority of the violations were for over size or bag limitations.



## Behind the scenes at GLIFWC Managing spring spearing and assessments

Odanah, Wis.—As spring breaks in the northland, GLIFWC staff prepare for the year's busiest season, particularly in regard to fisheries. A critical three to four weeks directly after ice-out hosts the treaty spring spearing/netting season and the spring population assessments on numerous lakes across the ceded territories in Wisconsin, Michigan and Minnesota.

With the addition of the Minnesota 1837 Treaty season this spring, GLIFWC staff geared up to handle expanded duties to an already busy schedule. To accommodate the massive workload, GLIFWC seasonally hires temporary employees, a process which is a prelude to the opening of the season and doubles the size of GLIFWC staff.

The Enforcement Division hired over forty temporary staff to assist in monitoring spring spearing and netting, and the Inland Fisheries Section of the Biological Services Division hired 68 temporary creel clerks to assist with the biological monitoring of the season in Wisconsin, Minnesota, and Michigan. An additional 19 fishery aides were also hired to work on population assessment boats.

Hiring crew in advance to meet the anticipated needs is only the tip of a deep iceberg when it comes to launching the spring season. Training meetings are scheduled first to familiarize newly hired staff with job duties and expectations. Uniforms and equipment must be issued and check lists com-

pleted. Fortunately, many temporary employees return year after year, easing some of the orientation process.

Schedules and assignments must be drawn up, but scheduling can only be accomplished to a certain point, because Mother Nature never reveals in advance the date when ice-out might occur on her lakes. Therefore, a whole system must be in place, ready to be launched on short notice.

Once the season begins to roll, an effective central communications capability is critical to the season's operation. Tribes must declare lakes intended to be speared or netted by noon each day. That information must be transferred to crews already in the field, so monitoring staff and stations are in place when tribal members exercise spearing or netting activities.

On the other hand, the central office must receive daily/nightly statistics from crews monitoring spearing and netting, so figures can be entered and applied each day.

Daily statistics on tribal harvests are necessary to determine bag limits on lakes declared by the tribes so quotas will not be exceeded. Harvest statistics are also communicated to the state departments of natural resources on a daily basis.

For enforcement staff, reports from landings must be called in nightly once a landing closes. At central office dispatch, Gerry White Sr., records information received from each landing on

the time of closing, number of spearers, the preliminary figures on the harvest, and reports of any incidents. Dawn is usually breaking before the last call comes in concluding the nights' reports.

Creel clerks fax in final figures on nightly/daily harvest totals. These

sheets, collected by Jenny Krueger, Biological Services data base manager each morning, are compared to information called in by the wardens, which is collected each morning by Leanne Thannum, Biological Services Division administrative assistant. (See Behind the scenes, page 9)



GLIFWC staff members met daily to coordinate the activities surrounding the spring treaty fishing/netting season and population assessments on lakes. Information from enforcement and biological crews in the field were updated daily and shared interdepartmentally. During the approximate four week season GLIFWC staff doubles in order to monitor lakes open for treaty harvest and complete scheduled lake assessments. Pictured above, from the left are: Kory Groetsch, environmental biologist; Eric Madsen, data analyst; Neil Kmiecik, Biological Services Division director; James Schlender, GLIFWC executive administrator and acting chief warden; Jenny Krueger, data base manager; and Joe Dan Rose, inland fisheries section leader. (Photo by C.O. Rasmussen)



# Fisheries crews harassed during spring assessments

By Sue Erickson, Staff Writer

Odanah, Wis.—An unseasonably warm spring took some of the cold, damp misery out of nights on electroshocking assessment boats as they ply the shores of selected lakes, sampling walleye populations. The spring of 1998 saw twenty-three lakes assessed.

Incidents of harassment during the season brought a chill despite the warmth of El Nino winds. GLIFWC and US Fish and Wildlife (USFWS) assessment crews experienced harassment on a total of four lakes this spring, according to GLIFWC Inland Fisheries Biologist Glenn Miller.

Like the spearfishing season, the annual spring population assessments on walleye began early this year, and they began in Minnesota. The first crew took to the waters of Elk lake, Sherburne County, Minnesota on April 1, beginning a season that ended on Lake Gogebic, Michigan on April 22. On both lakes, crews reported harassment.

At Minnesota's Elk lake landing tires were slashed on the crew's truck. While on the lake, hecklers threw rocks, debris and shouted verbal abuse at the electroshocking crew. The incident was reported to GLIFWC and local authorities.

At Parent lake, Michigan, a similar incident occurred with hecklers throwing debris and rocks and verbally harassing the crew. This was stopped by the Michigan Department of Natural Resources (MI DNR) officers.

A racially derogatory sign was found at Sherman lake, Wisconsin, where debris was thrown at the assessment crew on the lake and tampering with a gate lock was noted.

The final incident occurred on Lake Gogebic, Michigan, where the USFWS reported verbal abuse and possible throwing of things at the crew. The MI DNR, GLIFWC wardens, and Ontonagon Co. officers busted an underage party where the heckling was originating. A written apology for harassing the USFWS crew was later issued by the hecklers.

Miller says he had notified the Gogebic Area Commerce regarding the electrofishing activities in advance, but the information apparently did not get into the community.



Eric Bender and Dave Stone, GLIFWC fisheries aides, and Brett Fessel, Chippewa Ottawa Treaty Fishery Management Authority, perform spring walleye assessments on Lake Gogebic, Michigan. (Photo by Lynn Plucinski)

## Twenty-three lakes assessed in three-state area

Despite unpleasant circumstances on a few lakes, the spring assessments on twenty-three designated lakes went well, Miller says. Electrofishing boats and crews from GLIFWC, USFWS and the St. Croix band completed a nightly schedule of adult spawning walleye surveys over a three week period.

The spring surveys, plus a round of fall recruitment surveys sampling young of the year walleye, provide fishery managers with guidelines as to population trends in the lakes.

Spring assessments must be performed early during the spawning season, therefore require a intensive effort over a short span of time. In order to accomplish the scheduled assessments, GLIFWC hired twenty temporary fishery aids.

Seven long-term study lakes are among those assessed annually. Long-term studies aim to record population trends through one and a half to two generations of walleye and usually require a ten to fifteen year study, Miller says.

Long term study lakes in Wisconsin include: Siskiwit lake, Bayfield County; Butternut lake, Forest County; Bearskin lake, Oneida County; Squirrel lake, Oneida County; Sherman lake, Vilas County; Squaw lake, Vilas County; Bass/Patterson lake, Washburn County; and Anabel lake, Vilas County. Both Anabel and Bearskin lakes are assessed every other year, with Bearskin scheduled on the even years, Miller says.

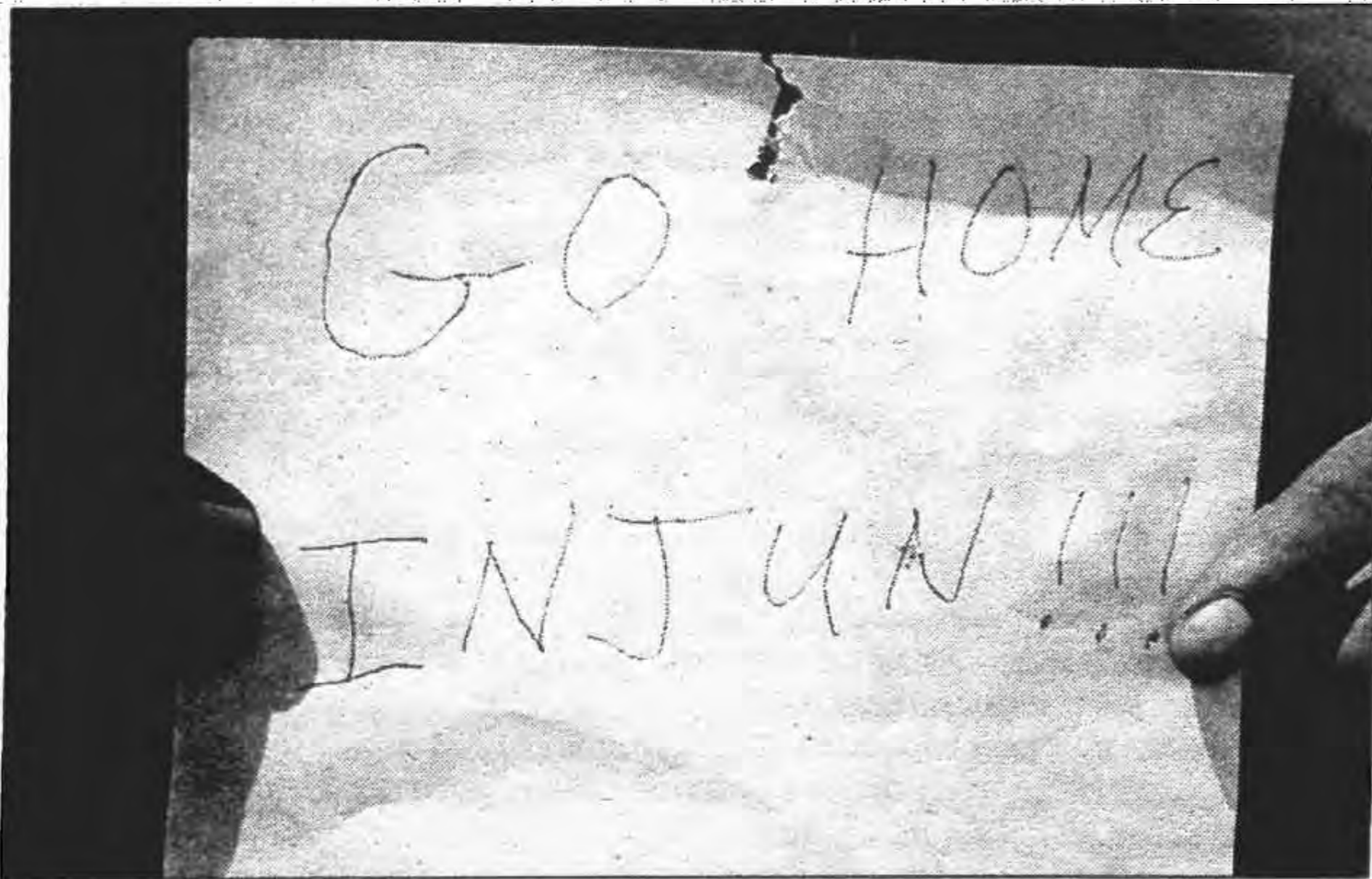
Electroshocking is the method predominantly used for assessments. However, fyke nets were set on Butternut lake and Lac Courte Oreilles in order to catch more females this year.

Water temperature can affect the success of assessments. A few lakes, like Nelson lake with a river feeding into it, were found nearly spawned out. In others, like Lac Courte Oreilles the spawn seemed a little slow. Consequently, fyke nets may be used to capture the amount of females necessary for assessment purposes in some circumstances. Overall, more fish are captured through electroshocking.

Electroshocking involves stunning the fish while they are near the shore during spawning, scooping them up in nets, tagging, recording data, and, finally, returning them to the water.

GLIFWC began electroshocking surveys in 1988 on two lakes, Butternut, Forest County and Pelican, Oneida County.

Ten years later, the schedule of lakes has grown substantially. State, federal and tribal fish managers share the gathered data in order to effectively make recommendations on fishery management. □



This sign was found at Sherman lake, Vilas County, by GLIFWC's electrofishing crew. Other forms of harassment encountered by assessment crews this spring included rock throwing, verbal abuse and tire slashing. (Photo by Sue Erickson)



# Walleye rehabilitation efforts underway for Kentuck lake

By Sue Erickson  
Staff Writer

Odanah, Wis.—Population assessments on Kentuck lake, Vilas County, reveal a greatly diminished walleye population with a dramatic decline in male walleye, according to Glenn Miller, GLIFWC inland fisheries biologist.

The apparent crash in the walleye population raised concerns in 1996, when figures revealed that the estimated individual population in 1990 was 7,400 and in 1996 had decreased to 770 adults. The male/female ratio fell from 67 males/one female in 1991 to .03 males/one female in 1996.

The declining population led GLIFWC to recommend a stocking program as a rehabilitation measure. That effort got underway this spring on April 17th when the GLIFWC fisheries crew spawned out walleye on Kentuck and Butternut lake and took milt from males.

An estimated 1.5 million fertilized eggs were transported to the Red Cliff Hatchery for incubation, Miller says, a process which successfully produced about 1.5 million eyed-eggs.

The eyed eggs were shipped to Genoa National Hatchery, Genoa, Wis-

consin where about 750,000 fry were successfully hatched. The fry were treated with oxytetracycline, a chemical marker used to identify stocked fish.

While placed in bags at the edge of rearing ponds for the six hour treatment and to temper the fry to the ponds' 75 degree Fahrenheit temperature prior to stocking all the fry died.

Genoa Hatchery Manager Todd Turner speculates that the 15 degree temperature hike from 60 degrees in the hatchery to 75 degrees in the bags may have "been too much for the fry."

But the story doesn't end there. GLIFWC fisheries staff are seeking alternative fingerlings to continue the Kentuck lake stocking effort.

Miller says that fingerling walleye which originate from the same watershed as Kentuck lake are available from the Lac du Flambeau hatchery and possibly from a state hatchery as well.

Once obtained the fingerlings will be shipped to the federal hatchery in Genoa for extended growth and be planted in Kentuck lake this September.

GLIFWC biological staff also took flesh samples from six adult fish and fertilized eggs and milt samples to test for mercury contamination.



Frank Stone, USFWS assistant project leader and Ken Basely, GLIFWC fisheries aide, milk eggs from Kentuck lake walleye. (Photo by Glenn Miller)

## WDNR passes Emergency Order

(Continued from page 1)

This undermines the Tribes' ability to meet their harvest needs and serves as an obstacle to the continuing development of the tribal fishery in new lakes or with new methods," Schlender said.

3) The 1998 tribal declarations and the state's responsive bag limits under the previous rule require good faith tribal/state discussions, not a unilateral Department emergency order.

Schlender indicated that the tribes and state have discussed ways to provide more opportunity for all, "if there are more fish available in the ceded territory lakes than the present system allows."

GLIFWC also indicated a willingness to discuss exploring various management options that would preserve both the 1998 tribal walleye declarations and angler opportunity at a three bag level without biological concerns.

GLIFWC was told, however, that discussions for 1998 declarations were not possible partially because of provisions in the bag limit rule and that it would be difficult to justify as an "emergency" change in the rule for the 1998 angling season!

However, the WDNR proposed and the NRB passed a rule that decides there is an "emergency" necessitating changes in the bag limit rule, and these changes will impact the 1998 season.

Schlender clearly states that no emergency exists, that the tribes have offered to discuss the bag limit rule

with the WDNR, and that the need remains for good faith discussions regarding management of the walleye fishery in the ceded territory, not for unilateral Department action.

4) The Emergency Order provides an unfair access to an apparently greater number of available fish for the non-treaty fishery than the current bag limit implies.

The purpose of the bag limit rule was to keep combined treaty and non-treaty harvest within the levels required by the Voigt walleye/muskellunge decision. Now, the Emergency Order allows a combined harvest above the levels contemplated by the original rule.

"This implies, as the tribes have suggested for years, that there are more fish available than the harvest ceilings purportedly required by the current rule and that access to these fish would be provided only to the non-treaty fishery. This is patently unfair to the Tribes," Schlender stated.

Schlender refers to the 1990 report by Rennard Strickland, et. al. which discusses the manipulation of bag limits by WDNR at the expense of the tribes. The report questioned the validity of the bag limit rule and state behavior at that time. (see page 2)

The report states: "...since the state created this plan and presented it to the court as the only way to preserve the fish—the WDNR also sets the "safe harvest" level which is the key to manipulation of the bag limits..."



Packing approximately 1.5 million eyed-eggs from Kentuck lake to transport from the Red Cliff Tribal Hatchery to the Genoa National Hatchery, Genoa, Wisconsin for hatching and rearing. Working on the project were, from the left, Frank Stone, USFWS assistant project leader; Gregg Fisher, Red Cliff hatchery manager; and Glenn Miller, GLIFWC inland fisheries biologist. (Photo by Lynn Plucinski.)





# 1997 tribal fish hatchery production

*More than 67 million fish released into both on and off-reservation waters in 1997!*

Tribe Hatchery/Rearing Component	Fry	Walleye Fgl.	Yrl.	Muskellunge Fry	Muskellunge Fgl.	Yellow Perch	Largemouth Bass	Whitefish	Brook Brown Rainbow Trout**	Lake Herring	Lake Trout	White Sucker	Total
Bad River	7,780,000												7,780,000
Fond du Lac													0
Grand Portage									30,000				30,000
Keweenaw Bay									10,000		115,000		125,000
Lac Courte Oreilles	7,000,000	121,800	700	625,000									7,747,500
Lac du Flambeau	29,641,000	115,738		900,000	683				18,500			8,000,000	38,675,921
Lac Vieux Desert													0
Leech Lake	4,180,000	53,527				283	200	79,640		40,000		3,000,000	7,353,650
Menominee	400,000*	20,000							2,850*				422,850
Mole Lake	1,400,000												1,400,000
Red Cliff	933,511	10,925							1,140				945,576
Red Lake		7,500*					11,500*		7,500*				26,500
Sault Ste. Marie	2,500,000	43,795	25,265										2,569,060
St. Croix	300,000	39,925											339,925
White Earth		158,470											158,470
<b>TOTALS</b>	<b>54,134,511</b>	<b>571,680</b>	<b>25,965</b>	<b>1,525,000</b>	<b>683</b>	<b>283</b>	<b>11,700</b>	<b>79,640</b>	<b>69,990</b>	<b>40,000</b>	<b>115,000</b>	<b>11,000,000</b>	<b>67,574,452</b>

\*Fish produced or obtained by the U.S. Fish & Wildlife Service

\*\*Total number of one or combination of trout species



*Keweenaw Bay Biological Services Director Mike Donofrio examines a net full of lake trout fry at the tribal hatchery near L'Anse, Michigan. (Photo by C.O. Rasmussen)*



*Children tour Bad River's hatchery where Bell jars are filled with eggs. (GLIFWC photo)*



# Mercury studies look at need for separate advisory

By Sue Erickson  
Staff Writer

Odanah, Wis.—Spring's sudden rush of activity with fish and wildlife assessments and monitoring of the fishing season has yet another component—the gathering of samples for ongoing mercury contamination studies.

GLIFWC has been sampling walleye in lakes speared by tribal members since 1990 and has just completed the first year of a fish consumption study with funding from the Agency for Toxic Substance Disease Registry (ATSDR), according to Kory Groetsch, GLIFWC environmental biologist.

Formally called the Ojibwe Health Study, GLIFWC is working in partnership with John Dellinger, Director, Illinois Poison Center, and Shawn Gerstenberger, University of Nevada-Las Vegas.

Researchers are recording information from tribal families regarding quantities of fish normally consumed by tribal members.

This information, along with data relating to the level of mercury contamination in fish frequently consumed, will help determine whether a separate fish advisory should be produced for the tribal community, Groetsch says.

"The ultimate goal of the studies is to provide a culturally appropriate fish consumption advisory that is scientifically sound," he says.

A fish consumption advisory considers fish consumption rate, a "safe" concentration of mercury within the edible portion of fish, and body weight of the person.



Samples for mercury contamination studies were taken from Kentuck lake walleye by Kory Groetsch, GLIFWC environmental biologist and Frank Stone, USFWS assistant project leader. (Photo by Glenn Miller)

The first year of the study, completed in April 1998, tracked the fish consumption of four families from three tribes—Red Cliff, Lac Courte Oreilles and Bad River, averaging a total of 14-20 persons of varying ages per tribe.

The second year, which is just beginning, will record information from four families from Lac du Flambeau, St. Croix and Mole Lake, a total of twelve families.

Families participating in the study are provided with informational sheets to log fish consumption for each family member, including the species of fish, preparation, and quantity consumed, Groetsch says. Data will help research-

ers determine tribal fish consumption rate.

Meanwhile, samples of walleye obtained from tribal fishermen during the spring spearing season or from assessment crews are being tested for mercury levels annually.

Since 1993 samples have been collected from twelve lakes to study the long term trends of mercury concentrations in walleye filets, according to Groetsch.

Samples are sent to the Lake Superior Research Institute, Superior, for analysis; GLIFWC enters mercury levels into the expanding data base. In

1997-1998 about 150-200 samples were taken. In 1998-1999 biologists collected 160 samples from four different sizes of walleye: 10"-15", 15"-17.9", 18"-22", and 22" plus.

Information from mercury level testing has already been passed on to tribal members through the mercury level maps produced and distributed by GLIFWC.

In 1998 mercury maps were updated. The color coded maps show the lakes commonly harvested by each tribe. Color coding indicates the smallest size range of walleye which tested for mercury levels greater than 0.5 mg of mercury per gram of fish tissue (ppm).

The Wisconsin Department of Health recommends limiting consumption of fish with 70.5 ppm mercury for women of child-bearing age, pregnant women, and children.

Hopefully, families will avoid serving fish from lakes with high mercury levels to children or women in child-bearing years, Groetsch says, as children and unborn fetus are at a higher risk for mercury poisoning.

GLIFWC has applied for a grant from the Administration for Native Americans (ANA) to fund the fish consumption study for another three years. If successful in obtaining the grant, testing of Lake Superior whitefish and lean and fat lake trout will begin.

Researchers will be looking for a "suite of contaminants," Groetsch says, including chlorinated pesticides, PCB's, mercury, and heavy metals, such as copper.

Testing will include raw as well as smoked fish.

## Behind the scenes

(Continued from page 5)

Together Thannum and Krueger compare figures for any discrepancies. Krueger then enters totals for each tribe's harvest on daily spreadsheets, one for each tribe and one for the combined tribal harvest in Minnesota and Wisconsin. Running totals are available each day for tribal and GLIFWC staff to reference in managing the season.

Meanwhile, assessment crews also call in nightly statistics to Eric Madsen, Biological Services data manager, who records information from each of the electrofishing assessment crews, including lakes assessed, numbers of fish marked on each lake, and plans for the following evening.

Staff involved in the various components of the season meet daily throughout the spring fishing and assessment season to coordinate information, scheduling, and troubleshoot any problems that arise. The daily meeting keeps all parties apprised of events and information pertinent to the season.

While the spring season requires Max from GLIFWC staff, the coordination, consistent communication and hard work of staff, both in the field and in the office, provided a smoothly run season in which all the work which needed to be done, was done, and done well.



Giigoonh, fish, has traditionally been an important part of the Ojibwe diet. Tribal members should be aware of contamination levels in giigoonh. (Photo by C.O. Rasmussen)



# National legislative update

## Happenings in D.C.

By Megan Taylor  
HONOR Advocacy Office

### Sovereign immunity

Senator Slade Gorton's (R-WA) bill that would have broadly waived several aspects of tribal sovereign immunity has been pulled from consideration. On February 27, Gorton introduced the bill (S 1691) that would have subjected tribal governments to lawsuits, putting tribes' assets at an incredible risk.

The hearings that took place throughout March and April were emotionally charged, and the issues Gorton raised were thoroughly discussed. Most of those testifying in favor of the bill either related their own or relied on others' anecdotal stories of displeasure with a tribal government.

At the mark up on May 21, when the Senate Committee on Indian Affairs would decide whether to send the bill to the entire Senate for consideration, Gorton removed his bill before the vote could take place.

He indicated that he plans to revamp the bill to deal separately with the five main areas of concern: contracts, taxes, torts, civil rights and property. He said he does not plan to include parts of his bill as budget riders on this year's appropriations process as long as his concerns continue to be addressed.

These issues of accountability for tribal governments are not going away. To address them in a proactive manner, Senator Ben Nighthorse Campbell (R-CO) introduced an alternative to Gorton's bill. Campbell's bill "would encourage and facilitate the resolution

of conflicts involving Indian tribes." A hearing on Campbell's bill is scheduled for mid-July.

### Taxing tribes (times two)

#### 1. Tobacco legislation

If you have been watching the news, you have probably noticed all the activity surrounding the tobacco legislation. It is a complex proposal and will affect many groups, including Indian nations.

Sen. Gorton has included an amendment to the tobacco bill (Section 604) that would require tribes to collect and pay state sales taxes on tobacco, then pay these taxes to the federal treasury, which would then pay them back to the state where they were collected. In other words, this amendment creates a federal tax collection system for the payment and collection of state taxes by tribal governments.

This amendment would undermine over 200 state-tribal compacts for collecting taxes in 18 different states. It claims to eliminate pricing differences, but this argument does not hold. Cigarette taxes will still be different in each state. In effect, the bill is unfairly singling out tribal governments for taxation under the guise of making prices the same.

The entire tobacco bill is still being heavily debated, so the fate of this proposal has yet to be determined. Even if it does not pass, it is certainly just the latest in the continuing attempts to unfairly tax tribal governments.

#### 2. Land into trust

Representative Ernest Istook (R-OK) has once again revived his bill (HR 1161) that would force Indian tribes to sign binding agreements for collection of state and local taxes before putting land into trust.

Istook tried to attach this bill as an amendment to the 1997 appropriations bill, but it was stripped under the threat of a veto by the President. He again tried to attach it last year. Now the House Resources Committee will hold hearings on the bill near the end of June.

The bill would give states, who have historically not acted in good faith toward tribal governments, veto power over tribes getting land put into trust. It would also seriously undermine congressional efforts in the past twenty years to foster Indian self-determination and competitive economic development on or near reservations.

The hearing will hopefully be a good opportunity to expose misinformation on the issue of tax collection that the Petroleum Marketers Association and the Association of Convenience Stores have been spreading.

### Funding battles

The Senate has begun the budgeting process for Fiscal Year 1999 (FY99). The subcommittee that handles most of the funding for Indian programs is Interior Appropriations. They have budgeted \$13.3 billion, down from the \$13.8 billion for last year. The President requested \$14.1 billion. So already, this is proving a troubling beginning for the budget for Indian programs.

In FY96, federal funding for Indian programs was 13 % less than the President's request, including dramatic cuts in funding for the BIA, the Department of Housing and Urban Development, New Indian Housing and Indian Health Service.

For the past two years (FY97 and FY98), funding for these programs still fell short of the President's modest request. When the U.S. economy is booming and the federal government is expecting to raise a \$50 billion surplus, the federal government should be investing in the poorest communities, not cutting their budgets.

The budget negotiations will likely begin in early June and continue through most of the summer.

### Executive Order on tribal consultation

On May 14, President Clinton signed an Executive Order on Consultation and Coordination with Tribal

Governments. The order recognizes that the United States continues to work with Indian tribes on a government-to-government basis to address issues concerning tribal self-government, trust resources, treaty and other rights.

The purposes of the Executive Order are:

1) to establish regular and meaningful consultation and collaboration with tribal governments in developing regulatory practices on federal matters that have a significant or unique effect on Indian communities;

2) to reduce unfunded mandates on tribal governments; and

3) to streamline the application process for tribal governments to waive federal regulations.

### Funding for Indian reservation roads

The Building Efficient Surface Transportation and Equity Act (HR 2400) will likely pass the House and Senate with increased funding included for the Indian Reservation Roads program. The bill calls for a \$475 million increase over the next six years from the current level of funding.

The bill also features a tangible step toward supporting tribal self-sufficiency. One section of it provides tribes the authority to oversee the spending of the funds under the Indian Self-Determination and Education Assistance Act.

For more information on any of these or other national issues, please contact the HONOR Advocacy office 224 2nd St SE, Washington, DC 20003; phone: 202-546-8340; fax: 202-546-1684; e-mail: honor@dgsys.com.

### KKK refused permit to rally at the Capitol

Madison, Wis. (AP)—The governor has directed his top aide to refuse the Ku Klux Klan permission to rally at the Capitol. Klan leaders have said they plan to rally this summer on the steps of the Milwaukee County Courthouse and the Capitol in Madison.

The governor's refusal allows use of the law to force governmental officials to refuse to allow the Klan to use public property for a rally.



Sen. Gorton has added an interesting twist to the proposed tobacco legislation which is being heavily debated. Gorton's amendment would have tribes collecting and paying state tax on cigarette sales, sending the collection to the federal government, which would in turn reimburse the state. (Photo by Sue Erickson)



# Gorton again assaults tribal sovereignty

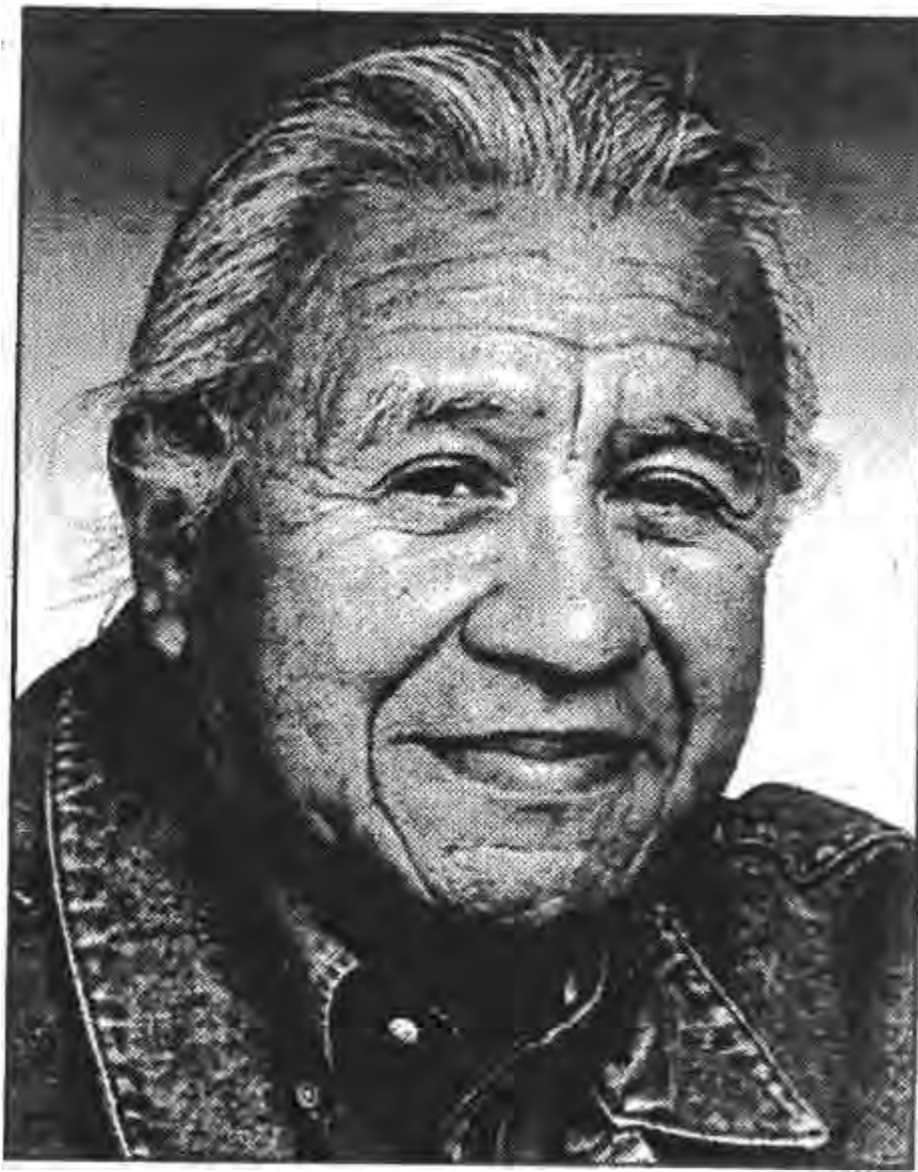
By Billy Frank Jr.  
NWIFC Chairman

Olympia, Wash.—Senate Bill 1691, the so-called "American Indian Equal Justice Act," recently introduced by U.S. Senator Slade Gorton, is an affront to tribal sovereignty which would among many other things, do great harm to natural resource management in this state.

Technically speaking, the bill would remove all tribal sovereign immunity and subject tribal governments to endless lawsuits in non-tribal and non-federal courts.

By destroying tribal sovereign immunity across the board, the legislation would erase the federal/tribal relationship protected in treaties, break our contractual agreements and undermine the ability of tribal governments to function as governments.

In effect, this bill would strip tribal governments of their constitutionally-protected self-government rights and responsibilities. Yet it comes at a time when the tribes are finally starting to emerge from a century of poverty and repression. Unemployment rates as high as 80 percent have been cut in half on some



Billy Frank Jr.

reservations in recent years, due to the increased ability of tribes to govern themselves. In their self-governance, tribes have commenced public hearings and processes, established Indian/non-Indian planning committees and zoning boards, set up and participated in cooperative planning programs on virtually every river and taken a leadership role in the overall protection and enhancement of natural resources and habitat.

Senate Bill 1691 is based on the false premise that sovereign immunity is not important to state and federal governments. It is, in fact, critical to any government. Government simply cannot function without it. Tribal governments exercise a form of sovereign immunity similar to that exercised by the federal and state governments. To unilaterally change this would discard the treaties and the United States Constitution.

One of the basic principles of democracy is the exercise of government without judicial interference or distortion by the fear of personal liability. These things undermine the "public good" by interfering with the rights of the people to representation in the democratic process.

Like other governments, many tribes have restricted their sovereign immunity. But, like other governments, the use of such exemptions has been at their own option. Senate Bill 1691 unilaterally and unjustly proposes an across-the-board abandonment of the policy. It proposes an end of the tribes.

Let there be no doubt. An attack on tribal sovereignty is not only an attack on the ability of tribes to feed and clothe their own children; it is an attack on the thousands of jobs and millions of dollars that the tribes contribute to local communities. It is an attack on the ability of the tribes to co-manage natural resources and protect the environment in a way that benefits Indian and non-Indian alike.

(Reprinted from Northwest Indian Fisheries Commission News.)

## Churches respond to Gorton's bill

By The Rev. John Boonstra,  
Executive Minister,  
Wash. Assoc. of Churches

Olympia, Wash.—On April 7, 1998, our community experienced a shameful example of incivility and intolerance when United States Senator Slade Gorton and the Senate Indian Affairs Committee conducted a hearing on Senate Bill 1691, the "American Indian Equal Justice Act."

The intent of this bill is not to achieve equal justice, but rather to remove all Indian tribes' governmental immunity. It is clearly an assault on the sovereignty and integrity of tribal governments, which ironically comes at a time when the tribes are beginning to recover from two hundred years of ignominious repression.

Senator Gorton has inaccurately maintained that sovereign immunity is a legal doctrine that affronts the constitutional principle of "due process" and that is incompatible with the rule of law in a democratic society. He has incorrectly stated that the federal and state governments have long since waived all of their sovereign immunity.

In fact, sovereign immunity is a fundamental requirement of any government that must make decisions based on the common good. It can be, and has been, waived by tribal as well as non-tribal governments in specific areas.

The United States Supreme Court reaffirmed the need for sovereign immunity just this past month, as it moved

to protect local government officials from personal liability for the laws they pass.

Senate Bill 1691 would also make tribal governments subject to lawsuits in state courts, thus undermining the integrity of both tribal and federal court systems.

Beyond the technical provisions of Senate Bill 1691, however, is the underlying fact that this bill endangers the spiritual integrity of the United States. It is dangerous to tribes all across the country because it undermines their core right to self-determination. Moreover, it is dangerous to us all because it undermines justice.

As a spiritual leader, and as a citizen of the state of Washington and the United States, I found the April 7 U.S. Senate hearings in Tukwila to be a frightening event. The level of hostility by non-natives directed against tribal members was revealing regarding the true intent of this Senate bill.

The animosity toward tribal members that it stirred up was a demonstration of how fear, alienation and racism divides our community.

Indian sovereignty in no way threatens the workings of federal, state or local governmental policies. Conversely, the issues most alarming to non-natives have nothing to do with tribal sovereign immunity, but arise from historical events, treaties and statutes.

The United States, as "one nation under God", is supposed to honor and respect the nations protected by the

Constitution, not institutionalize divisiveness through false nationalism. The historic treaties between the U.S. government and the tribal governments are clear in their recognition of Indian autonomy. These agreements have been affirmed and reaffirmed in ruling through the U.S. Supreme Court.

These agreements do not divide us as a community. They are the basis from which our diverse community holds itself together as one.

The attitude that these historic agreements have outlived their purpose is offensive to the identity of us all. "Righting the wrongs" of the past will take commitments of time and political will to use our history to bring us together as a community of communities.

We find the attitude that tells the native peoples to "let go" of their treaty-reserved right to exist to be morally incomprehensible. We find the ongoing assault against the tribes by those wishing to possess their remaining land and resources even worse.

In 1987, and again in 1997, the churches in the U.S. Pacific Northwest made an unusual and profound apology to the tribal councils of the Indian peoples of the Pacific Northwest. They acknowledged long-standing participation in the destruction of traditional Native American spiritual practices and attacks on native economic/political sovereignty.

They pledged to confront continuing acts of disrespect to native peoples. Denial of the rights of Indian tribes that once held the land base and resources of

**Senate Bill 1691 calls itself the "American Indian Equal Justice Act." But it enacts nothing that creates equality. It protects nothing that ensures justice.**

this continent continues to be a morally indefensible reality. Revising historic agreements that protect Indian sovereignty is even more outrageous.

The mainstream EuroAmerican culture of the United States is changing—different patterns of living, different forms of economic development, different agendas. We give our culture integrity and character only to the extent to which we remember that, despite these changes, we must base our ways upon the constitutional foundations that honor our agreements with Indian nations.

Senate Bill 1691 calls itself the "American Indian Equal Justice Act." But it enacts nothing that creates equality. It protects nothing that ensures justice. Tribes are indeed members of a family of nations within the United States.

Our obligation is to deepen our relationships with them, to honor the culture and ways of Indian people and to honor their rights of environmental and economic self-determination. Let's move away from the racism, injustice and immorality that was so clearly demonstrated in Tukwila on April 7. Let's embrace policy and practice that helps us be the people and the nation that we should be.



# Backlash growing as Indians make a stand for sovereignty

By Timothy Egan  
New York Times

Crow Agency, Mont.—Come south along the Little Bighorn River to a rise in the Montana hills, where the ghosts of Crazy Horse and George Armstrong Custer have taken up a permanent perch in American mythology. No blood has been shed here in well over a century, but the Little Bighorn is a battleground again.

This is Crow Indian country now, part of the reservation owned by people whose role in the 1876 battle was largely on the side of the Seventh Cavalry, serving as scouts.

For years the Crow have been trying to get a piece of the tourist trade that descends on the Little Bighorn in the summer months.

Tourists drive over Crow roads, they dump garbage on Crow lands, they get into disputes that involve Crow police. But until 1995, when the Crow started levying a four percent resort tax on businesses catering to tourists within the reservation, the tribe was getting little revenue from the millions of people who wanted to see where the man the Indians called Yellow Hair made his last stand.

The Crow were making a stand for sovereignty, and for economic survival. But many non-Indians on the reservation did not see it that way. They saw it as taxation without representation, and have refused to pay.

"I didn't persecute anybody at Plymouth Rock," said James Thompson, a tax opponent who owns Custer Battlefield Trading Company, just a stone's throw from where 210 soldiers fell. "This is the 1990's. We didn't do anything to them, and we don't owe them anything."

## Parallel nations

But what started as a local tax dispute around a battleground of great historical value has evolved into a legal and political fight that could have historic national implications. In the courts and in the United States Senate, the tax rebels are moving to exempt a large portion of land within Indian reservations from tribal jurisdiction—and gaining allies with every move.

The issue is at the heart of American Indian sovereignty. It is as if the City of Minneapolis could tax and govern only the lands it owns, like parks and libraries, in the words of Tim Giago, the editor of Indian Country Today, a national weekly.

"This goes right to the jugular," Burton Pretty-On-Top, the Crow cultural affairs director, said, referring to a bill drafted by Senator Conrad Burns, Republican of Montana, to exempt some lands within the reservations from tribal rule.

When they were viewed simply as the first Americans who lost everything to the country that formed in their midst, Indians were on the defensive but it was

considered unnecessary to attack them. But with new money from casino gambling, and a maturing of tribal power, Indians are no longer everybody's favorite underdog.

"You hear a lot more negative talk about these 'rich Indians,'" said Charles F. Wilkinson, a University of Colorado law professor and an authority on Indian law.

At the same time, political opponents—mainly from the states where tribes have been flexing their sovereignty muscles—are no longer shy about attacking new sources of Indian revenue and power.

New proposals in Congress would drastically curb sovereignty. Also, some governors are threatening to shut down the biggest source of Indian revenue, casino gambling, unless concessions are made.

"I think what we're seeing nationally are a series of attacks on the centuries-old right of Indian self-government," said Robert Coulter, a Potawatomi tribal member and executive director of the Indian Law Resource Center in Helena, Mont.

Indian leaders say it has been about 20 years since Congress last passed a major law regarding Indians over the objections of most tribes. This year, however, they are worried.

In Congress, the outlook for beating back challenges is uncertain, particularly in the House, where measures designed to limit the expansion of Indian holdings and jurisdiction have nearly passed in each of the last two years.

The Supreme Court has been rebuffing the tribes of late—shrinking the concept of Indian Country, giving the states more power to limit Indian gambling.

Some of the people who are trying to restrict Indian rule simply do not like Indians' having power over them, and they freely admit it.

But others say what is really at stake is the concept of one country—E. Pluribus Unum—with a set of laws that apply to all people.

The very idea of parallel nations, folded into the states, is an anachronism that should be done away with, or at least given a full hearing, they say.

Citizens of the United States should not have their rights limited by separate governments within the United States," said Senator Slade Gorton, Republican of Washington.

For nearly 30 years, that has been his battle cry. This year, he will try to make it the law of the land.

## The Indian fighter A Senator's case against tribes

To people who believe the tribes are out of line, Senator Gorton is a hero. On the Navajo reservation, though, Mr. Gorton is known as Kit Carson. It is not a compliment. Carson rounded up the Navajos in 1863, burned their food supply, cut down their orchards and marched the starving tribe to a holding area in the desert of southern New Mexico.

For three decades, first as Washington attorney general, now as a United States Senator with power over the Interior subcommittee that controls Indian money, Mr. Gorton has clashed with tribes.

At times he is openly scornful, saying, "Making a case out of what happened to your grandfather is not the best way to decide public policy." When he speaks of "treaty rights," he puts the term in quotations, as if it is a false premise or a pretext for fraud.

"These are peculiar treaties because they are clearly the law of the land, but they can also be abolished by Congress at will," he told The Congressional Quarterly last year.

As fashioned over two centuries of court rulings, Indian nations are stepchildren in the family of government: they have many powers equal to the states, but remain subordinate to the Federal Government. The Government is the trustee of Indian lands, but more often acts as the taker—a profound conflict of interest, many legal experts say.

It is when Mr. Gorton talks about Indian sovereignty being unfair and unworkable that he wins most converts, even among some Democrats who back the tribes. His tactics, though, are another matter. His effort last year to link basic tribal financing to a weakening of sovereignty—and then doing so without holding a single public hearing or meeting with the tribes—angered even some supporters of restricting sovereignty.

Indians, as American citizens, are subject to the same laws as everybody else, with some exceptions. If an Indian commits a crime or a civil offense anywhere off the reservation, he will go through county, state or Federal court. On reservations, tribal police can arrest tribal members for minor crimes—but have no jurisdiction over non-Indians. Major crimes like murder, racketeering or armed robbery, are prosecuted by the Federal authorities.

(See Wisconsin, page 13)

### Treaty with the Chippewa July 29, 1837

Articles of a treaty made and concluded at St. Peters (the confluence of the St. Peters and Mississippi rivers) in the Territory of Wisconsin, between the United States of America, by their commissioner, Henry Dodge, Governor of said Territory, and the Chippewa nation of Indians, by their chiefs and headmen.

ARTICLE 1. The said Chippewa nation cede to the United States all the tract of country included within the following boundaries:

Beginning at the junction of the Crow Wing and Mississippi rivers, between twenty and thirty miles above where the Mississippi is crossed by the forty-sixth parallel of north latitude, and running thence to the north point of Lake St. Croix, one of the sources of the St. Croix river; thence to and along the dividing ridge between the waters of Lake

Treaties are agreements between nations, as is apparent in the 1837 Treaty with the Chippewa nation above.





# Rez Talk




**As Wisconsin celebrates its sesquicentennial, how do you think citizens can make the state better in the next 150 years?**



**Rick St. Germaine, Lac Courte Oreilles**

Wisconsin Indian tribes have a highly unique value system which can teach other Wisconsin citizens a great deal about ecologic balance, the spiritual qualities inherent in the earth, plants and animals, and sanity in one's lifestyle.

Many Americans seem to be on a race course with progress and I heard a scientist the other day on The Learning Channel seriously predict that humankind will one day become extinct because of an over infatuation with mechanization and technology.

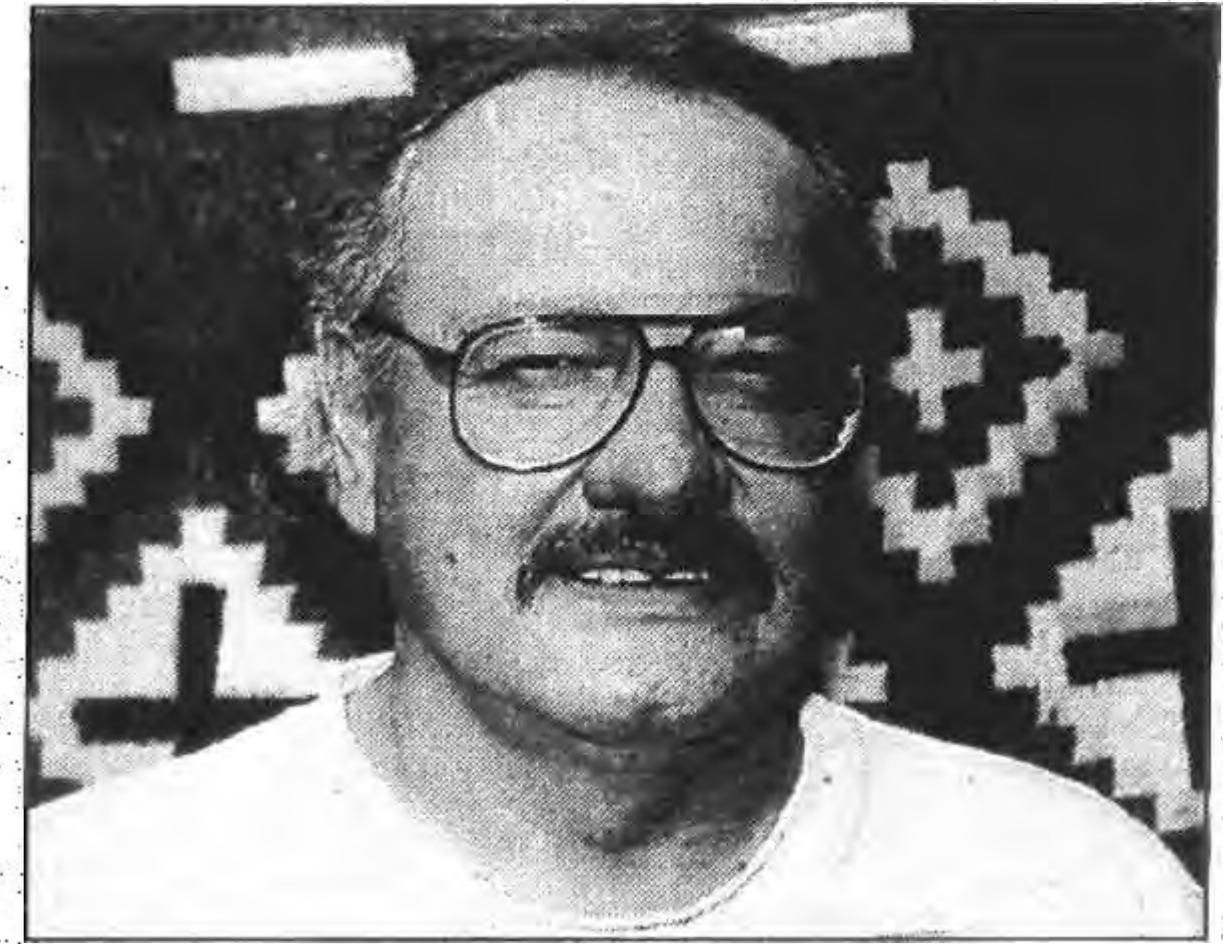
Our relationship with other Wisconsin citizens may have to be one of teaching by example. But, Wisconsin Indians have great responsibility and duty to do things with our own lives in order to lead by example.



**Phyllis White, Lac du Flambeau**

Every time the Indian makes a little progress the State or the Federal government steps in.

I hope they would quit trying to take our sovereignty away from us. They are trying to negotiate with us, but they have never given up their plans to annihilate the Indian tribes. They're chipping away at us and we've been pretty staunch in standing on our own, but if we don't stick together as Indians, we're not going to be Indians anymore. In all these years they haven't got to us yet. I won't be here in 150 years and I just hope that we're still Indian tribes and we realize that we're getting annihilated and we get stronger.



**Dana Jackson, Bad River**

When the State was admitted to the Union in 1848, the year after that, the Removal Order came to the Ojibwe people in this part of the country from Washington. The state legislature did not support the removal of the Ojibwe. As a matter of fact, they supported the idea of keeping the Ojibwe here in northern Wisconsin.

In those days, even though communication was much slower, the legislature had a better understanding of what Indians were about because everyone lived similarly at that time. 150 years later, we find a lot of people in state legislature who have no idea who an Ojibwe person is.

I think that the State needs to recognize that even though we are separate states, we are still a part of the whole. I think that the people of Wisconsin need to recognize that we have been oppressed for a long, long time.

Our people served in the Civil War right after the signing of the treaty. Our people fought against the Sioux for the people that were living here. I think that the State needs to recognize those things, so that in the future we can have understanding and respect between the two groups.

## Wisconsin watched as state and tribes battle issues of sovereignty

(Continued from page 12)

If someone tries to sue a tribe for damages, the claim usually goes to tribal court. Tribes, like local governments, often invoke sovereign immunity to limit the damage.

It is an old concept, saying the tribal government cannot be held liable for some things. Otherwise, lawsuits would bankrupt a tribal government, particularly a small one.

Senator Gorton has introduced a bill designed to drastically weaken sovereign immunity for Indian tribes. Because Mr. Gorton is chairman of an Interior subcommittee that controls things as diverse as parks and financing for the National Endowment for the Arts, he has considerable powers to make deals and as such opponents of the measure are uncertain if they can defeat it.

### The Business Gambit Casinos as leverage in Wisconsin fight

Surrendering some tribal power is on the table now in Wisconsin, where Gov. Tommy G. Thompson, a Republican, is negotiating with the Indians over an extension of their casino agreements. Quietly, Governor Thompson is being cheered by other governors, who have been looking for ways to curb the casinos that have changed their states overnight.

Essentially, this fight goes to the nature of tribes. If the Indians want to act like businesses, Governor Thompson asserts, then they should be taxed and regulated, and forced to give up some of their old ties to the land.

The Indians of the upper Mississippi drainage have won Federal court decisions that changed the balance of power, assuring them of hunting and fishing rights over millions of acres in Wisconsin and Minnesota. Much of these lands are outside reservation boundaries.

Governor Thompson is trying to get the tribes to set strict limits on taking fish and wildlife. The Governor also wants the Indians to back off from their efforts to enforce clean water standards in the state—a use of sovereign power offered to Indians by Congress 10 years ago, and now being explored by a few tribes.

In Minnesota, the state government has welcomed tribal entry into clean water regulation, even when it means stricter control. "We're glad to have the help," said Dwayne Anderson, a manager at the Minnesota Pollution Control Agency.

Not so in Wisconsin, where politically powerful paper mills are prime polluters. Governor Thompson says the clean water standards proposed by the Indians are their effort to "stretch their reach off reservation."

The Governor's leverage is the source of Indian revival in his state—the casinos run by 11 tribes—which generate up to \$260 million a year in revenue. They are up for state renewal this year.

The Oneida nation's casino, which opened in 1991, has given the tribe nearly full employment, and allowed it to buy hotels, a convention center, a printing plant and a wireless communications company, and build schools and senior centers. The Oneida are now the largest employer in the Green Bay area.

But the tribes have enemies, among them the Tavern League of Wisconsin, which says its members cannot compete with the cheap drinks and food at casinos.

Gov. Thompson says he may not renew the agreement that allows the tribes to operate their casinos. Earlier, he was asked how he was going to make good on such a threat. "Watch me," he said.

The law that legalized Indian gambling allowed the tribes to open casinos on reservation land as long as the states agreed in a contract, called a compact. Before agreeing to a new compact, Governor Th- (See Casinos, page 14)



# Filming starts for six-part TV documentary on Ojibwe: Mille Lacs Band underwrites series

By Sue Erickson  
Staff Writer

**Mille Lacs reservation, Minn.**—If WDSE TV, Channel 8 cameras are out and about on your reservation this summer, don't be surprised. On-reservation filming has already begun for the production of a six-part public television series featuring the Ojibwe in Wisconsin, Michigan, and Minnesota.

An ambitious two year filming and production schedule is being implemented to produce a much-needed series designed to address common questions about tribes, particularly the Ojibwe tribe, today. Filming will include footage at many of the 19 Ojibwe reservations in Minnesota, Wisconsin and Michigan.

Entitled "Seasons of Change," the series will be aired on Public Broadcasting Service (PBS) stations in the three states, reaching an estimated nine million households, in the year 2000, according to Lorraine Norrgard, WDSE TV, executive producer.

Viewed as a major public education initiative, the Mille Lacs Band of Chippewa is underwriting the project for educational services, Norrgard says. Mille Lacs announced the band's contribution during the April Voigt Intertribal Task Force meeting at the Mille Lacs Casino Hotel.

According to Norrgard, the intent of the series is to feature contemporary tribal achievements with an historical perspective and address commonly held misperceptions and questions about the Ojibwe tribes.

Pre-production planning, involving contacts with the tribes and deter-

mination of the series' content, was financed through a grant from the Wisconsin Humanities Council.

Production will include more than \$700,000 of donated television production services over a two year period, Norrgard says.

The six documentaries will each relate to a topic as follows:

1) Survival and Economic Development—self-determination and tribal enterprises;

2) Health and Medicine—traditional and Western mix, tribal clinics, hospitals and other health-related services;

3) Family Systems and Education—tribal schools and colleges, utilizing technology, culturally appropriate curriculum, and overcoming the boarding school era;

4) Relation to the Land and Environment—continued seasonal harvest cycle, treaty rights, on and off-reservation resource management;

5) Leadership and Governance—tribal government systems, enrollment, sovereignty, outstanding leaders through history;

6) Language—oral tradition, loss of language, resurgence of language, power and importance of language.

Norrgard has been working with WDSE TV, Channel 8, Duluth for the past several years. Previously, as an independent producer, she has worked extensively with tribes.

Norrgard produced documentary videos such as "Enduring Ways of the Lac du Flambeau People," "A Gift to One, A Gift to Many: James Jackson Sr.," "Wild Rice Harvest I" and "Wild Rice Harvest II," and "George Morrison's Recollections."

## Truth and rumors continued

(Continued from page 4)

**The truth:** Bruce Hall said, "I found seven freezer-burned walleyes along Highway 18. There were two in the three to four-pound range, and the rest were under 15 inches. Judging by the freeze burns, they were taken a long time ago, definitely not this spring."

**Rumor No. 4:** A trophy muskie, killed by a spear, washed up on the shore of Mille Lacs.

**The truth:** A trophy muskie did wash up on the shore of Cove Bay, but according to the Hall, the wound on the fish was not made by a spear but an

arrow. Hall said the fish probably came out of spawn and was lethargically swimming in shallow water, which made it vulnerable.

He said it weighed 30-33 pounds and was measured dead at 51 inches. It was caught live by the DNR seven days earlier and measured at 49.6 inches. The fish was at least 14 years old. The fish was caught ripe by the DNR, and it was spawned when it died.

"It was not a legal take," said Hall, "but it was definitely not speared."

(Reprinted with permission from the Mille Lacs Messenger.)



Offering a helping hand towards the "Seasons of Change" project undertaken by WDSE TV, Channel 8, Duluth, the Mille Lacs Band of Ojibwe announced their intention to underwrite the project at the March meeting of GLIFWC's Board of Commissioners. The project entails a series of eight documentary videos on the Ojibwe to be run on public television. Pictured are Mille Lacs Secretary-Treasurer David Matrious; Lorraine Norrgard, WDSE executive producer; and Lix Jaacola, research assistant for the project. (Photo by Sue Erickson)

## Casinos as leverage in Wisconsin fight

(Continued from page 13)

Thompson wants the Indians to be taxed a certain percentage of their gambling revenue by the state—they now give the state a flat fee of \$350,000 total from all 11 tribes—as a condition of compact renewal.

The Indians say the tax plan misses a vital point—they are not corporations.

They are governments, as the Supreme Court established in the 1830's. "If you had these conservative Republicans all of sudden trying to tax county governments or state lotteries people would look at them like they're crazy," said Bill Gollnick, an Oneida leader.

Treaty rights to water or hunting are upheld by the Constitution, as the supreme law of the land. But by tying the rights to gambling, Governor Thompson has pitted Indian governing powers against the new buffalo of casino gambling.

"Keep in mind, the gaming compacts are not a treaty right," Governor Thompson said.

"We are asking nothing from the tribes that exceeds the principles of reason and fairness."

The Indians see an old story: tribal success, followed by backlash. Congress has given Indians the tools to create jobs and secure a cleaner environment, and then a state like Wisconsin tries to thwart them.

The Oneida who once made sovereignty agreements with the Dutch and the English in 17th century New York, now employ 5,874 people in northeast Wisconsin.

What other job provider of that magnitude, they wonder, would have its very survival held up by a state governor?

(Reprinted from the New York Times, March 9, 1998 edition.)



# LdF license provides funds to enhance fishery

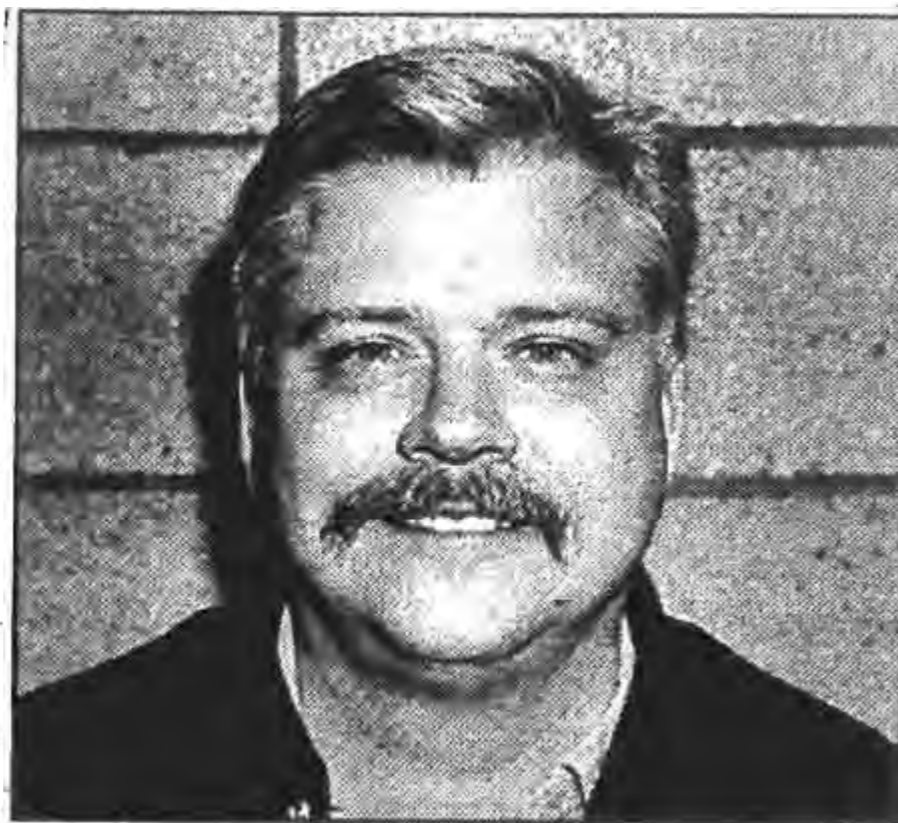
## Boon to tribal and state fishermen

By Charlie Otto Rasmussen  
Writer/Photographer

Lac du Flambeau, Wis.—In an unprecedented move across Indian Country, the Lac du Flambeau Ojibwe Nation (LdF) issued its own fishing license last March. The license is valid throughout Wisconsin, and the sales revenues are earmarked for hatchery programs and fisheries management on LdF waters.

LdF and the state of Wisconsin negotiated an agreement in April 1997 that limited spearing declarations on many northern lakes, allowing hook-and-line anglers a daily bag of at least three walleye.

In exchange, the pact entitled LdF to develop fishing and sportsman licenses for both residents and non-residents. They offer all the same privileges as a state-issued license and are



Larry Wawronowicz

subject to the same rules and regulations.

"This is a win-win situation for both the state and the tribe," said Larry Wawronowicz, LdF Natural Resource Director.

Tom Maulson LdF Chairman said that the tribe has a long history of

1998-1999  1999-2000  2000-2001 RESIDENT FISHING LICENSE 12200

If the applicant does not have a Wisconsin drivers license, Dept. of Transportation I.D. card or Sportsperson I.D. card, a Declaration of Residency Form must be completed for identification purposes and this box checked.

Last Name (MUST BE PRINTED) \_\_\_\_\_ Drivers Lic.# \_\_\_\_\_  
 Date of Birth \_\_\_\_\_  
 Color Eyes \_\_\_\_\_  
 Color Hair \_\_\_\_\_  
 Weight \_\_\_\_\_  
 Height \_\_\_\_\_

First Name \_\_\_\_\_ Middle Name \_\_\_\_\_  
 Street, Route or Box \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

I hereby certify that I have maintained my permanent residence on the Lac du Flambeau Indian Reservation or the State of Wisconsin for the previous 30 days, and my license privileges are not otherwise revoked. I have complied with all of the laws regulating the issuance and purchase of this license.

Signature of Licensee \_\_\_\_\_ Issued by \_\_\_\_\_  
 Date issued \_\_\_\_\_

This license expires on March 31, \_\_\_\_\_ and can be used to fish all waters of the LdF Reservation and the State of Wisconsin.

License must be carried on person of licensee while fishing and exhibited to a conservation warden on demand. License is void if any information is Omitted, Altered or not Legible. Alterations or falsifications are subject to fraud penalties.

Lac du Flambeau Ojibwe Nation  
P.O. Box 67, Lac du Flambeau, WI 54638

LAC DU FLAMBEAU NATURAL RESOURCE DEPARTMENT  
*L. J. Wawronowicz*  
 Director

fisheries conservation, indicating the LdF Tribal Fish Hatchery has raised and stocked millions of walleye, musky, and trout since it opened in 1936.

"This was a program the Lac du Flambeau people initiated on our own and at our own expense," Maulson said. "The hundreds of thousands of dollars we collected for Wisconsin fishing licenses went to pay for programs everywhere else in the state. It will be a big boost to our program to keep those dollars here."

While tribal fisheries management efforts will receive a critical hike in funding, local communities that rely on sportfishing and tourism also benefit from the compact.

"Since 85% of the anglers who fish the 158 lakes and 34 miles of streams on LdF tribal land are non-Indian, it's clear that the benefits will be shared far

and wide," said Maulson.

At least 80 lakes, mostly in Vilas and Oneida Counties, have a minimum bag limit of three fish daily for state anglers. Additional Ojibwe bands including Bad River and Mole Lake Sokaogan helped make the arrangement with the state possible by limiting their spearing declarations on lakes shared with LdF.

Lac du Flambeau licenses are sold at local resorts, bait shops, and restaurants.

"People are coming from different areas of the state just to have a Lac du Flambeau fishing license," said Wawronowicz who noted that license sales have been good over the first two months.

Wawronowicz added that the tribe may offer a LdF trout stamp next year as well.

The Lac du Flambeau Tribal Hatchery has been a vital source of gamefish production for more than 60 years. Revenue from license sales will help maintain hatchery programs. The following numbers reflect fish reared from 1936 to the present.

Walleye fry	470 million
Walleye fingerlings	4.3 million
Musky fry	1 million
Musky fingerlings	100 thousand
Largemouth bass fingerlings	253 thousand
Smallmouth bass fingerlings	49 thousand
Brown trout fingerlings	120 thousand
Brook trout fingerlings	40 thousand

# Fisheries managers converge on LdF for 'Partners' event

By Charlie Otto Rasmussen  
Writer/Photographer

Lac du Flambeau, Wis.—In the spirit of goodwill and solidarity in fisheries management, the Lac du Flambeau Reservation (LdF) hosted the annual inter-agency event "Partners in Fishing" on May 22.

Along with GLIFWC staff and tribal members, representatives from the Bureau of Indian Affairs (BIA), U.S. Fish and Wildlife Service, and Wisconsin Department of Natural Resources met on the shore of LdF's Pokegama Lake to share a meal and spend the evening fishing for walleye.

These tribal, federal, and state organizations make up the Joint Assessment Steering Committee, an advisory group formed in 1990 after the anti-spearing movement erupted in northern Wisconsin.

"Partners is a chance to get committee members together on an informal basis and enjoy the fishing," said BIA fisheries biologist and committee chair, Robert Jackson.

Over the past eight years, the committee has engineered an extensive survey of walleye populations across the Wisconsin ceded territory, and concluded that Ojibwe spearing does not harm the resource.

Each governmental agency sends out electroshocking boats in the spring to count walleye that gather in shallow water to spawn.

Since the walleye fishery is pressured by tribal and state fishermen, in addition to habitat degradation, annual assessments are planned to continue.

"Partners in Fishing" was devised by Jackson and Discover Wisconsin coordinator, Dick Rose six years ago. The event is held at a different Ojibwe reservation every year.

"We had a great time. Everybody caught some fish," said Jackson, apparently unaware of my own ill-fated attempt to hook a walleye.

The fine evening on the water wrapped up around dusk, and GLIFWC's Joe Dan Rose took home a new fishing pole after reeling in the largest walleye.



This one is bigger, GLIFWC Biological Services Director Neil Kmiecik indicates to his guide as they compare fish during the recent "Partners in Fishing" event on Lac du Flambeau's Pokegama Lake. (Photo by C.O. Rasmussen)



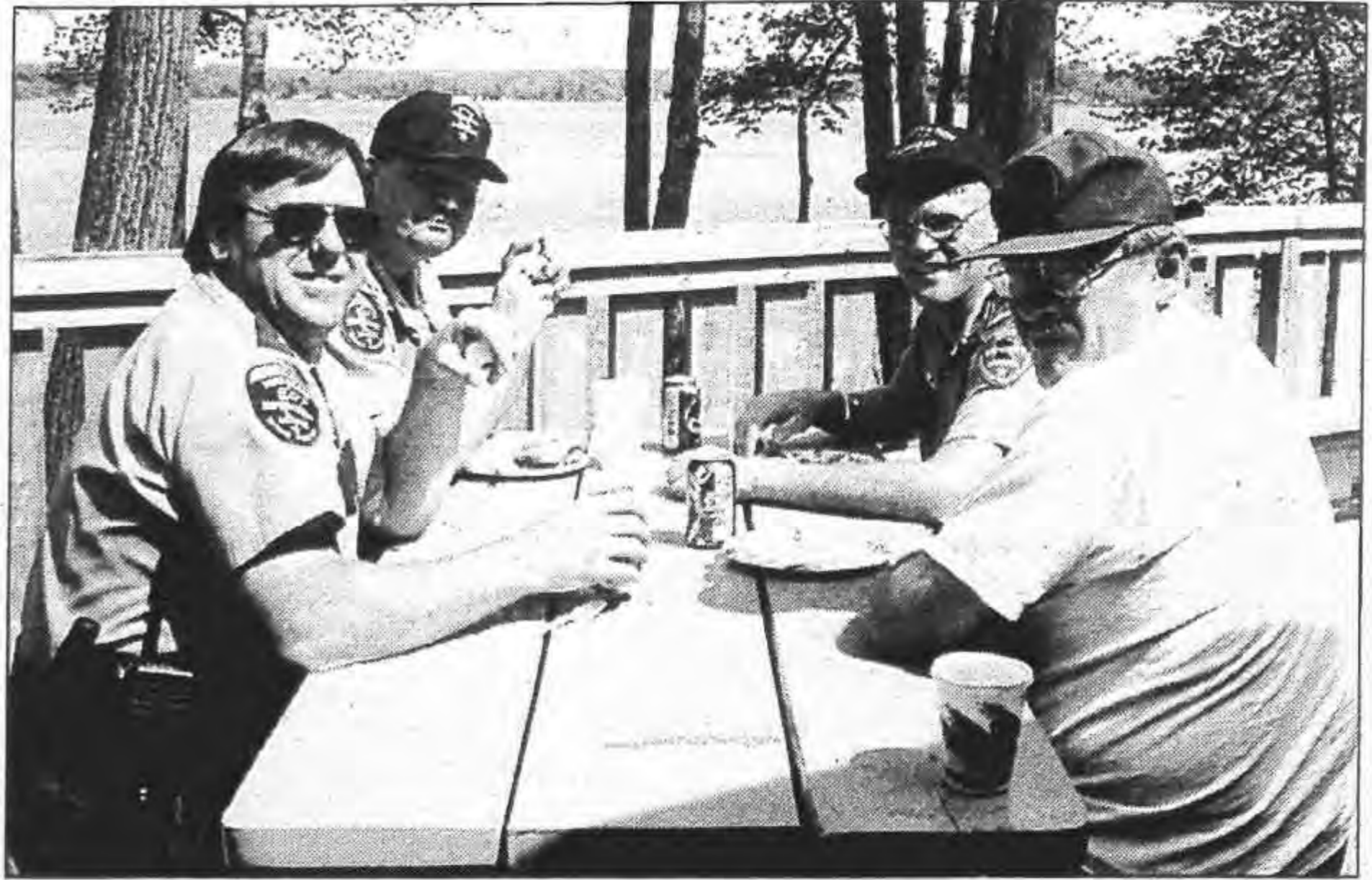
# '98 spring spearing and netting concludes with feasting

*Photos by C.O. Rasmussen & Sue Erickson*

Wiisnin! Eat! Time to sample the harvest of ogaa (walleye) and say miigwetch (thank you) to the Creator for a safe and successful season! This time was taken in Minnesota and Wisconsin at the conclusion of the busy 1998 spring season.

State and local personnel who assisted in managing the first treaty season in Minnesota's 1837 ceded lakes were invited to join GLIFWC and tribal staff for fresh walleye and fry bread. At the main office in Odanah, GLIFWC and tribal staff were brought together to enjoy some of the harvest as well.

The 1998 spring season was successful but demanding for all staff as lakes were monitored for tribal, treaty spearing and netting on a nightly basis, data was kept current daily, and a full round of spring assessments completed. Teamwork resulted in an efficiently run season despite taxing schedules. Time out to relax and enjoy was deserved and appreciated by all.







# Seven bands participate in Minnesota treaty harvest





# New ANA grant provides field experience in natural resource careers

By Hans Veenendaal  
HONOR Intern

Jim St. Arnold, program director of the Administration for Native Americans (ANA), likens his problem to one in the 70s, when tribal governments were just beginning to assert their treaty rights. At that time there was a great shortage of Native Americans working in law fields.

Now in the 90s, as tribes are implementing their off-reservation treaty rights under federal court orders, the shortage is not in lawyers, but in professional biologists and certified law enforcement officers, he says. This shortage exists not just in GLIFWC's member tribes but among tribes throughout the region.

To address this problem, GLIFWC has created the Anishinaabe Natural Resource Development Program. With a 17-month grant of \$188,244 funded by the ANA, the program will function in three ways:

1. distributing information about natural resource careers to tribal members;
2. creating a database of Native Americans currently working in natural resource fields as a possible employment pool; and
3. providing internships to native high school and college students to increase the future number of tribal members working in natural resource careers.

The benefit of this program to the tribes is that it will expand the number of Anishinaabe biologists and game wardens, allowing tribal governments to further "their goal of infusing tradi-

tional Anishinaabe perspectives into contemporary natural resource management practices."

The first two objectives of the program will be accomplished by creating an informational brochure, establishing an Internet Home Page, and holding presentations by GLIFWC game wardens to 5th grade students from 13 area schools. Both the internet access and the presentations are geared to attract more young people to the variety of opportunities offered in these fields.

The third objective, providing internships, is the star of GLIFWC's program. Beginning this June, 11 high school students or recent graduates (one from each member tribe) will start as natural resource interns on their own reservations.

The young students will be working closely with professionals throughout the summer to experience the actual duties of a reservation biologist. They will be working in various field and office programs, such as wild rice cultivation, fish hatcheries, lake management, plant and animal surveys, and natural parks.

Ultimately, the interns will gain a taste of the many aspects of working as a reservation biologist.

As well as working with professional biologists, the interns will also spend time with an elder mentor. Eleven mentors (again, one from each tribe) have been selected to work closely with the young men and women during their internships.

This essential element of the program will help young people to gain an understanding of the traditional Anishinaabe values connected with their job duties. They will learn about stew-

ardship and respect for their environment, and they will discover the need to be responsible for their own actions.

Students will see how their behavior today will affect not just their own chance of working as a biologist or warden, but also how it will affect the future of the tribe and the environment.

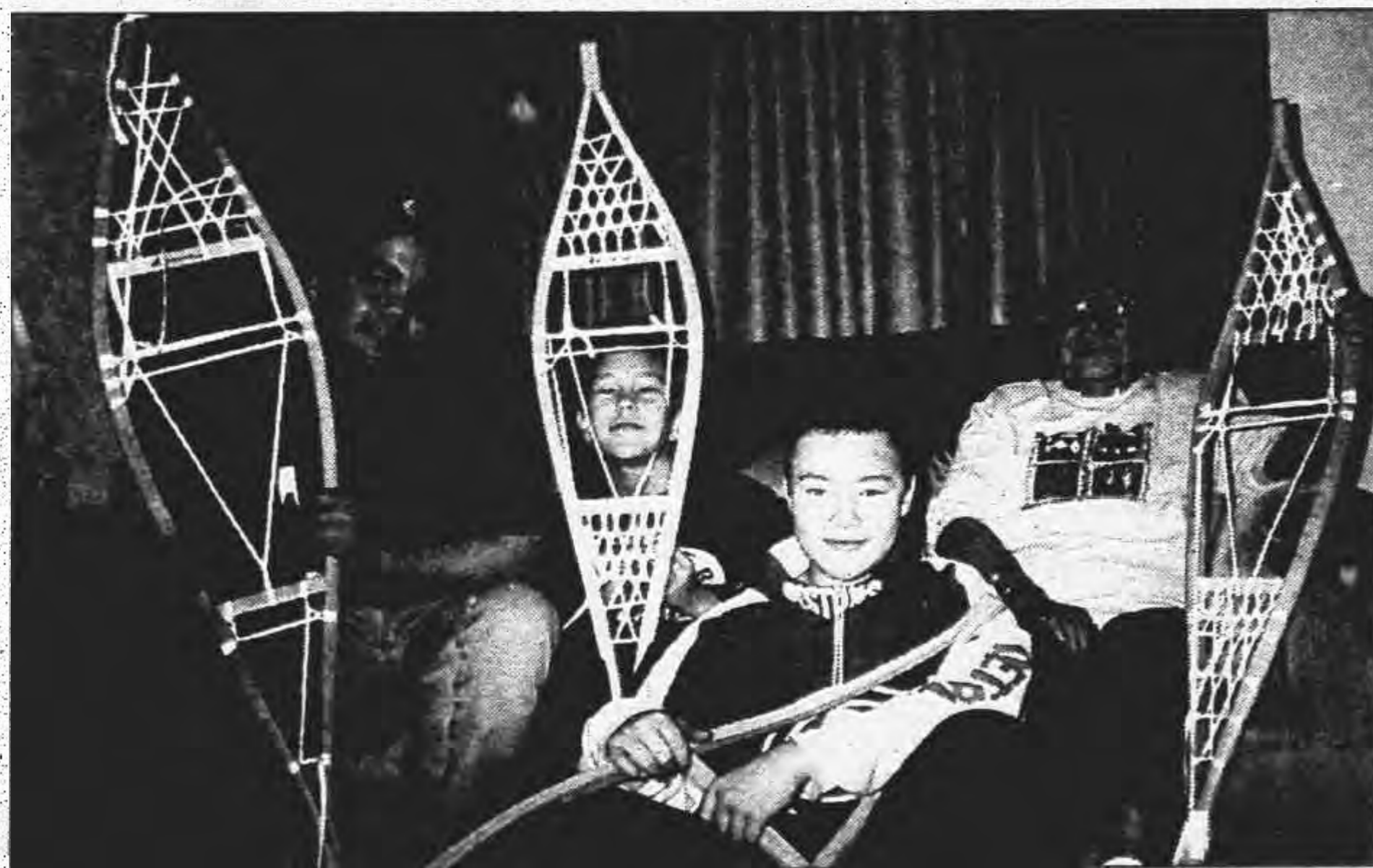
Three college students bound for law enforcement will also be hired as interns. Their internship, lasting throughout the year and into next summer, will pair them with GLIFWC wardens and allow them to experience the duties of a conservation officer.

As with the other 11 interns, the hope for these students is that their time and encounters will lead them to further their education and pursue jobs in these areas. Interest in the internships

has been high, according to St. Arnold, with oftentimes more applicants than positions available. This interest is promising, as biologists and conservation officers are in great demand, but it is unfortunate that some very qualified applicants must be turned down this year.

St. Arnold, however, remains optimistic that the ANA's programs can continue to hold these youths' attention. With hope, after this 17-month program is completed, tribal governments will feel its benefits and will continue to provide such opportunities on their own initiative.

In the future, more Anishinaabe biologists and conservation officers will be able to help care for tribal lands with traditional values and sound training.



Participants in the ANA Outdoor Youth Program from Bay Mills were busy last winter learning traditional outdoor skills, such as trapping and snowshoeing. Above, participants display snowshoes constructed as part of the program. (Photo submitted)

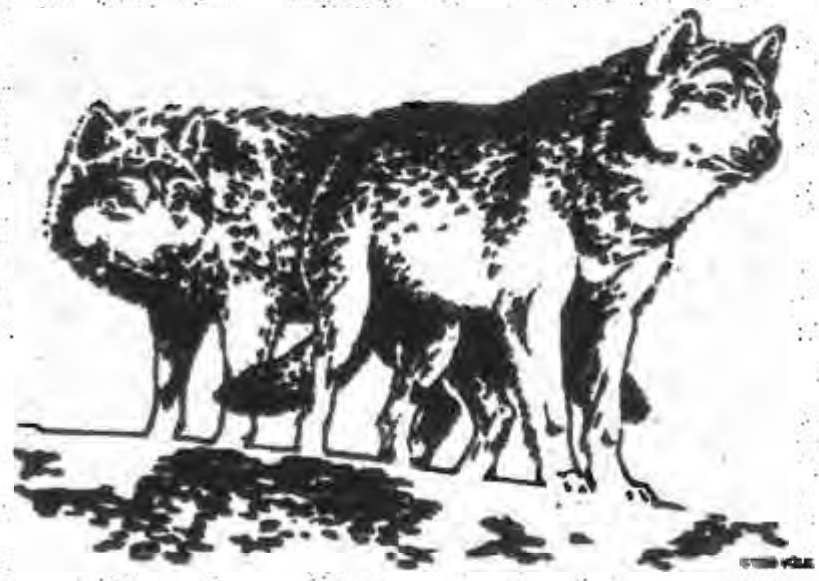


There is more to trapping than setting a trap and catching a beaver, or so Bay Mills youth learned as part of the ANA Outdoor Youth Program. The animal then must be skinned and both the hide and the meat cared for once home. Youth experienced the entire process during the program. (Photo submitted)



# With a look to the future

## Wolf management under widespread review



Ma'ingan (wolf) was sent to walk side by side with Original Man, and they became like brothers. Together they understood that they "were brothers to all Creation."

The Creator spoke to Wolf and Original Man, saying that they would now take separate paths: "What shall happen to one of you will also happen to the other. Each of you will be feared, respected and misunderstood by the people that will later join you on this earth."

*This passage, excerpted from a story in **The Mishomis Book—The Voice of the Ojibway** by Edward Benton-Banai, relates the significance of Ma'ingan in Ojibwe culture. It also this special perspective that the Anishinaabe are working to infuse into the many different reviews of wolf management that are currently underway in the Lake Superior region.*

By Peter David, GLIFWC Wildlife Biologist

**Odanah, Wis.**—Wolf populations in the tristate region (Minnesota, Wisconsin and Michigan) are on the rebound. Twenty-five years ago wolves were believed extirpated from Wisconsin, and fewer than ten were thought to be drifting through the Upper Peninsula of Michigan. Even in northeastern Minnesota, the last stronghold of wolves in the Great Lakes Region, probably less than 1000 wolves survived, and wolves in the entire lower 48 were on the verge of being listed as endangered under the Federal Endangered Species Act.

But protection and increased human tolerance have changed the picture. The Minnesota population has expanded its range and more than doubled in number. Wisconsin's population is increasing rapidly and may soon exceed 200. Michigan's Upper Peninsula population numbers about 140 adults.

These increases open the door for possible delisting of wolves by the U. S. Fish and Wildlife Service (USFWS). Delisting would shift management responsibility to the states and tribes, who are busy developing management plans to take over where older recovery plans left off.

Although the state management plans will not really be in effect until after delisting occurs, the existence and content of the plans will be an important consideration for the USFWS as they determine if recovered wolf populations are provided adequate protection to ensure their long-term survival.

All three states are busy monitoring their wolf populations and preparing for increased management responsibility. All three states are facing similar questions about wolf management.

These include questions about appropriate population levels and efforts to monitor those levels, management of wolves causing livestock depredation, possible establishment of wolf management zones, possible habitat management

considerations, and the management of wolf-dog hybrids. In addition, wolves have shown little concern for state or reservation boundaries, necessitating the need for state plans to be coordinated with each other and with tribal governments.

Completing this task will be no little accomplishment, especially when the species is one that stirs strong human emotions, and which is viewed as everything from a symbol for wilderness and the environment to a simple threat to livestock or a competitor for white-tailed deer.

Developments within the three states are summarized briefly below:

### Michigan

In December of 1997, Michigan completed its Gray Wolf Recovery and Management Plan. This plan sets a minimum sustainable wolf population for the state at 200 wolves. It does not set an upper population limit. The plan notes that the habitat in the Upper Peninsula may be capable of supporting over 800 wolves (the carrying capacity), but the actual upper limit will probably be determined by human tolerances (the cultural carrying capacity). How great that level may be is not currently known.

### Wisconsin

Wisconsin has recently released its draft management plan for public comment. This draft proposes a population goal of 300-500 wolves for the state. The upper limit is similar to what is believed to be the carrying capacity based on recent habitat studies.

The plan also proposes managing the population through the use of three management zones with differing wolf tolerances in each zone. Population monitoring, cooperative management, public education, control of nuisance wolves, and other issues are also addressed.

### Minnesota

Minnesota recently completed a series of public meetings and is currently hosting a series of roundtable meetings with a large group of interested parties, including tribal representatives from Minnesota and Wisconsin.

This group has met three times and has at least four additional meetings scheduled between now and September, when it hopes to have completed its task. This group is trying to reach consensus on as many wolf management issues as possible, to provide direction to the state in the development of its management plan.

### Federal

Although action on possible delisting has not officially begun, the USFWS is currently preparing for this activity. Although not required to do so, the USFWS will likely initiate the process by publishing a Notice of Intent (NOI) outlining the delisting process, because of the great public interest in this species.

The Service is also currently deciding if the regional tristate wolf population will be considered separately from wolves in the northeast United States. Service staff are also networking with state and tribal representatives involved in wolf management issues. However, other than publication of the NOI, little official action towards delisting is anticipated by the Service until 1999.

The rebound in regional wolf populations is a heartening sign for Anishinaabe people. These populations seem poised to regain their status as a healthy, self-sustaining and critical part of the natural environment, but it will take a cooperative effort by all the affected interests to ensure that this goal is realized.

For additional information, contact Neil Kmiecik, Peter David or Miles Falck at GLIFWC, P.O. Box 9, Odanah, Wisconsin 54861 or phone (715) 682-6619.



The states of Michigan, Minnesota and Wisconsin are busy monitoring their wolf populations and preparing for increased management responsibility. (Photo by Andrew Danner)



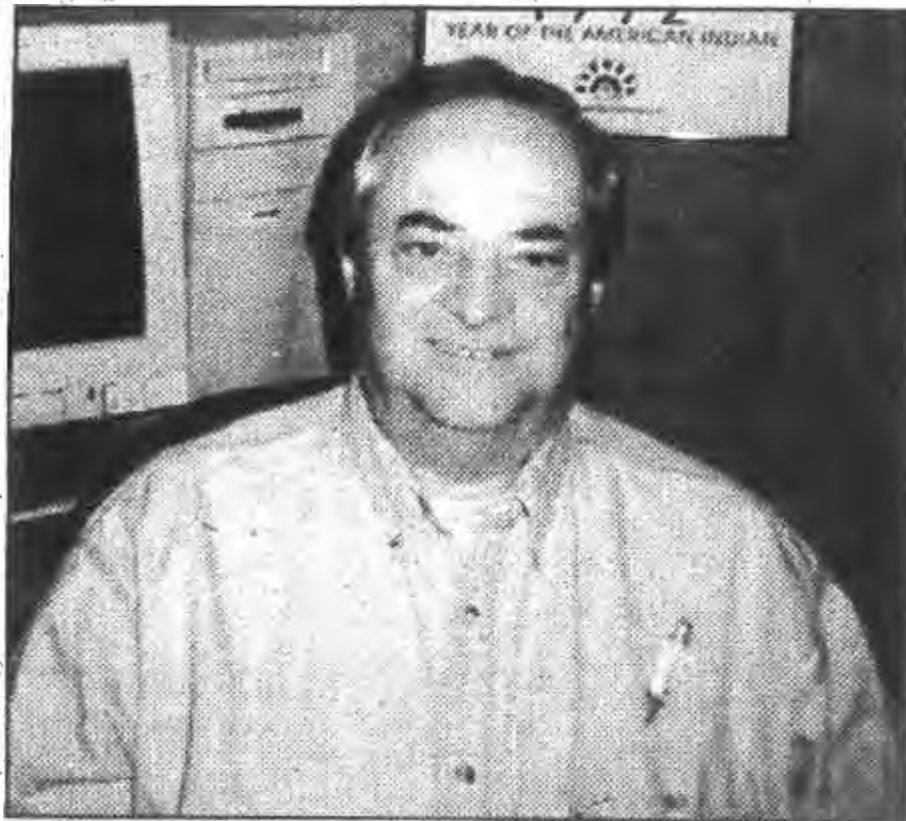
# USFWS regional Native American liaison appointed to improve government-to-government relations

By Sue Erickson  
Staff Writer

St. Paul, Minn.—GLIFWC recently received notice that John Leonard, US Fish and Wildlife Service (USFWS) biologist, has been appointed as Region 3's Native American Liaison.

The position was created to accommodate government-to-government involvement with tribes on resource management issues and in recognition of the federal-tribal trust responsibilities, according to USFWS Regional Director William Hartwig.

"John will serve as a point of contact for all Native American-related activities. He will help us identify resource and partnership opportunities with you and provide the continuity and coordination that will help our governments work together to protect the natural resources of our Great Lakes-Big



John Leonard

Rivers Region," Hartwig explains in his letter to GLIFWC.

The new position is intended to establish more consistent communications with the tribes and assist in developing partnerships in areas of mutual concern, including endangered species, waterfowl, fisheries, law enforcement and habitat improvement.

While Leonard will serve as the primary regional contact for tribes, field biologists will continue to work with ongoing USFWS-tribal projects.

The Region serves 34 tribes in four states, including Minnesota, Wisconsin, Michigan and Iowa. Leonard will also work with four inter-tribal entities within the Region, including the Minnesota Chippewa Tribe, 1854 Authority, Chippewa Ottawa Treaty Fishery Management Authority, and GLIFWC.

Leonard views his position and responsibilities broadly. Although four of the Region's eight states have no federally-recognized tribes, there could be issues in those states which impact tribes, and Leonard intends to remain aware of those potential issues.

Similarly, regional involvement sometimes extends to tribes outside the Region, Leonard says, such as obtaining eggs from the federal hatchery in Genoa for tribal hatcheries outside of the eight states.

Leonard, a thirty year veteran of the USFWS, has been involved in policy development in Washington, D.C. and in regional field operations since his arrival at Region 3 in 1986. As former Team Leader for Fish Hatcheries and Fish Health, Leonard's work has already brought him to many reservations.

Beyond direct resource management initiatives, Leonard hopes to increase outreach, education, and training accessibility for the tribes. For instance, he is exploring access to a new firearms training system which teaches the use and handling of firearms employing electronic bullets. The system is a costly, but highly effective teaching device, Leonard says, and he hopes to make it available for tribal programs.

Leonard's office is at the Regional Office, Fort Snelling, St. Paul. He can be reached at (612) 713-5108 by phone; at (612) 713-5280 by fax; or at john\_leonard@mail.fws.gov by e-mail.

# BIA's Bob Jackson receives North American Partnership Award

By Dan Sobieck, USFWS

St. Paul, Minn.—Minnesota resident Bob Jackson, representing the Bureau of Indian Affairs (BIA), has been awarded the 1998 Upper Mississippi River and Great Lakes Region Joint Venture (UMRJV) Partnership Award for his efforts in promoting and implementing the BIA's "Circle of Flight" program.

The tribal governments involved in the Circle of Flight program manage over 61 million acres of fish and wildlife habitat. The award, a plaque and a carved wooden drake mallard, was presented to Jackson at the annual meeting of the UMRJV Management Board held in Orlando, Florida on March 20, 1998.

This Partnership award is presented annually by the UMRJV to individuals who have demonstrated leadership in partnership activities which focus on the restoration and protection of wetland and grassland habitats for waterfowl and other wildlife.

In presenting the award, Jim Leach, US Fish and Wildlife Service (Service) North American Waterfowl Management Plan (NAWMP) Project Coordinator, cited Jackson's close working relationship with partners such as Native American tribes, the Service, state conservation departments and non-profit groups such as Ducks Unlimited and Pheasants Forever.

"The success of our North American Plan hinges on working cooperatively with all our partners," said Leach, "and our tribal partners are among the most important. Bob has done a great job of representing tribal interests in these habitat projects and coordinating their efforts. Without his assistance, we'd only be able to accomplish a fraction of what we've done."

And the accomplishments have been impressive. Since 1991, \$4.3 million dollars have been distributed to 25 tribal governments throughout the Circle of Flight program for waterfowl and wetland/grassland enhancement projects in Minnesota, Wisconsin and Michigan. As a result, thousands of acres of habitat have been protected, restored, and enhanced for the benefit of waterfowl, nongame wildlife, tribal members, and the public.

While some projects benefit specific animals—mink, otter, bitterns, prairie songbirds, and goshawks to name a few—many projects center on the restoration of wild rice beds, important both as a food source for waterfowl and as a cultural cornerstone to tribal members.

In 1997, \$600,000 in funding was channeled into Circle of Flight projects, resulting in wetland restoration and enhancement projects from Red Lake in



Focused on fishing for a moment in time, Robert Jackson, BIA fisheries biologist, takes time out to enjoy himself at the Partners in Fishing Event in Lac du Flambeau. Jackson was recently awarded the North American Partnership Award. (Photo by C.O. Rasmussen)

northwest Minnesota to Bay Mills in eastern Michigan. Over one million dollars has been requested for 1999 for 27 different projects. In many cases, projects are shared by several agencies and organizations.

Significant projects are accomplished under Jackson's leadership including: re-seeding wild rice on lakes and flowages where rice was historically harvested; restoring wetlands and grasslands on the 2,500 acre "Red Lake Farms" tract in Clearwater County, Minnesota, reintroducing Trumpeter Swans on the Bad River Reservation in northern Wisconsin; and enhancing wetlands on the Keweenaw Bay Reservation in northern Michigan.

In addition to his many responsibilities with the tribes, Jackson also represents the BIA on the Management Board of the UMRJV, a component of the NAWMP.



# USDA funds tribal environmental projects

The U.S. Department of Agriculture has announced two priority conservation projects on tribal lands in Wisconsin through its new Environmental Quality Incentives Program (EQIP).

Patricia Leavenworth, State Conservationist for the USDA Natural Resources Conservation Service (NRCS) in Wisconsin said the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) and the Oneida Nation will receive over \$760,000 in cost-sharing in the next two to five years.

The projects are:

- Oneida Nation/Duck-Ashwaubenon Creeks—\$677,312—1997-1998
- Bad River off-reservation watershed purple loosestrife control—\$10,000 per year—1998-2002
- Purple loosestrife educational project—\$29,940—1998-2000

The goal of the Purple Loosestrife project is to eradicate this wetland plant which threatens to encroach on tribal lands from off-reservation lands within the watershed. GLIFWC sponsored the proposal to the USDA NRCS. Purple loosestrife is a very aggressive perennial, which takes over and crowds out native vegetation.

Of particular concern are the wild rice beds, and waterfowl and fish habitats, according to Jim Thannum, Natural Resource Development Specialist with GLIFWC. Left untreated, purple loosestrife will eventually dominate any wetland, destroying the diverse plant communities necessary for waterfowl and wildlife habitat.

The 1,100 square mile Bad River Watershed drains into a 7,000 acre fresh water estuary called the Kakagon/Bad River Sloughs. This is the largest, healthiest, fully functioning estuary in the Upper Great Lakes system and is recognized as a National Natural Areas Landmark. It is the ancestral home of the Bad River Tribe.

The sloughs have an abundance of wild rice beds and serve as spawning

grounds for the Lake Superior fisheries. They are home to lake sturgeon, bald eagles, trumpeter swans, wood turtles and black ducks, as well as threatened and endangered plant species, such as the Ramshead Ladyslipper.

According to Thannum, GLIFWC surveys have shown an estimated 3.7 million loosestrife plants now found in the off-reservation Bad River Watershed Corridor.

Through the EQIP project, young single stalk plants will be hand pulled, dug, raked or sprayed with herbicide. Mature plants in solid stands will require herbicides applied to individual plants using hand sprayers, done under the direction of certified chemical applicators. Large monotypic stands will be treated with herbicides.

NRCS will provide cost-sharing to help pay for herbicide, supplies and labor. Follow-up will be done for four years to insure loosestrife does not recolonize the cleaned up areas, says Thannum.

## EQIP Educational Project

The Educational Project, which has been approved and is awaiting final confirmation, is critical to successfully controlling loosestrife and preventing reinvasions.

Through EQIP funds, GLIFWC will coordinate educational efforts to help people in the ceded territories become aware of the plant and how to prevent its spread. Information and brochures will be widely distributed through tribal youth groups, 4-H, and environmental organizations. Landowners can use loosestrife location cards to report sites where it is growing.

## Oneida Duck-Ashwaubenon EQIP project

This project is a partnership of the Oneida Nation and Outagamie and Brown County Land Conservation Departments with NRCS. Through the fed-



Rick Johnson, GLIFWC wildlife aide, sprays purple loosestrife at Whittlsey Creek, Bayfield County in 1997. (Photo by Sarah Sattler)

eral EQIP program, NRCS provides technical and cost-share assistance for farmland conservation practices on Indian and non-Indian land in the Duck and Ashwaubenon Creek Watersheds, which flow through the Oneida Reservation.

These watersheds are only 2.5 percent of the land in the Fox-Wolf basin, but they account for 25 percent of the sediment and phosphorus load to Green Bay. In these watersheds, 97 percent of total suspended solids and 71 percent of the phosphorus load come from agricultural land.

Conservation practices such as conservation tillage, nutrient and pest management, and wetland restorations, will reduce non-point pollution and erosion, and improve the fish and wildlife habitat throughout the watershed.

The EQIP Project dovetails with a Wisconsin Department of Natural Resource priority watershed covering the same area. The overall goal for both projects is a 60 percent reduction in sediment and phosphorus for the watershed.

This is another excellent opportunity for the Oneida Nation to be involved with our partners at the NRCS and Brown and Outagamie County land conservation departments to demon-

strate our commitment to the restoration of the natural environment for the future generations of Northeastern Wisconsin said Patrick J. Pelky, Environmental Health and Safety Manager for the Oneida Nation.

Under EQIP, NRCS can provide cost-share assistance for up to 75 percent of the costs of the conservation practices. NRCS also provides technical and educational assistance to help landowners plan, design and install the most effective conservation practices.

EQIP was one of the key conservation provisions contained in the 1996 Farm Bill. It represents a major shift in the way federal conservation programs are delivered, allowing states to focus on locally determined priorities, says Leavenworth.

The Natural Resources Conservation Service is the lead conservation agency of the U.S. Department of Agriculture. The NRCS provides technical and financial assistance to landowners on more than 500 million acres of private land nationwide.

For more information on EQIP and conservation practices, contact the NRCS office at local USDA Service Centers, or visit the NRCS website at [www.nrcs.usda.gov](http://www.nrcs.usda.gov).

(NRCS news release.)

## Purple loosestrife identification

Purple loosestrife is easiest to identify when it blooms, from early July into early September. It grows above the water surface, two to seven feet tall, and the stems die back each year.

**Growth:** Upright, semi-woody, hardy perennial with a dense bushy growth of one to 50 stems.

**Flowers:** Purple to magenta, and numerous on long spikes. Individual flowers are 1/2" to 3/4" across, with five to six petals.

**Leaves:** Variable (usually opposite), linear shaped, smooth edged, and attached directly (without stalks) to four-sided stems. Sometimes alternate on the stem or are even bunched in whorls. Foliage may be hairy.

**Roots:** Woody taproot with numerous fibrous side shoots that form a dense mat.

**Habitat:** Moist soil to shallow water sites (wet meadows and pastures, marshes, river and stream banks, lake shores, ditches). Established plants can tolerate dry conditions.



# Wiigwaas and forest management in the ceded territories

By Karen Danielsen, GLIFWC Forest Ecologist

Odanah, Wis.—Creamy white bark peeling from the trunk of the paper birch tree (wiigwaasi-mitig); the detached, ragged ends of the bark curling out and away exposing a muted, but distinctively, orange underside. Certainly, birch bark (wiigwaas) creates one of the most intriguing and beautiful displays within the forest. Its unique beauty easily matches its spiritual and functional importance to the Ojibwe.

Ojibwe people gather birch bark to make many different types of serviceable items including winnowing trays (nooshkaa-chinaaganan), dishes (wiigwaa-sinaaganan), cones to hold maple sugar (ziigaiganan), and dwellings (wiigwaa-sigamigoon).

The grades of bark thickness gathered often determines the items to be produced. Thick bark from larger trees provides the strength to construct canoes (wiigwaasi-jiimaan); thin, papery bark provides the flexibility to assemble food containers (wiigwaasi-makukoon). Interestingly, birch bark retains certain properties that preserve food for extended periods of time. Birch bark also supplies the material used for seemingly contradictory purposes. Flammable dried bark makes good kindling for fires and when twisted into a cylinder, makes very effective torches. Containers made from the less combustible green bark, however, can be put directly on the fire, filled with water, and used for cooking.

Before gathering bark, a tribal member offers prayers and tobacco to express gratitude and respect to the birch tree. Gathering occurs primarily in June and July when birch trees appear ready to release their bark. To gather bark, the tribal member makes a knife cut into the trunk parallel to its length. This incision can be shallow enough to allow the survival of the tree for future gathering.

After the initial cut, the tribal member uses the knife to pry off the bark along the entire length of the incision and around the tree circumference. If gathering takes place at the appropriate time of year, the bark easily separates from the trunk. After removal from the tree, the bark can be rolled for easy transport. The bark may then be stored for later processing.



Mille Lacs band member Leonard Sam slices away a piece of birch bark from a tree in the Chequamegon-Nicolet National Forest. (Photo by C.O. Rasmussen)

Paper birch seedlings grow best in open, sunlit areas. Not surprisingly, the number of birch stands greatly increased after the logging era in the early 1900's. These same stands, however, will be eventually replaced by the more shade tolerant, late successional forest types characterized by tree species such as sugar maple (ininaatig), red maple (zhiishii-gimewanzh), hemlock (gaagaagimizh), yellow birch (wiinizik), red oak (mashkode-miizhimizh), and white pine (zhingwaak).

The question therefore arises: Will there be an adequate number of birch trees to provide for desired bark gathering in the future? Under natural conditions, birch will always reestablish itself following disturbances such as blowdowns or fire. Furthermore, some birch trees will actually survive and grow to be very large within late successional forests. The answer, then, appears to be "yes." However, much more needs to be understood regarding birch regeneration and survival.

Tribal members have expressed particular concern for the availability of birch bark within the ceded territories. In response, the tribes and GLIFWC staff hope to initiate discussions with state and federal land management agencies to develop forest management guidelines that will protect and enhance paper birch for future generations.

One goal of these discussions will be to provide the avenues by which traditional knowledge of paper birch, offered by tribal members, can be incorporated into and utilized by these management guidelines. As an example, one tribal member recently described a traditional method of harvesting and regenerating birch. He explained that birch trees often grow in clusters or families, such that damage to one tree affects the other connected trees.

Traditionally, before harvesting birch, tribal members would insure subsequent regeneration by girdling one tree warning the other trees in the family of impending damage and thus, as a response to this warning, induce these trees to produce abundant seed. After the seeds were set, tribal members harvested the mature birch which created an open, sunlit area perfect for the establishment and growth of new birch seedlings. Another goal for these discussions will be to assist land management agencies to develop a process to notify tribal members of proposed timber harvests, on public lands in the ceded territories, that may include birch trees.

This will give tribal members an opportunity to gather birch bark that would otherwise be left as waste. This notification process will need to entail the timely exchange of useful information in order to assure that pre-harvest bark gathering may occur at the appropriate time of year. The Ojibwe people view birch bark as a cherished gift and clearly an integral component of every day life. Certainly, the harvest of birch trees without the gathering of bark would be unfortunate.



Sandi Blake and Leonard Sam, Mille Lacs, peel bark from a birch tree in the Chequamegon-Nicolet Forest. (Photo by C.O. Rasmussen)



# Ethnobotanical Thoughts

## A closer look at Wisconsin's forests

By Dr. James Meeker  
Associate Professor, Northland College

*(Editor's note: Dr. Meeker, in his column, suggests agencies lack data critical to successful conifer regeneration in the north and responds to the WDNR publication, "A Look at Wisconsin's Forests.")*

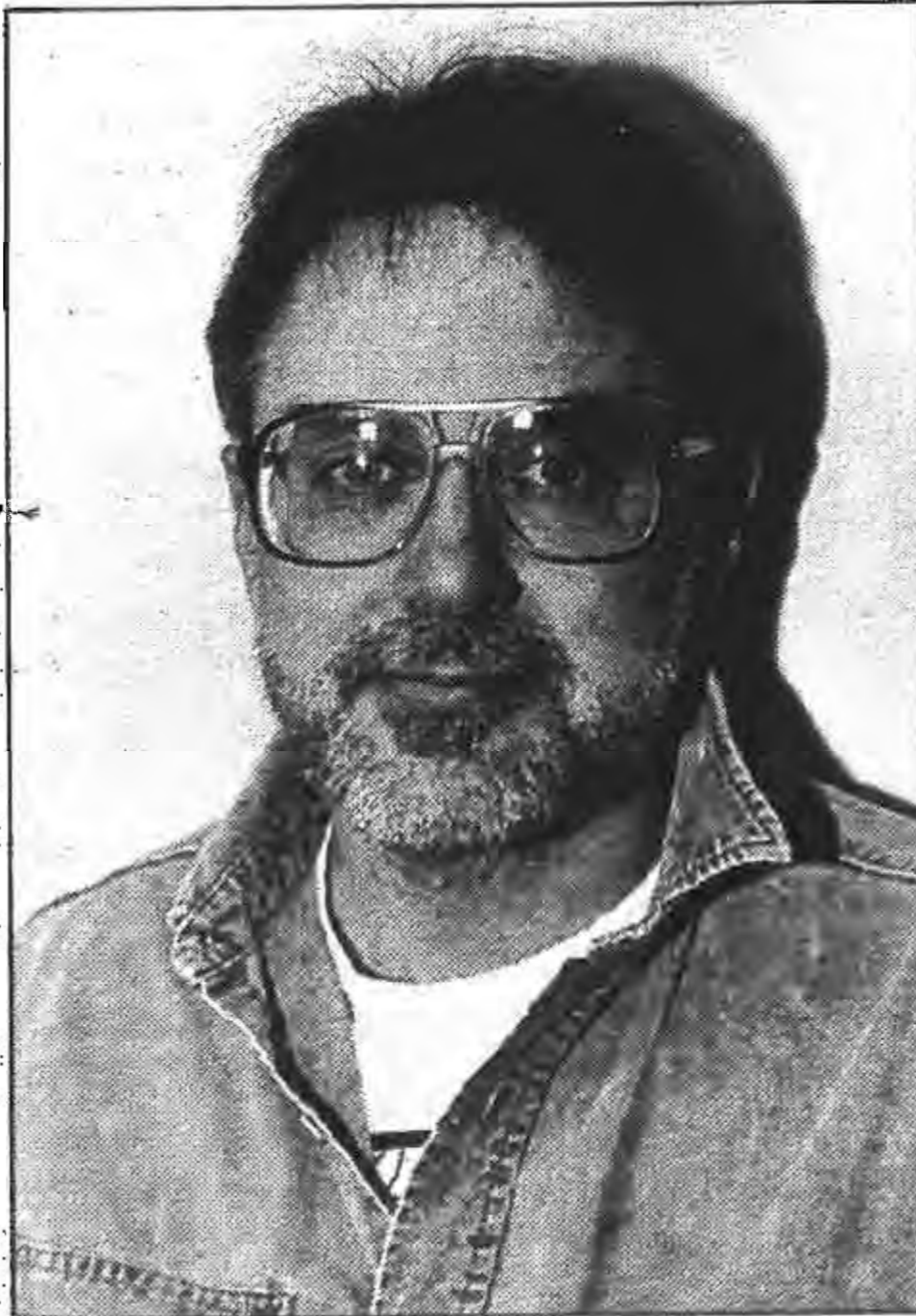
Everyone these days is familiar with the El Nino phenomenon. Let me add another story about how it may affect us here in the north.

During most normal winters the snow levels are deep enough to encourage (force) deer to seek more forgiving habitat, areas with less snow due either to topographic differences (lower elevation) or increased conifer cover (which reduces the amount of snow on the ground), or both. Wildlife biologists speak of deer moving from their summer range to their wintering range in late fall and early winter.

In fact, it's my guess that if we collected all those folks who follow local deer behavior, brought them to the same room and asked them to draw circles on a map where winter deer numbers are normally very low, we should be able to predict which areas on the landscape have the potential for conifer recovery.

As you have read in this column previously, increasing the amount of conifers, especially hemlock, white cedar and white pine is probably the most important goal of conservation biologists in this region.

This past winter, however, most deer did not make their normal migration to their traditional wintering ground. Snow levels were not deep enough and temperatures weren't cold enough to force them to seek the forgiving snow depths



Dr. James Meeker

and thermal cover that their traditional winter yards offer. As a result, areas that normally do not experience heavy winter deer browse (on conifers like white pine, white cedar, hemlock and the evergreen shrub Canada yew), saw a considerable browse effect.

The question is, how important is one anomalous year for the growth of these conifers when it is followed by 10 or 15 years of relatively little browse pressure? For the slower growing conifers like hemlock and white cedar this 10 to 15 year respite may not be enough, although the places where we do see some cedar and hemlock regeneration are indeed located in areas that normally do not have high winter deer numbers.

Canada yew is perhaps most affected, since it seldom, if ever, gets out of the deer susceptibility range. One year per decade is probably enough to keep it trimmed back, explaining the lack of expansion or recovery of this species even in areas normally without serious winter browse pressure. I bring all of this up here to suggest that land managers could test some of these ideas to help guide their adaptive management strategies. If conifer recovery is on their radar screens, a survey of deer migration patterns are a good place to begin.

Deer biologists, as many of you remember from your basic biology classes, use the concept of carrying capacity to guide their harvest level suggestions. Deer herds are often maintained at 60-70% of this carrying capacity, because at this level nature has a way to correct erroneous estimates of the herd size. (If there are more deer than thought, the increased competition for resources tends to work against even higher numbers, and if there are fewer deer than thought, greater availability of resources should tend to increase survival and birthrate.)

Most people probably have the idea that carrying capacity would be estimated, at least in part, by some systematic, ongoing assessment of the vegetation or habitat that support the deer. Not so. It turns out that the carrying capacity that is estimated may be further defined as biological carrying capacity, and fully removed from any assessment of the deer's habitat.

The way I see it, a deer biologist would come up with the same conclusions about the carrying capacity of a specific area, if there was an asphalt landscape, dotted with thermal shelters for extreme temperatures and strategically placed feeding stations. Since the herd and biological parameters such as sex ratio, age structure, and fawn productivity are the major inputs to the estimation of the "deer biologist's" carrying capacity (quotes added for emphasis), the vegetation condition is totally ignored.

As I suggested last time in this column, we have no systematic or long term information on the status of specific deer wintering yards. Nor do we have any comprehensive information or inventory of what parts of the northern landscape are adequate for conifer regeneration.

The USDA Forest Service, to their credit, is in the process of identifying areas within their ownership, that offer the best potentials for preserving or maintaining important components of the original forest's structure. This is a process they call Landscape Area Design (LAD).

The sites they have identified as harboring good examples of hemlocks intermixed with hardwoods (a community type that has declined considerably since the cutover), are sometimes referred to as LAD sites. Conservation biologists of the area, coupled with Northland College students, began visiting these LAD sites on a monthly schedule last fall, to assess their potential for maintaining a hemlock/cedar component over the long term.

Of the seven sites that we looked at, only one in the Penokee Mountains, appeared to have a fair representation of hemlock and white cedar in the younger age classes. In the other LAD sites, even though they were chosen for their good hemlock component, the youngest hemlock appeared to be about 70 years old, indicating that they haven't had successful regeneration since the late 1920's.

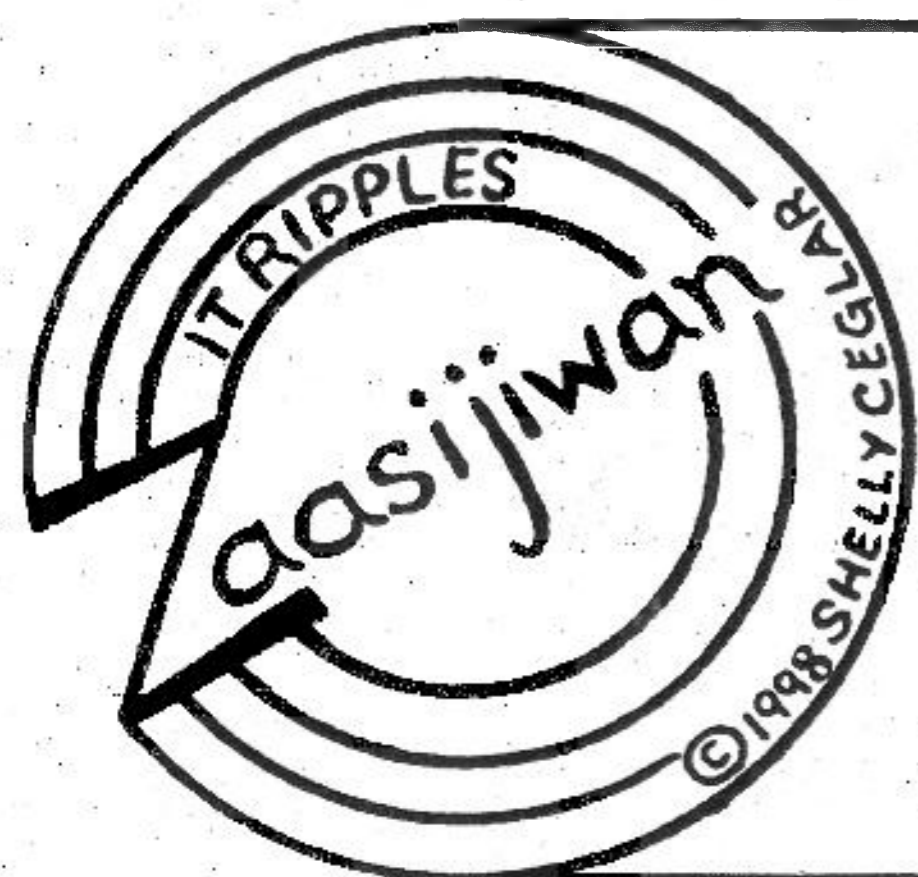
The problem lies, in both the LAD site situation and in the estimation of deer carrying capacity, in the entrenched idea that we can still manage the landscape species by species and parcel by parcel, with little attention to the whole. This results in even-aged (generally clearcut harvest) aspen stands dotting the landscape, reducing the effectiveness of potential reserves.

(See WDNR publication, page 30)



The winter of 1996-97 was one of several bringing deep snow and hardship to the north's deer herds, unlike the past winter during which many deer did not make their normal winter migration. Consequently, areas normally not impacted by deer browse experienced pressure this year and could retard conifer re-generation occurring in those areas. (Photo by Amoose)





# Niibin — It is summer

**Niibing ina giminwendam? Zaaga'iganing, nimbagiz. Bakadeyaan, niwiisin. Megwaayaak bimosewag, nookomis idash nimishoomis. Aabawaa noongom. Aaniin ezhichigeyan niibing?**

**(When it is summer are you happy? At the lake, I swim. When I have hunger pains, I eat. In the woods they walk, my grandmother and grandfather. It is warm and mild now. What are you doing when it is summer?)**

## Bezhiig—1

### OJIBWEMOWIN (Ojibwe Language)

Double vowel system of writing ojibwemowin.

—Long vowels: AA, E, II, OO

aabawaa - as in father

giyose - as in jay

niibing - as in seen

nookomis- as in moon

—Short vowels: A, I, O

bagizo - as in about

njswj - as in tin

waagosh - as in only

—A glottal stop is a voiceless nasal sound as in A'aw.

—Generally the long vowels carry the accent.

—Respectfully enlist an elder for help in pronunciation and dialect differences.

### Verbs-VII, VAI, VTI, VTA

There are four major verb types, each have their own rules in speech. You can begin learning VIA's (Verb, Animate, Intransitive) root words. Call them the He/She verbs.

From the root word we can speak about I, You, We, We all, You all and They. VIA's don't take an object.

Bimose - S/he walks or is walking.

Bagizo - S/he is bathing or swims.

Wiisini - S/he eats or is eating.

## Niizh—2

Circle the 10 underlined Ojibwe words in the letter maze. (translations below)

A. Gichi-ziibing giyose, a'aw waagosh.

B. Ishpemiing, a'awedi bimise migizi.

C. Giiwedinong ingiwedig bimisewag nikag.

D. Minwendamoog ingiw opichiwag.

E. Gigiiyose na? Giiyose apane dagwaaging, nindede.

F. Gigiigooyike na? Ningligooyike niibing gaye.

G. Ojibwemo a'aw ikwe. Debizi.

G A O T  
G I P C V F  
I B I M I S E  
G B C W U K A T  
I W H E E D W P S  
I I I C G D N E A S  
Y J W H N I I B I N G  
O A A I I Q K N R B E  
S K G M W A A G O S H A  
E X O L A O G M J N N O  
D E B I Z I Y P I I G Z

## Niswi—3

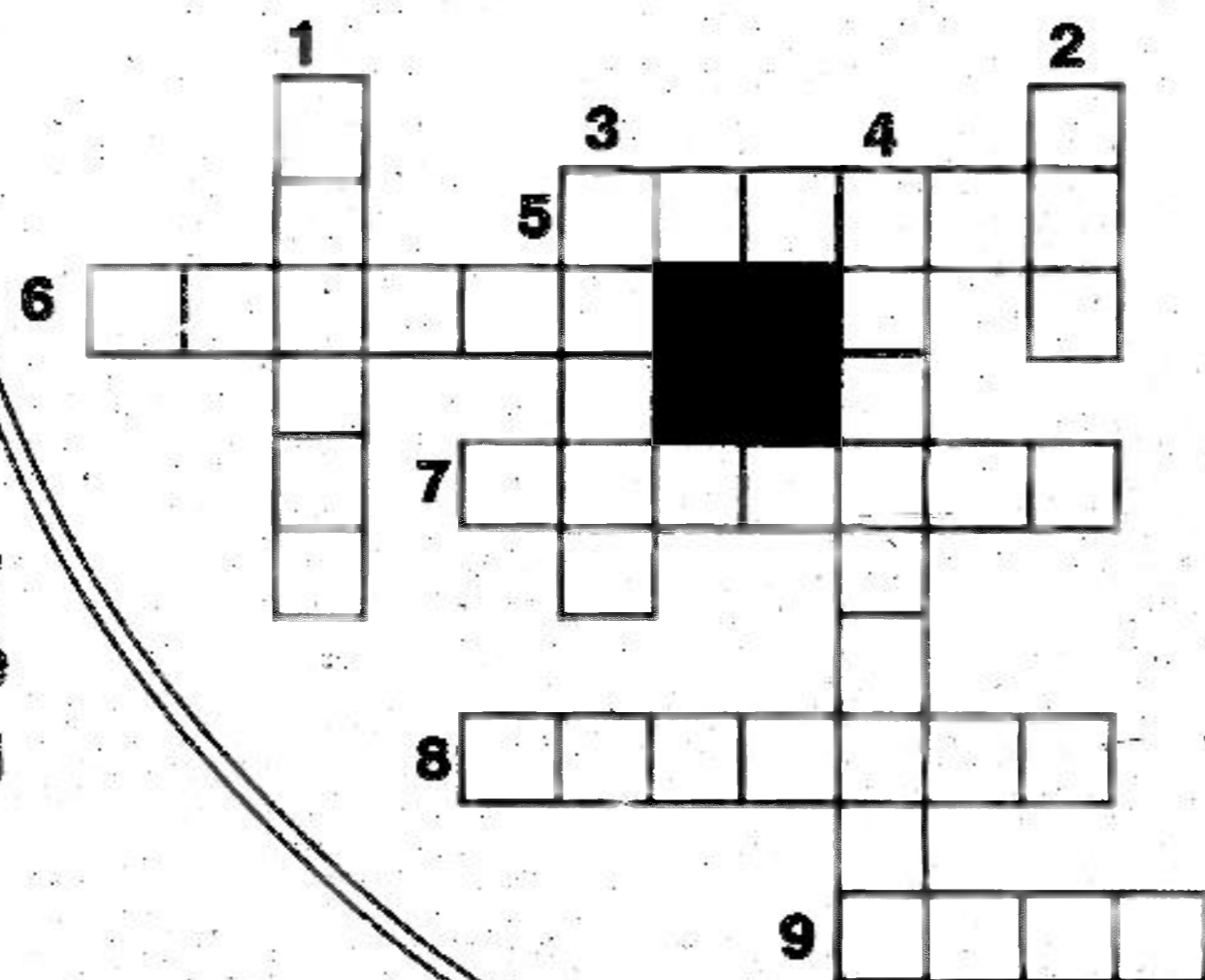
### IKIDOWIN ODAMINOWIN (word play)

Down:

1. s/he swims
2. question marker
3. Canadian geese
4. they are walking

Across:

5. it is summer
6. bald eagle
7. fox
8. it is warm & mild
9. also



## Niiwin—4

### Conjugations VAI's

Gikendaaso - S/he is smart  
Ningikendaas - I am smart (prefix ni, nin) (before k,z,g,d), nind (before vowels), nim (before b) drop the short end vowel)  
Gigikendaas - You are smart. (Prefix gi or gid (before vowels) Drop the short end vowel.  
Gikendaasowag - They are smart. (Suffix wag or oog (consonant ending)).

Goojitooni! Try it!  
Translation below.

nim  
gid  
oog  
nin  
gi

1. \_\_\_ debiz, Ojibwemoyaan.

2. "\_\_\_ zaagichigaaz." Nimaamaa ikido apane.

3. \_\_\_ bimose gichi-miikanaang.

4. Minwendam \_\_\_ ingiw abinoojiyag bagizowaad.

5. \_\_\_ anokii na adaawewigimigong?

Translations: **Niizh—2** A. By the big river s/he hunts, that fox. B. In the sky, that over there s/he flies, eagle. C. To the north those over there they fly, geese. D. They are happy those robins. E. You hunt do you? He hunts always when it is fall, my father. F. You fish, do you? I go fishing when it is summer also. G. She speaks Ojibwe, that girl. S/he is lucky. **Niswi—3** Down: 1. Bagizo 2. Ina 3. Nikag 4. Bimosewag Across: 5. Niibin 6. Migizi 7. Waagosh 8. Aabawaa 9. Gaye **Niiwin—4** 1. I am lucky, when I speak Ojibwe. 2. "You are loved." My mom says always. 3. I walk on the big-trail (freeway). 4. They are happy those children when they swim. 5. You work at the store? There are various Ojibwe dialects, check for correct usage in your area. Note that the English translation will lose it's natural flow as in any foreign language translation. This may be reproduced for classroom use only. All other uses by author's written permission. All inquiries can be made to MASINAIGAN, P.O. Box 9, Odanah, WI 54861 or e-mail pio@win.bright.net.





# Ojibwe values in children's literature used in prevention of substance abuse

By Sue Erickson  
Staff Writer

**Red Cliff, Wis.**—Incorporating Anishinaabe values into learning environments for youth, whether it be in homes or schools, is a goal of the First American Prevention Center housed on the Red Cliff reservation.

Currently, the Center is using traditional stories as one method of imparting Anishinaabe values and perspectives in an indirect and delightful manner.

Through a \$25,000 grant from the Otto Bremer Foundation, the Center is in the process of producing a series of twelve children's books, each presenting a story or legend told by Red Cliff storyteller and educator Dee Bainbridge.

The first book in the series, **"The Robin,"** is currently on the market, according to Ron DePerry, director of the First American Prevention Center.

Gloriously illustrated with full-colored pictures by Red Cliff artist Rita VanderVenter, the book succeeds in teaching tradition through both the visuals and the text.

The project represents the Center's first venture into children's literature, although developing K-12 curriculum with a Native American perspective has been the core of the program since 1984.

The theme of **"The Robin"** is respect for individuality. "Don't push people, especially children, into your expectations, because they usually fail. Respect them as they are," DePerry says, explaining the underlying message of the story.

While the message is simple, following the direction of the message may not be. While the message of **"The Robin"** does not directly address drug, alcohol or tobacco use, it encourages a healthier growing environment for youth. In this way, the tale is useful as a teacher both for children and adults.

Two thousand copies of **"The Robin"** were printed under the Bremer Grant at Printing Plus in Ashland, Wis. DePerry has begun marketing them through the Center, targeting schools and the tribal community. The Center is selling the books for \$20.00 each.

Revenue generated from the sales will go into the printing of the next story in the series, **"The Woodpecker."** Once again, the tale is told by Dee Bainbridge, but the illustrations are done by Red Lake Ojibwe Sam English, who currently maintains a studio in Albuquerque, New Mexico.

The illustrations for **"The Woodpecker"** are equally as colorful and beautifully done as those for **"The Robin,"** but the style of the art in each book is unique to the artists.

With text and illustrations ready to go, DePerry is just waiting on sales from the first publication to provide dollars needed to print the second, and so the process will go until the twelfth story has been published.

In addition to the book project, the First American Prevention Center is implementing a grant to develop curriculum targeting early adolescents and pregnancy prevention. The program is community-based, DePerry says, not in the school system.

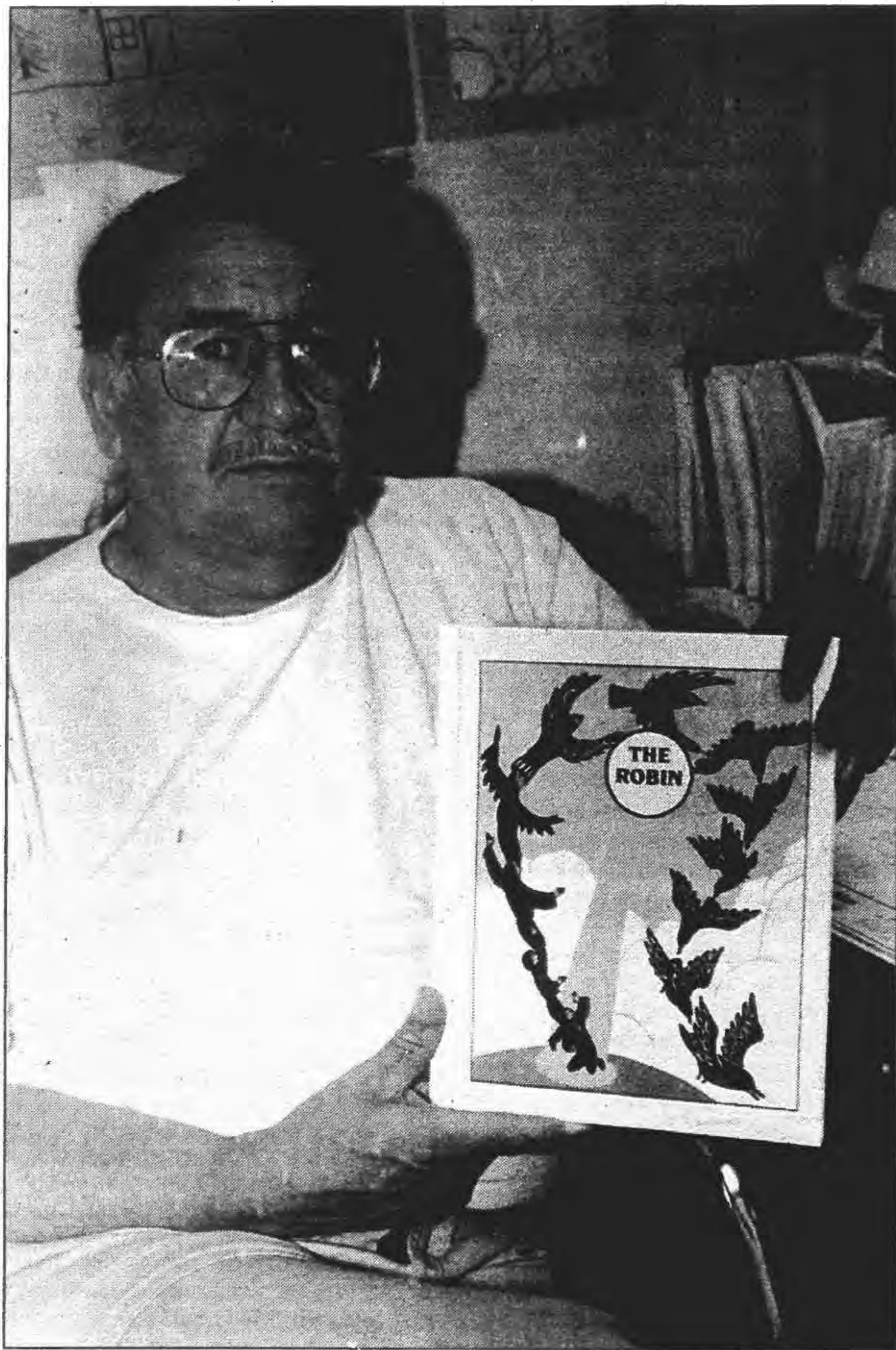
"We use traditional tribal family values and bring them into a modern day focus," DePerry explains. The final product of this project will be a manual and training for parents and extended family members.

"Issues of substance abuse such as inhalants, alcohol, drugs, and tobacco, remain critical for us today," DePerry says. "Use is still high in our youth, although more community people are on the road to sobriety and into a healthy lifestyle today than previously."

Despite successes, the battle against the devastation of substance abuse by youth is far from being won. Usage by younger and younger youth is one trend that frightens DePerry and reminds him that the job is not done.

One day at a time, one step at a time, one book at a time, reaching back to bring forward the strength found in Anishinaabe traditions. . .the struggle to promote healthy lives for community children goes on at the Center.

For more information about prevention curriculum or the children's books, contact the First American Prevention Center, P.O. Box 529, Bayfield, Wisconsin 548614 or phone (715) 779-3755.



Ron DePerry, director, First American Prevention Center, Red Cliff, displays a copy of **"The Robin,"** the first in a series of twelve children's books using Ojibwe stories and artists. **"The Robin"** is being marketed by the Center with sales providing funds for the second book, **"The Woodpecker."** (Photo by Sue Erickson)

## "The Robin"

Price: 1 book: \$20.00 + \$3.00 shipping & handling Additional books: \$20.00 + \$1.50 shipping and handling per book

Amount of order \$ \_\_\_\_\_

Method of payment: check  money order

Ship to: \_\_\_\_\_

Please complete and return this form with payment to:

First American Prevention Center, P.O. Box 529, Bayfield, WI 54814.







# GLIFWC report shows successful treaty deer (waawaashkeshi) and bear (makwa) seasons in 1997

By Sue Erickson  
Staff Writer

Odanah, Wis.—The Minnesota 1837 Treaty deer and bear harvests were exercised for the first time, following a federal court decision upholding the hunting, fishing and gathering rights of the Ojibwe reserved in the 1837 Treaty. A total of 74 deer were taken from the Minnesota 1837 deer permit units, including 28 antlered deer and 46 antlerless deer, according to a report issued by GLIFWC's Wildlife Section Leader Jon Gilbert. The harvest was focused primarily in the northern tier of management units.

In the Wisconsin 1837 and 1842 ceded territories, a total of 3,347 deer were harvested in 1997. The antlered harvest was 1,120, and the antlerless was 2,227. The ratio of antlered to antlerless was about 33%, which has been typical of the treaty deer harvest since it began in 1983, Gilbert says.

The 1997 treaty deer harvest in Wisconsin was up about 1.3% from 1996 when 3,303 deer were taken off-reservation.

Statistics indicate an increased deer harvest from 1996 for the Lac Courte Oreilles, Lac du Flambeau, Mille Lacs, and St. Croix bands and a decrease in registration from the Bad River, Mole Lake, and Red Cliff bands.

The Lac du Flambeau band registered the most deer in 1997 with a total of 915, followed by Lac Courte Oreilles with a total of 798 and St. Croix with 531.

The most used management units are nearby reservations, have a large amount of public lands, and have an adequate antlerless deer quota, Gilbert says.

In 1997 some tribal members also participated in a special two-day, limited hunt in the St. Croix Park, Pine county, Minn. The special hunt was held to thin the deer population in the park and reduce damage caused by the large deer population.

The management system for the off-reservation treaty deer hunt, using permits and registration, was first implemented in Wisconsin in 1986. For the 1997 season, this system was expanded to the 1837 ceded territory in Minnesota.

Under the system each hunter receives two carcass tags. Each deer taken must be tagged with a carcass tag and registered at a tribal registration station or with field wardens.

An additional carcass tag can be obtained upon registration of any deer.

Shooting of doe or fawn requires an antlerless deer permit, allowing the harvest of two antlerless deer. The antlerless permit is valid for 14 days in any deer management unit in Wisconsin or permit area in Minnesota where the antlerless quota has not been met.

## Bear

Eighteen tribal members harvested 21 bear during the 1997 off-reservation bear season, a decrease of 24 bears from the 1996 level, according to Gilbert.

All bears harvested were taken from Wisconsin ceded territories in

1997; none were harvested during the 1837 off-reservation hunt in Minnesota, although a quota of 35 bear in two zones was available.

The harvest included 16 male and 5 female bears, which is typical of the off-reservation hunt, Gilbert says. A total quota of 150 bear were available to tribal members during 1997 in three bear management zones.

The most bear harvested by tribal members came from Unit 3 in Zone A, Bayfield county, where six males and one female were taken during the season.

The 1997 bear season was closed to Lac Courte Oreilles tribal members by action of the LCO Tribal Governing

Board, who closed the off-reservation bear season in recognition of the cultural and spiritual significance of the black bear to members of the Bear Clan at LCO.

## 1998-99 deer and bear seasons

Both the deer and bear populations are thriving and numbers are high, according to Gilbert. He says plenty of both species will be available to meet tribal needs in the 1998-99 season.

Tribes are currently in the process of determining quotas for the upcoming deer and bear seasons and will be available for the next issue of the Masinaigan.

### Antlered and antlerless deer harvested during the 1997 off-reservation treaty deer season by registration station

Station	Antlered deer	Antlerless deer	total
Bad River	95	172	267
Lac Courte Oreilles	255	543	798
Lac du Flambeau	283	632	915
Mille Lacs	39	98	137
Mole Lake	81	215	296
Red Cliff	188	215	403
St. Croix	179	352	531
<b>Wisconsin totals</b>	<b>1,120</b>	<b>2,227</b>	<b>3,347</b>
Mille Lacs	16	24	40
Fond du Lac*	3	9	12
St. Croix State Park*	9	13	22
<b>Minnesota totals</b>	<b>28</b>	<b>46</b>	<b>74</b>

\*harvest figures for Fond du Lac were from Schrage (1998)

## Harvest opportunities ahead Upcoming off-reservation, treaty seasons

For specific information and dates regarding any off-reservation treaty seasons, tribal members should contact their reservation conservation department or the on-reservation Great Lakes Indian Fish and Wildlife Commission satellite enforcement office or registration station.

Seasons may vary some from state to state, or from tribe to tribe. However, some of the opportunities for off-reservation hunting, fishing and gathering in June through August 1998 are as follows:

### Wisconsin 1837, 1842 Treaty ceded territory

- Netting
- Hook and line fishing

### Minnesota 1837 Treaty ceded territory

- Netting
- Hook and line fishing

### Michigan 1836 Treaty ceded territory

- Netting
- Hook and line fishing

Treaty commercial fishing in Lake Superior, Michigan and Wisconsin waters  
(Consult with tribal codes for specific quotas, units, and dates)

## Forest Service to supply annual pass for treaty harvests

By Sue Erickson  
Staff Writer

Odanah, Wis.—Tribal members exercising treaty rights in the Chequamegon-Nicolet National Forest and using a parking area where the general public pays a fee or possess an annual pass will be provided with a special annual pass windshield sticker. The sticker will exempt tribal members from the fees required of the general public.

The pass should be displayed on the passenger corner of the windshield. The special treaty windshield sticker will not exempt tribal member's from fees charged for camping in developed campgrounds.

U.S. Forest Service enforcement officers will patrol the recreation fee sites and enforce daily or annual pass regulations, so tribal members using a fee site on the Chequamegon-Nicolet while exercising their treaty rights need to have a current year sticker.

To obtain a sticker, contact the Voigt Intertribal Task Force representative for your tribe or contact the GLIFWC offices at (715) 682-6619.

The annual pass windshield sticker for tribal members was the result of a request from the Voigt Intertribal Task Force.

The Forest Service's decision to honor the VITF's request was recently announced in a letter from Forest Supervisor Lynn Roberts.



# A new chief, but not a new face

Odanah, Wis.—Gerald L. White, Bad River band member, put in his first day as Chief Warden for GLIFWC's Enforcement Division on May 26. However, he did not have to spend time getting acquainted with staff as he has been with the Division for twelve years, serving in a variety of capacities over those years.

White's first service with GLIFWC involved enforcement of off-reservation conservation codes in areas surrounding the Mole Lake and Keweenaw Bay reservations in an on-the-job-training capacity.

His first permanent duty was at Lac du Flambeau, where he served for one and a half years before he was promoted to sergeant and stationed at Bad River as Area Supervisor. Following a reorganization of the Division, White was appointed as Western Warden Supervisor, with the off-reservation ceded territory west of Highway 13 in Wisconsin under his supervision. In May 1993 he became the St. Croix Area Supervisor, working out of Spooner, Wisconsin, and in November 1997, was again appointed as Western District Supervisor.

White holds a Bachelor of Arts degree from the University of Wisconsin-Whitewater in business management and economics. He completed his recertification for basic recruit in 1987 and has completed numerous courses at the Federal Law Enforcement Training Center, Marana, Arizona in enforcement management.

As Chief Warden, White is responsible for directing the operation of the Division which includes ten satellite stations located on member reservations throughout northern Wisconsin, Michigan, and Minnesota. The Division maintains a permanent staff of about 27. Staff nearly doubles during spring spearing when temporary wardens are hired to monitor the season.

White views the position as challenging and considers communication, both within the division and with other local, state and federal enforcement agencies, a critical component of his position.

Because of his previous experience with GLIFWC, White is already acquainted with many enforcement personnel throughout the ceded territories. However, he looks forward to improving and expanding working relationships in his new role as Chief Warden. White currently resides in Spooner, Wisconsin with his wife Marlene and eight-year old daughter, Brittney. However, the family plans to move to Hayward, Wisconsin in order to shorten travel time.

Welcome aboard, Chief!



Gerald L. White



GLIFWC wardens Suzanne Jondreau, Keweenaw Bay and Curtis Greene, Red Cliff, successfully completed a 400 hour course at Chippewa Valley Technical College in Eau Claire in March. (Photo by C.O. Rasmussen)

# Wiikondiwin "Feasting our Treaties"

Plans for Madeline Island treaty conference underway

Odanah, Wis.—Plans for the "Wiikondiwin—Feasting our Treaties" conference on Madeline Island this fall are well underway. Set for September 8-11 on the Island, the conference will bring together representatives from GLIFWC's member Ojibwe nations and seven Ojibwe nations from the Kabapikotawangag Resource Council (KRC), Lake of the Woods, Canada. GLIFWC and KRC are jointly planning the conference.

Ojibwe nations are meeting on the Island as a place of long-standing spiritual and cultural importance to the Ojibwe nation as well as a place where several treaties were signed.

The conference is designed to: promote tribal and national solidarity, revitalize Ojibwe history, commemorate and honor Ojibwe ancestors who signed the treaties, discuss current issues and share expertise, and exercise customs, traditions and language.

In the words of Fred Kelly, conference coordinator from Lake of the Woods, at the time of Wiikondiwin. . .

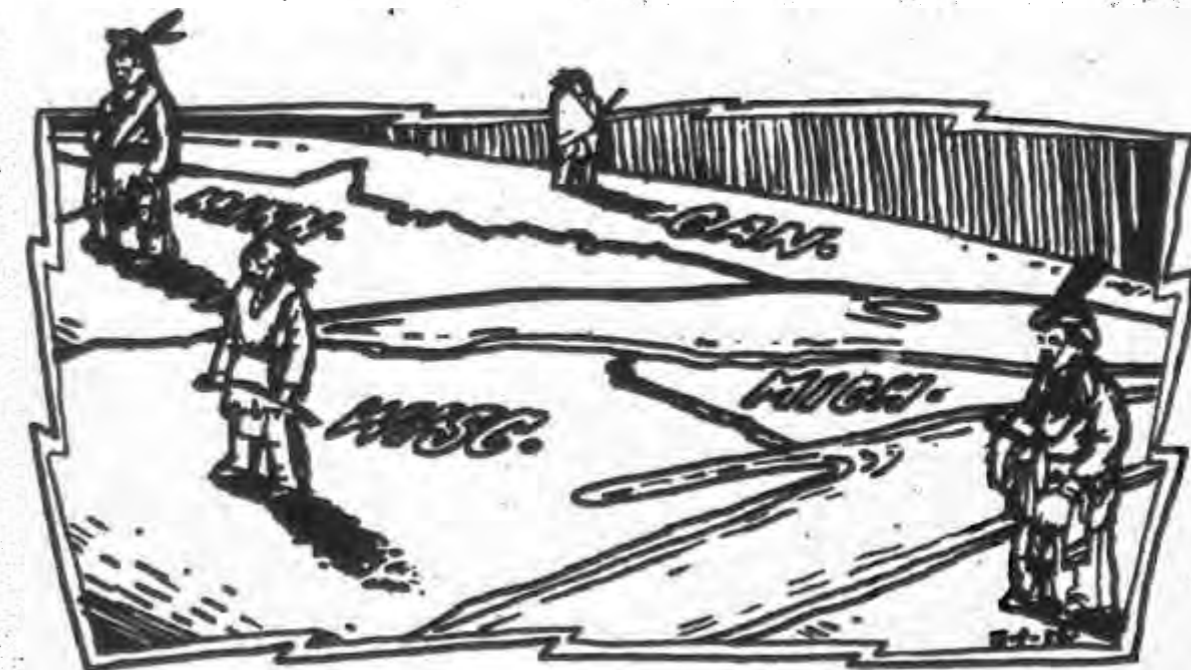
*"We will honor our ancestors and feast the legacy that they left for the good of their children and generations yet unborn. We will celebrate Kitoteminaanag (our clans) and we will exercise Anishinaabe law through our language, history and traditions. In this way, too, we will reinforce our solidarity as Anishinaabeg.*

*"The focus will be on our treaties specific to their application on the land, waters and resources of Lake Superior and Lake of the Woods territories.*

*"The spirit and intent of our treaties is the word of our ancestors for as long as sun walks the eternal road, the rivers flow and the grass grows. Treaties are*

*solemn agreements made with foreign nations under spiritual invocation and guidance of the Creator. Accordingly, they constitute expressions of our sovereignty as the Anishinaabe Nation."*

For information regarding Wiikondiwin, contact the GLIFWC offices at (715) 682-6619.



# Berlin assumes GLIFWC accountant position

Odanah, Wis.—Missy Berlin, Bad River tribal member, assumed her new position as GLIFWC's accountant on May 18th. Formerly, GLIFWC's bookkeeper/property manager, Berlin remained within GLIFWC's Administrative Division headed by Gerald DePerry.

Berlin has been with GLIFWC since November 1994.

As accountant Berlin's main charge is the bi-weekly payroll. However, she will also manage the employee benefits programs and GLIFWC's smaller accounts.

Berlin is graduate from the Ashland High School. She completed one year at Northland College, Ashland and received an associate of arts degree in accounting from the Wisconsin Indianhead Technical College (WITC), Ashland.

She has participated in additional professional training on payroll and managing 638 contracts through GLIFWC.



Missy Berlin

Berlin resides on the Bad River reservation. She is a member of the Ladies Auxiliary of Bad River and the women's pool league, enjoys some time at the casino, and is currently helping her sister establish a day care on the reservation.





# Rio Tinto chair tells shareholders Flambeau Mining will not submit to environmental review hearing

London, UK—At their annual meeting of shareholders in London last week, Robert Wilson, Chairman of the Board of Rio Tinto, the parent company for the Flambeau Mining Company, announced that his company would rather renege on its offer to lease existing buildings on the site of the now-closed copper and gold mine near Ladysmith, than submit their proposed modification of the mine site reclamation plan to a public hearing.

Responding to a question from the floor at the shareholders' meeting, Wilson was adamant that their company was unwilling to go through the process of defending their environmental record at the site simply for the benefit of a request from a local non-profit group.

The local residents had asked the company to preserve the existing industrial buildings on the site to be used for an economic development project for this community. Wilson proclaimed, "It was not our idea to save these buildings.

It was a group of citizens in Ladysmith who asked us to make these buildings available. But we are not willing to have to go through a hearing process on the plan." The Ladysmith/Rusk County community has been touted by the mining company as an example of long-term economic growth as a result of the mining investments in the area.

Mining opponents counter, however, that Rusk county presently has the lowest per capita income in the state and that its unemployment rate is the highest in the state—over three times the state average.

Both sides agree that the use of the buildings as an industrial park would be a welcome addition to this area's economy.

The Wisconsin Department of Natural Resources (WDNR) announced earlier this year that Flambeau had requested a modification of the reclamation plan for the mine which ceased operation last Spring. Besides preserving these buildings, the plan also proposes major modifications on the reclamation of other parts of the mine site including what is seen as fairly radical



*Wisconsin's law prohibits mining within three hundred feet of any navigable stream or river. However, the Flambeau Mine, Ladysmith, Wisconsin, was exempted from this law by the Wisconsin Department of Natural Resources and was allowed to mine as close as 140 feet to the Flambeau river. (Photo by Bob Olsgard)*

## State Senate approves ban on oil drilling near Great Lakes

Madison, Wis. (AP)—Companies could not drill for oil or gas along Wisconsin's Great Lakes under a bill the Senate approved in mid-March, a move supporters say would prevent oil production in Michigan from expanding to Wisconsin.

But one Michigan oil company says the measure isn't worth much because people have found little, if any, oil or natural gas in Wisconsin.

"If there's oil and gas in Wisconsin, people would be looking for it already," said Jason Piedmonte, a spokesman for the Monroe, Michigan-based Newstar Energy USA Inc.

It is against Wisconsin law to drill for oil or gas directly on a Great Lake. However, companies can drill under the lake from the shore, if they have permission from state officials.

Since 1985, two companies have drilled wells near Ashland and Oak Creek and both were unsuccessful, Department of Natural Resources analyst, Larry Lynch said.

Companies have searched for oil in Wisconsin since the 1960s and had no luck, Lynch said. In fact, only a few farmers have drawn enough natural gas in Wisconsin to heat or light their barns,

he said. "It's not a real booming industry here in the state," he said.

Although no company recently sought to drill in Wisconsin near the Great Lakes, Sen. Robert Cowles wanted to stop any chance of that happening, an aide said.

"It is a pre-emptive strike" said Sean Dilweg, a policy analyst for the Green Bay Republican.

The Senate voted 27-5 to approve the bill. It heads to the Assembly for further review.

Newstar is seeking permits from Michigan's Department of Environmental Quality to drill for oil and natural gas beneath Lake Michigan.

The company has no plans to seek such permission in Wisconsin, Peidmonte said.

The company proposes to drill on an angle from sites on land to reach suspected oil and gas reserves 4,000 feet beneath the lake and a half-mile offshore.

Those plans remain on hold because of new state regulations. The department in November issued rules banning oil drilling rigs, pipelines and other equipment within 1,500 feet of Great Lakes shorelines.

retreat on the environmental goals for establishing a prairie restoration and wildlife habitat on the site.

The revised plans also would move the location of a restored 8.5 acre wetland away from areas of possible acid drainage from the reclaimed mine site. Several local citizens groups and environmental organizations are particularly concerned about these elements of the reclamation plan change and have requested a meeting with the WDNR for further clarification of the issues.

When asked about why his company was so reluctant for a review of these environmental impacts, Chairman Wilson responded that his company had already undergone a full environmental review process for the initial permitting for the mine and felt no further examination was required.

Environmentalists, on the other hand were skeptical since a major portion of the proposed industrial park is not associated with the buildings but rather was the temporary storage site for the most potentially polluting high-sulfur waste rock material from the mining process.

Wisconsin Department of Natural Resources officials admitted that there were no groundwater testing wells within the vicinity of this waste rock storage site, so the DNR really didn't know if any pollution had occurred in that area.

The disclosure from the Rio Tinto executive came about as part of a particularly contentious annual shareholders meeting in which representatives from numerous indigenous, social justice, labor and environmental groups from all across the globe assembled in London to protest their case.

Several hundred individuals demonstrated outside the building where the shareholders met, while representatives from various groups presented their case inside before that estimated 1,000 shareholders in attendance.

Besides representatives from Wisconsin there were native speakers present from the Western Shoshone Tribe of Nevada, the Dayak people of Indonesia, the Wayuu people of Northern Columbia, and several unions including the International Federation of Chemical, Energy, Mine and General Worker's Union (ICEM).

Rio Tinto is the world's largest mining company and has been severely criticized for its record on both human rights and environmental grounds.

A recent resolution introduced into the British Parliament co-signed by some 29 MP's condemned Rio Tinto for being ". . . probably the most uncaring and ruthless company in the world judged by its appalling record of human and trade union rights violation, community destruction, environmental damage and disregard for the lives of indigenous people in many of the 40 countries where it operates."

(Reprinted from Mine Watch, London, UK. For more information e-mail [minewatch@gn.apc.org](mailto:minewatch@gn.apc.org).)





**Fred Ackley, Mole Lake Sokaogon, was recognized during the May 7th Voigt Intertribal Task Force (VITF) meeting at the Lac Vieux Desert reservation, Michigan. Fred served as representative of the Mole Lake Sokaogon to the VITF and as the VITF Vice-Chairman for nearly ten years. Above, VITF Chairman Tom Maulson, Lac du Flambeau, presents Ackley with a framed copy of the VITF resolution recognizing his service.**

**By resolution, the Board recognized Ackley for "bringing the Anishinaabe culture and religious heritage into the Commission's goals, functions and activities," and for promoting the "use of asemaa in the decision making process at both the tribal and intertribal level." His contributions and dedication to environmental issues and concerns were also acknowledged. (Photo by Sue Erickson)**

## Tommy Thompson's record on metallic sulfide mining

The Wisconsin Chapter of WATER celebrated the signing of the Mining Moratorium bill, but questions how it may be applied in light of Governor Thompson's record on metallic, sulfide mining.

It remains to be seen how the politicized DNR will apply the law in its rule making.

**1987**—Governor Thompson appoints Exxon Mineral's chief lobbyist James Klauser, described by then General Manager for Exxon's Crandon project as "our eyes and ears in the Madison area," as his Secretary of the Department of Administration.

**1987**—Thompson meets with Ray M. Ingram, executive vice president of Exxon Minerals, and urges Ingram to

resume efforts to obtain permits from the DNR. (Milwaukee Journal, 1/18/87)

**1988**—Governor's Ad Hoc Task Force on Mining recommends that the state take action to "legitimize" the local agreement process whereby mining companies could get permission for controversial mining projects by promising economic benefits to the community.

At the urging of Kennecott lobbyist James Wimmer, Klauser tacks the local agreement law onto the budget bill, passed without public hearings in the spring session of 1988.

**1992**—Thompson's Natural Resources Board selects Peter Peshek, a lobbyist for solid waste and mining

## Advisory Council holds hearing on Crandon mine

*Ground and surface water modeling brought into question*

*By John Coleman & Sue Erickson, GLIFWC staff*

**Madison, Wis.**—Ground and surface water modeling provided by the Nicolet Minerals Company for the proposed Crandon mine came under stiff attack during a weekend meeting of the Science Advisory Council on Metallic Mining on May 29th in Madison.

The five-member council was created by Governor Thompson to review technology proposed for mining projects which will effectively minimize or prevent environmental impacts caused by sulfide mining.

The Council is to advise the Department of Natural Resources as to whether the technology proposed is effective in controlling environmental impacts associated with sulfide mining operations. Comments provided to the Council during the hearing indicated the proposed technology was not adequate to protect the environment.

GLIFWC's Environmental Modeler John Coleman was among six who provided comments at the invitation of the Council. Coleman expressed serious doubts regarding ground and surface water modeling and the potential negative impact on water supplies and wild rice from the proposed mine.

Lying west of the proposed mine, the Mole Lake reservation's Rice lake is fed by Swamp Creek which flows through the mine site. Doug Cherkauer, UW-Milwaukee hydrologist and consultant for the Mole Lake Sokaogon Band of Chippewa told the Council that the current implementation of ground water modeling was not using the best available methodology need to protect ground and surface water.

Cherkauer also questioned the adequacy of the Tailings Management Area (TMA) design and suggested that the approach being used for predicting mine impacts is not a conservative one.

Representing the Sierra Club, Peter Brown provided an evaluation of the groundwater model that criticized the company's methodology and presentation. He also noted that clean-up costs for mine accidents often run into hundreds of millions of dollars.

On behalf of GLIFWC, Coleman criticized the Council for holding a hearing prematurely because the mine plan was still not finalized.

Since Rio Algom took over full control of the Crandon mine project from Exxon Minerals, the company has suggested that it might make several changes to the mine plan, Coleman said, including separation of pyrite from mine tailing to reduce toxicity and disposal of waste water in absorption ponds rather than in the Wisconsin river.

Since these changes have not yet been documented and their feasibility has not been demonstrated by the company, the Advisory Council is asking for comments on an incomplete plan.

Coleman also presented eight items of longstanding concern related the ground and surface water modeling and site characterization.

Despite many requests that another hearing be scheduled for a later date and nearer the proposed mine site for the public to provide input on technical mining issues, the Council would not agree to another hearing.

However, the Council agreed to reserve a spot on all their meeting agendas for testimony on technical issues. The Council will meet next on June 25th at 8:30 a.m. in Madison.

interests, for Secretary of the Department of Natural Resources. A close friend and former law partner of James Klauser, Peshek is ultimately forced to withdraw because Federal conflict of interest rules prevent Peter Peshek from running the DNR.

**1995**—Thompson's State Budget Bill includes the transfer of authority for hiring and firing the DNR secretary from the seven-member citizens' Natural Resources Board to the office of the Governor. Since 1927, Wisconsin had minimized political influence in resource management decisions through the Natural Resources Board, a plan promoted by Aldo Leopold.

**1995**—The legislature approves Thompson's proposal to eliminate the

Office of the Public Intervenor. At the time the Public Intervenor was actively investigating Exxon's Crandon Mine proposal and had retained three top scientists to evaluate the company's waste disposal and water diversion plans.

**1997**—In the face of the grassroots campaign for a moratorium on metallic sulfide mining, Gov. Thompson seeks to appoint a science advisory panel to make an "Independent" recommendation regarding mining. Thompson's effort is met with public outrage.

**Earth Day 1998**—After a 71 day delay, Thompson signs the veto-proof Mining Moratorium bill.

(WATER, Wisconsin Chapter, press release.)



# "Where the River is Wide" commemorates 75th anniversary of Chippewa Flowage

By Charlie Otto Rasmussen  
Writer/Photographer

A new publication from GLIFWC, "Where the River is Wide: Pahquahwong and the Chippewa Flowage," will be available this July.

The book provides an authentic account of the Chippewa Flowage, a renown fishing and tourist destination adjoining the Lac Courte Oreilles Reservation, and examines its impact on the residents of Pahquahwong, or Post.

This year marks the 75th anniversary of the Chippewa Flowage. For many people, the flowage is synonymous with excellent musky fishing and forested shorelines. In 1923, however, the Ojibwe village Pahquahwong and the surrounding environment were inundated when the man-made lake was created, destroying both natural resources and a way of life for area residents.

After the decade-long battle to keep their homes and burial grounds from being flooded, residents evacuated

Pahquahwong and founded the village of New Post.

Fifty years later, in 1971, the LCO Ojibwe spearheaded a successful campaign to restore lands lost to Northern States Power Company.

Researched with the assistance of Ronald Satz, University of Wisconsin-Eau Claire Indian scholar and Dean of Professional Studies, "Where the River is Wide" explains how the Chippewa Flowage forever shaped the lives of Pahquahwong inhabitants.

Beginning with the first Ojibwe migration into the area, the text highlights treaties, early settlement, the de-

velopment of the tourist industry, and the occupation of the Winter Dam.

Complete with maps, rare photos, and a bibliography, "Where the River is Wide" will be available through GLIFWC's Public Information Office.

For more information contact Charlie Rasmussen at GLIFWC, P.O. Box 9, Odanah, WI 54861; (715) 682-6619 by phone or e-mail coras@win.bright.net.



Supported by American Indian activists, Lac Courte Oreilles tribal members peacefully occupied the Winter Dam in August 1971 in opposition to the flooding of reservation land which inundated hunting and gathering grounds along with wild rice beds. (Photo by Dick Bancroft)

## Treaty Rights:

### A Guide to Understanding Ojibwe Treaty Rights

A Guide to Understanding Ojibwe Treaty Rights is currently available from the Great Lakes Indian Fish & Wildlife Commission's (GLIFWC) Public Information Office. The publication replaces and updates the Minnesota and Wisconsin editions of A Guide to Understanding Chippewa Treaty Rights.

The 52 page full-color publication explains treaty history, tribal sovereignty, current litigation, the management of treaty seasons, and the role of GLIFWC.

The 1836, 1837, 1842, 1854 and 1855 Treaties are reprinted in the booklet. Text is adult level. Copies are \$3.00.

To order copies contact GLIFWC at (715) 682-6619, ext. 150; fax to (715) 682-9294; or e-mail to pio@win.bright.net.

Information on the Great Lakes Indian Fish & Wildlife Commission and many of the publications produced by GLIFWC can also be found on GLIFWC's home page at: <http://www.win.bright.net/~glifwcis/>

## WDNR publication minimizes impact of timber harvest

(Continued from page 23)

An additional problem, I believe, lies in the agency literature prepared for our guidance. Take, for example, the publication entitled "A Look at Wisconsin's Forests" put out recently by the WDNR's Bureau of Forestry.

In one section, clearly meant to minimize the effects of timber harvest on Wisconsin forest lands, we are told that "for each of the 5 million residents of Wisconsin, there are more than 1,700 trees greater than 10 feet tall" and further, that in an average year "7 of these trees are harvested" (wow, only 7) and "137 die of natural causes."

It doesn't take a certified forester to know that a tree 10 to 20 feet tall is often less than an inch in diameter, not worth harvesting yet, and the mortality they speak of is largely due to the death of little trees competing for space in the forest.

We are all aware that 5-10 year old

aspen forests start out as doghair stands, so thick with stems that it is hard to walk in (3,000 plus stems per acre), and that about 90% of these stems die a natural death in the next 40-50 years, resulting in a stand of trees about 8" in diameter, with about 300 trees per acre.

The point is, what does this natural mortality have to do with the seven trees per person we harvest annually in Wisconsin.

I would say that these facts are unrelated, yet the document wants to lead us (or mislead us) to the conclusion that, what the hey, harvest is a minor component compared to natural forest mortality.

Furthermore, in the same document, we are led to conclude that aspen is an endangered species in Wisconsin, since the aspen/birch has been steadily declining (down to 2.9 million acres in 1996 from 3.2 million acres in 1983). In the graph that follows, the brochure

shows us about a 37% decrease in aspen/birch acreage in the last 50 years.

The point here is that conservation biologists have often been criticized for comparing the amount of aspen we have today to what existed at pre-settlement. (For example, the Chequamegon National forest reports an increase from 1-2% aspen before settlement to 25-30% today.)

These critics suggest that using a reference point such as pre-settlement forest is unfair, since the forests have always been changing.

Well, if the use of the pre-settlement forest as a reference point is misleading (a forest that probably had been similar in composition for 2-3 thousand years), what about using the cut-over as a reference point as we see in this WDNR document?

That's, indeed, the reference point we are lead to compare today's aspen/birch acreage to: a 1936 landscape domi-

nated by early successional forests, unquestionably a response to the single most important land-altering event since the glacial advance of 20,000 years ago!

What is not mentioned in "A Look at Wisconsin's Forests"? There is nothing said of hemlock and cedar restoration, a goal that would increase local biodiversity and the health of our riparian zones by minimizing erosion and flooding from the annual spring runoff.

Nothing suggests that to promote conifer recovery over the long term we would need to reduce fragmentation by taking a larger, ecosystem-based look at the landscape.

Nothing suggests that we could reduce fragmentation by reducing aspen management on at least some small portions of our northern landscape.

(Jim Meeker is an Associate Professor of Natural Resources at Northland College, and is active in regional conservation issues.)



# How to change the "s" word on geographic locations

(Editor's note: This is an update to the article MASINAIGAN ran in the winter 1997 edition entitled Deragatory use of "S" word. Both articles first appeared HONOR Digest.)

The HONOR Field Office received information from the US Board on Geographic Names (Federal Government) relating to establishing and maintaining uniform geographic name usage. By law the Board is responsible for most geographic names.

The Board decides primarily on the names of natural features of the land, incorporated localities, and populated places in the US, its territories and outlying areas.

Shortly after it was established in 1947, the US Board on Geographic Names created a Domestic Names Committee and a Foreign Names Committee. It delegated to each the authority to render decisions within their spheres of interest. Decisions of the Board become official after review and approval by the Secretary of Interior.

Currently there are 1,044 locations nationwide that have the term squaw in them. Wisconsin has 39 of these. Only 25 nationwide have been changed to another name.



*The feelings of some Lac Courte Oreilles tribal members about the "S" word is apparent by the bullet holes obliterating part of the word on one side of this road sign on the Lac Courte Oreilles reservation. The problem is national. Despite objections from Native Americans across the nation, change is slow and often met with solid resistance. (Photo by James Schlender)*

Roger Payne, Executive Secretary of the US Board on Geographic Names, stated that for the past five years the squaw term has been a highly controversial issue. Because of this, they are

using their normal policy of encouraging groups to submit applications to change the name on a case by case basis.

Basically a name change means formally change the proper name of a place.

There are three classes of changes but the one that is applicable to this article is to eliminate particular name change problems as in cases involving derogatory names, name duplication and names originally authorized on the basis of incorrect information.

## Follow this lead

In the May/June 1997 issue of the Digest, HONOR membership learned about the campaign taken on by two Anishinabe high school students, Dawn Star Litzau and Angelene Lash, to change the names of Squaw Point and Squaw Lake, both located on the Leech Lake Reservation.

What started as a local issue turned into a state wide issue resulting in the Minnesota House and Senate passing a bill to change the squaw name on geographic locations to another name that does not contain the word.

This bill was subsequently signed into law by the Governor. These young girls made a tremendous difference. It shows that positive changes can result from educating people.

The US Board on Geographic Names does not encourage changes in

official names and will not initiate changes except in rare cases such as those involving certain derogatory names and name duplications.

Here at HONOR, we are wondering what exactly this means. It would appear that the Board could take the initiative and change the names rather than requiring individuals at the local level to jump through hoops to initiate the change themselves.

The Board's derogatory names policy specifically states that they will not adopt a name proposal that includes the words "Jap" or "Nigger" whether or not it is current local usage and regardless of who proposed it. HONOR supports this position.

We need to conduct ourselves in a manner which is respectful to all people and promote intercultural understanding and awareness.

However, when it comes to the word squaw, which is a racist, sexist, derogatory term from a word meaning vagina, a word that has long been considered unacceptable by American Indians, the Board refuses to initiate the changes themselves.

## Change depends on you!

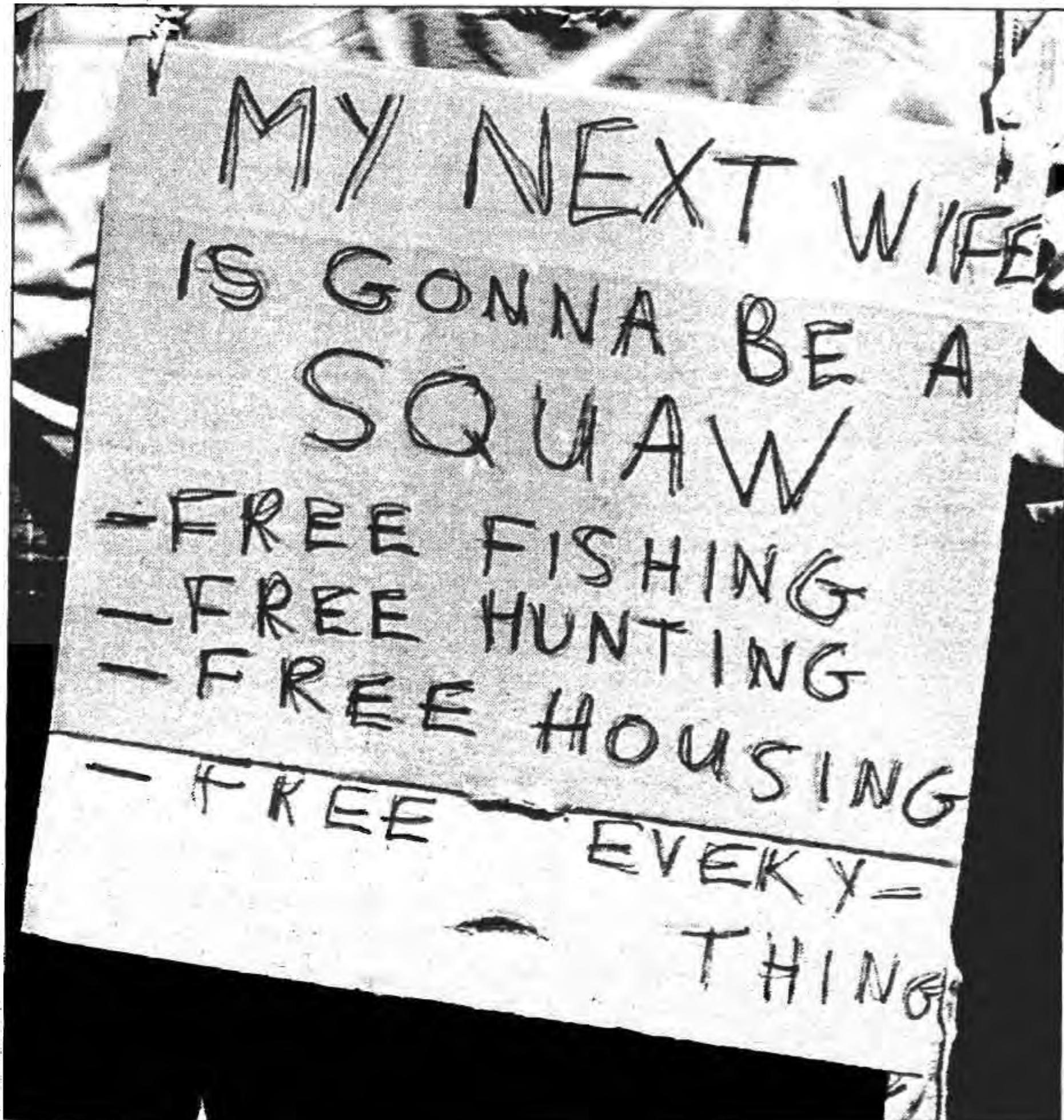
There are specific steps to take to change the "s" word on geographic locations, beginning with filling out an application. Any individual can submit the application to the Board and request that a change be made.

Evidence is needed documenting local support in the form of letters and petitions. Contact the HONOR office at (715) 779-9595 or (202) 546-8340 if you would like a copy of the application or petition.

The Board works closely with the state names authorities, state and local governments and with the general public. It also works with tribal governments when a geographic location is on tribal lands.

For full explanation of the Board's policy, HONOR members can contact Roger Payne, Executive Secretary of the US Board on Geographic Names, US Geological Survey, 523 National Center, Reston, Virginia 20192-0523.

To obtain information on the state of Wisconsin policy, contact David O'Malley, Wisconsin Geographic Names Council, Department of Natural Resources, PO Box 7921, 101 South Webster Street, Madison, Wisconsin 53707.



*This sign, worn at a PARR rally in Minocqua in the mid 1980s, demonstrates clearly the negativity associated with the word "squaw." (Photo by Sue Erickson)*





# Moquah Barrens home to dancing sharp-tailed grouse

## Fire management key to pine barrens habitat

Charlie Otto Rasmussen, Writer/Photographer

Ino, Wis.—The dance was over.

GLIFWC wildlife technician John "Dates" Denomie and I huddled in a small blind overlooking a sharp-tailed grouse dancing ground in the Chequamegon National Forest. We had spent the last hour enjoying the elaborate mating dance performed by male sharptails.

With tails fanned and pointed toward the early morning sky, male grouse "bent over" with wings extended, running rapidly on a dance floor of grass. This visual display was accompanied by a series of chirps, hoots, and cooing sounds.

Nearby, female grouse waited for the right moment to choose a mate. Suddenly, in a great flurry of pounding wings, the gathering of 15 birds abruptly raced across the pine barrens and out of sight.

"Hawk," Denomie whispered.

Sure enough, a northern harrier, or "marsh hawk" floated into view and hovered over the treeless mating ground. Several sharptails who had not fled in the initial exodus broke cover when two additional harriers appeared. With the element of surprise lost, the trio of predators drifted away on the gusty breeze leaving the dancing ground silent and empty.

As part of an inter-agency effort between GLIFWC, Wisconsin Department of Natural Resources, and USDA-Forest Service, Denomie tallies the number of male grouse exhibiting on grassy mating grounds—known as a leks—in the Moquah Barrens Wildlife Management Area. Wildlife managers use the data to make population estimates, figuring that one female exists for every male observed.

The Moquah Barrens is a 7,800-acre, sandy-soil environment composed largely of jack pine, popple, and oak savanna. Although sharptails have inhabited the barrens for centuries, their numbers declined through the middle of the twentieth century with the loss of prime habitat. Pine plantations established in the 1930s and

more effective wildfire suppression efforts degraded the semi-prairie environment preferred by sharptails. By the late 1980s only a handful of birds remained and hunting was restricted.

Sharptails transplanted from the Crex Meadows Wildlife Area and Kimberly Clark Wildlife Area from 1990 to 1992 helped generate the present spring population of around 70 grouse.

Over the first few years of the project, Denomie and other GLIFWC employees tracked several birds which were fitted with radio collars throughout the year and located others during the spring mating season.

"We'd get to the barrens early to listen for them 'booming,' the first call they make in the morning," Denomie said. "Then we'd move in close to see where they were going to dance."

Since becoming involved in the restoration effort in 1991, Denomie has identified four active leks. With the original population of radio-collared birds gone, Denomie monitors distant dancing grounds with binoculars, or up close in a blind.

"It's quite a sight when you're that close to the birds—you almost become one of them" said Denomie. "People I've taken out to see the grouse are just amazed."

While the transplant program has introduced more birds into the Moquah area, GLIFWC wildlife biologist Peter David said that habitat management is the key factor in establishing a self-sustaining sharptail population.

Through the 1990s, the Forest Service has utilized prescribed burns and logging to reestablish presettlement vegetation patterns in the Moquah Barrens. Jack pine damaged by ice and insects are being harvested while controlled fires of up to 800 acres eliminate dead, matted underbrush and encourage plants favored by grouse.

Vegetation rarely found in northern Wisconsin benefits from burning as well. The sacred Ojibwe plant sweetgrass (wiingashk) grows in isolated areas, along with the summer-flowering prairie species blazing star and little blue stem.

"We are managing the area as a pine barrens ecosystem," said Ray Kiewit, Forest Service wildlife manager. "It's been a successful program, but it will take years for sharptail populations to come back."

Along with sharptails, new growth vegetation attracts a variety of wildlife. White-tailed deer find excellent browse as young trees sprout through the ashes; black bears forage on sun-loving blueberries, and birds like the upland sand piper which are declining in other regions, thrive in the Moquah barrens.



A male sharp-tailed grouse performs a mating dance in the Moquah Barrens. (Photo by C. O. Rasmussen)

Moquah, or makwa means bear in the Ojibwe language. The Moquah Barrens was named by early Ojibwe people who frequently saw bears feeding on blueberries and other foods in the area.

### MASINAIGAN STAFF: (Pronounced MUZ IN IAY GIN)

Susan Erickson ..... Editor  
Lynn Plucinski ..... Assistant Editor  
Charlie Otto Rasmussen ..... Writer/Photographer

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## GLIFWC MEMBER TRIBES

Jeff Parker, Chairman  
Bay Mills Indian Community  
Route 1, Box 313  
Brimley, MI 49715  
(906) 248-3241

Donald Moore, Chairman  
Bad River Chippewa Band  
P.O. Box 39  
Odanah, WI 54861  
(715) 682-7111

Charlie Fox, Acting Chairman  
Sokaogon Chippewa Tribe  
Route 1, Box 625  
Crandon, WI 54520  
(715) 478-2604

### Minnesota

Robert Peacock, Chairman  
Fond du Lac Chippewa Band  
1720 Big Lake Road  
Cloquet, MN 55720  
(218) 879-4593

Marge Anderson, Chief Exec.  
Mille Lacs Chippewa Tribe  
HCR 67, Box 194  
Onamia, MN 56359  
(320) 532-4181

### Michigan

Wayne Swartz, Chairman  
Keweenaw Bay Indian Comm.  
Route 1, Box 45  
Baraga, MI 49908  
(906) 353-6623

John McGeshick, Chairman  
Lac Vieux Desert Band  
P.O. Box 249  
Watersmeet, MI 49969  
(906) 358-4722

### Wisconsin

gaiashkibos, Chairman  
Lac Courte Oreilles Band  
Route 2, Box 2700  
Hayward, WI 54843  
(715) 634-8934

Tom Maulson, Chairman  
Lac du Flambeau Band  
P.O. Box 67  
Lac du Flambeau, WI 54538  
(715) 588-3303

George Newago, Chairman  
Red Cliff Chippewa Band  
P.O. Box 529  
Bayfield, WI 54814  
(715) 779-3700

Lewis Taylor, Chairman  
St. Croix Chippewa Band  
P.O. Box 287  
Hertel, WI 54845  
(715) 349-2195