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GLIFWC
P.O. BOX 9
ODANAH, WI 54861

NON-PROFIT
BULK RATE
U.S. POSTAGE PAID
EAU CLAIRE, WI
PERMIT # 203

Printed by: EAU CLAIRE PRESS COMPANY, EAU CLAIRE, WI 54701

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(Pronounced MUZ IN I AY GIN)

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MASINAIGAN (Talking Paper) is a quarterly publication of the Great Lakes Indian Fish & Wildlife Commission, which represents eleven Chippewa tribes in Michigan, Minnesota and Wisconsin.

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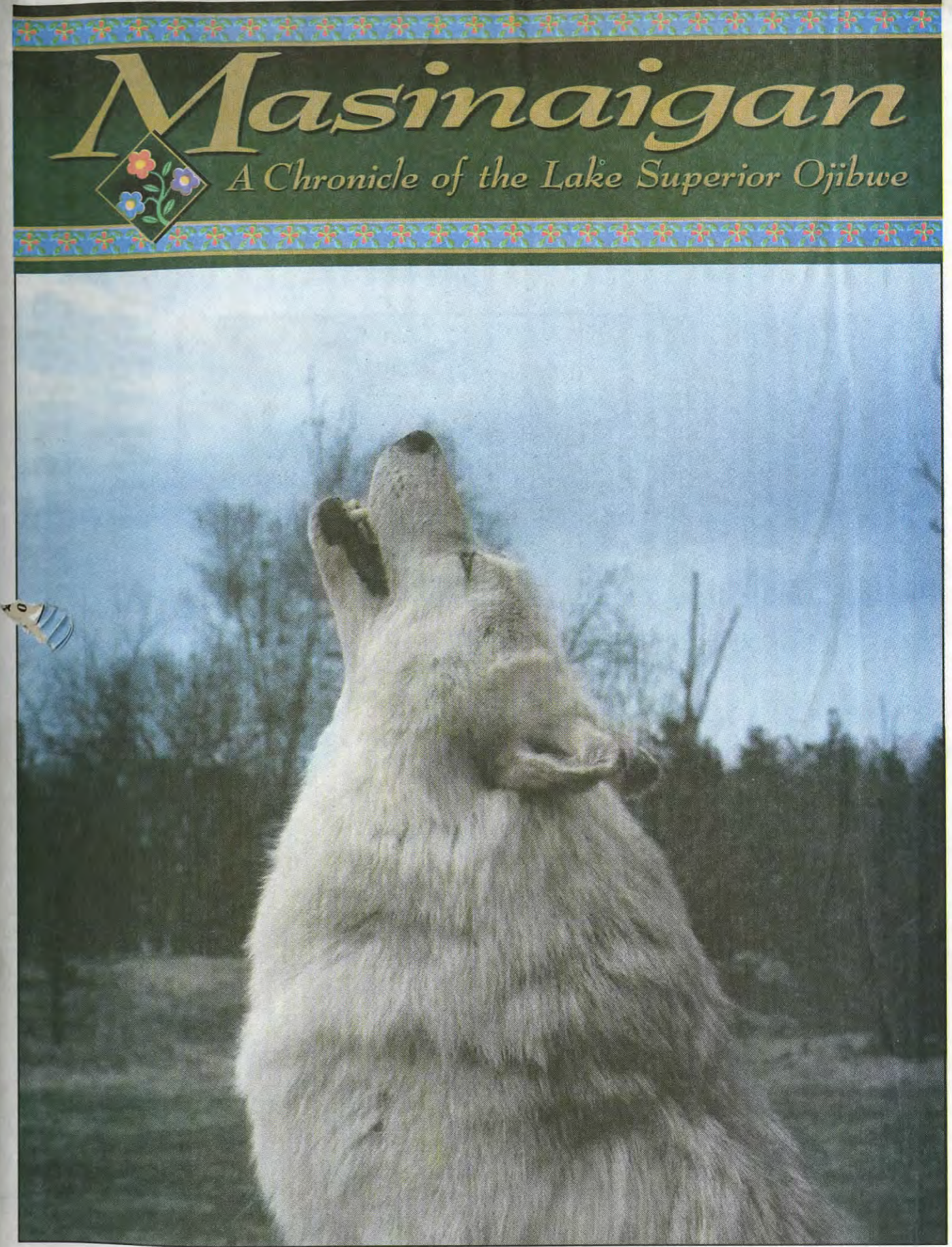
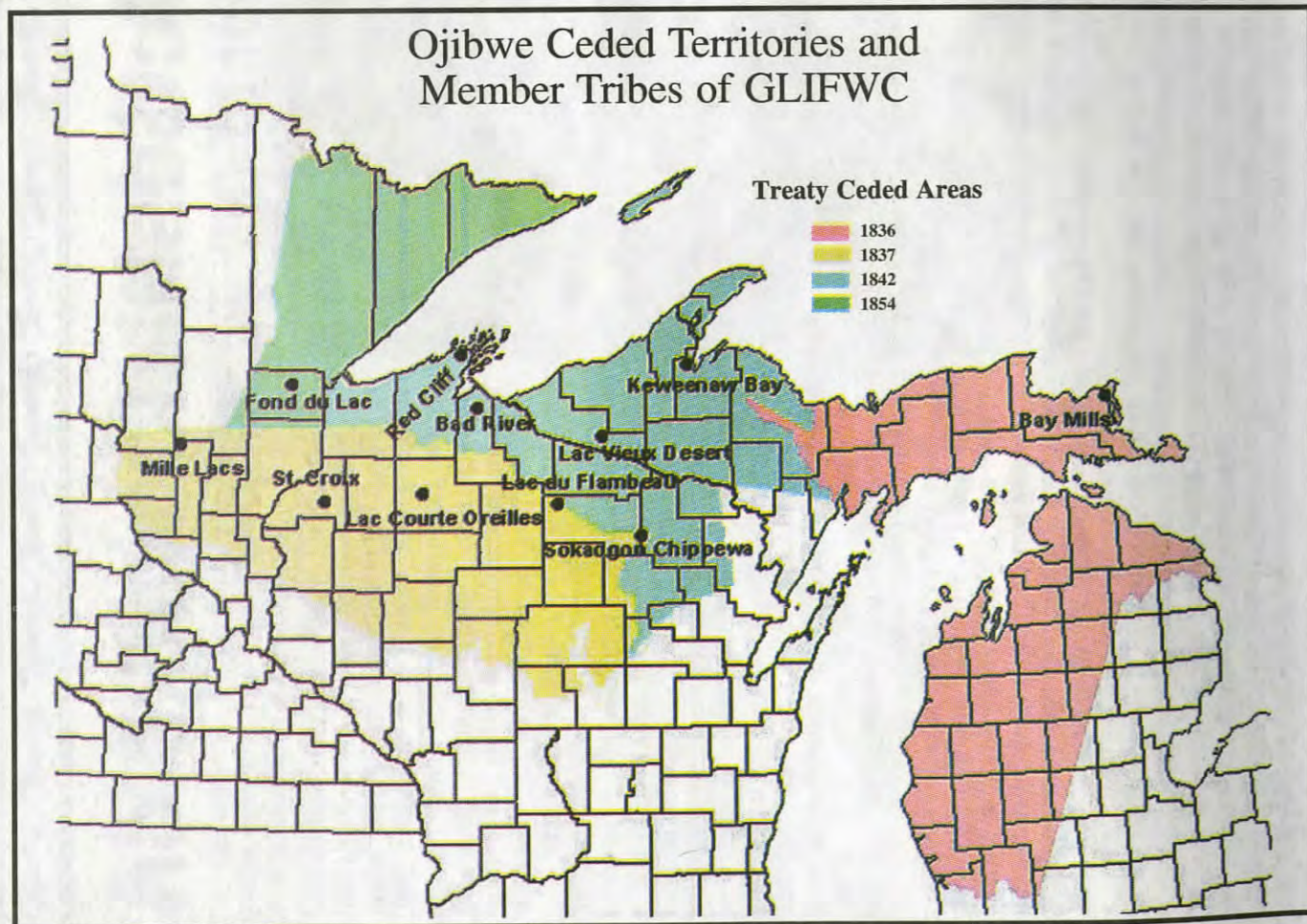
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Masinaigan

A Chronicle of the Lake Superior Ojibwe

Published by the Great Lakes Indian Fish & Wildlife Commission

Winter 1999-2000

St. Croix Park deer hunt attracts treaty and state hunters

Four GLIFWC tribes participate

By Charlie Otto Rasmussen
Writer/Photographer

Hinckley, Minn.—Long before the sun rose, Brom Griffin heard the sound—a smooth rumbling emanating from the entrance to Minnesota's St. Croix State Park.

"It's absolutely dark and you hear this low, low hum. It's unearthly," said Griffin, Minnesota Department of Natural Resources (DNR). "When you get near the gate you see this long string of lights. It's like some kind of illuminated animal."

Not exactly an animal, but predatory for sure, that thing in the night was a few hundred autos idling until 5 a.m. when the gates would swing open, kicking off the annual St. Croix State Park deer hunt.

Approximately 500 state and tribal hunters participated in the special two-day gun hunt November 13 and 14, bagging 354 deer.

Band members from Fond du Lac (FdL), Mille Lacs, St. Croix, and Red

Cliff harvested 62 deer, that included their choice of bucks, does, or fawns.

Tribal, state, and Great Lakes Indian Fish & Wildlife Commission (GLIFWC) conservation wardens patrolled the park throughout the weekend, checking permits and orienting lost hunters.

"Our primary concern is safety," Griffin said. "We know that we could take more deer with more hunters, but safety and a quality hunting experience is important."

Griffin, a DNR natural resource specialist, lives at the 34,000-acre park year round and helps supervise the annual hunt.

Along with DNR staff, natural resource management personnel from individual tribes were on hand to record harvest data and register deer.

"The hunt went well," said Mike Schrage, FdL wildlife biologist. "I think band members by and large had some success. If there was any drawback to the hunt it was the warm weather."

The heat didn't seem to bother St. Croix band member George Reynolds,



On his first hunt at St. Croix State Park, Minn., St. Croix tribal member George Reynolds harvested two deer, including this 11-point buck on a late morning drive. (Photo by CO Rasmussen)

who dropped two deer while making a late morning drive.

Spooked by another driver, two deer moved alongside Reynolds at around 25 yards. He shot the first one, a nice doe. The trailing deer had been walking with its nose to the ground. When it raised its head, Reynolds saw lots of horns and fired a killing shot.

The big-bodied eleven point buck had a thick, swollen neck, a good sign

that the rut or breeding season was underway. "It took three of us to load it," Reynolds said.

Success was variable among tribal and state hunters. A hunting party from Mille Lacs harvested a doe and four bucks by noon opening day.

Griffin said that bucks slightly edged out antlerless deer in the overall harvest.

(See St. Croix, page 22)

Positive picking for the Christmas season

Balsam boughs provide good, seasonal income

By Sue Erickson
Staff Writer

Hayward, Wis.—Snap! The end of a young balsam branch breaks sharply in the deft hand of Brenda Beaudin, Lac Courte Oreilles, as she swiftly gathers balsam boughs in the Chequamegon-Nicolet National Forest.

With the holidays quickly approaching, the market for evergreen boughs is at its peak, and Beaudin gathers boughs rapidly, keeping positive energy and thoughts behind her work.

Weaving her way through a forest speckled with sunlight on a remarkably warm November day in northern Wisconsin, Beaudin moves quietly from tree to tree, pausing only to pile gathered boughs, flat-side of the needle up.

"You have to snap the branches at a 'Y'," Beaudin explained as she moved to the next tree, "so the branch will grow back. And you can only pick one-third of the tree."

She talked as she picked, reaching high on a balsam before gliding to the other side of the tree, obviously enjoying the privilege of working outside on an exquisite day.

Not all days in the woods are so balmy for the pickers; however, colder weather actually eases picking, the boughs snap more briskly when cold.

Scattered small bundles of boughs picked by Beaudin and friend Sheila Barber, Lac Courte Oreilles, lay on the forest floor until the gatherers stack them on a long pole to be transported to a local wreath-maker.

(See Balsam boughs, page 4)



Brenda Beaudin, Lac Courte Oreilles, harvests balsam boughs in the Chequamegon-Nicolet National Forest for sale to local wreath-making industries. (Photo by Sue Erickson)



Tribes and counties work toward partnerships

By Sue Erickson
Staff Writer

Lac du Flambeau, Wis.—“Don’t let disagreements cloud your minds or your ability to do things for Wisconsin’s people, county people, and tribal people,” Lac du Flambeau Tribal Chairman Tom Maulson said during his opening remarks at the “Opportunities for Partnership Conference” at the Lac du Flambeau Lake of the Torches Resort Casino on November 10 & 11.

Co-sponsored by the Wisconsin Counties Association (WCA) and the Great Lakes Inter-Tribal Council (GLITC), the conference stemmed from a conversation between Maulson, also chairman of GLITC, and Mark Rogacki, WCA executive director, about common tribal/county goals. The event drew participation from 33 counties and most Wisconsin tribes.

The overall objective of the conference was to promote dialogue and understanding as a basis for finding common goals and forging partnerships.

“Counties and tribes have many of the same issues to tackle,” said WCA President Clarence Hintz. “Together I feel we can find workable solutions to problems that confront both of us.”

The first part of the agenda focused on providing basic information relating to the function of both county and tribal governments and issues such as Indian gaming and treaty rights.

Jim Thannum, Great Lakes Indian Fish and Wildlife Commission (GLIFWC) natural resource development specialist, and William Smith, Wisconsin Department of Natural Resources (WDNR) Northern Regional director, provided information on inland fishery management and impact of tribal spring spearfishing.

During a tag-team presentation, the two showed explicitly how quotas are set, assessments performed, and the treaty fishery is monitored. Using charts and graphs, they showed comparative figures of tribal and state walleye harvest, which illustrated the minimal impact of treaty harvest.

They also emphasized that cooperation between tribal and state fishery managers has produced more information about the fishery through increased assessment capability.

Cooperative spring and fall walleye assessments (see graph) by tribal, state and federal assessment teams has provided fishery managers with a much more comprehensive data base than the state has historically had available.

Working cooperatively increases the ability for all parties to better manage the fishery on behalf of their respective constituent needs and also benefits the fishery.

Opportunities for joint economic development were explored by Ruth Goetz, Wisconsin Department of Tourism consultant, and David Dumke, WCA Field Services.

Goetz highlighted joint marketing accomplishments which were products

“Counties and tribes have many of the same issues to tackle. Together I feel we can find workable solutions to problems that confront both of us.”

—WCA President
Clarence Hintz

of the Governor’s Joint Tourism Committees formed in the early 1990s.

She also pointed to further opportunities in the international tourism market where interest in tribal culture is particularly high and cooperative marketing could benefit both tribal and non-tribal communities.

Dumke reviewed the progress of Beehive Industries, a county/tribal business, marketing agricultural products from Wisconsin, such as ginseng and echinacea. The company’s products carry an endorsement from GLITC, and a story about the tribes is presented with the product.

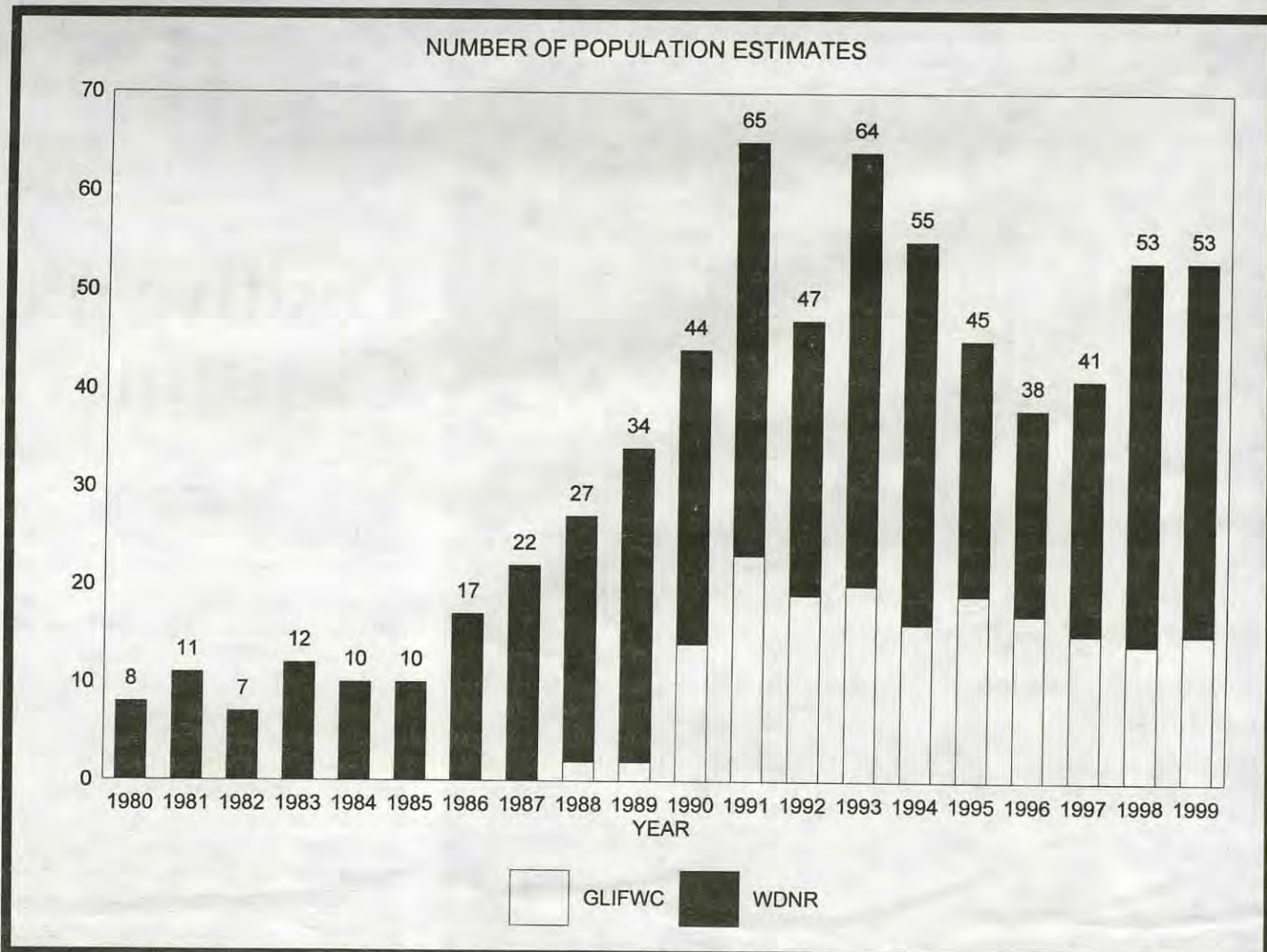
Dumke encouraged participants to consider other opportunities that might lend themselves to joint production and marketing, such as “bio-oil” or “eco-cleaners.”

Closing the two day meeting, George Paul, WCA executive assistant, called for a continuation of the process initiated by the conference. He suggested scheduling four more co-sponsored meetings using smaller workgroups.

Paul also continued the call for participants to “get beyond the past and go to the future,” with a commitment to work through disagreements.



William Smith, northern regional director, Wisconsin Department of Natural Resources, talks with a county representative following a presentation on state/tribal resource management which focused on the management of the shared walleye fishery in Wisconsin’s ceded territory. (Photo by Sue Erickson)



Spring and fall walleye population assessments increased significantly in ceded territory inland lakes since 1988, when the Great lakes Indian Fish & Wildlife Commission began assessment work. Cooperative assessments have provided state and tribal managers with a more comprehensive understanding of the state’s walleye fishery.



Strange days in the hunting woods

Hot weather slows mid-season deer activity

By Charlie Otto Rasmussen
Writer/Photographer

Couderay, Wis.—Throw out the antlered does, 700-pound black bear, and the ten-point buck with its rack embedded in a rotten log and Louie Gouge' has had a pretty average hunting career.

A Lac Courte Oreilles (LCO) tribal member and World War II veteran, Louie has spent the better part of his 75 years stalking the forests of LCO.

A three-year tour in the South Pacific with the United States Navy kept Louie out of the northwoods in the early 1940s.

Since that time, he has worked for a handful of Wisconsin employers until retiring at 66 and logged a zillion hours hunting deer, grouse, and even a few bear when the opportunity arose.

With all that time in the woods, Louie has seen just about everything.

"I've shot a lot of odd deer over the years," Louie said, including three does sporting antlers. "One of them was a nice six-pointer," he explained, "I went to take out his jewels, and there was nothing there."

Odd, indeed.

Entrusted with this brief history, I tagged along with Louie on an equally peculiar day when temperatures spiked to around 70 degrees in this second week of November.

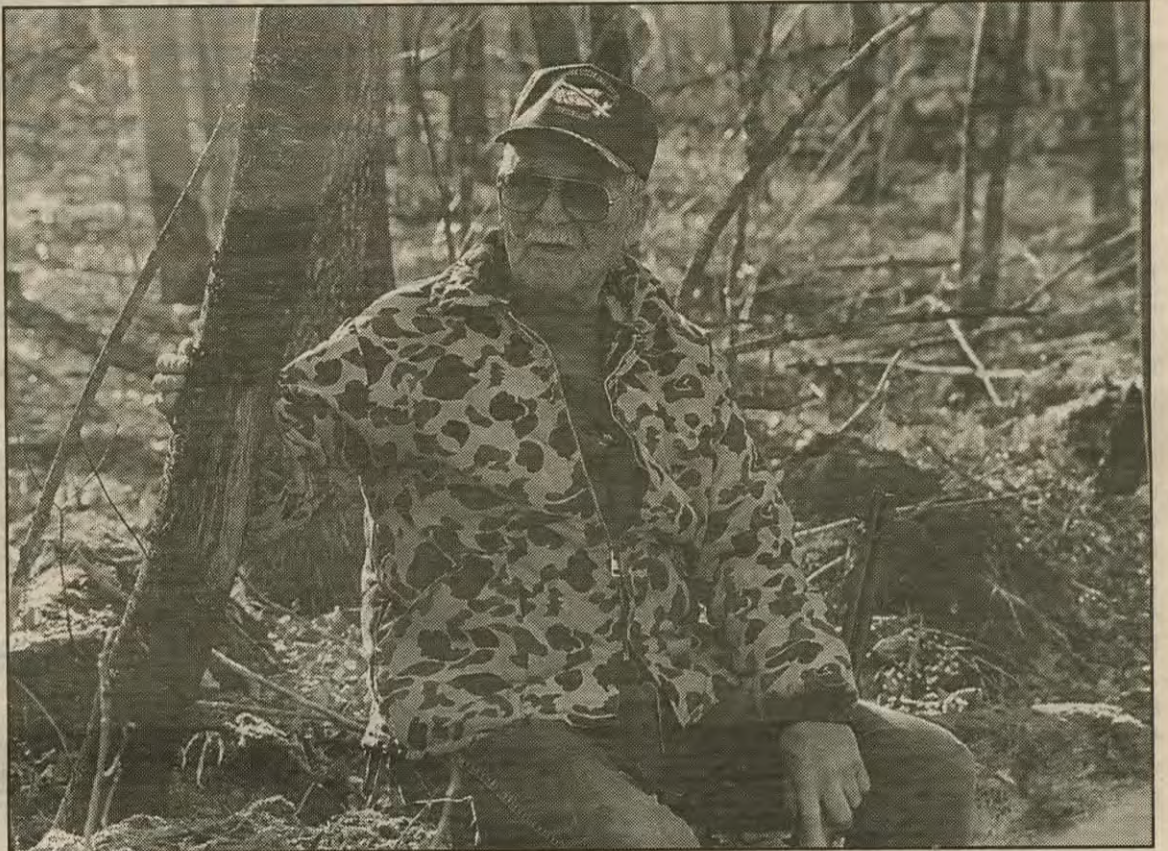
Parking on a logging road in the southern end of the reservation, we slipped into the tinder-dry hardwoods, Louie armed with his venerable lever action .32 Special he purchased in 1957 and I with the company camera.

It didn't take long to figure out stalking was out of the question. With the last rain a distant memory, the fallen leaves had attained an extra crispiness, making it sound like we were wading through an ankle-deep pile of tortilla chips.

We crunched our way along a winding skid trail, stopping every so often to rest, and Louie would share a hunting tip, like using birds to find a downed deer when the blood trail dries up.

"Whenever I lose a deer, I listen for crows and look for eagles. They'll tell you where it's lying," he said. Louie admitted with a grin that it wasn't always a joy to find some of his deer.

"Whenever I shoot a deer, I track them until I find them no matter where they go. But sometimes I wish I hadn't," he said with a chuckle. "It can take a long time



Louie Gouge' ponders the whereabouts of a buck that rubbed this tree near the Lac Courte Oreilles (LCO) reservation. Gouge', an LCO band member, has hunted deer and other game in northern Wisconsin for more than 60 years. (Photo by CO Rasmussen)

to get them out of some places." I soon found out what he meant. Driven from the woods by the midday heat and noisy ground cover, we took a cruise to some of Louie's secluded hunting haunts in the Sawyer County forest.

Louie maneuvered his four wheel drive pick-up through steep and rugged terrain near Couderay where recent logging operations improved visibility into the forest dominated by mixed hardwoods and mature white pine; impassable wetlands squatted below the ridges and sprawled to the west.

When it comes to dragging out a deer in this country, if the ridges don't get you, the swamp will.

Since undergoing a quadruple bypass heart operation three years ago, however, Louie has become a more cautious hunter and avoids strenuous situations, especially when hunting alone. "I've always liked to still hunt. You can go at your own pace and leave the woods when you want," he said.

Now he usually goes afield with other tribal members to conduct small deer drives, a trend that has gotten more popular in recent years.

"Hunting has gotten more mobilized. People used to still hunt here and there, but now they hunt in groups and use four wheelers [all terrain vehicles] to bring the deer out," Louie said. "Back in the early days, who had a car? Now everybody has one." Mile after bumpy mile we lumbered along scanning the understory for whitetails.

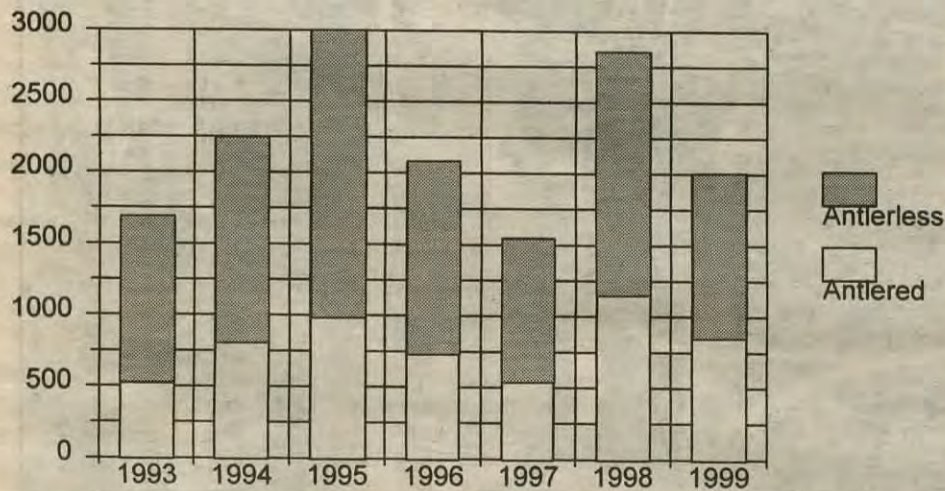
Dozens of buck rubs lined the logging trails, worn deer trails cut across our path, and even some fresh scrapes appeared in between. But we never saw a deer. We managed to flush one grouse that afternoon, confirming that there was something else in the woods besides us.

Louie and I concluded that the hot weather must have shut down daytime deer movement despite the rut, or breeding season, operating in full swing. Other tribal hunters reported slow deer activity as well during the balmy weather.

The whole situation seemed kind of strange to me. But for the seasoned LCO elder, I think it was just another outing in the boundless diversity of the northwoods.

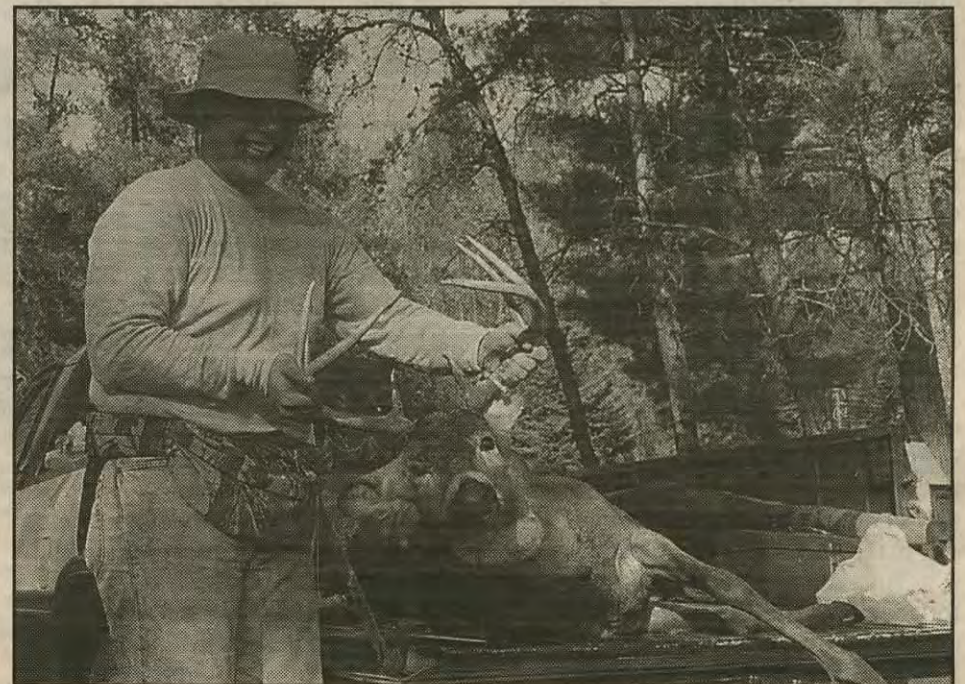
1999 treaty deer harvest 2004 by mid-November

The following graph shows comparative harvest figures by year for the mid-November treaty deer season in Wisconsin. The season runs from the day after Labor Day through December 31.



Wisconsin off-reservation deer harvest by tribal registration station (figures as of 11/16/99)

Registration Station	Antlerless	Antlered
Bad River	83	87
Lac Courte Oreilles	334	218
Lac du Flambeau	303	248
Mole Lake	155	72
Red Cliff	115	146
St. Croix	67	85
Mille Lacs	62	29
Total	1,119	885



Justin Churchill, Mille Lacs, bagged this 8-point buck at St. Croix State Park, Minnesota during the special hunt opened to state and tribal hunters November 13 and 14. (Photo by CO Rasmussen)

Navy ELF transmitter under scrutiny by Lac Courte Oreilles tribe

Conference looks at health, environmental issues

By Charlie Otto Rasmussen
Writer/Photographer

Hayward, Wis—Research and health professionals from across the country convened at the Lac Courte Oreilles (LCO) Conference Center from October 12-14 to discuss potential negative impacts from a U.S. Navy antenna system.

Located northeast of the LCO reservation near Clam Lake, the Navy facility known as ELF (extremely low frequency), transmits messages to nuclear submarines patrolling deep waters around the world utilizing electric and magnetic fields (EMFs).

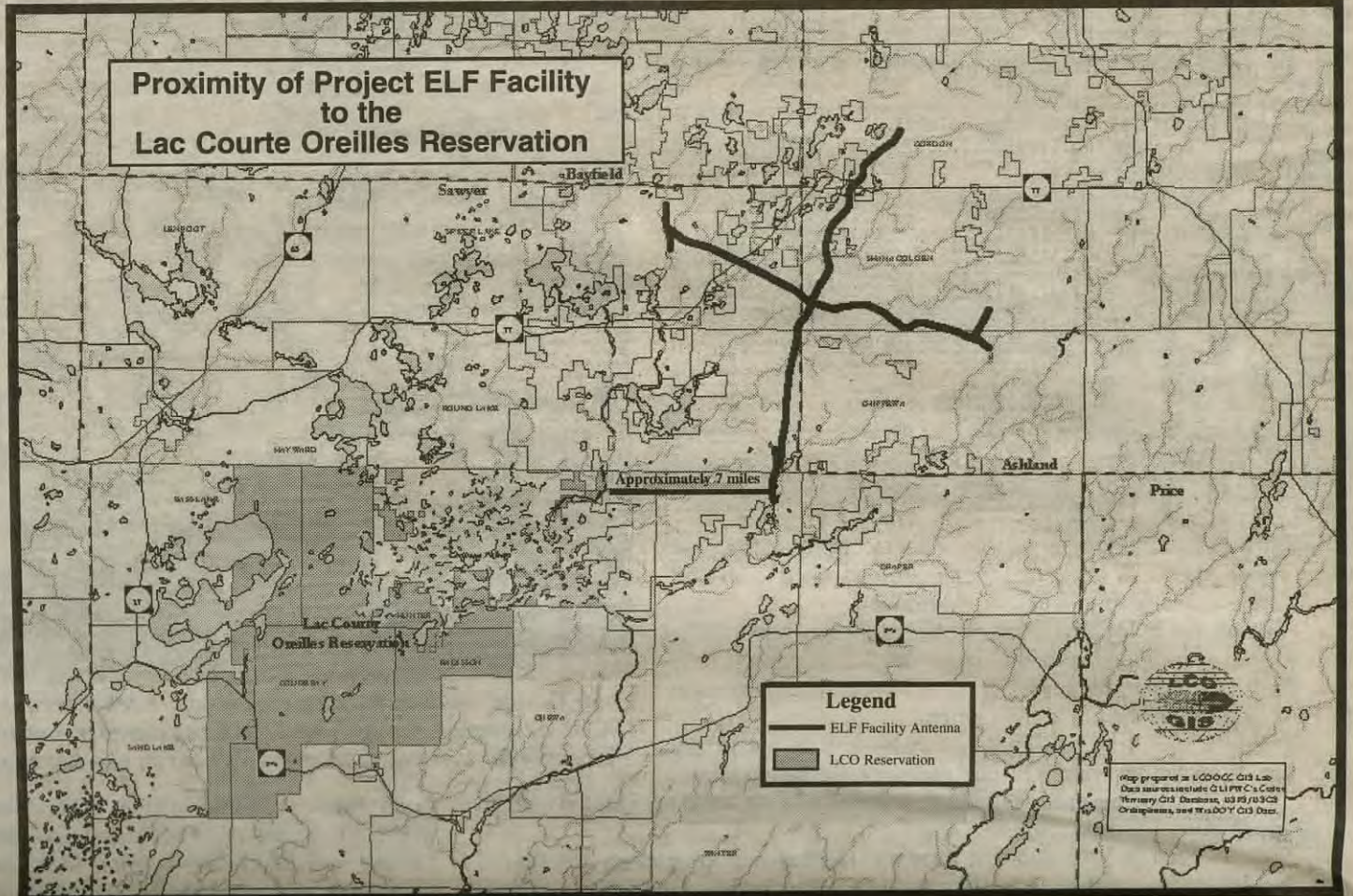
ELF is situated within the Chequamegon-Nicolet National Forest and consists of a transmitter connected to 28 miles of overhead wires with ground terminals buried at the ends.

Over the past 18 months, LCO has spearheaded an investigation into how the ELF facility may affect human health and the environment.

The conference provided a forum for researchers and tribal members to identify points of concern, like how operation of the facility impacts treaty hunting and gathering rights.

LCO Tribal Chairman gaiashkibos said he is troubled by the high cancer rates among band members and looks to the scientific community for an objective analysis of health hazards associated with EMFs. Scientists, however, have not formed a consensus on just how EMFs effect living organisms.

Dr. William Kaune, Richland, Washington, pointed to the region around ground terminals where EMFs enter the soil as a place of particular interest.



The Navy's ELF antenna is located just seven miles from the Lac Courte Oreilles reservation. (Map prepared at LCOOCC GIS lab. Data sources include GLIFWC's Ceded Territory GIS database, USFS/USGS orthophotos, and WISDOT GIS data.)

"This current is injected into the earth, and no one has a very good understanding of where it goes," Kaune said. "That's one of things that needs to be tested. You want to look at things like earthworms and fish in these areas."

The Navy contracted the Illinois Institute of Technology Research Insti-

tute to conduct ecological monitoring of the ELF system.

The institute conducted eleven environmental studies from 1982 to 1993, finding no adverse effects associated with EMFs.

Utilizing suggestions from conference participants, the Lac Courte Oreilles

tribes plans to create an outline for further study of project ELF.

Construction on the Clam Lake ELF facility began in 1968 and was finished the following year. An additional ELF transmitter was later erected on public lands near Republic, Michigan.

Balsam boughs provide good, seasonal income

(Continued from page 1)

Beaudin's are piled flat-side of the needle up, and Barber's flat-side down in order to determine whose pile is whose.

The spot selected for the day is remote, up a narrow, bumpy forest back road. It was selected because the abundance of young balsam allowed for efficient picking, without having to walk far from tree to tree.

Beaudin and Barber gather balsam boughs as part of an off-reservation treaty right under tribal codes adopted following a Memorandum of Understanding between the U.S. Forest Service and most GLIFWC member tribes. (See MOU, page 5)

For Beaudin, mother of three sons, ages 8, 10, and 12, the work is perfect and the income usually good enough to make the effort worthwhile.

After the kids are off to school, she takes to the woods in October and November—bough-picking season—and is able to return before the boys get off the school bus. If picking is good, she can make about \$200 per day.

Beaudin has been bough-picking for around 8-10 seasons, so is no newcomer to the work. Barber has been at it longer, often working with her boyfriend, whose longer reach is an asset in this activity.

Once picked, piled, and threaded

onto a long pole designed to easily transport a large number of boughs while keeping them neatly stacked, the day's harvest is loaded into the truck and taken to local buyers. Beaudin and Barber have been selling to Hayward buyers like Evergreen, Inc. and Loggers' Cove.

Market prices vary from place to place, but Beaudin estimates an average would be around 20 cents/pound of boughs.

Sometimes the kids join with the bough-picking and manage to make enough pocket money for toys, clothes or treats.

While balsam isn't the only marketable evergreen species, it is one of the preferred because the needles are flat and lay nicely in wreaths and ropes, and balsam stays fresh longer than other species.

There is a market for cedar, but Beaudin doesn't pick cedar commercially because it is considered a stronger medicine than balsam.

Conscious of the medicinal value of balsam also, Beaudin picks with a positive spirit.

"These boughs go out all over the world, so I pick them with good thoughts," she says, smiling with the knowledge that she is sending positive spirits with the boughs into the homes and holidays of countless people. □



Shelia Barber, Lac Courte Oreilles, stacks picked boughs on a bough stick. The bough stick makes the load of balsam easier to transport. (Photo by Sue Erickson)

Forest Service MOU recognizes federal treaty & trust responsibility

By Karen Danielson
GLIFWC Forest Ecologist

Odanah, Wis.—The Tribal/USDA Forest Service Memorandum of Understanding (MOU), implemented during March of this year (*Masinaigan*, Spring 1999), has been revised to clarify, but not change, the basic agreement.

First, the title has changed from "Memorandum of Understanding Regarding the Recognition and Implementation of Tribal Ceded Territory Rights Guaranteed by the Treaties of 1836, 1837, and 1842 on National Forest Lands" to "Memorandum of Understanding Regarding Tribal-USDA-Forest Service Relations on National Forest Lands Within the Territories Ceded in Treaties 1836, 1837, and 1842."

This revision better reflects that the MOU is not exclusively about treaty rights, but also acknowledges and recognizes that the Forest Service shares in the United States Government's trust responsibility and treaty obligations to work with the tribes as sovereign nations, through a government-to-government relationship. The addition of a preamble to the MOU further asserts this intent.

Other added language affirms that agreements made in this MOU do not change the existing authorities of the Forest Service, nor alter any treaty rights decisions made by various courts. These ideas had been expressed in the original MOU, but are better defined in the revised version.

Timber harvest

The MOU does not allow for the general harvest of timber. It only allows for the harvest of timber for construction purposes with Forest Service consent. However, the interpretation of the regulation used by the Forest Service to accommodate tribal timber requests has been recently questioned. Consequently, the Forest Service is reviewing options to establish a national policy that will clarify its authority.

The tribes have submitted their timber requests for 1998. When the Forest Service adopts a new national policy, these requests will be immediately considered.

Campground exemption agreement

A draft agreement regarding the exemption of Forest Service campground fees and length of stay restrictions for tribal members has been completed. A draft implementation plan will be completed shortly. Some complications have arisen, including those campgrounds currently operated by a third party under Forest Service contracts. Nevertheless, the Tribal/Forest Service campground working group is addressing these obstacles. The final agreement should be completed within the next several months.

Technical Working Group

The Tribal/Forest Service Technical Working Group (TWG), as established by the MOU, has met monthly

since June. For its first task, the TWG compiled basic information on timber needs and associated costs for the construction of homes and community buildings. This information will help the tribes better determine the specific details required for their timber harvest requests.

Currently, the TWG is coordinating with tribal members to designate tribal sugar bushes on Forest Service lands. Management plans will be written for these sugar bushes.

A third task assigned to the TWG is to research and recommend optimal strategies for paper birch management. The ultimate goal of this task is to provide tribal members with more opportunities for gathering quality birch bark.

The MOU is considered a working document which can be modified as need arises. Tribal members are encouraged to discuss with GLIFWC staff concerns or questions regarding any components of this MOU. □

MOU questions and answers

Q. How did this agreement come about?

A. In the early 1990's, several federally recognized Chippewa Indian tribes approached the Forest Service asking for consistent regulations regarding gathering of wild plants on National Forest lands in their ceded territory in Minnesota, Wisconsin, and Michigan and for the opportunity to issue their own permits and regulate their own members.

A federal court ruling had affirmed the rights of these same tribes to hunt, fish, and gather wild plants on state and county owned lands within the treaty ceded area in northern Wisconsin. In lieu of litigation, the Regional Forester assigned a team of Forest Service employees to work cooperatively with the Tribes which resulted in this agreement.

Q. What authority does the Forest Service have to enter into this agreement?

A. The Forest Service authority for entering the agreement comes from federal law, regulations, and policies. Presidential Executive Order #13084 directs the Forest Service and other agencies to work with federally-recognized tribes in a government-to-government manner and to pursue consensual negotiated rule-making whenever possible.

In addition, there are Forest Service and federal government policies which promote tribal self-governance and cooperative agreements for the stewardship of natural resources.

(See MOU, page 26)

Wiinisiibag, Wintergreen

By Karen Danielsen
GLIFWC Forest Ecologist

Odanah, Wis.—The trees cast away their cloak of leaves: the clamor of migrating geese electrifies the skies, and morning frost blankets the roadside cattails and bracken ferns until, eventually, the brilliant green of their summer attire changes into the subtle, caramel brown of late autumn.

Sharon Nelis, a Bad River tribal member and GLIFWC employee, undeniably enjoys this transition of seasons. For her, falling temperatures and icy evenings means warming up with a cup of freshly brewed, delicately fragrant wintergreen tea.

Just outside her home, in the sandy soils of Birch Hill, grow the wintergreen plants (*wiinisiibagoons*) from which she gathers the leaves necessary to prepare this tea. The leathery, dark green leaves remain on ground-hugging creeping stems year round. This allows for gathering at any time.

Sharon prefers to gather in spring when patches of snow still stipple the forest floor, continuing a tradition she inherited from her grandmother. She also gathers in autumn, with help from her sons, before deep snows conceal the location of these low-stature plants.

She dries this fall's yield for later use in the winter by storing the leaves at room temperature in a paper or plastic bag, left open to allow for adequate air flow.

During autumn, the plants offer an additional special treat of small, bright red berries. Snacking on them fresh, one detects a zesty hint of wintergreen. With increased exposure to frost, their flavor becomes even more pronounced.

To prepare wintergreen tea, Sharon chops up a handful of fresh leaves, just as she would parsley. Dried leaves may be crumpled between the palms. She drops the leaf pieces into boiling water.

Brewing the leaves for a half hour or longer, the water gradually acquires a subdued shade of pink. She pours the hot, aromatic liquid through a strainer to remove the leaves. Then she sweetens the resulting tea with just a modest amount of sugar.



Sharon Nelis gathering wintergreen leaves outside her home on the Bad River reservation. (Photo by CO Rasmussen)

Her entire family drinks this tea to relax, relieve an upset stomach, counteract cold symptoms, and revitalize blood flow. Infants may be soothed with a diluted solution of this tea. For hot and humid summer days, a glass of this tea, chilled and served on ice, offers a much appreciated, invigorating refreshment.

For now, however, winter arrives with a frigid north wind weaving through the maze of emerald-colored conifers and ashen maples, birches, and oaks. A soft snow paints a whitewash on the drowsy landscape. Sharon gazes out her window, settles into a soft chair, and sips her warm, delicious wintergreen tea. Summer can wait.

Knee deep in the Northwoods

If you build it, they will leave

By Dr. James Meeker
Associate Professor, Northland College

Do you ever wonder what happened to the people who once made manual typewriters, wooden spools for thread, or dial phones? Well, in the same vein, I've been thinking about the people who make Bambi lawn sculptures. I mean, these days, who needs ornaments? Any time you see one of these rigid structures on someone's lawn, it has three or four more lively companions that are just itching to jump out in front of your car.

Most everyone you talk to these days will agree that the last two mild winters have pushed deer numbers to unacceptable levels. Even the most avid deer feeders are scratching their heads wondering how they are going to pay for this year's corn.

In case you just landed on this planet, skyrocketing deer numbers are creating a hazard for auto travel, making gardening impossible without expensive fencing, and changing the structure and composition of our ecosystems by reducing the abundance of browse-sensitive plants. High deer numbers are also implicated in the spread of Lyme disease.

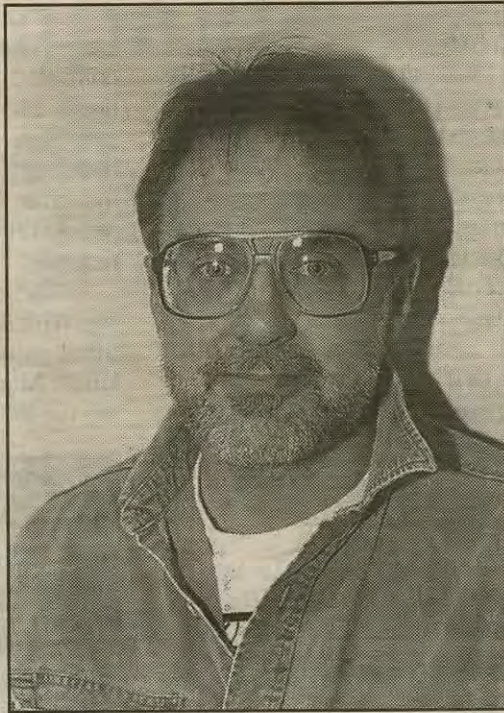
What can be done about this? Some may suggest that all we have to do is wait for a severe winter. But how long do we have to wait? And do we really want to leave this to chance?

When addressing the deer problem, the standard suggestion that comes to mind is to change our hunting policies. The Deer 2K folks have done a good job in discussing some of these issues, and one topic they have debated is an extension of the nine day gun season. I question whether this would really do anything to lower deer numbers; it does not take more than one day to get your deer these days.

A longer season may, I admit, reduce the level of orange in the woods by spreading out the hunt over an extra week. But for the non-hunter it's just one more week of mandatory orange garb, and for the bow hunter it's one less week of hunting. So, how else could the managed hunt be tweaked to achieve a reduction in deer numbers?

I'm sure most wildlife managers agree that if we created more incentives to shoot does, we could control the deer population. For example, we could institute a market hunt that allows each hunter to take 10-20 deer each and then sell the meat. I don't think that I would get any argument that if we initiated such a policy, we could bring deer numbers down. In essence, we have this type of hunt in a few places. For example, night sharpshooters hunting in parks, preserves and some private lands have successfully reduced deer numbers.

However, this solution has only been applied on a very small land base. Is this market hunt likely to happen across a larger landbase? No way! People have worked hard and long at getting the herd to supply the present level of annual harvest. I can't imagine any support for a market hunt outside the few areas in which it may already occur.



Dr. James Meeker

Another hunting-related effort to reduce the deer herd that has been, and continues to be tried, involves creating more opportunities for a more quality hunt. That is, reducing overall deer numbers, while increasing the probability of seeing older, more mature bucks (read bigger racks). This is certainly an exciting prospect.

First, if you can get hunters behind the idea of exploring alternative ways to manage the hunt, it is more likely to be successful. Basically this approach asks hunters to reduce the overall deer numbers by earning their bucks.

In some areas, both public and private, owners of medium sized land tracts have granted permission to hunt their land if the hunters agree to take a doe before they take a buck. So far, however, these programs have not demonstrated success, and the jury is still out on these efforts. After agreeing to the "earn a buck" concept, hunters have not fulfilled their end of the bargain.

It appears that there may be a hardwired genetic trait that prevents many hunters from pulling the trigger unless a buck is in the crosshairs. They just change their minds during that "moment of truth." So, even though there are exciting prospects

in achieving deer control in this manner, it is likely to be no more effective than the sharpshooter programs that are only successful on very small land bases.

Personally, I don't think that merely making adjustments to our hunting policies or our deer management goals will ever successfully lower the deer numbers to more acceptable levels, levels that ensure the long-term viability of other forest organisms.

However biologically and ecologically sound our information is, harvest goals and hunting regulations will always be modified or fine-tuned by the social/political process. Deer goals and policy will always be influenced by folks who either do not see or do not agree that high deer numbers are an ecological problem in the northwoods.

As I have stated often in these columns, there is an alternative to merely relying on hunting as a deer management tool. In this case, the land—not the deer—is managed. The hope is, to modify an expression, if you make it, they will leave. With this approach large blocks of land would be managed as a continuous canopy or interior forest.

Logging practices in these areas would be restricted to the select cutting of individual trees, thus reducing the area of young forests where deer thrive. In addition, permanent wildlife openings would not be maintained in these forests. By not continually creating young early successional stands of aspen, the deer numbers could fall on their own.

This approach it is not well suited for small parcels of land, and since it would be un-American to place these restrictions on private landowners, we have to look to public lands to implement these practices. Unfortunately, the politics of the county forest lands will probably prevent their management in such large, continuous canopy blocks, and the state forests are probably not big enough by themselves. We have to look to the federal forests for this opportunity to reduce deer numbers.

The good news is that we can now support these ideas as a preferred alternative in US Forest Service's revision of their management plan. Conservation biologists have identified several areas, on the order of 40,000-70,000 acres, as having good potential for large interior forest blocks.

If these options are incorporated within the new forest plan, we have hope that at least some portion of the northern forests will have low deer numbers and recovering populations of white cedar and Canada yew.

If we can also convince the Wisconsin DNR to support these alternatives to the US Forest Plans, while at the same time reducing the deer management goals on these same large blocks, we will have come a long way in finally implementing ecosystem management.

If you have any questions about these proposals feel free to contact me at Northland College (Ashland, Wisconsin). If you agree with this conservation approach, now is the time to make your voice heard by contacting the Forest Supervisor or the planning team of the Chequamegon/Nicolet National Forest. Support the large block, conservation alternative.

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



A special thank-you from the Lac Courte Oreilles (LCO) band in the form of a Eagle Feather, cedar and an engraved plaque was presented to the Great Lakes Indian Fish & Wildlife Commission (GLIFWC) at a September 21 GLIFWC Board meeting.

LCO Commissioner Mic Isham (center) presented the plaque to GLIFWC Board Chairman Tom Maulson (right) and GLIFWC Executive Administrator James Schlender.

GLIFWC was thanked for "tireless efforts in providing assistance to LCO and member tribes in conservation and management of fish, wildlife and natural resources throughout the Great Lakes region."

The rhythm of ricing

By Sue Erickson
Staff Writer

Crandon, Wis.—Swish-swish...swish-swish. The beat of the cedar ricing sticks is as soft and steady as a heartbeat while the ricers methodically maneuver through the tall, waving bed of rice. Only the beat of the sticks is heard. Over and over again the heavy heads of rice are deftly bent above the canoe and tapped to release their precious grain. The sticks fly from one side of the canoe to the other with the motion of a drummer.

Ricing for the Ojibwe people is part of nature's rhythmical seasons—early each fall the sounds of the season repeat like a refrain in a great harvest song.

The beat of the ricing sticks is but one rhythm of ricing. Each part of the process has its own sound, its own beat—all soft, all steady, all natural and in harmony with the earth. There is the beat of the wooden paddle going around and around and around in the big metal pot, moving the kernels of rice as it is carefully parched over a crackling flame, and the beat of soft-soles gently dancing the rice to loosen the parched husks. The dancer moves his feet carefully, up and down, up and down on the parched rice, slightly twisting his padded feet over the rice, keeping a rhythm as though marching to an unheard drum.

Then, comes the sound of the winnowers fanning the rice—again a soft, rhythmical swish—as the rice is carefully tossed up from a birchbark winnowing basket so the wind will take the loosened husks, leaving the long, dark kernel clean and ready to cook.

The sounds and rhythms of ricing season are a familiar and important part of life for many Ojibwe people, such as

Fred Ackley and Fran Van Zile, who now set up rice camp in their backyard, not far from Rice Lake, on the Mole Lake reservation.

Known to the Ojibwe as "manoomin," it has traditionally been a significant part of their diet and culture. A successful ricing season was critical to survival in years past.

Fred and Fran's rice camp is busy with people—friends, neighbors, relatives, children—each working on some part of the ricing process.

Huge tarps covered with drying rice look like big, blue patchwork blocks on the green lawn. Freshly harvested rice is thoroughly dried once brought in off the lake so it can be safely stored before being parched and winnowed. Any dampness will cause the rice to rot.

For Fran, ricing season was part of her youth. Both her maternal and paternal grandparents riced, and she learned from them.

Ricing season was a time when everyone came home to pitch in with the work, and camps were often set up by the lake being harvested. Her job as a young girl was to pick cedar to smudge before the ricing began.

Today, her grandchildren and friends learn as she and Fred continue the practice of gathering and hand processing the precious manoomin, which they will use during the coming year, sharing for feasts and ceremonies.

The fire beneath the parching pot crackles and dances, and the roasting kernels emit a unique aroma which fills the air with a delicious, slightly nutty scent.

The rice paddle keeps a soft, regular stirring beat. "The rhythm and the sounds of ricing, that is a thanks to the Creator," says Fran, who explains that the fire and the air and the wood all have (See *The rhythm*, page 8)



In Rice Lake Aaron Van Zile, Mole Lake, knocks rice gently off the stalk into the bottom of his canoe. His ricing sticks move swiftly from one side of the boat to the other as his canoe slides through the rice bed. (Photo by Sue Erickson)



Larry Van Zile, Mole Lake, parches rice over an open fire. The rice has to be stirred continuously to prevent burning. Parching makes the husks easy to remove and adds flavor to the rice. (Photo by Sue Erickson)



Tim Randall, Mole Lake, dances wild rice after it has been parched. Dancing removes the husks from the kernel of rice. A young observer at the rice camp learns by watching. (Photo by Sue Erickson)

Sowing rice and tradition at Keweenaw Bay

By Sue Erickson
Staff Writer

Baraga, Mich.—When a small group of ricers set out in canoes along the shallow shores of Lake Superior's Sand Point Sloughs this fall, they made a new landmark in the Keweenaw Bay Indian Community's (KBIC) history. They were about to harvest manoomin (wild rice) locally for the first time in memory.

The thick, ripe stand of wild rice grew up from seeds sown from 1991 to 1997 by Mike Donofrio, KBIC biologist, in an effort to establish rice beds in the Keweenaw Bay area. Those seeds took hold and in 1999 Keweenaw Bay tribal members were able to serve locally grown and harvested manoomin at their fall Harvest Feast for the first time.

"Nobody that I know can remember anybody from Keweenaw Bay ricing up here or talking about rice around here," says Alice Hadden, KBIC member and member of the culture class.

Alerted to the ripe stand of wild rice by Evelyn Ravindran, KBIC natural resources department and also a member of the culture group, Hadden decided that the rice would be perfect to serve at the upcoming fall feast. But first they had to harvest and process it.

This was a problem, because nobody knew how to rice, nor did they have the equipment. But working the old "moccasin telegraph" proved fruitful for the culture class.

Hadden discovered that KBIC member Jim St. Arnold, also the Administration for Native Americans (ANA) Program director for Great Lakes Indian Fish & Wildlife Commission (GLIFWC), had access to ricing equipment like canoes and ricing sticks (knockers), and also knew someone who could demonstrate ricing to the group.

This person was Sharon Nelis, Bad River tribal member and GLIFWC's Planning and Development secretary. Nelis has twenty years experience ricing on the Bad River reservation, where numerous tribal members participate in ricing each year. She spent many days



Sharon Nelis, Bad River tribal member, demonstrates wild rice harvesting for the Keweenaw Bay Indian Community culture class. (Photo by Michelle Anderson, courtesy of the *Daily Mining Gazette*, Houghton, Michigan.)

assisting her father as rice was processed.

Nelis was happy to make the trip to Keweenaw Bay, bringing her son Brian along to pole the canoe.

Meeting members of the culture class, she was delighted with their interest, taking two out with her at a time to demonstrate both poling and how to knock the rice into the canoe.

She spent two days with the culture class, making four trips out to the rice beds to demonstrate, and also showing them how to spread and dry the rice once it has been knocked.

Members of the culture class continued to rice on their own for another three days, taking out about eight youth from the community in order to pass down the skills they had just learned themselves.

The plan had been for Nelis to further instruct the group through the processing of the rice, including parching, dancing and winnowing, but wet weather thwarted the plan.

In order to have the rice finished in time for the September harvest feast, Nelis brought it back to Bad River for processing.

The ricers' efforts were rewarded with 27 pounds of finished rice, some of

which was cooked up and enjoyed at the Harvest Feast.

And so the seeds sown in 1991 in hopes of establishing a rice bed, flourished and yielded a meaningful harvest. According to Donofrio two other areas, the Pinery Lakes and the Mud Lakes have also been reseeded.

The Pinery Lakes bed seems to be establishing itself. Plans are to put a water-level control structure in the Mud Lakes to help regulate water levels for the benefit of the wild rice.

For the Keweenaw Bay culture class, plans are to keep-up the ricing

tradition, according to Hadden, who is looking forward to the next ricing season at Keweenaw Bay and to learning how to parch the rice, dance it and winnow.

Meanwhile, she and other club members are onto yet another project—brain-tanning deer hides. The hides have been scraped and soaked in lye, she says, but they are waiting for a "recipe" from Nelis for the brain solution to continue the process.

Over the past four years since the culture class first formed, members have been actively re-establishing traditional skills in the community planting seeds much like the rice which was thrown into Lake Superior five years ago—in hopes that the community's young people will benefit from the traditional knowledge and pass it down.

The class has harvested birchbark, maple sugar, sweet grass, quills, deer toes for rattles and has worked on traditional beading, done quill work, and fashioned dance shawls.

Hadden, who is very active within the culture class, says the need for the class occurred to her at the funeral of a community elder.

Youth she spoke with at the time did not know the woman, nor have an inclination of the respect they should be paying.

It was then she knew that some of the older women must begin to replant the seeds of Ojibwe tradition, so the culture, skills, and knowledge of her people can take root, like the rice, and grow.



Keweenaw Bay tribal members, Evelyn Ravindran (poling) and Sandra Dowd, harvest rice for the first time in memory at Sand Point Sloughs this past fall. (Photo by Michelle Anderson, courtesy of the *Daily Mining Gazette*, Houghton, Michigan.)



The first crop of manoomin taken locally by Keweenaw Bay members in recent history. (Photo by Jim St. Arnold)

The rhythm of ricing

(Continued from page 7)

their own spirits and are all helpers in the process.

Larry Van Zile sits in front of the large pot over the open fire, stirring and stirring with a wooden paddle he crafted for this task. He keeps the rice kernels moving so they don't burn. "Parching is probably one of the slowest parts of the process," he says, "but it also enhances the flavor of the rice." If it is not parched long enough, the end product is not as flavorful.

Larry has been processing rice since he was sixteen years old. He learned from his uncle, Chuck Ackley, who was the band's rice chief. He checks the kernels by rubbing them together. If the husks come off easily, the rice is ready to be danced.

In another corner of the camp is the dancing pit—a hole several feet deep, lined with a soft fabric.

The parched rice is placed in the pit, and Tim Randall, clad in soft-soles, gently dances the rice to loosen the husks.

Randall is also Mole Lake's water technician and is concerned about both

the chemical composition of the reservation's water and lake levels. Both can have an impact on the rice crop.

Randall expresses concern over the potential impact of mining, and even some of the preliminary testing, on the fragile rice beds which are sensitive to water level fluctuations, water flow and the chemical composition of water, such as sulfate levels.

In 1995, Exxon did some testing, using high capacity test pumps for two weeks which he believes changed the water levels on reservation. The Mole Lake band experienced two years, 1975 and 1995, when the rice crop failed, he says.

The value of the rice crop to the community is difficult to assess, for wild rice is not only an important, traditional food, but part of the fabric of Ojibwe life. It is part of the rhythm of their life.

As ricer Ken Van Zile puts it, "The rhythm of ricing is the rhythm of creation." It is the beat of life itself, the rhythm of renewal from season to season, generation to generation.

Manoomin, miigwech!

St. Croix's Holmes family marks fifty years in ricing business

By Charlie Otto Rasmussen
Writer/Photographer

Danbury, Wis.—The song of crickets rose from the St. Croix River basin on an early September evening. As Ruth Holmes listened from her Danbury home on the east bank of river, she understood that the time to harvest wild rice had arrived.

A veteran of most 20th century ricing seasons, Ruth has developed an ear for reading cricket chatter.

This past fall, the evening chorus seemed quieter, Ruth said; the wild rice harvest would be lean.

And for a majority of tribal harvesters it was a down year. High water from heavy summer rains reduced rice abundance on many ceded territory lakes.

Ruth and her husband Joe Holmes, St. Croix tribal members, head one of the most distinguished ricing families in Ojibwe country.

Over the past five decades, they've attracted an impressive following of customers seeking to purchase finished rice. Mail orders come in from across America and from as far away as Australia.

"There are so many that come for the rice every year. I feel bad that we have to turn people away this year," Ruth said. "We're having trouble filling our orders."

In addition to shipping rice through the mail, customers make annual excursions to the Holmes' residence to buy a couple of pounds.

"I've been selling rice as fast as I can get it done," said son, John Holmes, who has taken over rice finishing. "We don't have the sign up on the highway anymore but people keep coming."

Eight Japanese travelers who had heard about the Holmes found their way to Danbury last year to learn how to process wild rice, Joe said.

"They wanted to know everything about it," Joe said. "They said it costs \$27 a pound in Japan."

For many years, the family has sold their rice for \$5 a pound, but increased it to \$6 this year.

The early days

In the 1930s, ricing was still a predominately subsistence activity for Ojibwe people. Families made rice camps at the same spot every year, Ruth said. "Sometimes we would trade wild rice for groceries. Usually people picked what they needed for winter and left."

Over the next two decades, demand for wild rice extended beyond tribal communities and wholesalers began buying and distributing the grain to markets.

Joe recalled when he first began selling rice around 1950. A packaging company in Aitkin, Minnesota contracted Joe to provide them with wild rice, paying 22 cents a pound.

"We started out making rice for our own use," Joe said. "We'd give some away, and people would come back for more. Then we started selling some after a while."

Ricing soon became the most important activity they did all year. It provided the family with food, a modest income, and brought together friends and relatives from around the area.

At one point, Joe and Ruth had eight children participating in the fall harvest, but they have moved on to other pursuits, leaving John to maintain the trade.



St. Croix band member, John Holmes, tosses wild rice from a thrasher into a winnowing basket. (Photo by CO Rasmussen)

The future

Before Joe and Ruth retired last year, they had seeded wild rice on seven lakes, mostly in Burnett County.

"We were seeding lakes that didn't have rice before," Ruth said. "In 1990 or '91 we took 23 pounds of rice from Spring Lake and planted it around the stumps at the Clam River Flowage. Now there's a nice 100-acre rice bed there, but it's a tricky place; you have to watch the stumps."

Joe said the key to sowing a new lake is to use only ripe rice and to plant

it soon after harvest, preferably the next day.

Even though the Holmes have fostered expanded ricing opportunities for tribal and non-Indian harvesters, Ruth warned that the future of ricing is in jeopardy.

"In a couple of generations, I don't think there'll be any Indians left ricing. We're losing it. The kids aren't interested," Ruth said.

The challenge seems to lie in finding balance between tradition and modern life. □

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 December 99 through February 2000 are as follows:

Wisconsin 1837, 1842 Treaty ceded territory

- Waterfowl hunting
- Wild plant gathering
- Deer/Bear hunting
- Trapping
- Small game hunting, seasons vary by species
- Firewood and balsam bough gathering in national forests
- Netting
- Winter ice fishing in inland waters: unattended lines/spearfishing through the ice

Minnesota 1837 Treaty ceded territory

- Waterfowl hunting
- Wild plant gathering
- Deer/Bear hunting
- Trapping
- Small game hunting, seasons vary by species
- Netting
- Winter ice fishing in inland waters: spearfishing/netting/hook and line

Michigan 1836, 1842 Treaty ceded territory

- Commercial Fishing
 - Waterfowl hunting
 - Wild plant gathering
 - Deer/Bear hunting
 - Trapping
 - Small game hunting, seasons vary by species
 - Netting
 - Hook and line fishing
 - Firewood and balsam bough gathering on national forests
 - Winter ice fishing in inland waters: spearfishing/hook and line
 - Treaty commercial fishing in Lake Superior, Michigan and Wisconsin waters
- (Consult with tribal codes for specific quotas, units, and dates)



A bed of manoomin (wild rice) ready for harvest. (Photo by Sue Erickson)

Elimination of mixing zones to be EPA priority in protection of Great Lakes basin

By Sue Erickson
Staff Writer

Milwaukee, Wis.—Elimination of mixing zones, areas where bioaccumulative chemicals such as mercury are piped into the Great Lakes and diluted with water, is a goal announced by U.S. Environmental Protection Agency (EPA) Administrator Carol Browner said at the annual meeting of the International Joint Commission (IJC) in Milwaukee on September 24.

Browner proposed that no new mixing zones be allowed and the existing zones be phased out within ten years. This is part of a "more aggressive approach in restricting bioaccumulative chemicals (BCCs).

Mixing zones began with the theory that dilution would prevent pollution, but Browner pointed out that this is not true, and the chemicals only accumulate and spread.

Bioaccumulative chemicals are known to move up the food chain, eventually affecting humans. Among about 22 BCCs are mercury, polychlorinated biphenyls (PCBs), dioxin, chlordane, DDT and mirex.

Browner called upon all governors of Great Lakes states and tribal leaders to assist with the initiative. The EPA staff, she said, will begin to identify all mixing zones not only in the Great Lakes but across the U.S.

In addition to mixing zones, Browner indicated the EPA is continuing to address airborne pollution. This fall, EPA will release its third report on airborne pollution, the dominant source of mercury contamination in Lake Superior.

Browner said that one-third of all emissions come from coal-fired electric companies. Significant amounts of mercury are also generated from hazardous waste and medicinal waste incinerators where restrictions have already greatly reduced mercury emissions.

Progress towards zero discharge

The IJC held a "Great Lakes Water Quality Forum" in Milwaukee during September, bringing together Canadian and United States representatives to review and discuss progress towards the elimination of toxic substances in the Great Lakes basin.

All in all, significant progress has been made in the reduction of toxic contaminants in the Great Lakes; however, they have not been eliminated, so large challenges remain to be addressed.

The 1978 Great Lakes Water Quality Agreement, and subsequent amendments, commit Canada and the United States to the virtual elimination of toxic substances in the Great Lakes environment.

Working in conjunction with federal environmental agencies are the states, provinces and tribes bordering on the Great Lakes basin.

Great Lakes Indian Fish and Wildlife Commission (GLIFWC) tribes are represented on the Binational Program to Restore and Protect Lake Superior, a program resulting from a 1990 recommendation that Lake Superior become a demonstration project for the elimination of point source discharges of persistent toxic substances.

The goal of the Program is zero discharge of nine bioaccumulative chemicals in the Lake Superior basin by 2020.

Representatives from GLIFWC and its member tribes actively participate in the Binational Program. Ann McCammon-Soltis, GLIFWC policy analyst, represents GLIFWC at Binational Program meetings, providing tribal input into the Program's initiatives.

The IJC forum provided an opportunity for the many separate programs to present progress reports on the success of their initiatives, which are ongoing. (See Zero discharge, page 23)



Carol Browner, U.S. Environmental Protection Agency administrator, proposed eliminating mixing zones (areas where bioaccumulative chemicals are dumped and diluted with water) in the Great Lakes during her presentation at the IJC meeting. (Photo by Sue Erickson)

IJC report recommends moratorium on bulk removals of Great Lakes water

By Ann McCammon Soltis, GLIFWC Policy Analyst

Odanah, Wis.—In February 1998, the International Joint Commission (IJC) was asked by the United States and Canadian federal governments to examine and report on the consumption, diversion and removal of Great Lakes waters along the common border, including removals in bulk for export. On August 18, 1999, the IJC released an interim report with recommendations for the protection of Great Lakes waters.

The report sets out a series of preliminary conclusions, which include the notion that "[t]here is never a 'surplus' of water in the Great Lakes system. Every drop of water has several potential uses and trade offs must be made when human intervention takes place and waters are removed from the system."

The report also concludes that "[r]emovals of water from the Great Lakes Basin reduce the resilience of the system and its capacity to cope with future, unpredictable stresses. . . It is not possible at this time to identify with any

confidence all the adverse consequences of water removals so that these consequences could be mitigated."

Eight recommendations that pertain to the protection of Great Lakes waters are forwarded in the report. For example, the report recommends:

- × that for the next six months while the IJC completes its investigation, U.S. and Canadian federal, state and provincial governments should not authorize or permit any new bulk sales or removals of surface water or groundwater of the Great Lakes basin and should continue to exercise caution with regard to consumptive uses of these waters.

- × that three classes of removals should be considered, at this time, *prima facie*, not to endanger the integrity of the ecosystem of the Great Lakes basin. These include: (1) water that is removed and then returned to the basin, under certain conditions, (2) water that is used for ballast for vessels, and (3) water that is in containers of 20 liters or less or water that is used for short-term humanitarian purposes.

- × that governments should immediately take steps to enhance groundwater research in order to better understand the role of groundwater in the Great Lakes basin.

A final report on the protection of Great Lakes water is scheduled to be released in February 2000.



Presenters at the IJC's Water Quality Forum in Milwaukee this fall reviewed progress being made towards zero discharge in Lake Superior. Kory Groetsch, Great Lakes Indian Fish & Wildlife Commission (GLIFWC) environmental biologist, provided an overview of tribal initiatives. Pictured above are: Carrie Lohse-Hanson, Minnesota Pollution Control Agency; Janet Pellegrini, US Environmental Protection Agency; Richard Hassinger, Minnesota Department of Natural Resources; Kory Groetsch, GLIFWC; and Don Murray, Ontario Ministry of Natural Resources. (Photo by Sue Erickson)

GLIFWC passes updated resolution Supports moratorium at IJC hearing on Interim Report

On July 27, 1999, GLIFWC's Board of Commissioners passed a resolution updating and reaffirming its protective stance toward Great Lakes water. The new resolution opposes all removals of water from the basin, whether by diversion, transfer, bulk shipment, or any other means.

GLIFWC's member tribes remain concerned, among other things, about the potential impacts of water diversions on spawning grounds, migratory birds, coastal wetlands, and wild rice beds.

GLIFWC had an opportunity to present this resolution to the IJC during a public hearing in Duluth, Minnesota on October 20, 1999. The IJC held hearings around the Great Lakes basin to gather comments on its report and recommendations.

In addition to transmitting the resolution, GLIFWC supported the extension of the IJC's moratorium recommendation. GLIFWC Policy Analyst Ann McCammon Soltis called on the IJC to make the moratorium on removals of surface water and groundwater from the Great Lakes basin a part of its final report.

She also suggested that the IJC explicitly recommend that provisions of U.S. law prohibiting diversions of "water of the Great Lakes" be interpreted to include both surface water and groundwater.



A display indicates goals of the International Joint Commission for the Great Lakes basin. (Photo by Sue Erickson)

Lakes sensitive to acid rain recovering in Wisconsin

Madison, Wis.—Laws have dramatically cut emissions that cause acid rain, but sensitive lake ecosystems in Wisconsin and elsewhere in the United States and Europe are recovering more slowly than expected, according to a recently published international study that includes state data and researchers.

"The good news is the sulfate concentrations in our sensitive northern lakes have shown huge decreases, so that means they're responding well to environmental controls on sulfur dioxide emissions," says Kathy Webster, a Department of Natural Resources researcher and co-author of the study that appears in the Oct. 7 issue of the prestigious international scientific journal *Nature*.

"However, these sensitive lakes aren't recovering their buffering ability as quickly as we expected given the declining sulfate concentrations, and that's continuing to affect the fish, insects and plants in those lakes that can't tolerate acidic conditions."

The bottom line, Webster says, is that the acid rain issue is more complicated than scientists expected, and that it's essential Wisconsin and other states and countries continue to monitor these lakes over the long-term.

Such monitoring will allow them to see the full effect of curbing emissions because some data recorded since the study period indicates that the recovery is now occurring and is accelerating.

Tom Sheffy, DNR chief of air monitoring, said the findings validate the state's decision to reduce sulfur dioxide emissions and "make a strong argument" for further reducing the emissions that cause acid rain, nitrogen and sulfur oxides, which are produced by the burning of fossil fuels.

"These reductions could come from forging ahead with a state plan to reduce nitrogen oxide emissions or getting them from reducing the amount of sulfur in gasoline," Sheffy says. "They would probably have a beneficial spin-off effect of accelerating the lake recovery process."

Acid rain dates to the industrial age, and forms when emissions of sulfur dioxide and nitrogen oxides undergo chemical changes in the atmosphere and return to the earth's surface as acid rain. Acid rain can damage sensitive lakes, forests, other ecosystems, buildings and human health.

European countries and the U.S. imposed emission controls in the 1980s; Wisconsin became the first state to pass a law requiring utilities and other major industrial sources to reduce sulfur dioxide emissions to the atmosphere by half.

The study investigated how 205 lakes and streams in eight North American and European regions responded between 1980 and 1995 to these curbs in emissions.

The researchers found that levels of sulfate decreased in all North American regions and two of the three European regions, but that the North American lakes haven't regained their buffering ability.

Lakes made more acidic by acid rain can lose populations of fish and insects that don't tolerate such conditions well, and undergo changes in their food web dynamics.

In Wisconsin, overall annual sulfur dioxide emissions dropped by 63 percent by 1995 as utilities reduced their emissions and switched to burning low sulfur coal to generate electricity.

The result reduced the acidity of rain falling on sensitive northern lakes by 75 percent, and significantly reduced the sulfate levels in lake water.

The lakes, however, didn't recover their buffering capacity against acidic minerals such as sulfate. That's a problem in northern Wisconsin, where many lakes already have a low buffering ability.

These lakes are "soft water lakes" with low levels of dissolved minerals such as calcium and magnesium, the kinds of minerals that buffer against sulfate and other acidic minerals.

In fact, the levels of these buffering minerals were declining in the lakes

in the study, a decline that scientists believe may be the continuing legacy of decades of acid rain, Webster said.

The good news in Wisconsin, however, is that data collected since the study period reported in *Nature*, which looked at data only through 1995, suggests that Wisconsin lakes are beginning to come around and regain their buffering ability. Nordic countries showed a similar pattern of delayed improvement.

"That suggests there's a delay in how long it takes for lake ecosystems to recover," Webster says. "If that Nordic model fits, and some evidence from our monitoring into the late 1990s suggests it does, we're seeing the lakes' buffering ability starting to improve at a faster

rate. It looks that we are getting through this lag."

Other research is suggesting that lakes that recover from acid rain may not regain the same kind of fish and insect communities they had before the acid rain took its toll.

"A lot of uncertainties remain," Webster said. "But what the research shows is that cutting emissions works, and that we need to stay the course because the payoff in terms of the lakes recovering may be down the road."

For more information contact: Kathy Webster (608) 221-6337; or Tom Sheffy (608) 267-7648.

(Reprinted from *Wisconsin DNR News & Outdoor Report*, October 12, 1999.)

Forest County Potawatomi, State of WI sign agreement

Crandon, Wis.—The Forest County Potawatomi Community (FCP) and the State of Wisconsin have signed an agreement that resolves issues related to U.S. Environmental Protection Agency (EPA) proposed Class I air quality redesignation for about 11,000 acres of Potawatomi tribal land in Forest County, Wisconsin.

The agreement was signed by Governor Tommy Thompson, Potawatomi Vice-Chair Harold Frank, and EPA Region 5 Administrator Francis X. Lyons.

In February 1995, the FCP requested that EPA redesignate air quality classification within tribal boundaries in Forest County to Class I status under the Federal Clean Air Act Prevention of Significant Deterioration (PSD) construction permit program.

The PSD program works with facilities, such as paper mills, foundries, and power plants, that emit large quantities of air pollutants. The program is intended to insure that air quality remains good in areas where it is currently meeting standards. A Class I

designation means that little or no degradation in the existing air quality on the reservation would be allowed to occur.

In June 1995, EPA proposed approval of the redesignation request, but the States of Wisconsin and Michigan objected to the proposal and requested negotiations to resolve the dispute. Michigan, however, did not participate in the dispute-resolution discussions.

The signed final agreement provides a cooperative framework for establishing state, tribal, and federal implementation of Class I air quality status for the FCP.

The agreement addresses how permit applications in Wisconsin will be processed for new PSD air sources, and major modifications to existing major sources, potentially affecting the Class I lands.

Although the agreement is signed, it would not become effective unless EPA grants the FCP request for redesignation. EPA expects to publish a decision on the redesignation request and the dispute resolution in the *Federal Register* within the next six months.

New video, "Drum Beat for Mother Earth," examines threat of pollutants to indigenous people

Editor's Note: The Indigenous Environmental Network and Greenpeace recently produced a film dramatizing the impact of persistent organic pollutants (POPs) on indigenous populations. The video was shown during the International Joint Commission's Great Lakes Water Quality Forum in Milwaukee, Wisconsin this fall.

The video vividly depicts why indigenous populations within the United States and Canada are frequently at higher risk from POPs due to their traditional reliance on foods now contaminated with pollutants.

The article which follows outlines the major message of the video. For information on "Drum Beat for Mother Earth," contact the Indigenous Environmental Network at P.O. Box 485, Bemidji, MN 56619, phone (218) 751-4967; or visit their website at: www.alphacdc.com/ien.

One with Mother Earth

Whether as Native Americans or First Nations, we are "indigenous" to these lands called Canada and United States. We are "peoples" that have collective rights within the hundreds of tribes that still exist today. We are "Indigenous Peoples" who have inherent rights to our traditional lands and we still maintain our culture and spiritual beliefs.

Over 1,000 distinct Indigenous communities, reserves, villages and reservations or territories exist in both Canada and United States. These territories sustain us and when they are contaminated with chemical pollutants, our communities often suffer the most—because when the environment is polluted, Indigenous Peoples are polluted.

Indigenous knowledge teaches us how to walk upon our Earth Mother and to respect the sacredness of her creation. We use every part of our Earth Mother to sustain us in ceremony and in everyday life. We use the water for ceremony to purify and nourish our spirit and bodies. We depend on traditional foods and plants for ceremony and to nourish our communities. When our water, soil and air are poisoned with toxic chemicals, our rights to practice our traditional lifestyles and heritage and to live in a clean and safe environment are violated.

Our sacred relationships

Indigenous knowledge also teaches us our sacred relationship to the Ones-That-Swim, Ones-That-Fly, Ones-That-Crawl, and The-Four-Legged-Ones. These sacred relationships with plants and animals are embodied in our clan identities through our many traditions.

Some of these species are endangered and some are polluted with high levels of toxic pollutants in their bodies. If these species are compromised, our clan identification could be endangered as well.

What Are POPs?

The term POPs is short for persistent organic pollutants. POPs are long-lived chemicals that build up in the food chain and slowly poison animals and humans. POPs travel thousands of miles and enter the soil, oceans, rivers, plants, and animals far from where they are produced or used. Indigenous peoples who maintain a land-based culture can be heavily exposed to POPs from their diet. In this way, POPs threaten our culture and our future.

Persistent Organic Pollutants (POPs)

How POPs build up in the food chain

One example: when POPs from an industrial facility contaminate a nearby body of water, the fish who live there are contaminated also. (POPs build up in animal fat.)

Many of these fish are eaten by a larger fish, who is eaten by a human. That human has unintentionally ingested the POPs that have built up at each step in the chain.

How POPs build up in the human body

Almost everything we eat, drink, or inhale is broken down by our bodies and then expelled through the process of waste elimination. But POPs are different.

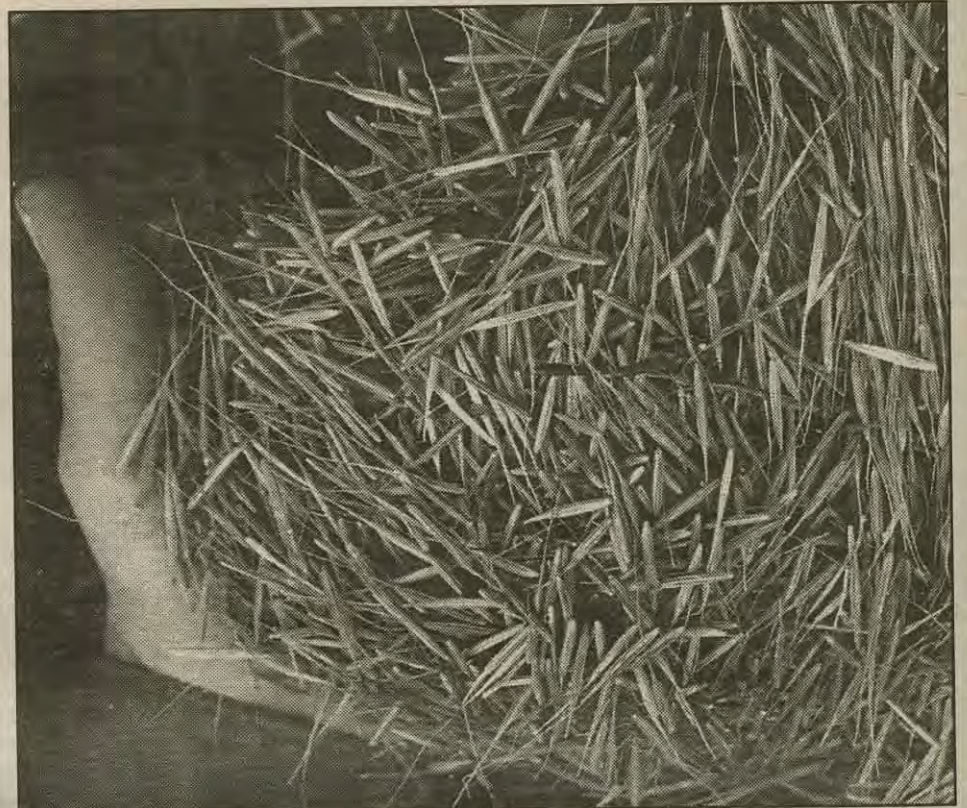
The poisonous chemicals are stored in fat and build up in our bodies, like water in a stopped-up sink. As we age and are continually exposed to POPs, their concentration becomes higher, and their potential effects on our health become more serious.

How POPs travel across the globe

POPs can be found across the planet and in the body of every human alive.

Several POPs have been shown to migrate towards colder regions by a "grasshopper effect" of repeated evaporation and condensation, which has made the Arctic and its Indigenous population one of the most contaminated zones.

Even though developed countries have banned some POPs pesticides like DDT, they are often widely used in developing countries. In addition, developed countries still contain industries that produce POPs such as dioxin. These industries include waste incinerators and vinyl production.



The most intense concentrations of POPs are found in animal products, but plant foods, such as manoomin, can also be contaminated with POPs. (Photo by MJ Kewley)

The most well-known examples of POPs are PCBs (transformer fluids), DDT (a pesticide) and dioxin, an unwanted byproduct of manufacturing and one of the most toxic man-made substances known.

Historical tribal hunting and fishing rights are undermined by POPs contamination. What is the value of a right to fish if the fish are contaminated? Dioxin, PCBs, DDT and nine other chemicals are considered to be "a serious threat to human health" throughout the world by the United Nations.

In fact, governments of the world are negotiating a treaty to remove them from the environment. It is critical that this U.N. treaty recognize the serious impacts POPs have on the future of Indigenous Peoples.

Where are POPs found?

POPs are found in common places. Electrical transformers contain PCBs. Dioxins, furans and other POPs are created during the manufacture of paper and vinyl plastic, which is used to make children's toys, clothing, IV bags and tubing, flooring, pipes, and siding.

When vinyl is incinerated or burned in a backyard trash fire, dioxin is formed again. Dioxins are also formed during the manufacture of magnesium and other metals. The POPs pesticides are no longer legally used in North America, but they are used in other countries. Since POPs do not easily degrade and can travel thousands of miles, they can still be found in soil, lakes, rivers, fish, animals, and people long after they are used.

Polluted food

Indigenous Peoples have special cultural and spiritual relationships to traditional foods that create increased consumption patterns compared to non-Indigenous populations. Unfortunately, the main way POPs enter our bodies is through food.

POPs have been found in eagles, cormorants, ducks, geese, caribou, reindeer, raccoons, rabbits, quail, deer, moose, bison, turtles, crocodiles, sheep, cows, polar bears, seals, whales, and fish. POPs accumulate in fat and their concentration increases at each step of the food chain.

For example, PCBs have been found to accumulate in the livers of sheep. In addition, dieldrin, a pesticide, accumulates in the wool of sheep that eat from contaminated land. Advisories prohibiting or discouraging the consumption of traditional foods affect Indigenous Peoples' right to practice our cultural and spiritual ways. Store-bought food does not solve the contamination problem, since it may also be contaminated.

In many areas of our Indigenous territories, our communities are being told not to eat the contaminated fish and animals.

Advisories are being posted everywhere. According to a report by Health Canada, "Great Lakes residents who consume larger amounts of certain species of contaminated fish and wildlife than the general population are at an increased risk of exposure to toxic pollutants." The report names affected subpopulations that include anglers, their families, and Indigenous Peoples.

To Indigenous Peoples, fishing and hunting are not sport or recreation, but part of a spiritual, cultural, social and economic lifestyle that has sustained us from time immemorial. In some areas, fishing and hunting rights are treaty rights. When we no longer can eat fish and wild meat, high protein food is often replaced with junk food like potato chips and soft drinks.

In addition, the active social part of harvesting of traditional foods is replaced by a less active lifestyle. The junk food diet is less healthy and has contributed to problems with obesity, high blood pressure and chronic diseases like diabetes. Cutting off traditional food supplies from Indigenous Peoples could be a form of cultural genocide.

(See "Drum Beat, page 22)

Moving nuclear waste to Indian land

Hearings set for Yucca Mountain

By Winona LaDuke &
Faye Brown
Honor the Earth

Yucca Mountain, Nev.—What weighs thirty tons, has as much radiation as 200 Hiroshima bombs, and is projected to pass within a half a mile of your home?

That would be a canister of high level radioactive waste, traveling from one of the 109 aging nuclear power plants in this country to Yucca Mountain, Nevada, the proposed "final resting place" for America's most deadly garbage.

The Department of Energy (DOE) released its draft Environmental Impact Statement (EIS) for a proposed Nuclear Waste Repository at Yucca Mountain in August.

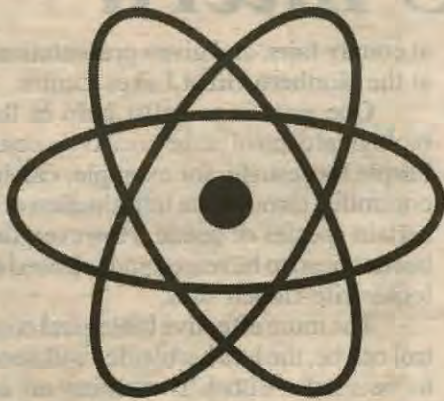
It is to this mountain, at the heart of the Western Shoshone Nation, a place of deep spiritual significance to Shoshone and Paiute peoples, that the federal government hopes to send 98% of the burden of radioactivity generated during the entire Nuclear Age.

Despite heated criticism by Native and environmental forces, the Yucca Mountain proposal remains the only site under government study for the permanent disposal of high level nuclear waste.

The Department of Energy has already dumped three billion dollars into the project and wants to spend 35 billion more to complete it. The release of the EIS marks another DOE step toward opening the dump by the projected completion date of 2010.

More than 200 grassroots groups—Native and non-Native—have organized to seek broad participation in the Environmental Impact Statement process. As a result, the rushed public comment period has been extended to the legal 180 day period but still severely limits the ability of the vast majority of impacted people to testify.

That's because the Yucca Mountain Environmental Impact Statement largely sidesteps the issue of transport. High level waste designated for Yucca



Mountain will be moving on American highways and train routes by the front yards of more than 50 million Americans.

The transportation of this waste poses a huge public health risk. DOE studies project a rate of one accident per 343 shipments. That translates into, at the very minimum, 268 accidents over the next thirty years as up to 90,000 shipments of nuclear waste make their way Yucca Mountain.

The hearings, which began in September and continue through January 2000 now include eight Nevada towns, one community each in Idaho, Utah, Missouri, Colorado, California, Georgia and a hearing in Washington, DC. Those hearing sites will not allow easy access for communities in other states, 43 in all, who are endangered by the transportation proposals. Shoshone and anti-nuclear organizers are urging people to attend the hearings, send in written comments to the DOE and request hearings in their impacted areas.

The Shoshone are also asking people to support Native land rights issues raised by the EIS. What is continually glossed over by decision makers and ignored in the EIS is the fact that Newe Sogobia, land guaranteed the Western Shoshone Nation by treaty, includes Yucca Mountain. Even study of the site is a violation of the treaty. The Shoshone want the DOE off their land and their mountain restored to them. Upholding the treaty can be an important political and legal tool for organizers to stop the dump, but the Shoshone

According to the DOE study, Yucca Mountain and the steel canisters in it will eventually leak. The DOE is planning to store more than 70,000 tons of spent nuclear fuel in miles of tunnels 1000 feet underground. At least one storage canister of the more than 10,000 canisters envisioned would fail within the next thousand years. And after 10,000 years, according to a New York Times report on the DOE proposal, all the canisters may degrade.

face extreme geographic and political isolation and without sufficient public support, fear their voice will not be heard.

That isolation is reflected in a statement by Rep. Lindsey Graham of South Carolina, who said "God made Yucca Mountain for the express purpose of storing high level nuclear waste. There's nothing within a 100 miles of the place." Add racism to low level logic and you get a high level waste dump.

Perhaps as alarming as the absence of transportation issues and a concern for justice are the obscured health considerations in the EIS. According to the DOE study, Yucca Mountain and the steel canisters in it will eventually leak. The DOE is planning to store more than 70,000 tons of spent nuclear fuel in miles of tunnels 1000 feet underground.

At least one storage canister of the more than 10,000 canisters envisioned would fail within the next thousand years. And after 10,000 years, according to a New York Times report on the DOE proposal, all the canisters may degrade.

What may be worse is that an earthquake at Yucca Mountain could cause groundwater to surge up into the storage area forcing dangerous amounts of plutonium into the atmosphere and contaminating the water supply. This is not an unlikely scenario given the area is a seismic minefield.

More than 621 earthquakes have been recorded in the area at a magnitude of 2.5 or higher in the last 20 some years. It is not surprising that the nuclear industry has heavily fought against any groundwater radiation standards for the facility, saying it could threaten the entire project.

According to the Nuclear Waste Policy Act of 1992, radiation standards for the facility would need to be set by the Environmental Protection Agency (EPA). The EPA has proposed a standard of 15 millirem per year as the exposure limit for people living near the site which, according to environmental groups, is inadequate for the protection of human health.

EPA also suggested only a 10,000 year compliance period for the standards, while the DOE estimates that the peak dose of radiation will occur 300,000 years after the waste is stored.

"The Yucca Mountain Environmental Impact Study simply does not allow for the development of a repository that insures containment from the biosphere over the required period of time," stated George Crocker, an energy policy activist of 25 years and Director of the Prairie Island Coalition in Minnesota.

Shoshone groups are adamant that any additional radiation risk to their community is unacceptable. The Shoshone Nation is already the most bombed nation on earth and suffers from widespread cancer, leukemia and other disease as a result of fall out from more than 600 atomic explosions in their territory. To add to this risk is outlandish injustice.

In the meantime, pending legislation before Congress to re-write the Nuclear Waste Policy Act would strip the EPA of all authority to set any standards at Yucca Mountain.

Government and industry changes to the Nuclear Waste Policy Act (appearing each session before Congress as a bad sequel and defeated now five years in a row), pretty much "throw radiation standards out," according to Micheal Marriot of the Nuclear Information Resource Service in Washington, DC. Such legislation would miraculously overcome most of the public health hurdles to the Yucca Mountain project with the stroke of a pen.

This year's revision of the Nuclear Waste Policy Act also dangerously allows on site storage of nuclear waste outside power plants until Yucca Mountain or an "interim" dump site is ready. That "interim dump" may be on a Utah reservation (Skull Valley Goshute land) if the industry has its way. The on-site storage authorization is handy for utilities who don't want to have to fight citizen groups about turning their nuclear reactors into de-facto nuclear waste lots.

The bill also provides for the federal government (meaning taxpayers) to take ownership of the waste and liability for it. What this means is that the utilities, as might be expected, will be abdicating responsibility for waste they created over the past thirty years.

Summarizing the legislation, Crocker states that "It's the latest in a long line of stop gap measures by the industry to continue operations and accommodate the production of more nuclear waste—despite the fact that the industry doesn't know how deal with the waste it has."

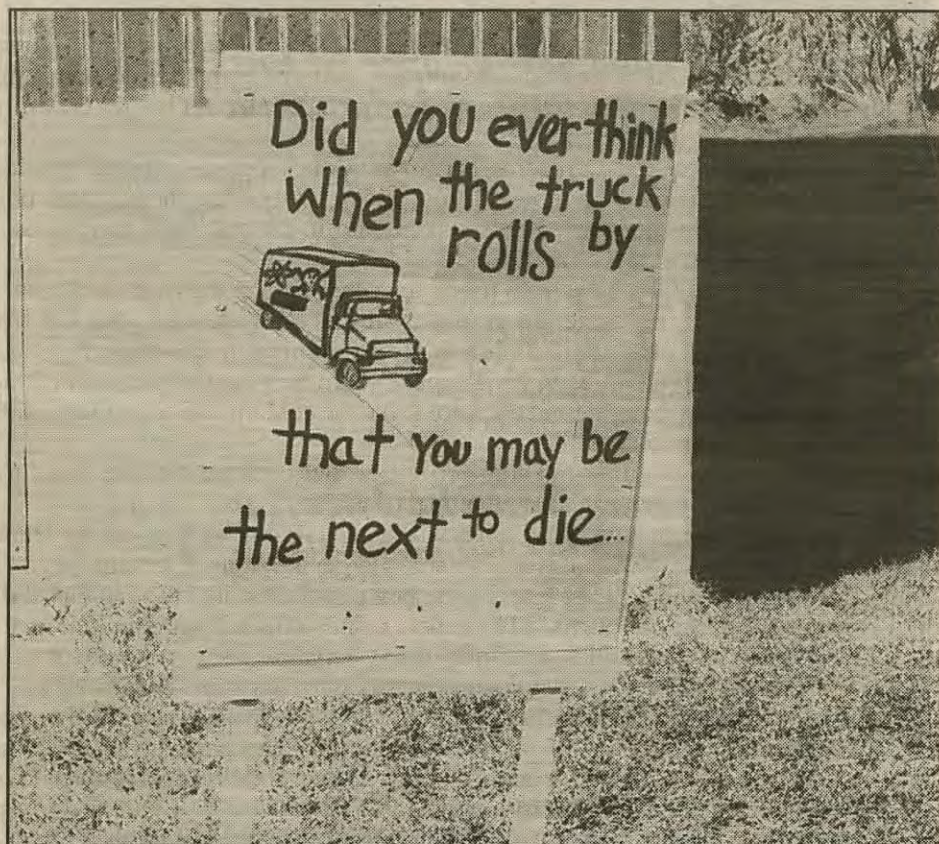
As the Nuclear Waste Policy Act of 1999 is metamorphosing in Congress, electrical utility industry contributions to elected officials are turning into policy. Over the past few years, the members of the Nuclear Energy Institute, i.e. your utilities, have anted up, sending about \$12.8 million to their congressional delegations to try and assure pro-nuclear law and an end to their nuclear waste dilemma.

In short, this fall's hearings and what occurs in Congress effect far more people than those living in Nevada. If you'd like to put in your two cents worth, an amount likely far less than those utility bills you presently pay, send your comments to the Department of Energy and Congress so that those 50 million people within a half a mile of those transport routes and the Native peoples endangered by these proposals might get to have a say.

Send your comments about Yucca Mountain to:

Bill Richardson
US Dept of Energy
Forrestal Building
1000 Independence Ave SW
Washington, DC 20585

For more information contact Honor the Earth, PO Box 75423, St. Paul, MN 55175 • phone (612) 721-0916 • honorearth@earthlink.net.



Transportation of high level radioactive waste poses a huge public health risk. DOE studies project a rate of one accident per 343 shipments. That translates into, at the very minimum, 268 accidents over the next thirty years as up to 90,000 shipments of nuclear waste make their way to Yucca Mountain. (GLIFWC staff photo.)

“Adopt-a-site” program for noxious weeds launched by GLIFWC intern

By Sue Erickson
Staff Writer

Odanah, Wis.—While most GLIFWC interns returned to school in late August, Libby Bunch remained on board with GLIFWC to complete an internship which extends through December 31st.

Under the supervision of Miles Falk, GLIFWC wildlife biologist, she has been developing outreach programs on invasive, noxious plants in the ceded territories. The intent is to increase public awareness of invasive plants and public involvement in biological control of specific species.

Bunch, a 1998 graduate of Northland College with a major in life science and an emphasis in wildlife management, began work with

GLIFWC in June, her work funded by a grant from the Natural Resources Conservation Service (NRCS), a branch of the U.S. Department of Agriculture.

Public awareness of problems posed by exotic, invasive plants such as purple loosestrife, leafy spurge, and spotted knapweed, must be coupled with the ability to identify these exotic plants.

Bunch has developed a website on purple loosestrife as part of GLIFWC's homepage at www.glifwc.org. She intends to expand the site to include other noxious weeds by the end of her internship.

She has also created brochures, slide presentations, and developed educational activities for youth. Over the last several months, she has worked directly with organizations such as the Ashland County 4-H, provided booths

at county fairs, and given presentations at the Northern Great Lakes Center.

One goal is to enlist help in the biological control of the invasive weeds. Purple loosestrife, for example, can be controlled through the introduction of a certain species of beetle. However, the beetles need to be reared and released at loosestrife-ridden sites.

The more effective biological control can be, the less herbicides will need to be used. Bunch is working on an “adopt-a-site” program enlisting 4-H clubs to take on noxious weed eradication projects.

Two Ashland County 4-H members have already volunteered to start raising the loosestrife beetles, she says.

While purple loosestrife invades wetlands and drives out other native species, leafy spurge and knapweed grow in natural areas or pasture lands. They, too, drive out native species and overtake pastures making poor browse for livestock and deer.

Of the three primary noxious weeds, loosestrife and knapweed are the most proliferous in the ceded territory, Bunch says.

Once the internship is complete, Bunch, a native of Philadelphia is unsure of her immediate plans. She is considering graduate school and may be looking more seriously at education as a major after her involvement in developing educational materials as part of the internship program.

Kessenich assumes warden position at LCO

Odanah, Wis.—Recently stationed at GLIFWC's Lac Courte Oreilles (LCO) satellite enforcement office is Chris Kessenich, an ancillary LCO tribal member. Kessenich will assist Sgt. Ken Rusk in enforcing off-reservation treaty seasons.

A 1992 graduate from the Hayward High School, Kessenich served three years in the U.S. Army. He also received an Associate of Arts degree from the Lac Courte Oreilles Ojibwe Community College in agricultural and natural resource management and has

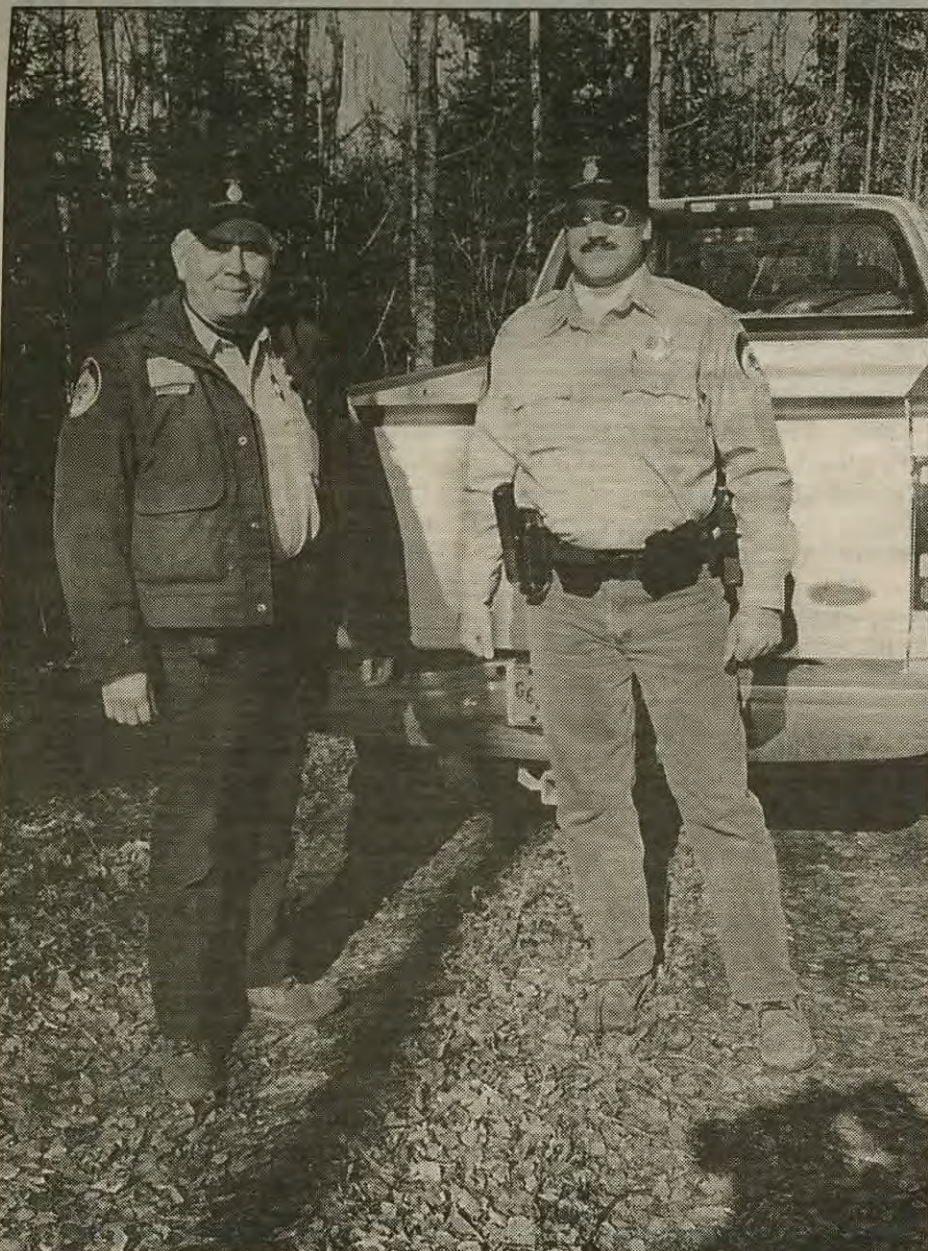
attended UW-River Falls, studying conservation. He successfully completed basic recruit training at Chippewa Valley Technical College, Chippewa Falls.

Kessenich is not entirely new to GLIFWC. He worked as a temporary creel clerk for the Biological Services Division during the 1996 and 1997 spring spearing seasons.

During hours away from work or study, Kessenich enjoys outdoor recreation such as hunting and fishing. He is also engaged to Monica Ramczyk, LCO, with a June 2000 wedding planned.



Libby Bunch, GLIFWC intern.



GLIFWC Sgt. Ken Rusk (left) and Warden Chris Kessenich. (Photo by Sue Erickson)

Items of interest

Presidential candidate George W. Bush denies sovereign status of Indian nations

Indian tribes should be subject to state law, says Republican presidential candidate and Texas Gov. George W. Bush. Either ignorant or unmindful of hundreds of years of treaties, the U.S. Constitution and several Supreme Court decisions, Bush denied the sovereign status of Indian nations.

“My view is that state law reigns supreme when it comes to the Indians, whether it be gambling or any other issue,” Bush said during a recent campaign swing in New York State. Tribal leaders were incredulous. “[Only] the federal government has the authority,” said Mark Emery, a spokesman for the Oneida Indian Nation.

Interior Secretary Bruce Babbitt off the hook for Indian casino licensing dispute in WI

Interior Secretary Bruce Babbitt did not illegally interfere in an Indian casino licensing dispute in Wisconsin.

Independent Counsel Carol Elder Bruce said October 13 that there was insufficient evidence to indict Babbitt for illegal political interference or lying to congress about his role in the denial of an application by three Chippewa tribes to open a casino facility.

The investigation was launched after charges that Babbitt has denied the license as a result of more than \$300,000 in campaign contributions to the Democratic Party made by rival tribes who opposed the Chippewa casino project. Babbitt said he was “not surprised” by the counsel's decision.

(Reprinted from Native American Report, a publication of Business Publishers, Inc.)



Shortfalls in Indian programs for FY2000

Anti-gaming rider eliminated

By Debbie Koch & Megan Taylor, HONOR Advocacy Office

Appropriations

FY2000 appropriations are not especially good for American Indians this year. Besides the usual underfunding of programs, several negative "riders"—policy changes slipped onto spending bills—were included. Just days before the end of the fiscal year, the Senate passed FY2000 Interior Appropriations Act, a spending bill that includes funding for Indian programs, which the House passed in mid-July.



The spending bill was then sent to Conference Committee where senators and representatives met to work out various differences. The Conference Committee concluded their business on October 14 and sent the final version of the spending bill for the Interior Department to the President.

There is good news and bad news. The good news is that the conferees did eliminate an anti-Indian gaming rider which would have restricted the Secretary's implementation of new Class III gaming regulations from the final bill. This rider would have kept the Secretary of the Interior from allowing tribes an alternative method of negotiating compacts when the states do not negotiate in good faith. The bad news is that other riders remained in the final bill. These include:

➤ Section 125, a rider that authorizes the Bureau of Indian Affairs (BIA) to redistribute Tribal Priority Allocations (TPA) on the basis of identified, unmet needs. This is basically a "means test." It is strongly opposed by tribes, and it is a violation of trust responsibility. Even when a tribe has some economical resources, the federal government is not relieved of the trust obligations it has.

➤ Section 324, a rider which extends the contract moratorium for another year, meaning that contract support costs will not be funded. The contracting program was created to let tribes run some of their own programs. To do that, the government said that it would pay the extra costs that they would have if they had administered the program.

The contracting was meant to encourage self-determination of tribes, but has always been underfunded. Now, when more tribes are seeking to run programs, the federal government is keeping tribes from administering their own programs rather than funding fully and supporting the government's own self-determination policy.

Recent Hearings

Indian Trust Fund revision:

On September 22, the Senate Committee on Indian Affairs (SCIA) held a hearing on S. 1587 to establish an Office of Special Trustee for Data Cleanup and Internal Control within the Department of the Interior; and S. 1589, a bill to amend the American Indian Trust Fund Management Reform Act of 1994 to include a special commission charged with creating and recommending a strategy for all phases of the trust management business cycle.

Among the panelists was Bruce Babbitt, Secretary of the Interior, who strongly objected to both S. 1587 and S. 1589 on the basis that both bills would take trust fund management out of the hands of the BIA and, in his opinion, would confuse and complicate existing systems.

Other witnesses included tribal leaders and representatives from the Intertribal Monitoring Association on American Indian Trust Funds and the First Nations Development Institute. These witnesses disagreed with the Secretary, claiming that the Department of the Interior had taken little action in this issue and failed to consult or inform tribes concerning changes of trust fund management.

Proposed state tax law:

On October 12, the House Resources Committee held a hearing on HR 1814, a bill that would instruct the Department of Interior to take tribal lands out of trust status if a retail establishment on that land does not pay "qualified state taxes." Panelists included Rep. Istook (R-OK), who introduced the bill, representatives from the Petroleum Marketers Association and the Convenience Store Owners Association, as well as many tribal leaders and experts in tribal tax law.

Information presented by those in favor of the bill claimed that states lose millions of dollars each year from un-taxed cigarettes and gas sold on Indian reservations. Additionally, these supporters stated that non-Indians were being forced out of business because they were unable to compete with the low prices charged by Indian businesses.

Tribal leaders took exception to what seemed to be a lot of misinformation being given. They testified that the money lost by states in taxes was actually significantly lower than the amounts given by Rep. Istook and other panelists. Several representatives had doubts as to amount of revenue loss being cited by supporters of the bill. Tribal leaders also pointed out the number of tax collection agreements in place already—200 in 18 states.

Another major concern for opponents of this bill is that tribes will be punished by losing more land if agreements aren't reached with states. Rep. Istook suggests that this will provide tribes with incentive to negotiate tax agreements with states. Tribal leaders saw this as more of a threatened punishment, especially since there does not seem to be a reciprocal "incentive" for states to negotiate.

This bill still needs to be approved in committee before it reaches the House floor, which is unlikely to happen before Congress finishes this session.

Alcohol and substance abuse:

It is well known that alcohol and substance abuse on reservations is a serious problem that demands attention from the federal government. According to the Indian Health Service, 17 times as many Indians and Alaska Natives die from alcoholism as compared to the U. S. Caucasian rate from ages 15 to 24.

In addition, injuries are the leading cause of death for American Indians and Alaska Natives between the ages of 15 and 44 years. The majority of these deaths, whether intentional (such as suicide and homicide) or unintentional (such as motor vehicle crashes) are associated with alcohol and other chemical abuse.

Recognizing this, the SCIA held a hearing on October 13 on S. 1507, a bill to authorize the integration and consolidation of alcohol and substance programs and services provided by Indian Tribal governments.

Kevin Gover, Assistant Secretary for Indian Affairs, and Michel Lincoln, Deputy Director for Indian Health Service, voiced their support for the bill and gave assurances that this issue will be given a high priority in the months to come. Although all panelists were supportive of the intention of the bill, each witness suggested to the committee that the Indian Health Service be made lead agency in the plan as opposed to the Bureau of Indian Affairs.

Indian reservation roads:

On October 20, the SCIA held an oversight hearing on Indian Reservation Roads and the Transportation Equity Act of the 21st Century (TEA-21). TEA-21 authorized \$1.6 billion in funding for the Indian Reservation Roads (IRR) program for Fiscal Years 1998-2003.

Robert Baracker, the Director of the BIA Southwest Regional Office, testified that the BIA's implementation of TEA-21 has been relatively successful. However, the testimony from tribal leaders sharply contradicted Baracker's description of the implementation of TEA-21. Criticisms of the BIA and reports of misused funds were voiced by all tribal leaders.

According to tribal leaders, the BIA routinely failed to implement mandated funding allocation methods, frustrated their attempts to negotiate compacts to assume control over reservation road programs, and were slow to begin the process of negotiated rulemaking mandated by TEA-21.

The general consensus of the tribal witnesses was that the BIA was extremely inefficient. They recommended that the Indian Reservation Roads and TEA-21 programs be transferred to the Federal Highway Administration. At this point no official steps have been taken by the SCIA.

"With an estimated Indian population of two million people and of those, approximately forty percent under the age of twenty, the need for competitive, yet unique and culturally appropriate, Indian education is urgent. . . . We must do everything possible to ensure that these future tribal leaders receive an education that is comparable to the education provided to all other American children."

—Sen. Inouye (D-HI)

Elementary and Secondary Education Act:

The U.S. Department of Education (DOE) recently issued a proposal for the reauthorization of the Elementary and Secondary Education Act (ESEA). In response to this, the SCIA held an oversight hearing on October 27 on the ESEA in order to hear testimony on suggested changes that would affect Indian education.

In his statement to the committee, Sen. Inouye (D-HI) remarked that, "With an estimated Indian population of two million people and of those, approximately forty percent under the age of twenty, the need for competitive, yet unique and culturally appropriate, Indian education is urgent. . . . We must do everything possible to ensure that these future tribal leaders receive an education that is comparable to the education provided to all other American children."

Tribal leaders, the National Indian Education Association, and the National Indian Impacted School Association each presented testimony that focused on Impact Aid issues and four programs that the Administration has recommended be repealed. Impact Aid consists of funds allotted for school systems located on or near federal lands to make up for the loss of property taxes due to the tax-exempt status of those lands.

A loophole exists in Title VIII of ESEA which allows states to retain Impact Aid funds, although currently only three states—New Mexico, Kansas, and Alaska—do so. Subsequently, Impact Aid does not reach the people it is supposed to help and school districts are unable to adequately meet the needs of their students. Tribal leaders requested that this loophole be removed from ESEA.

In addition to the Impact Aid loophole, panelists strongly opposed the Administration's proposal to cut Indian education programs and unanimously urged Congress to keep all existing programs in place and provide adequate funding for them.

For further information on any of these issues or other national issues, please contact the HONOR Advocacy Office at 202-546-8340 or e-mail to: honor@dgsys.com.



GLIFWC biologists sample historic lake trout spawning reefs

Spawners present in two of five reefs

By Sue Erickson
Staff Writer

Keweenaw Peninsula, Mich.—When the leaves begin to fall and the weather makes its shift to raw and windy, it is time for Lake Superior fisheries crews to begin annual population assessments in the Michigan waters of Lake Superior.

This puts them out on the "big lake" frequently in somewhat rough waters, but it's all part of the job.

All in all, lake trout reproduction looks good, according to Bill Mattes, Great Lakes Indian Fish and Wildlife Commission's (GLIFWC) Great Lakes fisheries section leader, who is currently in the process of entering data gathered during the fall assessments.

This year the four-man team sampled five historic lake trout spawning sites for the first time in addition to two long-term spawning locations at Buffalo Reef near Keweenaw Bay and Copper Harbor. Both of those sites showed good reproduction trends as they have in the past, Mattes says.

Of the five historic spawning loca-

tions, the crew found a large number of spawning fish at one site and a moderate number of spawners at another. However, the remaining three sites showed low numbers.

Using GLIFWC's enforcement boat, the Ojibwa Lady, GLIFWC and Bad River Natural Resources Department (BRNRD) staff spent a month on lake trout population assessments this fall, using graded mesh gillnets.

This year eggs were collected from pre-spawning females and counted to obtain an estimate of fecundity (number of eggs per female). The number of eggs per female ranged from about 2,200 to 10,300, Mattes says.

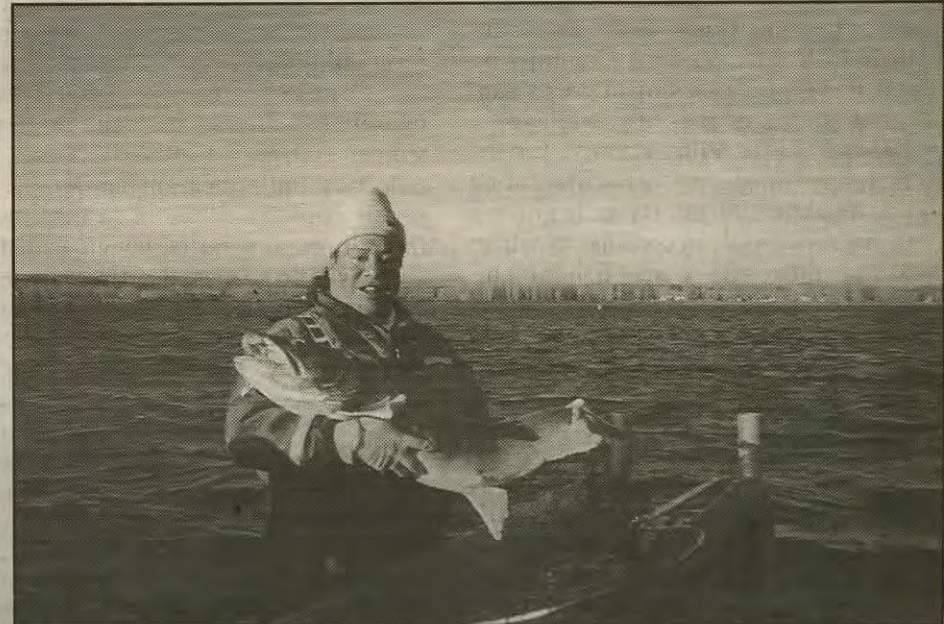
In addition to survey activities, the crew collected lake trout eggs for John Fitzsimmons, Ontario Ministry of Natural Resources, to be used as part of a study on the effects of thiamine levels in eggs on the reproductivity of lake trout.

Thiamine is a protein needed in the early development of the fish. While not a problem in Lake Superior, the lower Great Lakes fish feed heavily on alewives which contain a substance that breaks down thiamine. The thiamine breakdown is believed to cause such

problems as early mortality syndrome, a condition preventing the trout's eggs from developing into healthy fish.

GLIFWC and Bad River staff were assisted in egg collection by two Michi-

gan Department of Natural Resources staff who spent a day on the lake with the crew in order to get some exposure to the process of fall lake trout assessments.



Ed Leoso, Bad River fishery technician, holds one whopper-sized lake trout caught during fall lake trout assessments in Michigan waters of Lake Superior. (Photo by Mike Plucinski)



Ralph Wilcox, Wilcox Fishery, Brimley, Minnesota and Ron Kinnunen, Michigan Sea Grant, remove a rack of smoked Lake Superior siscowet trout. A cooperative project involving Wilcox Fishery, Michigan Sea Grant, and the Great Lakes Indian Fish and Wildlife Commission is testing samples of smoked fish for contaminant levels. (Photo by Jim St. Arnold)

Seafood safety training scheduled for Red Cliff

Bayfield, Wis.—The Red Cliff Band of Lake Superior Chippewa, Michigan Sea Grant, and Great Lakes Indian Fish and Wildlife Commission (GLIFWC) are working together to sponsor a Seafood Safety training workshop from January 25-27, 2000 at the Red Cliff Casino under funding from the Administration for Native Americans.

On December 18, 1997 the Seafood Hazard Analysis Critical Control Point (HACCP) regulation became mandatory. Under this federal law all fish processors are required to:

- ✓ complete a HACCP training program;
- ✓ develop and adopt a HACCP plan to fit the specific needs of a processor;
- ✓ reassess and modify the plan annually as the result of verification activities;
- ✓ maintain and review adequate HACCP records.

This new federal regulation will not impact tribal fishermen that harvest and sell fish at dockside to processors. However, the new HACCP regulations will impact tribal fish processing operations, tribal fishermen processing and selling their harvest through their own fillet markets, or tribal fishermen smoking and selling fish.

Rather than have states undertake seafood inspections of tribal fishermen, tribal governments are working to establish their own self-regulatory systems to comply with the new federal HACCP regulation. This will enable tribal governments to retain the regulatory authority over their members' fish processing activities. Like other tribal self-regulatory systems, tribal officials must pass laws (i.e. a tribal HACCP seafood safety ordinance), enforce the tribal HACCP seafood safety codes (i.e. tribal inspectors), and adjudicate alleged violators in tribal court.

It is important to realize that the use of HACCP to improve fish safety and quality is also market driven. As time goes on, more and more fish buyers are likely to ask fishermen if they are "HACCP certified." Completing HACCP training and obtaining a certificate is one way to both protect and improve fish markets in the future.

The HACCP Seafood Safety training session will consist of a basic three day course covering seafood safety, basic HACCP principles, developing HACCP plans, and record-keeping requirements. In addition, GLIFWC will also report to tribal fishermen on the Lake Superior fish contaminant study being conducted under the ANA Environmental Regulatory Grant.

Often wives, sons, and daughters process fish, maintain coolers, smoke fish, run sales routes, and keep business records. Their attendance is welcome at the Red Cliff HACCP seafood safety training session, designed to help tribal members build their family businesses.

Anyone wishing to attend the Red Cliff HACCP training session must register with Ron Kinnunen, Michigan Sea Grant, at (906-228-4830) by January 7, 2000. This registration is needed so books can be ordered and information packets prepared.

Please provide Ron with your name, address, phone number, and tribal affiliation. If you are a Red Cliff, Bad River, Keweenaw Bay, or Bay Mills commercial fisherman please provide your license number, and GLIFWC will be able to cover the \$90 registration fee under a ANA grant.

Aquatic Exotics

More controls on ballast

Duluth, Minn.—Over 400 people attended the Ninth International Zebra Mussel and Aquatic Nuisance Species Conference in Duluth, Minnesota this past April. Minnesota Sea Grant hosted this exchange of discoveries and ideas that attracted scientists from around the world.

Discussions ranged from ballast water management to the biological control of aquatic pests.

The Great Lakes Ballast Technology Demonstration Project results are leading to bigger ideas. In cooperation with numerous institutions, researchers studied how efficient and effective backwash filters were in removing organisms from ballast water. They found that a 50 micron filter backwashes about

10 percent of the time whereas a 25 micron filter was in a backwash cycle most, if not all, of its operating time.

Surprisingly, 50 micron mesh removed more debris than 25 micron mesh; the smaller mesh tended to break up larger particles. The 25 micron and 50 micron meshes removed almost all of the zooplankton in a sample but the 50 micron mesh was less effective at removing phytoplankton, which are generally smaller than zooplankton. Viruses and bacteria are so miniscule (under 10 microns) that even the 25 micron filter failed to remove them.

Project cooperators are now exploring secondary treatments and encouraging engineers to design blueprints for shipboard ballast water filters.

(The above is excerpted from an article by Sharon Moen, Seiche.)

Fall surveys find young-of-the-year in Kentuck Lake

Stocking efforts continue

By Sue Erickson
Staff Writer

Odanah, Wis.—Great Lakes Indian Fish and Wildlife Commission (GLIFWC) fall assessment crews captured young-of-the-year walleye in Kentuck Lake, Vilas County, for the first time in eleven years, indicating that rehabilitation efforts are beginning to be successful, according to Glenn Miller, GLIFWC inland fisheries biologist.

The absence of young-of-the-year walleye in recruitment surveys alerted

biologists to a failing walleye population in Kentuck Lake and prompted development of a tribal walleye rehabilitation plan involving hatching and rearing walleye for stocking into Kentuck Lake.

GLIFWC crews performed two recruitment surveys this fall. On September 16th they captured 900 six to nine inch fingerlings, and an October 4 survey captured 324 four to nine inch fingerlings, several of which had the clip given to extended growth fingerlings prior to stocking.

In 1999 a joint stocking effort put 49,800 walleye two to four inch finger-

lings and 2,300 five to seven inch extended growth fingerlings into Kentuck Lake. The stocking resulted from the combined efforts of the U.S. Fish and Wildlife Service (USFWS) Fish Hatchery at Genoa, Wisconsin, the Red Cliff, Mole Lake, and Lac du Flambeau tribal hatcheries, and GLIFWC biological staff.

"Hopefully, these fish and future stockings will give Kentuck Lake the boost it needs to become the walleye lake it was and once again provide tribal members and others an opportunity for harvest," Miller says.

An additional 30,000 fingerlings which had been reared for the Kentuck Lake stocking program succumbed to a rapid decline in pH as USFWS and GLIFWC staff were preparing to mark the fingerlings with oxytetracycline (OTC), a chemical marker, at the Lac du Flambeau hatchery. Staff tried to increase the pH level, but the remedy was not effective and fragile fingerlings died, according to Miller.

Another incident, involving oxytetracycline, occurred in 1998 at the Genoa hatchery while walleye fingerlings were being marked. The temperature became lethal all the fish were lost.

The Wisconsin Department of Natural Resources will enact a one fish, 28" minimum bag limit for anglers in Kentuck Lake, which will afford protection for the few remaining adult walleye plus the year classes, Miller says. Tribes have withheld harvest on Kentuck Lake for the last two years so that population levels can rebuild to the point that the fishery can safely sustain harvest.

Current plans call for at least another four years of stocking in Kentuck Lake, and biological crews will continue spring and fall population assessments to monitor the success. Miller also anticipates GLIFWC crews will work with tribal hatchery staff and USFWS personnel in spring 2000 when eggs and milt will be collected and transported to the cooperating hatcheries.



Dan Kumlin, U.S. Fish & Wildlife Service (USFWS), displays an extended growth walleye fingerling reared at the Genoa National Fish Hatchery in southwestern Wisconsin. (Photo by CO Rasmussen)



At the U.S. Fish & Wildlife Service hatchery in Genoa, Wisconsin, hatchery staff Jeff Lockington and Dan Kumlin fyke net a rearing pond for extended growth walleye fingerlings for stocking into Kentuck Lake. (Photo by Glenn Miller)

Rib Lake submerged logging permitted

Tribes appreciate Foundation's cooperation

By Sue Erickson
Staff Writer

Odanah, Wis.—The Rib Lake Community Development Foundation, Inc. (RLCDF), Rib Lake, Taylor County, obtained permits necessary for the removal of submerged logs in Rib Lake this fall, having satisfied concerns about mercury contamination and detrimental impacts on the lake's ecosystem.

The RLCDF proposes to study the potential of submerged logging, and if viable, use funds generated from the operation to support lake improvement practices.

The Voigt Intertribal Task Force (VITF), a standing committee of the Great Lakes Indian Fish and Wildlife Commission (GLIFWC), raised a number of concerns when the project was first proposed. Concerns included the possibility of increasing mercury contamination if sediment is disturbed, and using the project as "testing ground" for further submerged logging operations both in inland lakes and Lake Superior.

Tribal concerns were openly and honestly addressed by representatives of the RLCDF. In fact, appreciation for the willingness of the RLCDF to dialogue with the tribes and respect tribal rights and responsibilities in the ceded territory was expressed through a special motion at an October meeting of the VITF.

The visit brought together representatives from the tribes, the RLCDF,

the Wisconsin Department of Natural Resources (WDNR), the Governor's Office, and the Wisconsin Board of Commissioners of Public Lands.

This offered the opportunity for all concerned to openly discuss issues and better understand the proposed project.

The WDNR issued the sediment removal permit and the Commissioner of Public Lands issued a permit for the removal of logs. The permit provides that the WDNR will have full control over the manner in which the lake bed material may be removed and handled and imposes a number of conditions.

As protective measures, the permit calls for on-site monitoring of log removal and mercury sampling and a five day notice prior to the beginning and completion of the project. If sampling indicates a problem with mercury contamination, the project can be stopped.

An impermeable, underwater silt curtain around the work area is also required to avoid spreading disturbed sediment and possible contaminants out of the logging area.

RLCDF anticipates raising several logs this year to gather information regarding the quality and quantity of logs available for the operation.

The RLCDF has been active in past and current fishery enhancement projects, such as walleye stocking. About 2000 extended growth walleye fingerlings are stocked each year.

Discussions during the site visit this fall turned towards the enhancement efforts of RLCDF and possible cooperation with tribes and GLIFWC.



Ma'iingan, man's mentor

By CO Rasmussen, Writer/Photographer

Odanah, Wis.—For traditional North American Indians, the natural world is a catalog of information where plants, animals and the living Earth explain native cosmology. Oral stories passed down the centuries relate how humans have looked to their kinsmen—the animals—for guidance, companionship and the skills to survive.

Of all the wild creatures that appear in these tribal histories, the wolf is among the most revered. In sharp contrast to proverbial western attitudes toward predators, Indian cultures across the continent recognized an inherent benevolence in wolves.

Considered great mentors, wolves instructed humans on how to conduct themselves both in social groups and hunting afield. Akin to wolf packs, Indian families organized themselves into clans, working together for the benefit of all.

Indian people looked to evidence of wolves as a favorable sign, indicating that game animals were in good supply. Sighting a wolf summoned a feeling of security, that a brother was watching over them. It provided cause for people to evaluate their lifestyle, and to make sure they were living an honorable and respectful life in the eyes of a teacher.

In the upper Great Lakes region, the wolf—ma'iingan in the Ojibwe language—figures prominently in an Anishinabe (Ojibwe) creation story. Original man, the last creature placed on Earth by the Creator, was charged with traveling throughout the land and naming all the plants, animals and natural features.

Over time, original man became lonesome and asked for a companion. The Creator sent ma'iingan and together they walked the earth until they had discovered everything. With their task complete, the Creator sent original man and ma'iingan on separate paths and told them that they shared the same fate.

The theme of a common ancestry for native people and wolves appears in the American West as well. The Northern Arapaho relate how a man encountered a wolf in the midst of a great snowstorm during the last ice age. Recognizing that they needed each other to survive, they bonded in friendship, and the wolf became identified as nature's greatest teacher. Since that time, the wolf and the North American Indian have lived upon Earth as brothers and sisters, their lives forever intertwined.

Though not all tribes throughout North America held positive attitudes toward the wolf, the idea of family and mentorship between humans and wolves are historically widespread in Indian country.

Perhaps the most compelling maxim is the prophecy that the North American Indian will go the way of the wolf—what happens to one will happen to the other. What had been foretold a thousand generations earlier was manifested upon the European settlement of North America.

Driven from their homelands by war and conquest, wolves and North American Indians retreated into the interior of the continent where they survived on small tracts of isolated land. After several hundred years and a gradual shift in attitudes through the later half of the 20th century, they endured the colonization of land and culture, and joined again on a journey of recovery. □

Federal wolf plan delayed again

St. Paul, Minn (AP)—The release of the federal plan to manage the wolf population has been pushed back until January. The plan was supposed to have been released this month, but the process has been delayed so officials can make sure all the details are legally solid, said Dan Sobeick, spokesman for the Fish and Wildlife Service in the Twin Cities.

"We've waited 25 years for the wolf to come back and to do this, so we want to get it right," Sobeick said. "We don't want a proposal held together with duct tape and bailing twine so the first legal challenge knocks it down."

Interior Secretary Bruce Babbitt announced in 1998 that wolf numbers were strong enough to drop most federal protections and hand control back to the states. The federal plan was ready last spring but had to be reworked after the Minnesota Legislature failed to approve a state management plan. Minnesota is considered a critical state because it holds by far the most wolves and because wolves from Minnesota migrate to Michigan and Wisconsin.

The new federal plan likely will address changes in wolf status in the Rocky Mountains and Pacific Northwest, the Northeast and in Wisconsin and Michigan but not in Minnesota, Sobeick said.

"That's our understanding as well, that the plan will be a reclassification, not a de-listing, which means no change for us," said Mike DonCarlos, wolf expert for the Minnesota Department of Natural Resources.

That's a blow to some northern Minnesota residents, livestock owners and some hunting and trapping groups. They want looser wolf protection laws in Minnesota to curb their range and population.

Wolves in Minnesota have expanded from just a few hundred animals in the 1970s, limited to the far northeast, to 2,500 animals covering nearly the northern half of the state. That's more wolves than federal regulators ever thought possible and clearly warrants the hand-off from federal to state management under existing federal guidelines.

(Reprinted from the *Ashland Daily Press*, November 29, 1999 edition.)

Gray wolves, gray matter: The wolf between our ears

By Steve Grooms

St. Paul, Minn.—In the middle ages, wolves symbolized lust and corruption. Religious authorities even considered wolves agents of Satan.

People also believed some humans could turn into wolves, thus representing the innate depravity of humans. And for centuries wolves were viewed as symbols of death and violence.

When Europeans began colonizing the New World, they found it infested with wolves. To them, wolves symbolized wilderness—a frightening part of the world they had yet to tame.

Because wolves lived in areas where there were no churches or factories, they represented chaos and economic waste. Pioneers wanted to convert all the wild places into farms and cities, a process that began by ridding it of native peoples and animals, especially wolves.

Native American groups held different views—many positive—of wolves. Cherokees revered wolves as effective hunters, while other tribes were impressed with the social harmony of wolves. To some tribes, however, the wolf symbolized the dark side of life as well.

Pioneers of the fledgling science of wildlife management saw the wolf in a new light. Adolph Murie and Aldo Leopold observed that wolves were intelligent and highly cooperative animals.

One of the more recent discoveries in wildlife management is the positive role



No two people have the same view of the wolf, and to each person it carries different symbolism.

predators can play in a natural system. In some respects, the wolf symbolizes the old, prejudicial and judgmental way of looking at large predators.

When the gray wolf became listed as an endangered species in the United States, it acquired new symbolic resonance. To a growing legion of wolf fans, the wolf epitomized how humans have abused animals, and it became a sort of "poster child" for animal rights activists, anti-trappers and anti-hunters.

Some people even found spiritual values in wolves, so the wolf became a totemic animal and source of inspiration. Other wolf enthusiasts, responding to the fact that wolves live mainly in untamed lands, viewed wolves as the ultimate symbol of wilderness.

When federal managers began restoring wolves to the West, ranchers were outraged because they were convinced that the wolf would destroy the already weak ranching economy. To ranchers, the wolf symbolized all the injuries Westerners had suffered from a meddling federal government. In reality, wolf restoration may symbolize something much sadder and much grander, a tendency toward the waning of a whole way of life based on ranching and an economic outlook gradually replaced by a more sentimental view of animals.

No two people have the same view of the wolf, and to each person it carries different symbolism. But real wolves do exist, chase real deer, have real fleas, and some lift their heads to make real howls that float eerily in the night air. It is a curious and tragic fate of wolves to be viewed—not for what they are—but as one kind of symbol or another.

Symbols change with time, yet what does not change is that we continue to see wolves symbolically. The wolf we talk about and argue over is not an actual wolf, but the wolf that resides between our ears.

Editor's note: Steve Grooms is a writer from St. Paul, Minnesota. A revised version of his book, *The Return of the Wolf*, was released this fall by Northword Press.

(Reprinted with permission from *International Wolf*, Winter 1999 edition. For more information on wolves contact: *International Wolf Center*, 1396 Hwy 169, Ely, Minnesota 55731-8129.)

Wisconsin adopts wolf management plan without provision for public hunt of ma'iingan

By GLIFWC staff

Odanah, Wis.—Controversy surrounding a potential public wolf (ma'iingan) season abated after the Wisconsin Natural Resources Board adopted a wolf management plan for the state, excluding draft regulations for hunting wolves, at the Board's October 27 meeting in Madison.

The Board removed the hunting regulations, which it had directed the state to include in the plan, following public comment by livestock growers at the Board's August meeting.

The plan would have allowed for a public harvest of wolves once the population exceeded 350 individuals.

However, the inclusion of a wolf harvest produced a strong response among many pro-wolf interests, including the Voigt Intertribal Task Force (VITF), one of GLIFWC's standing committees.

According to GLIFWC Wildlife Biologist Peter David, the VITF raised several issues in regard to the inclusion of a wolf hunting season, stressing that the decision was premature and made without sufficient input.

"For one, the state needs to gain experience managing a downlisted wolf population before making the public hunt decision," David said.

Once the wolves are downlisted from an endangered to a threatened status, new tools, including lethal control of depredating wolves, become available.

"We need to experience the effectiveness of these management tools before deciding at what level to cap the population," he said.

The Task Force also felt that Wisconsin needs to experience a higher wolf population before deciding if, or when, to cap the population. Current estimates put the state's wolf population at approximately 200 individuals.

"The state doesn't know yet what it is like to have 350 wolves on the current social and cultural Wisconsin landscape. Rather than make a guess at what the social tolerance for wolves is in the state, we should wait a bit, let the population grow, and make an informed decision when we have some experience under our belt," David said.

David also comments that the state did not adequately consult with the tribes and the public regarding the significant, late change to the draft plan to include a wolf harvest. He believes this could have eroded acceptance from many of the groups supporting the earlier language.

While the issue of a public wolf hunt in Wisconsin is settled for now, the issue could be revisited in the future.

Other elements of Wisconsin's wolf management plan include: the establishment of four wolf management zones in the state; coordination with tribes on management of wolves living within reservations; various strategies for control of depredating wolves; public education directions; and the

establishment of a citizen stakeholders group.

Wolf management plans have now been adopted by both Michigan and Wisconsin; however, no plan has been forthcoming from Minnesota as yet.

The US Fish and Wildlife Service (USFWS) announced its proposal to delist the wolf from an endangered status in 1998.

Hold-ups in plan development in Minnesota later led the USFWS to also separately propose downlisting wolves in Wisconsin and Michigan from endangered to threatened, as they are currently listed in Minnesota. This would allow greater control of depredating wolves to occur in Wisconsin and Michigan while the lengthy delisting process goes forward.



Ma'iingan. (Photo courtesy of the Timber Wolf Alliance.)

Tribal opposition to issue of public wolf hunt stems from biological and cultural concerns

(Editor's note: The following letter from Judy Pratt-Shelley, Red Cliff Treaty/Natural Resources Division Chief, Environmental Programs Director and Tribal Council Member reflects concerns about Wisconsin's management plan for the wolf, including issues of population numbers, a public hunt, and the process of tribal involvement.)

Mr. Tyrgve Solberg, Chairman, Wisconsin DNR:

On behalf of the Red Cliff Band of Lake Superior Chippewas, this letter is written to you and other members of the Wisconsin Natural Resources Board with respect to the Wolf.

As you should know our Tribe enjoys rights related to our culture, religion, spiritual and natural resources. The Wolf is all these things and more to us. As the Treaty/Natural Resources Division Chief, Environmental Programs Director and newly elected Tribal Council member, it is my responsibility to inform you that we are adamantly opposed to this ludicrous proposal to allow a hunt of our Wolves.

By no less than a lottery selection, ability to pay for a license will decide who will kill a being more gentle than themselves. Yes, a Wolf could be scary, especially if it killed livestock or if people encounter it. I saw one from a distance when I was young I loved to hear a Wolf in the dusk; this was quite exciting. I believe they have been here and did not just wander in from Minnesota.

A problem with individual animals can be treated more humanely than allowing an open season on them.

I have taken the liberty of making the following points on behalf of the Wolf:

- ◆ If the people and cows did not move into Wolf habitat (the equivalent of our homeland), there would be no problem; no encounters.
- ◆ If herds were smaller, more secure and tended to, Wolves would be less likely to see them as an easy meal.
- ◆ Wolves walk more softly on Mother Earth than livestock; in fact, grazing by livestock causes major degradation of the environment.
- ◆ The waste from a Wolf is totally organic and natural in the ecosystem. Manure of the livestock is one main source for surface and groundwater contamination.
- ◆ Problems of poor land use management, which continues, have allowed development where the Wolf survives.
- ◆ The problem is people want to live in the country, move there and expect to change the country or to keep it from changing. If people do not want Wolf encounters, perhaps they should move to where the Wolves are not.
- ◆ People should not be able to just kill the Wolf because of fear.
- ◆ The loss of livestock, especially of large herds, should be expected. Wolves are just one thing that can cause this loss.

- ◆ The health of the Deer herd is strengthened by Wolves culling the weak, slow & sick.
- ◆ We should allow a natural situation to occur where the Wolf is allowed to inhabit our homeland. They are a part of the nature Wisconsin calls it's northwoods.

From my perspective, this is a people and livestock problem, not a Wolf problem. I suggest the solution be to minimize encounters of people and livestock by pre-planning and developing only appropriate places into farmland or for raising of livestock. Privatization of our Ceded Territory not only encroaches on the Wolves habitat; but also our hunting, fishing and gathering areas.

The Wolf is very significant in our culture. Wisconsin should also treat the Wolf with respect. There should be no reduction in the goal of 500 Wolves that the State of Wisconsin will allow (maybe this is too low).

Perhaps the solution is to leave the Wolf on the federal list if the State of Wisconsin comes up with such reckless plans for the resources we are bound to share, under the auspices of Wolf management.

If this type of mismanagement is to occur, you are on notice that we will expect that Wolf Packs in areas significant to us must be protected. To that end I suggest your plan must be revised to exclude harvest regulations for Wolves.

This issue of livestock loss does not warrant extreme overkill management by WDNR and maybe should be dealt with through the USDA. Individual cases should be investigated.

First, the farm should make sure the livestock are secure (maybe a motion sensor alarm?). If a single animal must be removed, then try to live trap and move the Wolf to another area where the farms are not close and the deer are plenty. A Wolf should be dealt with not by WDNR, but by a federal agency, who at this point still have a responsibility to protect them.

This proposed recommendation is untimely, uncalled for, inappropriate and could easily reverse the progress of the recovery of the Wolf.

In any event this recommendation is premature and seems to be driven by a few. I question why the WDNR is spending time working on a Wolf hunt recommendation even before it is removed from endangered and threatened lists. Seems to me there should still be efforts of preservation of our Wolves by the WDNR.

I respectfully demand that the WDNR and it's Board consult with the Red Cliff Band of Lake Superior Chippewa, since you have the responsibility to consider our rights when discussing resource management policy and decisions.

Sincerely,
Judy Pratt-Shelley

Canadian lobster dispute boiling over into violence

By Fred Bayles
USA TODAY

Burnt Church, New Brunswick—Authorities here braced for new disturbances after the community of Mi'kmaq Indians rejected a call for a moratorium on lobster fishing. The rejection followed a week of skirmishes over Native fishing rights.

The controversy was triggered by a Canadian Supreme Court ruling in September. Basing its ruling on a 1760 treaty, the court ruled that Indian lobstermen have the right to fish, regardless of season.

The ruling has set the Native American community against the lobstermen here and has led to vandalism, arson and assault in this community of 1,200 people on the shores of lobster-rich Miramichi Bay.

On October 6th, there was a glimmer of hope for a solution. Chiefs of 35 Indian reservations, called "reserves" in Canada, called for a voluntary moratorium on fishing, asking their lobstermen to observe a 30-day cooling off period. That didn't go down well. *Burnt Church residents held a boisterous meeting and rejected the plan as a sellout.*

"For 200 years, we've been looking out the window, watching other people fishing. Now when we get a chance to earn a livelihood, they want to shut us down," said Calvin Barnaby, a member of the Burnt Church council, as he stood by a fishing wharf guarded by the community's so-called warrior society.

Burnt Church has become a flash point for the growing controversy over the September 17 high court decision upholding a 1760 treaty between the British government and Native people along Canada's Atlantic coast.

The treaty permits Indian tribes "a moderate livelihood" from fishing and hunting. A number of tribes claim rights under the treaty, including the Passamaquoddy Indians of Maine.

While different agreements through the years allowed Natives to do some subsistence fishing, the high cost of fishing licenses and their limited supply have kept them from commercial operations.

The high court's ruling infuriated the region's non-Native fishermen. They face increasing restrictions on their catch of lobsters and other seafood. The non-Native fishermen pay for licenses—sums that can run into six figures—and they see the grant of fishing without licenses as an unfair advantage for the Indians.

Further, they complain, they must abide by catch limits and strictly regulated fishing seasons. The court's decision, they claim, has given Native fishermen unrestricted access to dwindling seafood stocks.

Lobstering is a particularly sensitive subject for fishermen in Canada's eastern Maritime Provinces. Those fishermen have had to rely more and more on the crustaceans for their livelihood as other species of fish, particularly the once plentiful cod, have disappeared. While lobster stocks remain strong, there are fears that additional fishing will deplete them.

"We have lived by the rules for generations, and now we're told the Natives don't have to follow the rules," said one fisherman in nearby Neguac. He declined to give his name.

Although tempers have flared since the ruling, violence broke out on October 3rd when a flotilla of non-Native fishermen cut an estimated 1,000 lobster trap lines that the area's Native fishermen had dropped about five miles off shore.

A series of skirmishes followed. Indians retaliated that evening by burning two pickups owned by white fishermen. Then three natives were hurt, one seriously, when their truck was rammed.

On the evening of October 4th, an occupied summer cottage owned by non-Natives was set on fire. An Indian ceremonial platform, used for sacred

rituals and drumming, was burned on October 5th.

The Royal Canadian Mounted Police have tripled their force in the area. Officials held a conference in Halifax, Nova Scotia, looking for ways to restore calm.

The officials met first with angry non-Native fishermen, then with the chiefs of the 35 reserves.

The Indian leaders, led by Ben Sylliboy, the Mi'kmaq grand chief, first

rejected a suggestion that they call for a moratorium. Then they relented and called for the 30-day moratorium on all fishing, to give Indian officials a chance to develop their own fishing regulations.

While members of 25 bands have indicated they would accept the plan, others, such as those in Burnt Church and Big Cove, rejected the idea, accusing their leaders of selling out.

(Reprinted from USA Today, Friday, October 8, 1999.)

Keweenaw Bay assists in restoration efforts for lake trout and coaster brook trout

Ashland, Wis.—The Ashland Fishery Resource Office of the US Fish & Wildlife Service (USFWS) is pleased to announce the scheduled signing of a third fish isolation cooperative agreement with the Keweenaw Bay Indian Community.

The Keweenaw Bay Indian Fish Hatchery (KBIC) will once again serve as a broodstock isolation facility to help enhance fish restoration efforts in the Great Lakes. This new agreement is a continuation of the lake trout and coaster brook trout restoration effort that was first started by the USFWS and the Keweenaw Bay Indian Community four years ago.

This agreement will foster the continued integration of fish health and fish genetics into the Service's captive broodstock program. The Keweenaw Bay Indian Fish Hatchery first initiated this two-year cooperative program in September of 1995.

Both the two previous and the new cooperative project between these resource agencies, included the operation of a lake trout and coaster brook trout broodstock isolation facility at the KBIC and the production of 100,000 lake trout yearlings at the Iron River National Fish Hatchery (Iron River Wisconsin), which will serve to support the fish stocking priorities of the Keweenaw Bay Indian Community.

The lake trout and coaster brook trout resource of the Great Lake Region will be the big winner thanks to the cooperative efforts of the Keweenaw Bay Indian Community.

Fish hatcheries play an important role in co-managing inter-jurisdictional fishery resources and lake restoration efforts. Midwestern tribes have responded to the modern day challenges of multi-jurisdictional resource management in their unique role as users and managers of over 900,000 acres of reservation inland lakes, treaty ceded territories and the Great Lakes.

Four tribes aid study to improve trout fishing in Lake Michigan

By Ted Olsen, Native American Report

Four Indian tribes have joined in a study to determine the success of stocking lake trout directly over traditional spawning reefs in Lake Michigan.

Fishery staff from the Sault Ste. Marie Tribe of Chippewa Indians, Little Traverse Bay Bands of Odawa Indians, Grand Traverse Band of Ottawa and Chippewa Indians and Little River Band of Ottawa Indians, the U.S. Geological Survey Great Lakes Science Center, and the Michigan Department of Natural Resources are participating in the study to survey 31 lake trout spawning reefs across northern Michigan.

For the next three years, sampling will occur on reefs from Ludington, Mich., to Algoma, Wis. "This project will not only teach us a great deal about the ability of stocked fish to repopulate a reef area, but how to improve lake trout stocking methods in general," said Mark Holey of the Green Bay, Wis., Fishery Resources Office.

For further information on the Fish and Wildlife Service in the Great Lakes-Big Rivers Region, see <http://www.fws.gov/r3paol/>.

(Reprinted from Native American Report, a publication of Business Publishers, Inc.)



Keweenaw Bay Indian Fish Hatchery Manager Mike Donofrio displays fingerlings reared at the tribe's hatchery. (Photo by CO Rasmussen.)

Pull the plug on Manitoba Hydro

By Ann Stewart
Information Officer,
Pimicikamak Cree Nation

For the last twenty-two years, 30,000,000 acres—50,000 square miles—of one of North America's largest drainage areas have been altered irreversibly by a government-owned utility in Manitoba.

The Lake Winnipeg Regulation and Churchill River Diversion Project

In the 1960's, Manitoba Hydro, and the governments of Manitoba and Canada promised Manitobans a future of prosperity that would be fueled by inexpensive hydropower. Some of the electricity generated by the project would also be marketed to American utilities via transmission lines to Grand Forks, Minneapolis and Duluth.

Construction and a cursory environmental review (no baseline assessment was ever undertaken) occurred simultaneously, thus hastening the transformation of one of North America's sub-Arctic environments.

Eighty-five percent of the Churchill River's water is now diverted into the Nelson River, and vast Lake Winnipeg is regulated mechanically to increase its depth seasonally, also increasing the Nelson's flow.

Water is held back in the spring, summer and fall (the most environmentally productive seasons) and released in winter when Manitoban and Midwestern demands for electricity are highest.

The manipulated flowage in the Nelson and the unnatural seasonal inversion provide power to five huge generating stations and the reservoirs behind them. Forty percent of the kilowatt-hours produced go south to the United States; Manitoba Hydro reaps billions of dollars of profits annually.

Cree territorial destruction

Three million of the acres re-engineered by Manitoba Hydro are Pimicikamak Cree Indian traditional lands—equal to three Boundary Waters wilderness areas.

In Cree, Pimicikamak means a river that crosses a lake. Gideon McKay, an elder who lives in the community of Cross Lake along the Nelson River, describes graphically what happened to the land where his family's trapline used to support generations of McKays. "They poured filth over the clean dish that I once had while my kids were eating from there. They took our plate."



An ecological and moral catastrophe

Unlike the dams and reservoirs in the American Southwest, Manitoba's water impoundments, contained by miles of rock dikes, multi-story control structures and generating stations, have flooded or made inaccessible thousands of square miles of northern forests, rivers, lakes and muskegs.

Over the years, drowned logs and other vegetation have accumulated on impoundment shorelines and prevent wildlife from reaching water's edge.

The Crees experienced a drop in local moose population, and noticed permanent changes in the population and well-being of other animal and bird species that formerly flourished in the biotic richness of river corridors, lakeshores and undisturbed boreal forests. Each year, fluctuations in water levels of as much as fourteen feet continually erode banks and shorelines, decimating native fish, flora, aquatic mammals and invertebrates.

An unanticipated, serious consequence of such large impoundments is methylmercury, a toxin that bio-accumulates in fish and aquatic mammals. Women of child-bearing age, children and elders regularly receive warnings to severely limit their fish intake, formerly a dietary and spiritual staple of the Crees.

Because the flooding also obliterated burial grounds and other references of cultural and spiritual significance, the people of Cross Lake remain devastated by high rates of family violence, suicide and substance abuse.

It is ironic that this is occurring within Canada—with its sterling reputation for human rights and for its assistance to other nations in times of need.

Astopwesewin: Saving for others for the future

In 1998, people from Cross Lake held a rally at Northern States Power's Minneapolis headquarters because NSP is Manitoba Hydro's biggest US customer. NSP's executives came downstairs and met the Crees.

In the summer of 1999, NSP announced a need for an additional 1,200 MW of electricity, and Minnesota Power in Duluth and its Wisconsin partner began notifying property owners about building more transmission capacity in Wisconsin.

Will Manitoba Hydro fill those needs? According to its 1999 annual report, the utility's American export market now comprises thirty-five customers. With its proven track record as North America's lowest-cost electricity producer, Manitoba Hydro continues to be well-positioned to make further inroads into that market.

"We know that electric power is very important," says Sandy Beardy, Traditional Chief of Pimicikamak Cree Nation, and a veteran of the Battle of Normandy and the liberation of Germany.

"But here where the dams are, they are still destroying the environment and our hunting, fishing and trapping way of life. We can't make you understand our loss which you haven't experienced. But we pray that the people of Minnesota and the other states will use their wisdom and knowledge to ask their leaders to stop making contracts with a company that drowns the hopes of our children."

Substituting conservation for the ten percent of NSP power that is imported from Manitoba Hydro is one way Americans can help.

Make the connection

More megaprojects (only about half of northern Manitoba's hydroelectric potential has been tapped) and continuing exports are the most serious threats to the survival of the Pimicikamak Cree culture and society.

The Crees' own consumption of power simply does not figure in the equation of preventing further destruction of their boreal home. Neither does consumption in the Province of Manitoba, because all of its electricity needs are met from only a portion of existing capacity, and local Manitoba power consumption has been flat for years (no growth).

Minnesota electric consumers need to be aware of the extent to which Manitoba Hydro and Minnesota's utilities continue to make them complicit in exporting the real costs of Canadian hydro onto the backs of distant Indians and their environment. But this isn't just a moral crisis.

The electric utility industry hopes that Manitoba electricity will qualify as "clean and green" energy for purposes of renewable portfolio standards in the coming era of utility restructuring.

Under this scheme, however, Manitoba's hydro-megaprojects threaten virtually all utility-scale renewable energy developments and conservation initiatives in the American Midwest.

Depending on one long line

1. provides disincentives by local venture capitalists, utilities and governments to invest real dollars in conservation and renewable energy development, except for "boutique" projects;

2. undermines efforts by non-governmental organizations to protect the region's migratory birds and other threatened and endangered species which need access to the genetic diversity provided by the unflooded boreal ecosystem;

3. perpetuates Americans' negative historical treatment of indigenous peoples;

4. sends dollars out of region that could be spent on siting smaller, newer, more reliable generation facilities close to customers that employ local labor;

5. threatens the survival and subsistence way of life of a northern indigenous people;

6. reinforces ignorance of the consequences and true costs of power production.

Empower yourself

Learn where your electricity comes from, how it's produced and how to use it wisely.

Ask your utility what it's doing to respond to your concerns. Write to your governor and your elected officials. Ask your faith community, environmental group, business or academic institution to speak out for the northern environment and human rights.

(For more information, contact Ann Stewart, United States Information Officer, Pimicikamak Cree Nation, at stewartship@visi.com, or (612) 871-8404.)

LCO passes resolution to support Cross Lake

The Lac Courte Oreilles (LCO) tribe has become the first US tribe to pass a resolution opposing a power line through Wisconsin and expressing support for Pimicikamak Cree Nation, based on shared experience of flooding, dam/reservoir construction. The following is being excerpted from Resolution No. 99-91:

... WHEREAS, the Lac Courte Oreille Band of Lake Superior Chippewa has experienced social and environmental devastation from the flooding of its lands and waters as a result of a hydroelectric project built sixty years ago; and

WHEREAS, the hydroelectric project has never been subjected to comprehensive social and environmental assessments; and

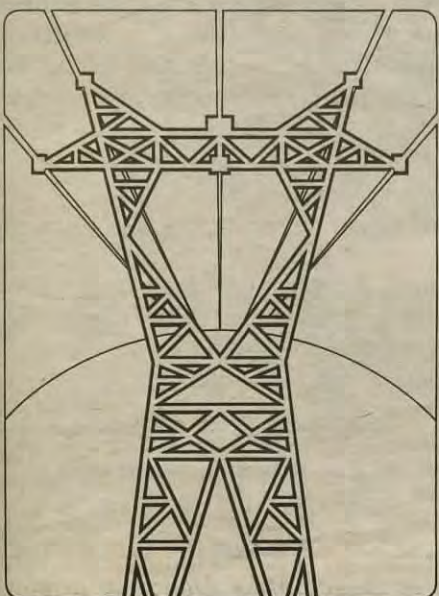
WHEREAS, the Lac Courte Oreilles Band of Lake Superior Chippewa Indians lost a large part of its traditional economic subsistence of hunting, fishing and trapping base; and...

Now Therefore Be It Resolved, That the Lac Courte Oreilles Band of Lake Superior Chippewa Indians strongly opposes the construction of transmission lines anywhere on the Lac Courte Oreilles Reservation that will result in more harm to the peoples of Lac Courte Oreilles as well as to the lands, waters and peoples of Wisconsin; and

The Lac Courte Oreilles Band of Lake Superior Chippewa Indians calls for greatly increased investments by tribal, local, state and national governments, as well as by individuals and corporate and institutional entities, in energy conservation and genuinely renewable energy sources in Wisconsin and the upper Midwest, to displace the "need" to purchase additional environmentally and socially destructive electricity from Manitoba Hydro; and

Be It Further Resolved, That the Lac Courte Oreilles Band of Lake Superior Chippewa Indians strongly opposes the building of transmission lines in the territory ceded in the treaties of 1836, 1837 and 1842 where Lac Courte Oreilles people hunt, fish and gather for their subsistence.

For a complete copy of the resolution, contact the LCO Tribe at (715) 634-4797.



Spirit of Eagles



When Interior Secretary Bruce Babbitt last July supported an Interior Department ruling prohibiting the Hopi Tribe from gathering golden eagle chicks to sacrifice in religious rituals, it was met by threats of court action by tribal officials. But now, it looks like a gentler resolution to the conflict may be in the air.

Leigh Kuwanwisiwma, director of the Hopi Tribe's cultural preservation office, said the Hopis would exhaust all administrative appeals then take their case to the federal courts, according to the *Arizona Republic*.

Kuwanwisiwma also noted that religious leaders are permitted to seize as many as 40 eaglets and hawks for their ceremonies but usually take fewer than a third of that number. Other tribal leaders said they never expected to have problems in Wupatki, the ancestral home of their Anasazi forebears on the desert plains north of Flagstaff.

Sam Henderson is the U.S. Park Service supervisor for Arizona's Wupatki National Monument. It was here that, in May, two Hopi priests were prevented by Henderson from seeking the eaglets for their ceremonies.

The prohibition triggered a clash between Hopi religious rights and the stated mission of the Park Service to protect the animals under its jurisdiction.

Since the incident, however, Henderson has met with Chairman Wayne Taylor of the Hopi tribe, and has had what Henderson characterized as a "nice conversation." The Hopi chairman, said Henderson, wants to work out the problem rather than make it a legal battle, if possible. And Henderson has offered to meet with the chairman and the Hopi tribal council to try to facilitate a solution.

One possible solution comes from a large ranch neighboring Wupatki Monument which has offered to allow the Hopi to collect eaglets on its grounds. Although the Hopi have both U.S. Fish and Wildlife Service and Arizona Game and Fish permits to take the birds, they still need permission from federal land managers, since federal law precludes their taking the birds.

Another alternative is land south of Wupatki where the U.S. Forest Service is willing to issue a permit to the Hopi, freeing them to gather the fledglings there.

Wupatki National Monument covers 35,000 square miles, not a vast area by national park standards. Ironically, no eagles were found in the park this year. "So, in a way, it was a hullabaloo over nothing," Henderson said. However, the issue is still under discussion in Washington, and Taylor still plans to

send a letter to Babbitt asking him to reverse his decision.

While Henderson hopes that the secretary will stand firm on his denial of Hopi access to any golden eagles that might decide to nest in Wupatki, he also holds out hope for an alternative that will allow the tribe to gather birds to sacrifice during the Home Dance harvest celebration.

Asked about his personal feelings on the matter, Henderson said he felt torn.

"I see the Hopis' need to do what they're doing. It's been going on for centuries, and it's getting harder and harder for them because of population growth and so on. They're in a pinch."

"The ceremonies are important," explained Henderson, "because the Hopis believe they make the world a better place for all people—not just for them. So it's hard to give negative input to the situation."

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

St. Croix Park hunt

(Continued from page 1)

While wildlife managers would like to see more breeding-age does taken from the herd, the hunt provides some relief to a variety of flora hindered by overbrowsing.

"The evergreen species are really suffering," Griffin said. "Jack, white, and red pine and white cedar—anything under six feet gets pounded by the deer." The DNR has sponsored special deer hunts at the park since 1945, Griffin said.

GLIFWC member bands began exercising treaty rights at St. Croix State Park in November 1997 after the 8th Circuit Court of Appeals lifted a ban preventing the off-reservation harvest of resources in the 1837 Minnesota ceded territory. □



©Walter Kuranda

"Drum Beat for Mother Earth"

(Continued from page 12)

Children are affected most

Children are more vulnerable than adults to many kinds of pollution, and POPs are no exception. Toxic exposures during fetal development, infant life, and childhood can have lifelong effects including increased susceptibility to cancer, and damage to the immune and reproductive systems.

These health effects may not be apparent until much later in life, making them difficult to link to early-life exposures.

For example, a study of children whose mothers ate PCB-contaminated fish from the Great Lakes during pregnancy showed that they had lower intelligence and problems with reading comprehension. These damaging effects were still observed when the children were 11 years old. After birth, POPs can also enter children during breast feeding.

Many POPs have been detected at significant levels in the breast milk of Mohawk and Inuit women as well as women from many countries worldwide. The average breast-fed baby in North America grossly exceeds the World Health Organization "acceptable" daily intake of dioxin.

We have a responsibility to our future generations to leave them the Earth as it was left to us. By threatening the health and survival of our children, POPs threaten our future generations.

The warning from animals

Indigenous Peoples have always warned about the dangers of chemicals to the animal, fish and bird nations. In recent years, scientists agree that POPs are the main cause of damage to several types of animals and birds. The continued local extinction of the Lake Ontario bald eagle results from exposure to PCBs and other POPs.

The beluga whales of the St. Lawrence estuary and the Alaskan Arctic are highly contaminated by a range of POPs and suffer from a high incidence of tumors and reproductive problems. Reproductive problems, deformities, and behavioral abnormalities in several species of mammals, birds, fish and reptiles in the Great Lakes basin have also been linked to POPs.

A serious health threat to humans

The pollution of the human body by POPs has occurred together with the appearance of several alarming trends in human health over the past few decades. There has been a precipitous rise in breast cancer, many studies showing dramatic drops in sperm counts and increases in other disorders of the reproductive organs.

Numerous studies confirm the toxicity of different POPs to humans. In addition, scientists recognize that POPs can cause these health problems in animals that are commonly used to predict risk to humans.

The U.S. Environmental Protection Agency estimates that exposure to dioxin in the U.S. population is near the levels at which damage to health is known to occur from studies of animals and humans. These health effects include growth and immune system problems, reduced sperm counts and menstrual disorders such as endometriosis. Dioxin is also internationally recognized as a known human carcinogen.

What we can do as Indigenous peoples

- ① Avoid buying products made from vinyl plastic (PVC). Some carry the recycling symbol with the number 3 or the letter V. If a product's composition is not listed, contact the manufacturer before buying it. Ideally, choose more natural materials, but if you have to buy plastic, opt for polyethylene (numbers 2 and 4), polypropylene (5) or PET (1).
- ② Avoid burning trash, especially if it contains vinyl plastic containers (shampoo bottles, peanut butter jars, vegetable oils, lamp oils) vinyl food wrap or packaging.
- ③ Talk to your tribal, IHS, or urban health facility and encourage them to purchase non-vinyl medical products such as IV bags and tubing.
- ④ Join in support with other non-governmental organizations to call for the total elimination of POPs.
- ⑤ Ask your tribal representatives to call on the US State Department to take a total elimination platform within the U.N. treaty-making process.

For more information contact:

Indigenous Environmental Network
P.O. Box 485 • Bemidji, MN 56619 • (218) 751-4967; or

GREENPEACE
1436 U St. NW Washington DC 20009 • (800) 326-0959

Finally, PCBs and dioxin are suspected to contribute to learning disabilities. According to the World Health Organization, "subtle effects may already occur in the general population in developed countries at current background levels." For Indigenous Peoples, the implications are even more serious since we are more highly exposed to these chemicals.

Environmental injustice

Our Indigenous Peoples in North America are being disproportionately harmed from persistent organic pollutants.

Environmental racism exists in national and international policies that allow persistent chemicals to pollute the developing fetus and breast milk of Indigenous women and to potentially affect the sperm count of Indigenous men.

Indigenous Peoples unjustly contaminated with POPs include:

- ③ Yaqui farming communities of Mexico
- ③ Mohawks of Akwesasne in the Great Lakes
- ③ "River Peoples" of the Colombia River Basin in Washington and Oregon
- ③ Inuit, Cree and Dene of Canada
- ③ and Alaska Natives.

We must educate ourselves on this issue and seek to eliminate persistent organic pollutants from the planet. Our future generations depend on our actions.

Beaver deceiver

By Deborah DuBrule, American Indian Report

Convicted, on circumstantial evidence, of destroying U. S. government property at Washington, D.C.'s picturesque Tidal Basin last spring, three beavers caught the media spotlight and got caught by a trapper. The cherry tree-munching criminals, captured alive for 3,000 bucks, were relocated to a still-undisclosed site, where a National Park Service spokesman reports, "They're doing quite well."

But most beavers that venture into human territory and interfere with landowner or public interests often meet a fate not so politically correct, not so highly publicized.

Popularly called "nuisance beavers," their damming activities can seriously harm roads and infrastructures, and cost tribal and non-tribal governments millions of dollars each year in a seemingly endless cycle of damage control. Typically, the controls include lethal measures.

"Tree-chewing is a less serious issue that's easier to remedy," explains Penobscot Nation wildlife biologist Skip Lisle. "Flooding caused by beaver dams, particularly at culverts, is a far more serious, expensive problem and harder to remedy," he stressed, adding, "It's not a problem here anymore."

Lisle recently invented the "beaver deceiver," which, he says, has been "100 percent effective" at preventing damming behavior at 22 Penobscot Nation sites in Maine and 30 others outside the state.

The deceiver is one of numerous types of "flow devices" that have yielded success rates ranging from 4 percent to 90 percent, according to reports.

Until 1995, the tribe's management program represented a microcosm of government policies that are practiced throughout the country where *Castor canadensis*, driven to near-extinction following two centuries of slaughter for the fur trade, has re-emerged. The Nation spent thousands of dollars annually to repair washed-out roads, assigned game wardens to clean culverts, and encouraged trappers to kill beavers at problem sites which, inevitably, attract new recruits, Lisle said.

"Killing is only a temporary solution and ignores the enormous ecological benefits beavers provide," he observes.

Indians called beavers the "sacred center" because of their ability to create wetland habitats that draw and support a variety of species, including birds, amphibians, fish, and mammals. Many, like the bald eagle, are considered threatened or endangered today.

Beaver dams produce small ponds that mitigate downstream flooding by slowing water runoff, and they reduce pollution by filtering silt and collecting toxins, according to literature published by Beavers: Wetlands and Wildlife, a non-profit restoration organization that sponsored a deceiver in Rome, N.Y.

Beavers live in dens and lodges along river, lake, and stream banks without building dams. But the location and placement of some culverts can apparently stimulate damming behavior. The resultant flooding at the blockage leads to unstable roadbeds and washed-out roads, as well as swamped backyards and basements in developed areas.

The Penobscot device not only tricks beavers into believing the site would require too much work to dam, but is often combined with other strategies to reduce damming stimuli at sites.

Deceivers are fitted to individual sites, usually constructed in a trapezoidal shape with cedar posts and heavy-gauge steel fencing, built to last 25 years, and allow fish passage. Material costs range from \$100 to \$2,000, according to a report Lisle has written. The device requires one or two maintenance visits per year, Lisle



points out, in comparison to cheaper "quick fixes that don't do the job" and need constant unclogging until a trapper can get to the site. It's extremely costly in the long-run.

Charged with damage control, Maine's Departments of Transportation (MDOT) and Inland Fish and Wildlife (DIFW) do not calculate indirect management costs or coordinate effort.

DIFW spends \$20,000 in direct costs and annually installs 150 flow devices, costing \$30-\$40 each, which require cleaning about twice a week, explains Animal Damage Control director Henry Hilton. He estimates indirect staff and vehicle expenses at \$100,000 a year.

"If you suspect that if you added up the costs in staff time devoted to preventing road damage and in equipment rental, it'd scare the heck out of people," observes MDOT division engineer Guy Baker.

Highway crew supervisor Darwin Thompson estimates that dam control in his 12-town, 35-square-mile area north of Bangor consumes about 350 hours per year. Excavator rental, occasionally required to clear dams, can cost about \$1,000 per site, he said.

In addition to installing a deceiver for Maine's Houlton Band of Maliseets, Lisle has placed devices at trouble spots in other states for non-profit groups, such as the Humane Society and the Massachusetts Audubon Society.

Fish and Wildlife Manager Donald Rider expressed interest in testing the deceiver as part of a flow device study Wisconsin's Menominee Tribe will undertake next year. The tribe offers a \$30 bounty on beaver. Dam blockages on streams have hampered trout restoration efforts and chewing has destroyed harvestable timber stands on its 235,000-acre reservation, Rider said. In light of falling beaver fur prices, the bounty is "an attempt to put them on an even keel with our forestry management needs."

MDOT plans to "try out a deceiver," said Baker, noting, "I'll believe it [works] when I see it." The 30-plus-year MDOT veteran explained he had seen "all kinds of gimmicks to prevent damming and none of them have worked."

"Twenty years ago we were told that if you put up white flags at a culvert, the beavers wouldn't dam it," he recalls, laughing. "I think they just interpreted it as a sign we had surrendered."

(Reprinted from October 1999 American Indian Report, a publication of the Fallmouth Institute.)



Progress towards zero discharge

(Continued from page 10)
ing not only around Lake Superior but the entire Great Lakes basin.

As part of a review of the Lake Superior demonstration project Kory Groetsch, GLIFWC environmental biologist, provided an overview of tribal initiatives towards zero discharge of the nine chemicals of concern.

Groetsch notes that reservations are not large sources of chemical pollutants, but are able to work on indi-

vidual and community awareness through sponsoring activities like "clean sweeps."

Several tribes are also looking at regulations to ban burning barrels as a step toward zero discharge.

All in all, significant reductions of chemical loadings have been achieved in the past decade but concentration levels of contaminants remain above zero. So governments as well as individuals must continue their vigilance.

Countdown to Census 2000: new form includes first-ever tribal response

Washington, D.C.—Question 6 will be number one in the minds of many American Indians, Alaska Natives and Native Hawaiians as they fill in the census form in the year 2000.

For Question 6 will ask an old question—"What is this person's race?"—in quite a new way.

For the first time, the census form will acknowledge Native diversity by allotting space to indicate the enrolled or principal tribe of every household member. The answer is based on self-identification, proof of enrollment not being required for the census.

The Census Bureau is also encouraging specificity: that is, Kaibab Paiute will be preferred to Paiute. It may come as a shock to anyone used to filling out standardized forms, but there will even

be enough boxes to accommodate multiple tribal names—they must be serious!

All humor aside, filling out the census forms is indeed serious business.

Census information assists communities in obtaining federal funds and planning data for schools, hospitals, roads, housing, job training and a variety of other services and necessities, including programs critical to Native communities such as diabetes screening.

The official Census Day will be April 1, 2000, but the forms will become available beginning in March.

For more information contact Juliet King, First Nations Development Institute, (540) 371-5615.

CRITFC calls for public action and Vice President Gore to restore salmon in national ad campaign

Portland, Ore.—The Columbia River Inter-Tribal Fish Commission (CRITFC) has joined forces with several organizations calling for action on four lower Snake River dams in Washington State through a series of four full page advertisements in the New York Times. The ads urge partial removal of the four federal dams in Washington State to restore devastated salmon populations.

"The Nez Perce Tribe believes that dam breaching is an option which must not be ignored in our efforts to save salmon from extinction," says Samuel N. Penney, Chairman, Nez Perce Tribal Executive Committee "Reliable scientific studies have found that breaching is probably the only way to restore salmon."

The lower Snake River dams are the focus of a court-ordered study of their impact to endangered salmon stocks.

The Administration is weighing three alternatives which represent two basic choices: continue the failing status quo relying on expensive schemes to pull salmon out of the river and barge or truck them around the dams; or restore a natural river condition by removing the earthen portions of the dams.

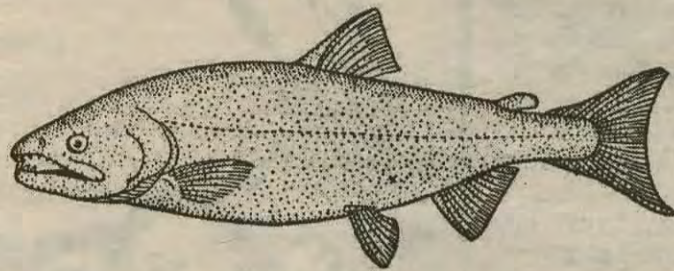
Bison plan may increase herds, improve tribes' diet and health

A coalition of tribes is seeking to implement an alternative management plan for bison that move into Montana from Yellowstone National Park. The plan could result in thriving bison herds on reservations across the West and help alleviate health problems among tribe members.

The plan calls for establishing a carrying capacity for the park's bison herd and shipping any excess healthy bison to reservations. Bison that currently leave Yellowstone may be captured and tested for exposure to brucellosis by the Montana Department of Livestock. Animals testing positive are shipped to slaughter. The contagious disease causes domestic cattle to abort and can result in undulant fever in humans.

The proposed management plan, developed by the Intertribal Bison Cooperative, would create a "haze-back date" for bison on public land to ensure bison and cattle are separated for 45 days before livestock return to summer grazing allotments around the park. The bison that continue to threaten livestock operations would be quarantined at either the Fork Belknap Indian Reservation in Montana or the Choctaw Nation in Oklahoma. Bison infected with brucellosis would be shipped to slaughter.

The reintroduction of the bison would help strengthen the diet and the health of American Indians, representatives of the cooperative said. Tribes with treaty rights within Yellowstone's boundaries may try to reinstate controlled Indian bison hunts in the park.



"Much has been said about human costs but not enough has been said about the costs to the salmon resource and its benefits to all living things, the deer, elk, birds and so on," said Randy Settler, Councilman for the Yakama Indian Nation.

"The loss of salmon cannot be measured only in terms of human livelihood. These losses need to be weighed with the future of all species that are affected by human action."

CRITFC is participating in the ad campaign for several reasons:

1) CRITFC member tribes have a long cultural relationship with salmon and treaty rights to the salmon resources.

2) Vice-President and Presidential candidate Al Gore is the administration's point man on endangered species.

3) administering federal agencies have been ineffective in tribal consultation or salmon recovery measures.

"The administration has to close the loop on this," said Donald Sampson, CRITFC Executive Director, "Their own agencies are bungling the very process and timeline required by law. . . Enough, already. There's not a shred of justification for creating more processes or delaying a decision."

The CRITFC member tribes advocate breaching of the four lower Snake River dams and drawdown of the John Day reservoir on the Columbia River as components of *Wy-Kan-Ush-Mi Wa-Kish-Wit*, their comprehensive salmon restoration plan.

Dam removal would restore 140 miles of free-flowing river for salmon migration and spawning. Restoration of the 34,000 flooded acres could provide access to hundreds of treaty-reserved hunting and fishing access areas, village sites and spiritual places.

"Dam breaching may require a redistribution of government subsidies currently being used to support barging

and irrigation," added Penney, "We support using these subsidies to help mitigate the effects of breaching."

Of course there will be trade-offs in returning the river to its previous free-flowing state, but we cannot and must not allow salmon to go extinct when we know the cause of their devastation and the solution to the problem."

The themes of the ads are: a countdown to extinction; a comparison of salmon extinction to the decimation of buffalo; the cost of the four salmon-killing dams to U.S. taxpayers; and a final ad asking Americans to "give a dam" about the extinction of this symbol of the Northwest.

Each ad urges, "Don't let time run out for salmon. Vice President Al Gore will help decide their fate. Tell him you care about salmon and want the lower Snake River dams removed."

Other ad sponsors are the Sierra Club, National Wildlife Federation, American Rivers, Taxpayers for Common Sense, Idaho Rivers United, Trout Unlimited, U.S. Public Interest Research Group, Save Our Wild Salmon Coalition and Patagonia.

CRITFC represents four Indian Tribes with treaty fishing rights in the Columbia Basin, they are: the Nez Perce Tribe (Idaho); the Confederated Tribes of the Umatilla Reservation (Oregon). The Confederated Tribes of the Warm Springs Reservation (Oregon); the Confederated Tribes and Bands of the Yakama Indian Nation (Washington).

Southern Utes studying mountain lions to decide if hunt should be resumed

By Ted Olsen, *Native American Report*

The Southern Ute Indian Tribe is considering instituting a broader hunting season on their reservation in southwest Colorado to stop the animal from threatening livestock herds and the general public.

The tribe has begun a three-year study to track down and attach radio-signal collars to 50 of the feared predators to provide baseline data on their habits and numbers. This winter, researchers also plan to follow tracks in the snow from—a helicopter.

The study is being conducted with the help of the University of Wyoming and its wildlife center, which functions in conjunction with the U.S. Fish and Wildlife Service. It could result in reopening the hunting season to maintain the lion population at desirable numbers.

Permits could be expanded

"They're very difficult to census," said Terry Stroh, who heads the tribe's division of wildlife resource management. Stroh told *Native American Report* mountain lions are secretive animals that, unlike deer or elk, hide when they sense humans are near.

Stroh says the census could help determine if the population can sustain a hunting season, what the limits should be and what time of year it should be held. In 1992 and 1993, when hunting permits were sold in a package including Native American guides for \$3,000, non-tribal members killed 18 mountain lions. Since then, with only tribal members allowed to hunt, an average of two lions have been killed each year.

That level of harvest caused some concern within the wildlife department, said Joe Koloski, a University of Wyoming graduate student who is heading the study. "They didn't really know what they were doing to the population," Koloski explained.

For more information, contact Terry Stroh at (970) 563-0130; e-mail: [tstroh\(a-\)southern-ute.nsn.us](mailto:tstroh(a-)southern-ute.nsn.us).

(Reprinted from *Native American Report*, a publication of Business Publishers, Inc.)

"Our whole goal is to get the buffalo meat back into the diet of tribal people," Mike Fox, fish and wildlife director for Fork Belknap and a member of the board of directors for the Intertribal Bison Cooperative, told *Native American Report*. Indians in general suffer from higher blood pressure and other ailments that the coalition believes a return to a traditional diet may help alleviate, Fox said.

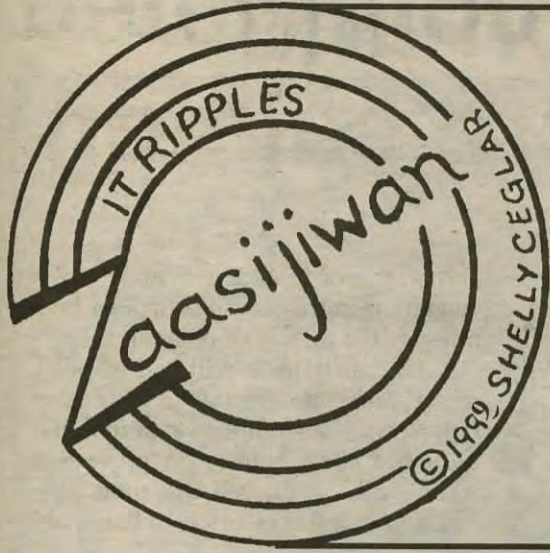
"Right now we have agreements with other parks to supplement our herds and Yellowstone would be a big park to add to that," Fox said. The current herd of 400 bison that supplies the reservations is not sufficient for the 5,000 people living there. However, if the Yellowstone bison were included, "we would be looking at a herd of 3,000 or 4,000," Fox said.

The Yellowstone buffalo is "a very unique strain of buffalo, the last free roaming wild herd," Fox said. "This plan would see that they are not allowed to be shot into extinction."

The cooperative, based in Rapid City, S.D., has had several meetings with National Park Service officials, Fox said. The Cooperative is now waiting on a decision from the state of Montana to move forward. The next Intertribal Bison board of directors meeting will be in Denver, in January 2000.

For more information contact: Mike Fox, Intertribal Bison Cooperative, (406) 353-4801.

(Reprinted from *Native American Report*, a publication of Business Publishers, Inc.)



Biboon — It is Winter

**Biboong, zoopigon. Zoogipong, gisinaa.
Gisinaag, ningiikaj. Niminwendam biboong.
Mizhakwak, ninzhooshkwajiwemin.
Apane diibaabang, gijigijigaaneshiiyag wiisiniwag.**

**(When it is winter, it snows. When it snows, it is cold weather.
When it is cold weather, I am cold. I am happy when it is winter.
When it is clear weather, we go slidding.
Always when it is dawn, chickadees, they are eating.)**

Bezhiig—1

OJIBWEMOWIN (Ojibwe Language)

Double vowel system of writing Ojibwemowin.
—Long vowels: AA, E, II, OO
Oodenaang – as in father
Apane – as in jay
Miigwech – as in seen
Zoogipon – as in moon
—Short vowels: A, I, O
Dash – as in about
Gisinaa – as in tin
Gii-ikido – as in only

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

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

Vii's Conjunct Form/B-Form

The **it is** Verbs. Verbs that are inanimate, intransitive. Weather words: It is snowing. It is cold. Days of the week: It is Monday; It is Wednesday; or others: It is easy; It is flying. **Conjunct Form** adds the meaning **When, If or While** and is never a sentence on its own. **Add a "g" to the VII or change the end 'd' to a "k".**
Biboon—It is winter.
Biboong—When it is winter...
Naano-giizhigad—It is Friday (5th day)
Naano-giizhigak—When it is Friday...

Niizh—2

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

- A. Daagwaaging, nimawadishiwe oodenaang.
B. Onaagoshing, Mindimoye dash akiwenzii giigidowag. Nibwaakaawag.
C. Gii-ikido, "Nooding, giiwedin, biboon."
D. Dibikak, akiwenzii nimiinig a'aw miigwan.
E. Nindikid, Miigwech.
F. Nimbamenimaan a'aw miigwanan.
G. Zanagak, miigwan wiidookaazo.

D A S H
M J B O K X
I D W E O I D
I A I C ' D G K
G U K B M N E E J
W H I G I F Y N F L
E O D D I K N M A D N
C S O A G L A A ' A W
H O H R W Q G K Z O N M
N I B W A A K A A W A G
B T Z A N A G A K P C U

Niswi—3

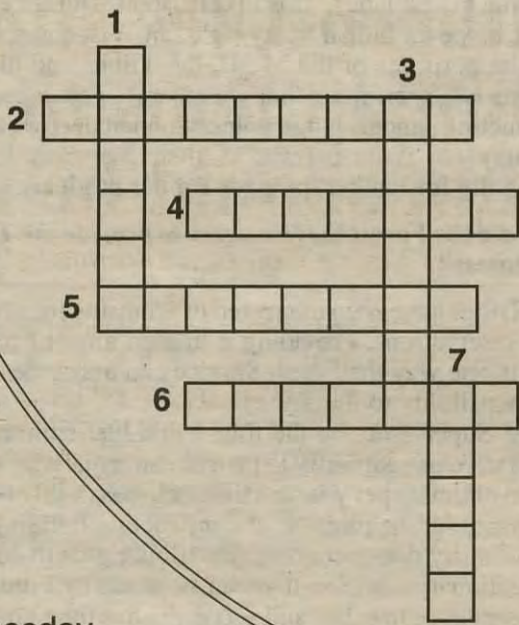
IKIDOWIN ODAMINOWIN (word play)

Down:

1. It is winter.
3. When/if it is windy.
7. Always.

Across:

2. North wind.
4. Halfway day, Wednesday.
5. S/he gives him/her to me.
6. When/if it is difficult.



Niiwin—4

Conjunct VII's—When it is...

Mikwamiiwadamon—It is an icy road/trail.
Mikwamiiwadamong—If/When it's an icy road.
Nitam-anokii-giizhigad. Nitam-anokii-giizhigak,
Niizho-giizhigad. Niizho-giizhigak,
Abitose. Abitoseg,
Niiyo-giizhigad. Niiyo-giizhigak,
Naano-giizhigad. Naano-giizhigak,

**Goojitoon! Try it!
Translation below.**

1. Nitam-anokii giizhiga _____, nindanokii.
2. Abitose _____, ninaagimose.
3. Goon, zoogipon _____, niminwendam.
4. Naano-giizhiga _____, niniim oodenaang.
5. Mikwamiiwadamon _____, ningiwe.

G
K

Translations:

Niizh—2 A. When it is fall, I visit in the town. B. When it is evening, the elder woman and elder man they speak. They are wise. C. She says, "When it is windy, the north wind, it is winter." D. When it is night, the elder man he gives me that eagle feather. E. I say, "Thank you." F. I take care of him/her that eagle feather. G. When it is difficult, the feather s/he helps.

Niswi—3 Down: 1. Biboon 3. Nooding 7. Apane Across: 2. Giiwedin 4. Abitose 5. Nimiinig 6. Zanagak.

Niiwin—4 1. When it is the 1st work day (Monday), I work. 2. When it is halfway (Wednesday), I snowshoe. 3. Snow, when it snows, I am happy. 4. When it is the 5th day (Friday), I dance in the town. 5. When it is icy roads, I go home.

There are various Ojibwe dialects, check for correct usage in your area. Note that the English translation will lose its natural flow as in any foreign language translation.

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ANA elder mentor program completed

Odanah, Wis.—Elders and young people were brought together through an Administration for Native Americans (ANA) grant during the summer of 1999.

The grant was designed to motivate tribal youth to pursue careers in natural resource management.

Elders from across the ceded territories shared traditional knowledge with the students.

Pictured, from the left (standing), Reggie Cadotte, Lac Courte Oreilles (LCO), warden intern; Fred Barney, Fond du Lac; Art Tainter, LCO; Leo LaFermier, Red Cliff; Joe Chosa, Lac du Flambeau (LdF); Bob Powless, Bad River; Agnes Carrick, Bay Mills; Leonard Sam, Mille Lacs; and Jim Stone, Bad River warden intern.

Front row: Marisa VanZile, Lac Vieux Desert; Aaron VanZile, Mole Lake; Charles Charette, Red Cliff; Robert Smith, LdF; Dan Wiggins, Bad River; Heather Malloy, Bay Mills; Eli Retka, Mille Lacs; and David Curtiss, Mole Lake. (Photo by CO Rasmussen.)



Forest Service MOU questions & answers

(Continued from page 5)

Q. Why is the Forest Service choosing to enter into this agreement?

A. Part of the Forest Service's responsibility as an agency of the federal government is to maintain and enhance its relationships with federally recognized tribes and their governments. The Forest Service's policy (Forest Service Manual 1563) for interacting with federally recognized tribes directs the agency to honor treaty rights of tribes. Executive Orders from the President direct federal government agencies to interact with tribes on a government-to-government basis and to seek ways to streamline permitting procedures. The agreement complies with these directions and furthers federal American Indian policy towards tribal self-governance and self-sufficiency.

Q. Why didn't the Forest Service wait for a court decision on treaty rights on national forest lands?

A. The Wisconsin court cases of the 1980's and early 1990's were limited to State and County administered public lands. The Forest Service believes it is good public policy to work cooperatively with the Tribes to reach agreements with them on the application of their treaty rights to gather wild plants on national forest lands as opposed to taking an adversarial position and working things out in one or a series of court decisions. The Wisconsin federal court cases on Chippewa Indian treaty rights provided a basis for many aspects of the agreement and the Forest Service is of the opinion that the MOU is consistent with the decisions of those court cases.

Q. Is this a change in Forest Service policy or management philosophy?

A. No. This agreement is an example of implementing the existing Forest Service Policy toward Tribal Governments, specifically, maintaining a governmental relationship with federally recognized tribes, honoring treaty rights and fulfilling legally mandated trust responsibilities, addressing and being sensitive to traditional Indian beliefs and practices, and providing technical assistance to Tribes.

Q. To which Tribes does this agreement apply?

A. This agreement pertains specifically to the Tribes of the Great Lakes Indian Fish and Wildlife Commission (GLIFWC): Mille Lacs, St. Croix, Lac Courte Oreilles, Red Cliff, Bad River, Lac du Flambeau, Sokaogan Chippewa Community (Mole Lake), Lac Vieux Desert, Keweenaw Bay, and Bay Mills.

Q. When did the agreement take effect?

A. The MOU was ratified in December 1998. The ratifying parties are the Forest Service and nine of the ten tribes (all but Keweenaw Bay) of GLIFWC. Because the agreement contains language about some already existing policies and practices, the associated activities are already occurring. They include tribal permitting, enforcement, and administration of justice and consultation in planning. Some of the new activities, such as, designation of tribal sugarbushes, campground fee waivers, and gathering logs for homes will not occur until a public involvement period is completed and until the Tribes and the Forest Service meet to discuss how to implement these parts of the agreement.

Q. How will the agreement be implemented?

A. The Forest Service and Tribes have agreed to establish working groups to monitor and implement the provisions of the agreement following its ratification. The agreement contains language which allows for future modifications. Also, any parties may elect to withdraw from the agreement at any time. There are provisions in the agreement for resolving disputes.

Q. What lands are affected by the agreement?

A. The agreement pertains only to National Forest lands in the ceded areas from the treaties of 1836, 1837, and 1842 which covered much of northern Wisconsin and northern Michigan. This includes all of the Hiawatha and Ottawa National

Forests, most of the Chequamegon-Nicolet National Forest, excluding a small part of the southeastern corner, and a small northern part of the Huron-Manistee National Forest. It does not affect private lands or lands under other public administration, such as County Forests, State Forests and Parks, or other federal lands. This agreement does not include any National Forest lands in Minnesota.

Q. Are the products covered under this agreement limited to personal use by the Tribes?

A. No. Most products gathered by tribal members can be sold much as non-tribal gatherers sell balsam boughs and decorative greens. However, tribes may not sell trees as lumber, logs, or pulp.

Q. Does this agreement recognize treaty rights of Tribes to commercial timber on National Forest lands?

A. No. The Tribes have no court recognized treaty rights to commercial timber. The agreement recognizes that the Tribes have treaty rights to gather wild plants on National Forest lands. This is consistent with the outcome of the federal court case on Chippewa Indian treaty rights in Wisconsin.

For the purposes of the MOU, the Tribes and the Forest Service agree that Tribes may issue permits to their members to gather incidental trees for the purpose of constructing canoes, lodge poles, wooden decoys, and other like products. The Tribes may not issue permits to their members for taking trees to be used commercially for lumber, pulp, or similar products.

Q. Why did the Forest Service agree to provide the Tribes logs for the construction of homes?

A. The Tribes have been interested in acquiring logs for the construction of homes on their reservations. Providing a limited amount of logs to the Tribes for this purpose is one way the Forest Service can assist the Tribes and carry out federal trust responsibility to the Tribes.

Forest Supervisors on the four individual national forests chose to use their administrative use authority to provide on request up to, but not more than 40,000 board feet of timber per year to a tribe or tribes (total of 40,000 board feet per Forest, not per tribe) for the purpose of constructing buildings on a reservation. The use of this authority does not recognize tribal rights to commercial timber. Rather, it is a discretionary decision that can be made by Forest Supervisors which offers federal assistance to tribes and accomplishes forest management objectives of the Forest Service.

The amount is less than one-tenth of one percent of the annual commercial timber harvest from each National Forest and a far smaller amount of the standing timber on national forest lands. The amount of 40,000 board feet per year per National Forest seemed like a reasonable amount which would provide real assistance to Tribes (an estimated two or three moderate-sized log homes) without adversely affecting the commercial timber sale program or the sustainability of other natural resources on the National Forests.

Q. Do the Tribes have the ability to effectively regulate their members and enforce regulations?

A. Yes. Each tribe, as a sovereign government, provides services for their members. This includes an administrative, biological, regulatory, and judicial system. Each tribe will issue permits from their natural resources department and will adopt a set of regulations which will be enforced by approximately 40 wardens from GLIFWC and the various tribes.

Each tribe also maintains a tribal court system which metes out justice. In contrast, the Forest Service has only around ten Level IV Law Enforcement Officers in the same area to deal with the non-tribal public. The tribal system has been in place for over 15 years and has worked effectively in regulating off-reservation hunting and fishing activities.

(For more information on the MOU visit GLIFWC's website at www.glifwc.org.)

Neganosh, Archie McGeshick, walks on A legacy of unfailing commitment to Ojibwe people

By Sue Erickson, Staff Writer

Lac Vieux Desert, Mich.—A leader in Indian Country and an elder fluent in the Ojibwe language walked on October 15th. Neganosh, known also as Archie McGeshick, from Lac Vieux Desert (LVD), Michigan, was an active and dedicated member of the Voigt Intertribal Task Force (VITF), frequently opening the VITF meetings in a good way with a prayer in Ojibwe. We thank him for his many prayers and guidance. His absence is felt.

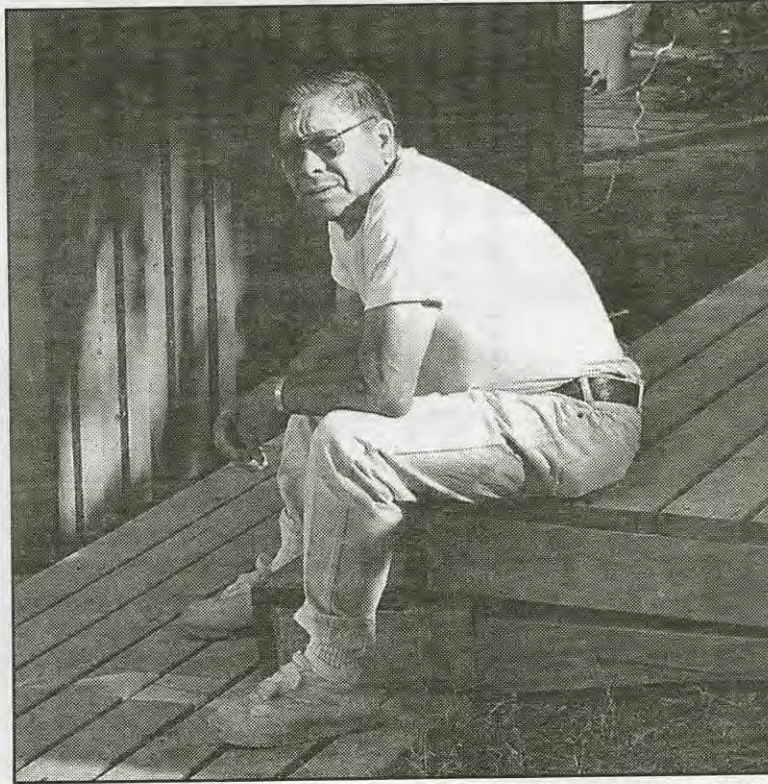
Archie was a cultural advisor, a spiritual leader, the last hereditary chief of LVD, a VITF representative, former vice chairman for both the Mole Lake and Lac Vieux Desert tribes, and a veteran of the U.S. Air Force.

Archie was deeply involved and committed to the meaningful implementation of off-reservation treaty rights for the Ojibwe people. He served as the LVD Commissioner on the Great Lakes Indian Fish and Wildlife Commission's (GLIFWC) Board of Commissioners from 1990 to 1997 and as the LVD VITF representative from July 1989 to August 1999.

Even in the last few years when illness weakened him and caused him pain, he, along with his wife Beverly, faithfully arrived at the VITF meetings as well as the many meetings involved in the Memorandum of Understanding (MOU) with the U.S. Forest Service.

Archie's determination actually served as a catalyst for the Voigt tribes to approach the Forest Service as a unified body, seeking an agreement for off-reservation gathering rights which would extend to all national forests in the ceded territories.

Difficulties encountered by LVD tribal members gathering princess pine in the Ottawa National Forest prompted Archie to encourage the VITF to follow that path. Today, the MOU has been signed by both parties. We must be thankful to Archie for his work.



A thoughtful moment for Neganosh, Archie McGeshick, at Cedar Lake Lodge, Lake of the Woods, Ontario. (Photo by Sue Erickson)

Archie was also committed to the development of LVD's tribal court in connection with the implementation of off-reservation treaty rights, recognizing the importance of self-regulation to the Ojibwe people.

Born March 16, 1932 to David and Josephine McGeshick, he became the father of six children (Archie Jr., Margaret, Cindy, Connie, and Ralph), grandfather of 32 grandchildren, and great grandfather to 16 great grandchildren. He was also a foster grandparent for the Great Lakes Inter-Tribal Council's Foster Grandparent Program.

Miigwetch to Neganosh, Archie, for his caring and commitment to his people and their culture, to his service to GLIFWC, especially the Voigt Intertribal Task Force, and to the natural world, which he enjoyed so deeply and knew so well!

Among many initiatives, there were several that were particularly important in Archie's life. He was committed to maintaining the old Indian village at Lac Vieux Desert. It had, in fact, become grown over. He and his parents cleaned it out, and he remained committed to caretaking the burial grounds and surrounding area, eventually becoming the maintenance supervisor for the LVD pow-wow grounds and cemetery.

He was committed to using and passing down the language. According to his wife Beverly, Archie said that "when you speak in Ojibwe, it is always beautiful." In the 1980s he also became involved in traditional ceremonies, eventually performing ceremonies for others as well.

He cared deeply about the Lac Vieux Desert and Crooked Lake wild rice beds, knowing that manoomin (wild rice) was traditionally a need for his people. Archie, a ricer, was active in the reseed program which enhanced the wild rice crops in the tribe's wild rice lakes.

Peter David, GLIFWC wild rice biologist, recalls going out on Lac Vieux Desert with Archie and a group involved in a hydro-relicensing permit. "I don't know what it was," David says, "but I've never seen so many eagles around as the day I was on the lake with Archie. I will always remember that."

USFWS clears obstacles to Native American artifact repatriation

By Sandy Cleva, USFWS
Office of Law Enforcement

Arlington, Vir.—Last minute legal research, intra-agency negotiations, and coordination with a number of groups by staff of the US Fish & Wildlife Service (Service) and Interior Department's solicitor's office paved the way for the return this summer of a 19th century Native American religious artifact to its rightful owners.

Because of the religious and cultural significance of the artifact—a garment called a Ghost Shirt—and the Interior Department's trust responsibilities to Native Americans, helping return the garment to South Dakota from a museum in Scotland became a priority for the Service. Several offices in Washington as well as in Region 3 became involved.

"Bringing the Ghost Shirt home was clearly important to the Lakota Nation," said Deputy Law Enforcement Chief Tom Riley. "Wildlife importation laws could have derailed this repatriation, but we found a creative solution to the problem."

The shirt, a sacred item of the Ghost Dance religious ritual, is a cotton tunic trimmed with buffalo fur and golden eagle, great horned owl, and raven feathers. Although the United Kingdom issued a permit authorizing export of the Ghost Shirt, importation of such an item into the United States is



Ghost Shirt. (Photo by Glasgow Art Gallery and Museum.)

prohibited under the Migratory Bird Treaty Act and Eagle Protection Act, both of which ban international trade in protected birds and their feathers and parts.

The Service decided to co-sponsor the transfer of the Ghost Shirt by accepting the garment on its arrival in this country and facilitating its transit through US Customs. The actual importation occurred while the shirt was in US government custody and thus was not subject to import restrictions.

Both Service officials and Interior Department solicitors agreed that this

unusual arrangement would fulfill long-standing U.S. trust responsibilities to Native American tribes and uphold the American Indian Religious Freedom Act, which commits the federal government to protecting and preserving the rights of Native Americans to "believe, express, and exercise [their] traditional religions."

The story began in late July when the office of Senator Tom Daschle of South Dakota contacted the Service about the Scottish museum's plans to import the religious artifact and repatriate it to a South Dakota-based Native American group, the Wounded Knee Survivors Association.

Ceremonies had been scheduled to celebrate the return of the Ghost Shirt, which an employee of Buffalo Bill's Wild West Show sold in 1892 to the Glasgow Art Gallery and Museum.

On July 28, Service Wildlife Inspector Linda Benson and Supervisory Special Agent Richard Dickinson met a delegation from the Glasgow museum at Minneapolis International Airport. The Service officers took custody of the Ghost Shirt, escorted it through customs, and presented it to an attorney acting on behalf of the Wounded Knee Survivors Association, the Cheyenne River Sioux Tribe, and the South Dakota Historical Society. The historical society will care for the shirt on the association's behalf at its museum in Pierre.

Ghost Shirts were worn by men and women performing the Ghost Dance, a sacred ritual of a late 19th century Native American religious movement. The religion's founder, a Paiute spiritual leader named Wovoka, taught that peaceful living, hard work, and performance of the Ghost Dance would drive the white man away, resurrect dead ancestors and traditional ways, and call forth a promised land full of abundant game.

A Lakota delegation visited Wovoka in the spring of 1890 and introduced the new religion to the Lakota people, who enthusiastically embraced it. The Ghost Dance offered hope and the prospect of cultural renewal during a time of starvation, epidemics and U.S. government repression.

In the fall of 1890, nearly half the U.S. Army went to the Dakota Territory to stop ghost dancing; on December 29, troops at Wounded Knee Creek fired on a Lakota encampment under their control, killing 300 people, among them many women and children. The Ghost Shirt in the Glasgow museum's collection allegedly was removed from the body of a Lakota warrior who died in that massacre.

Service staff who helped coordinate the Ghost Shirt importation included the Washington offices of Law Enforcement, Legislative Affairs and Migratory Bird Management and the Division of Law Enforcement in Region 3.