

TRIBAL FISHING

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Proposed coal plant to use 2.2 billion gallons of Lake Michigan water every day

By Mike Ripley
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Assessment Program

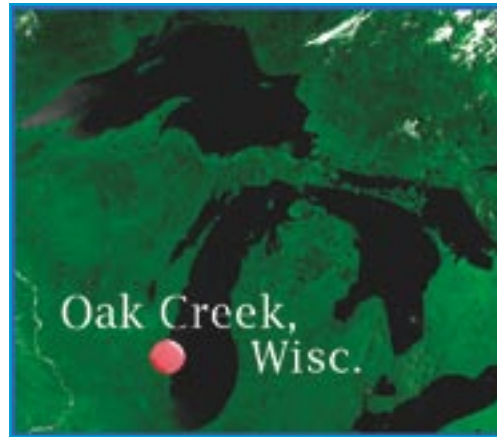
Wisconsin Energy Corporation (WE) is requesting permits to construct what would be the sixth largest coal-fired power plant in the United States, and the largest construction project in the history of the state of Wisconsin. The plant would be located on the shores of Lake Michigan south of Milwaukee, Wisc., and would produce 1200 megawatts of electricity by burning coal.

CORA has responded to a public notice posted by the Army Corps of

Engineers, which oversees wetland regulation in the Great Lakes. CORA shared its concern for a number of negative impacts such a large plant would have on the Lake Michigan fisheries, including:

— Destruction of over 20 acres of coastal wetlands and the dredging and filling of over 11 acres of lakebed in order to construct water intake pipes.

— The plant proposes to take up to 2.2 billion gallons of Lake Michigan water per day for cooling and return warm water back to the lake. CORA is concerned that large amounts of fish fry and smaller creatures that fish



IN THE HEART OF THE GREAT LAKES —

The plant proposes to take up to 2.2 billion gallons of Lake Michigan water per day for cooling and return warm water back to the lake. CORA is concerned that large amounts of fish fry and smaller creatures that fish depend on for food will be destroyed in the process.

depend on for food will be destroyed in the process. In addition, there will be unknown consequences due to large volumes of warm water returned to the lake.

— The majority of mercury con-

tamination in the Great Lakes and around the world comes from the burning of coal. Although the Inter-Tribal Fisheries and Assessment Program's testing of Tribal commercial harvest indicates levels of mercury well below the U.S. Food and Drug Administration and U.S. EPA's guidelines, CORA is concerned that levels of mercury may rise with the addition of more and more coal fired utilities.

There is also a concern regarding the process that expansion of coal-fired utilities are required to follow to construct new facilities. The Bush administration has greatly relaxed the provision in the Clean Air Act known as New Source Review making it easier to construct new power plants and avoid strict environmental requirements.

The Sierra Club has also made allegations of a connection between WE and the Bush election campaign in Wisconsin. According to the *Milwaukee Journal Times*, Wisconsin Energy's Senior Vice President James Klauser was considered to be a key fund-raiser and strategist for former Republican Governor Tommy Thompson. Wisconsin Energy is also facing a lawsuit attempting to hinder their plans from Clean Wisconsin and SC Johnson, which allege that the Wisconsin Department of Natural Resources rushed their decision to grant the company a go-ahead on the plant despite a lack of supporting data.

EXECUTIVE COUNCIL MEETS IN TC



Photo by Jennifer Dale

Members of the Executive Council to the 2000 Consent Decree came together last month in Traverse City for the council's annual meeting: (L-R, back) Sault Tribe Chief of Police and CORA Chairman Fred Paquin, Bay Mills President Jeff Parker, Little River Ogema Lee Sprague, Grand Traverse Chairman and GLRC Chairman Robert Kewaygoshkum, Sault Tribe Chairman Aaron Payment, (seated L-R) MDNR Director Becky Humphries, Little Traverse Bands Chairman Frank Ettawageshick, and USFWS Regional Director Robyn Thorson. (See story on page 2.)

Lake Michigan fish well below EPA mercury guidelines

By Mike Ripley,
Environmental Coordinator,
Inter-Tribal Fisheries and
Assessment Program

SAULT STE. MARIE, Mich.

— Testing of whitefish and lake trout from Lake Michigan shows that levels of contaminants in those fish are well below state and federal guidelines for safe consumption.

The fish tested were collected from commercial catches in the Naubinway area and analyzed at an independent laboratory.

The fish are tested as part of a long term fish contaminant monitoring program conducted by the Inter-Tribal Fisheries and Assessment Program

(ITFAP) in order to determine contaminant levels in commercially caught fish. The results of these tests are then compared to levels of contaminants determined to be safe by state and federal agencies.

Lake Michigan fish were tested for a wide range of contaminants, including mercury, PCBs, dioxins, and pesticides such as DDT. All fish were well below the guidelines for commercial fish issued by the U.S. Food and Drug Administration and below the Michigan Department of Public Health's guidelines for consumption of sport fish by the general public.

Lake Michigan whitefish were remarkably low in mercury, especially

when compared to levels of mercury found in many fish from inland lakes in Michigan. Mercury, mostly from sources such as coal burning electrical plants, accumulates in rain and snow and then concentrates in the smaller inland lakes. Levels of mercury found in Lake Michigan whitefish were even well below the much stricter level of 0.3 parts per million set by the U.S. Environmental Protection Agency.

Levels of pesticides, such as DDT, which was banned in the United States in the 1970s, have also declined in Lake Michigan fish. Contaminant levels in fish from all of the Great Lakes have declined dramatically since the 1970s when regulations were put in

place to reduce pollution.

Health authorities advise consumers of Great Lakes fish to prepare fish by removing excess fat and skin from fillets prior to cooking, in order to reduce the amount of contaminants that may concentrate in the fatty portions of fish. Following this guideline, ITFAP has modified its sample preparation to remove the skin before analysis.

These results should be encouraging for many people who enjoy eating Great Lakes fish, especially since studies show that most Americans eat a diet high in saturated animal fats. Studies show that Americans could dramati-

See "Fish show low levels" page 7

Executive Council holds annual meeting

TRAVERSE CITY — The 2000 Consent Decree's Executive Council met Sept. 10 at the Holiday Inn of Traverse City, Mich. The meeting was chaired by Frank Ettawageshik, chairman of Little Traverse Bay Bands of Odawa Indians (LTBB).

Established as a dispute resolution mechanism under the 2000 Consent Decree, the Executive Council meets annually. Its members represent the seven sovereigns that negotiated the Consent Decree, which oversees fishing in the 1836 Treaty-ceded waters of the Great Lakes. The federal government was represented by U.S. Fish and Wildlife Service (USFWS) Regional Director Robyn Thorson, and Michigan by Department of Natural Resources (MDNR) Director Rebecca Humphries.

Tribes organized under the Chippewa Ottawa Resource Authority (CORA) to oversee the 1836 Treaty fishery were represented by Bay Mills Indian Community (BMIC) President Jeff Parker, Grand Traverse Band of Ottawa and Chippewa Indians (GTB) Chairman Robert Kewaygoshkum, Little River Band of Ottawa Indians

(LRB) Ogema Lee Sprague, LTBB Chairman Frank Ettawageshik and Sault Ste. Marie Tribe of Chippewa Indians (Sault Tribe) Chief of Police and Unit Director Fred Paquin.

After an invocation by LRB Natural Resource Director Robert Hardenburgh, the council heard a report from the Joint Law Enforcement Committee (JLEC), a standing committee to the Executive Council. Committee chairman, LTBB Conservation Officer Kevin Willis, reported that the committee is working to get abandoned nets out of the water.

As of August 2004, an excess of 15 nets, both trapnet and gillnet, were removed from Lakes Michigan and Huron, Willis reported, calling it a "good accomplishment."

The committee is also responsible for conducting joint state-tribe patrols. Willis reported eight joint efforts scheduled for 2004. The committee has proposed five changes to CORA regulations to add:

- a definition of abandoned nets,
- net markings for shallow net sets,
- identification tags for tribal nets

(supplied by the state), and,

— seasonal removal of trap nets during the November closure.

Willis said that an amendment that loose buoy lines not exceed 5 feet was recently approved. (*See CORA regulations amendment, this page.*)

Willis asked for a clarification on the membership of a citizen's advisory group of non-governmental volunteers who would sit in on JLEC meetings. (Membership for the group has been posted for some time, but no one has joined.) Willis asked if committee members are eligible. Because the JLEC is concerned about turnout, Willis said, he also asked if advisory group members could be offered travel.

DNR Native American Liaison Jim Ekdahl said they are looking for people motivated enough to participate without being compensated.

Willis asked if these people were to be non-fishers. Council member Fred Paquin said the intention was to recruit "citizens at large" with no connection to the fisheries — no committees, for example. He reminded those present that the advisory council has been posted for two years.

Upon questioning, Willis reported that the JLEC has a good inventory of abandoned nets. As nets are identified as abandoned, they are marked as such and their removal prioritized by the committee.

There was no Old Business.

Under New Business, the USFWS's Alpena Project Leader and Technical Fisheries Committee Chairman Jerry McClain proposed a procedure for stocking change notifications. The Technical Fisheries Committee (TFC) is a standing committee to the Consent Decree made up of biologists from each party in the Consent Decree.

The TFC recommended that the party proposing a change in fish stocking notify all the other parties and the TFC simultaneously. If, after 45 days, no biology or policy objections are made, the proposed stocking can proceed.

The Executive Council approved the proposal unanimously.

Next, the TFC asked the council to consider an inconsistency in Consent Decree language regarding the three-year penalty provision, that made it possible to be penalized more than once for a single overharvest. The new wording, "After imposition of either an annual penalty or multi-year penalty, the year or years used in the calculation of such penalties shall revert to zero deviation for the purposes of future penalty calculations," prevents double or greater penalties. The Executive Council approved the wording.

The TFC asked for a clarification

on the harvest limit change rule, asking if the 15 percent restriction should be applied before or after a penalty was assessed. The council voted unanimously that the restriction would be applied pre-penalty.

Next on the table was the issue of sea lamprey and lake trout stocking. Inter-Tribal Fisheries and Assessment Program (ITFAP) Director Tom Gorenflo said that while the Consent Decree was under negotiation, two assumptions were made — that sea lamprey predation would be significantly reduced and that lake trout stocking would meet a certain level of expectation.

In reality, sea lamprey predation has increased. (Manistique River has been identified as the source of these lamprey.) Further, the USFWS cannot at this time meet the expected stocking levels. This, Gorenflo said, will seriously skew the model that will be used to calculate lake trout harvest beginning in 2006. The exact effect of the under stocking and increased predation cannot be assessed until 2005-2006, he said. But, since the model could force a violation, a remedy may be needed, he said.

USFWS is making an effort, but can't provide a remedy now, said USFWS Regional Director Robyn Thorson. She noted for the record that a report in the status of lake trout rehabilitation was handed out at the meeting.

A motion made by LRB Ogema Lee Sprague to charge the TFC with ascertaining the impact of these two factors was approved.

Grand Traverse Band Attorney Bill Rastetter presented two informational items. First, GTB requests a consultation with the USFWS and the MDNR to discuss obtaining a benefit not in Consent Decree. An assessment with onboard monitoring has shown that there are no triggers in Management Unit 712, Rastetter said. It's a clean fishery — whitefish can be targeted with little lake trout bycatch. This result was repeated over time, he added. The Consent Decree trigger is 15 lake trout per 1,000 feet of net.

The next item was 2000-2004 walleye stocking in Grand Traverse Bay. GTB Fisheries Biologist Erik Olsen reported that 80,000 walleye have been stocked in Northport and Suttons Bay to create a commercial fishery. Over 40,000 have been harvested, a very high survival rate, said Olsen, despite predation by burbot. According to a GTB study, the walleye diet consists of smelt, alewife, sucker and so forth — no stocked fish.

No one came forward under public comments. The meeting was adjourned.

ATTENTION Trap Net Fisherman Needed

The Chippewa Ottawa Resource Authority (CORA) is seeking the assistance of a CORA-Member Tribe Trap Net Fisher to pull and remove identified abandoned trap nets from the 1836 Treaty Ceded Waters. For further information, please contact Jane TenEyck or Beverly Aikens at (906) 632-0043.

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Robert Kewaygoshkum, tribal chairman

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Frank Ettawageshick, tribal chairman, GLRC chairman

John Keshick, Natural Resource Commission chairman

Sault Ste. Marie Tribe of Chippewa Indians (Sault Tribe or SSMTCI)

Fred Paquin, Tribal Director, Chief of Police, CORA chairman

Vic Matson Sr., Tribal Director, Conservation Committee Chairman

* "Great Lakes Resource Committee" of CORA, which serves as the inter-tribal management body for the treaty fishery in 1836 treaty waters.



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Tribal Fishing, an award winning newsletter, is published by CORA bimonthly. Contact Jennifer Dale at the phone or email above with questions or to make a submission.

CORA regulations amended

On Aug. 26, 2004, the Chippewa Ottawa Resource Authority's (CORA) Great Lakes Resource Committee (GLRC) took action to amend the CORA Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty-Ceded waters of the Great Lakes.

Per Section XIV (2)(a) of the Consent Decree, 30-day notice was given and

there were no contests. Therefore, the regulations are amended by adding the following new subsection to Section IX (Gear Restrictions) of the CORA regulations:

"(m.) Floating buoy line on the surface of the water shall not exceed 5' (5 feet) in length."



New hatchery building protects broodstock

By Jennifer Dale

RACO, Mich. — The U.S. Fish and Wildlife (USFWS) recently celebrated the opening of a new building that protects 14,000 lake trout broodstock at the Sullivan Creek National Fish Hatchery. Sullivan is a substation of the nearby Pendills National Fish Hatchery, the facility that houses the broodstock's offspring — the “production fish” — to be stocked.

The Friends of Pendills Creek Fish Hatchery organized the open house and building dedication held the afternoon of August 7.

The building covers Sullivan's raceways, safeguarding fish from predation, providing conditions more suitable to the deepwater species, and making it easier for staff to care for — especially in the middle of winter.

Gerry Jackson, USFWS Asst. Regional Director of Fisheries, served as master of ceremonies at the grand opening. Jackson said the new building replaces Quonsets that were inefficient and had to be replaced on a regular basis. He added that wildlife like raccoons, mink and the great blue heron treated the raceways like “a buffet.”

Four USCG representatives from the Sault Ste. Marie Base served as the color guard. After the Pledge of Allegiance and the national anthem led by sisters Julianna and Georgeiana Cox, Jackson thanked the Friends of Pendills: President Paula Badder, Treasurer Carol Eccleston, Sam Small, Pauline Rice-Goetz, George Goetz, Neil Godby and Denise Frieze.

Jackson said he was proud of Sullivan's Creek in its 70th anniversary. When built by the CCC in 1934, the hatchery was made of earthen ponds. The facility had its ups and downs throughout the years, and was even closed from 1946 to 1949 when budgets were tight following WWII. Congress revived the hatchery program when the Great Lakes fisheries crash — mostly due to the introduction of the sea lamprey — became nationally recognized as a serious problem and Great Lakes Fishery Restoration Act was enacted.

Originally a production facility, Sullivan's Creek was converted into a broodstock facility in 1994 and has been a disease-free provider of lake trout eggs ever since, said Jackson. Today, Sullivan Creek is home to 14,000 broodstock, many 10 to 15 years old, that

produce 5 million eggs each year.

Inter Tribal Fisheries Assessment Program (ITFAP) Fisheries Assessment Biologist Mark Ebener said that covering the raceways is a great idea. One of the reasons the building makes a big difference is because lake trout can develop cataracts in shallow water where there's too much light, he said.

Jackson said the new facility can control the lights to make light levels more conducive to rearing.

The fun-filled family event was well attended by the community and fellow professionals from other federal agencies. Families wandered among the raceways sampling refreshments, games and contests. Displays with interesting handouts such as posters, pens and even shoelaces were offered by the Forest Service and its Seney Wildlife Refuge, the USFWS and its the Sea Lamprey program, and Lake Superior State University.

Speakers were USFWS Regional Director Robyn Thorson and Sen. Stabenow's Upper Peninsula rep, Sheri Davie. Also attending were representatives from the USFS, Bay Mills Indian Community, the Michigan DNR, LSSU, Canada, and Chippewa County Commissioner Rita Dale.

Thorson talked about the USFWS's treaty obligations toward federally recognized Indian tribes, and called the tribes partners with respect to stocking issues. She thanked the other agencies the Service partners with, such as the USFS. She gave special credit to the USCG color guard, saying,

“We are so cognizant of their important role in homeland security.”

Thorson also gave thanks to the public for its support and caring. “The Great Lakes is part of your American heritage — by understanding and participating you can contribute.” She acknowledged to the Friends of Pendills:

“They are well named,” she said. “We are grateful and thank them for starting the group and partnering with us.” Lastly, she thanked the professional men and women of the USFWS. “... I am proud of you every day,” she said, citing their dedication and achievement with very little money.

One fact not cited too often is the important role hatcheries play in maintaining genetic diversity. “There are strains



Photos by Jennifer Dale

Above, the public gets a close-up look at the USFWS's new building protecting the Sullivan's Creek lake trout broodstock that produces the eggs to stock the Great Lakes. Displays from other agencies were set up at the edge of the raceways where the broodstock live. Below, George Goetz and Neil Godby (L-R) of Friends of Pendills, parent hatchery of Sullivan's Creek, offer sumptuous refreshments at the event. In the middle photo, County Commissioner Rita Dale talks over the history of Pendills and Sullivan's with USFWS Asst. Regional Director of Fisheries Gerry Jackson (L-R). At right, most people get their first peek at the new USFWS Regional Director Robyn Thorson when she addresses the assembly to thank USFWS's many partners and its own professionals.



of fish for each lake. That are suited to the conditions of that lake, Ebener said. Different broodstock from different strains add genetic diversity, the broader the more stable.

Under terms of the 2000 Consent Decree, the USFWS is required to stock a certain

amount of lake trout and they need to produce more fish to help it meet its obligation. Not meeting that goal is not good for our fisheries, Ebener said. Lakes Michigan and Huron alone needs 2.7 million.

“Broodstock is a big deal — lake trout production is

based on healthy broodstock in sufficient numbers, for stocking sufficient numbers of fish,” Ebener said.

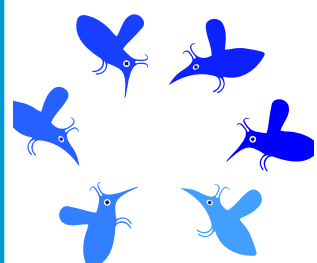
Now, the USFWS just needs to cover Pendills' raceways so the wildlife would take less of the production fish, he added.



HONORED GUESTS —

A family of cranes stopped by the CORA offices one day for a rest and a bite to eat. They joined a number of gulls and crows who were also dining on fish.

Photo by Jennifer Dale



"I WAS BORN TO FISH"

By Jennifer Dale, Editor

PESHAWBESTOWN — Bill "Bear" Fowler is a full-time fisherman who considers himself a student who learns something new from every fisher he talks to. Fowler loves his profession and is grateful to all those who helped him along.

"A big thanks to all the people who I've fished with and learned from as well as people I've talked to about fishing and learned so much, especially the elder fishermen," he said. The Grand Traverse Band member added that he has really learned a lot from the tribal biologists.

The 32-year-old Odawa is married to Jackie John and together they have seven children ages 1 to 15. His mom, born Beulah Ogema, is originally from Peshawbestown, and his dad is Irish.

He is Eagle Clan. "I was born to fish," said Fowler.

It started in 1996, when Fowler moved to Peshawbestown to fish with Ed and Cindi John, his cousin, in their trap netting operation. He loved it. In 1999, Fowler got his own 19-foot boat and started gill netting.

In 2001, he got a 21-foot steel skiff to fish for salmon, lake trout and walleye. A year later, he purchased the tug "Blue Jay" and renamed it "Earl C." This year marked his most recent acquisition, a small trap net boat he dubbed "Richard Jay." If trap netting with the Richard Jay doesn't work out, said Fowler, he can convert it to gill nets.

As Fowler steadily improved and added to his gear, he was still working for others — trap netters, other tugs, other fishers — to fill in the gaps.

"I continually wanted to catch more fish," Fowler said, adding that the anticipation is always exciting. "You never know what you're going to catch. 'What am I going to get today?'"

He said, though, that fishing is not a game, but a challenge. "Some say it's a guessing

game, but the more educated your guess is, the better off you are."

Neither his brother nor his sister fish, but Fowler said it's in his blood. He occasionally takes out his kids. "They're pretty busy with sports," he said. "But they like to help out and make money."

Fowler said that he couldn't fish if there was no money in it. Fortunately, he can make a living at something he loves. "I'll fish before I'll work at the casino," he said.

Fishing can be a dangerous way to make a living. Although he wouldn't call it frightening, he cautioned that one has to respect the lake ... "If not, it'll show you who's boss."

Fowler also serves on the GTB Natural Resource Commission, which gives him a role in the management of the fishery. His greatest

concern is the environment. "Pollution and exotic species adversely affect fishery terribly," he said. "We need more control over our factories that pollute, and other pollution sources. We need more control over ships and other sources that introduce exotic species."

Fowler said there also needs to be more opportunities for fishermen — especially more access to fishing grounds gillnetters can use. "Our zone is pretty much open for trapnetters. But gillnetters have seasonal closure off Leeland, and Southern Bay is closed to gillnetters."

Fowler thinks that the Consent Decree could have offered more opportunities — some were lost and some were gained, he said. But, overall, the new Consent Decree is "as fair as it could be in that point in time."

The Consent Decree's biggest downfall was the trapnet conversion, characterized by Fowler as "very poor." He said the nets and boats were not "up to snuff."

"It was not a fair opportunity," he said. "The fishers were sent out there with junk."

He is also concerned that the state has authority over tribal fishers, but not the converse.

Not the least of Fowler's concerns is the state of the fish market. Prices are not even keeping up with inflation, he said. "I don't know how, but it needs to be done," he said, "Marketing is everyone's concern."

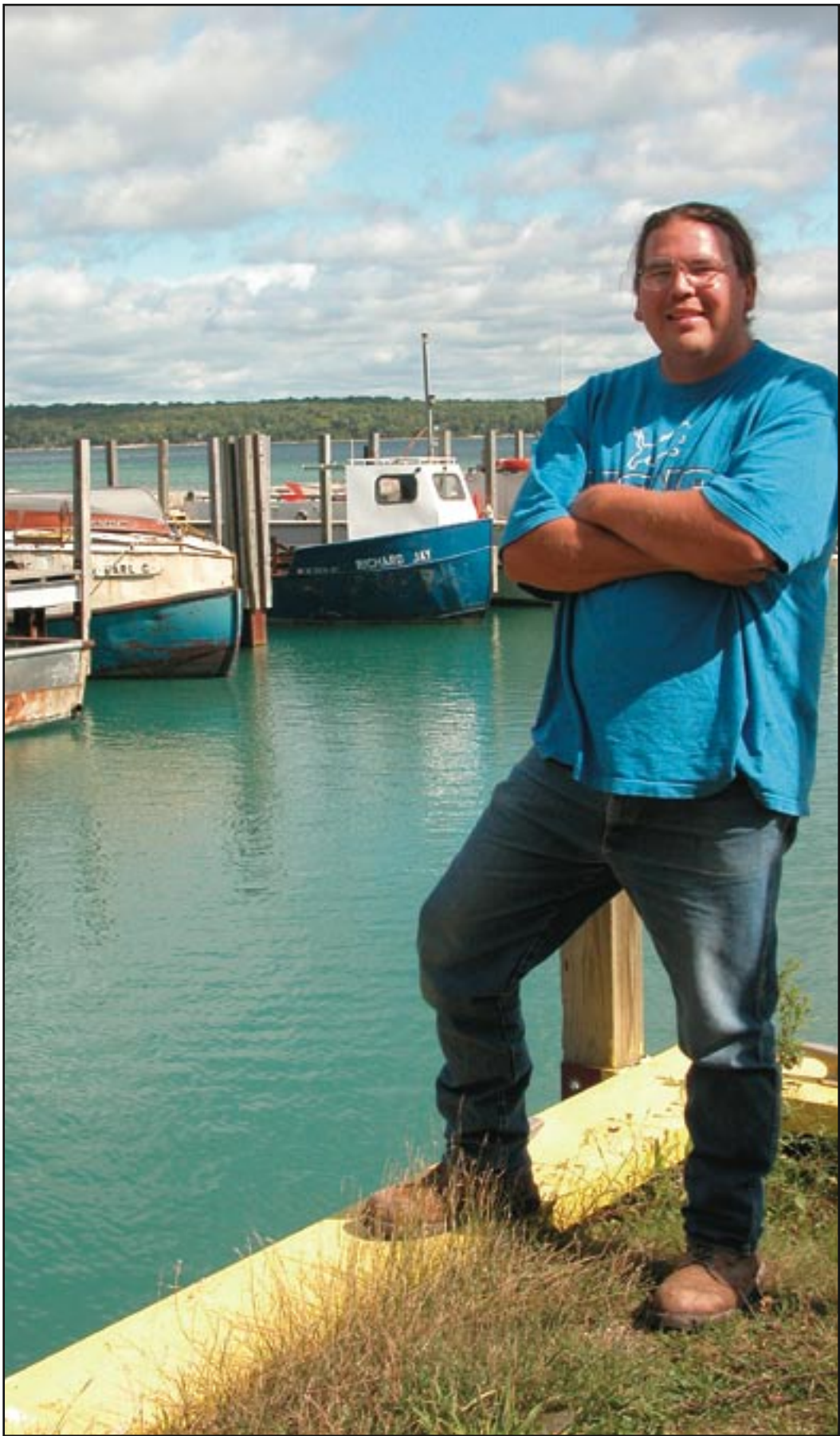
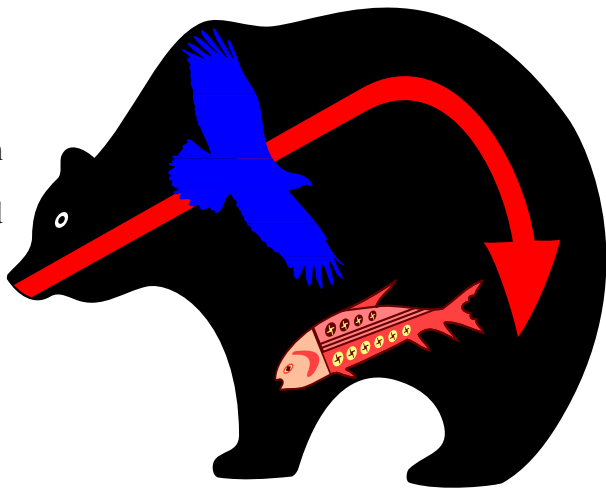


Photo by Jennifer Dale/CORA

Tribal fisher Bill Fowler in front of two of his fishing boats, the "Earl C." and the "Richard Jay," moored at the Grand Traverse Band's Marina on Suttons Bay. Fowler is an Odawa enrolled at Grand Traverse Band of Ottawa and Chippewa Indians, where he serves as a natural resource commissioner.

Grand Traverse Band's Natural Resource Environmental Committee needs your help

The Natural Resources Department of Grand Traverse Band would like the input of tribal members to name the tribally-owned Beaver Island property on Michigan Avenue. The marina expansion recently constructed on this waterfront property was funded in part by the Great Lakes Fisheries Trust. It was purchased and developed to help tribal commercial fishers access northern Lake Michigan waters.

Those interested in suggesting a name for this property should send their idea to the Grand Traverse Band of Ottawa and Chippewa Indians, c/o Natural Resources and Environmental Committee, 2605 N. West Bay Shore Dr., Peshawbestown, MI 49682.

The deadline for entries is November. The Natural Resources and Environmental Committee will make a selection and post the results in the GTB tribal newsletter. If the entry is in the Native Language, please also include an English translation for those of us who have forgotten or still need to learn our precious language.

Those with questions may call Tina Frankenberger at 231-271-7364. Miigwech.



Grand Traverse Band conducts fishery surveys for Sleeping Bear Dunes National Lakeshore in the Manitou Islands

By Brett Fessell, Inland Fish and Wildlife Biologist, Grand Traverse Band

From Monday, June 14, to Friday, June 25, Tom Callison and I, from the Grand Traverse Band Natural Resources Department Inland Fish and Wildlife Program, traveled to North and South Manitou Islands to conduct fishery assessments on the inland lakes of the Islands. We were joined by staff from the Sleeping Bear Dunes National Lakeshore (SLBE) and volunteers Bill Fowler, Larry Schaub and Mike Alvshire.

Beginning last summer, the Grand Traverse Band Fish and Wildlife Program conducted surveys on these lakes as part of a comprehensive fishery inventory and biological evaluation of all water bodies within SLBE. The Sleeping Bear Dunes National Lakeshore is comprised of 71,189 acres (private in-holdings included) situated in northwest lower Michigan and contains at least 19 inland lakes and three large streams that offer fisheries accessible to the public.

A survey of fishes at Sleeping Bear Dunes National Lakeshore has not been conducted since 1979 (Kelly and Price). For some water bodies, including those in the Manitous, surveys have not been conducted since 1975.

As you can understand, whenever work like this is done in situations where access is very limited and difficult, such as on the Islands, you better have your ducks in a row, have a little luck, and hope the weather cooperates. Overall, good fortunes were with us and everything went very well. We only had to work in the rain for two days.

Transportation to the Islands was provided by the Park Service's new landing craft which allowed the us to transport our 14-foot assessment boat loaded to the hilt with nets and sampling equipment.

The Island lakes are situated in a politically-designated wilderness, so motorized access is prohibited. Fortunately, we were able to get an exemption to allow Park Service staff to pull our boat, loaded with over 1,000 pounds of gear, to the lake and back using their ARGO. Unfortunately, the exemption only covered one trip in and one trip out, so every day we made the 2.5-mile trek into and back from Lake Manitou.

We were a little luckier on South Manitou since motor-



Photo by Tom Callison/GTB

Above, GTB Inland Fish & Wildlife Biologist Brett Fessell holds up one of 116 smallmouth found in lake Manitou during a June 2004 Lake Manitou fishery survey. The four-day survey of that lake also yielded 566 yellow perch, 179 green sunfish, 155 white sucker, 103 bluntnose minnow and three Iowa darter.



Above, Paul Murphy-Sleeping Bear Dunes staff photographs a seine haul in Florence Lake on South Manitou Island. Pictured is GTB volunteer Bill Fowler and a seasonal employee for Sleeping Bear.

ized vehicles are allowed within a few 100 yards of Florence Lake, making our daily commute a little less time consuming. Though access to the lakes was solved, we still were unable to use boat motors, so Tom, Bill and I had plenty of shoulder workouts from rowing all of the gear around a couple of very large lakes.

The Technical Stuff

On Lake Manitou (North Manitou Island), we set seven fyke nets and two gill nets in combinations to total 22 net

nights. Park service staff and others set and tended over 20 minnow traps and pulled over 15 seine hauls. After four days of lifting our nets, we caught 566 yellow perch, 116 smallmouth bass, 179 green sunfish, 155 white sucker, 103 bluntnose minnow and three Iowa darter.

We took spine and scale samples for aging of 110 yellow perch and 78 smallmouth bass. As of now, the catch data for the minnow traps and seine hauls is still in posses-

sion of the Park Service, but I do know that the minnow traps contributed very little to the total sample and the seine hauls were very productive in sampling the very abundant juvenile yellow perch component of the fishery.

We had good representative samples of at least three or four age classes of yellow perch and smallmouth bass (age data pending). The largest bass caught was 497mm (19.5 inches), and the vast majority — 96 percent — were below

the legal limit of 457mm (18 inches).

The bass were in the middle of a spawning phase, which may have limited their movements due. I would have liked to see a larger sample of adult bass, but that's the way fishing goes. Many bass were visually observed, but very few were "acceptably" large.

The largest perch was 345mm (13.5 inches). As mentioned earlier, we did see good numbers of several age classes of perch. Juvenile perch constitute the bulk of the forage in this lake. Keep in mind, perch tend to cycle so it will be important to look at growth of both perch and bass. Further analysis of the lake and its fisheries will occur this winter. Florence Lake (South Manitou Island)

Florence Lake was much less productive. Fyke and gillnets were set for a total of 18 net nights. Again, the NPS has the minnow trap and seine data. Over three days of fishing we caught only 47 pike and 20 yellow perch. No adult smallmouth bass were captured, though bass fry were observed in the seine hauls. Obviously, bass spawning occurred before we sampled the lake.

This lake is smaller and shallower than Lake Manitou so it warms at a faster rate so fish will spawn earlier. It is puzzling that we didn't catch any adult bass, but it is likely that habitat and northern pike limit bass numbers to a significant degree in this lake. Most of the pike were below 20 inches and many appeared to be skinny.

Older age classes of yellow perch were limited. Seine hauls produced many perch fry. Perch and crayfish are the principle forage. Crayfish are more abundant in this lake than in Lake Manitou.

No other forage species were observed. A few Iowa darter were observed, but would not contribute significantly to the forage base of the lake. The lake is chock-full of painted turtle. Snapping turtle are common, too.

This lake has no size limit on northern pike. This is appropriate, as the lake likely contains a stunted pike population — age data will help answer this.

A no size limit rule can work to improve a pike fishery among other associated fisheries, but in order for it to work,

See Manitou Survey, page 6



From "Manitous Survey" page 5 —

people need to catch and keep pike. I'm not sure this is happening, so feel free to have as many pike dinners as you like from this lake.

Cover is also limited in this lake, which can have effects on fish growth and survival. We will be evaluating the data closer this winter and likely make management recommendations as a result.

The Not So Technical Stuff

Some members of the public and other agencies are occasionally concerned about the use of gillnets in inland lake surveys. This gear is always used cautiously, but limited mortality is a given and often expected in fishery surveys, and consistent with the protocol, all fish are recycled into the system. Invariably, fish are released alive and later die. This is unavoidable.

Education of the public is the most important issue here. Most people don't understand how fishery surveys are conducted, and are often unaware of what should be considered normal operating procedure in collecting biological information important for "managing" their lakes. In Lake Manitou and Florence Lake, gillnets allowed us to get a clearer picture of the yellow perch population in the lake, which was not possible with the fyke nets.

My philosophy for the Island surveys was to use as much effort as possible to survey these lakes for two reasons. First, they haven't been surveyed for almost 30 years, and second, due to the circumstances we do not know when the next surveys may occur — in another 30 years?

The surveys performed do offer valuable insight to how

the lakes are functioning in general. Using these surveys, water bodies can be prioritized for future management efforts based on their potential for improvement. Those with higher potential should be further evaluated to develop appropriate management strategies for the benefit of public fisheries.

For the water bodies surveyed last summer, specific management recommendations were made for each water body in the watershed with a general sense of potential. Further discussion with NPS and MDNR staff is needed on these recommendations and how each lake should be prioritized based on each lake's potential for improvement.

Ultimately, management decisions will be made through coordination between the Sleeping Bear Dunes National Lakeshore and the Michigan Department of Natural Resources Fisheries Division. Logically, these decisions should be grounded in the goals and objectives of each agency regarding the provision of fisheries to the public. Understandably, each agency is limited by financial constraints and differing priorities. Given these limitations, the Grand Traverse Band is offering assistance in the implementation and monitoring of any management activities recommended by an inter-agency review panel convened to discuss these issues.

Next on the list for assessments to be performed this year are Bow Lakes, Upper Otter Creek, Deer Lake, Mud Lake, Round Lake, Loon Lake and the Lower Platte River. These should keep us busy for the rest of the summer.



Photo by Brett Fessel/GTB

Sleeping Bear Dunes National Lakeshore staff delivered GTB's boat and equipment 2.5 miles inland to North Manitou Island at the shoreline of Lake Manitou.



Photo by Paul Murphy/SLBE

GTB volunteer Bill Fowler and SLBE staff peek at fyke net catch on Florence Lake. The net had been set earlier in the day as part of the fishery survey.

Little Traverse Conservancy establishes Sugar Island shoreline preserve

ST. MARY'S RIVER — A 202-acre property with nearly a mile of Lake Huron-St. Mary's River shoreline was recently purchased for protection by the Little Traverse Conservancy, a non-profit land trust based in northern lower Michigan and working in five counties, including Chippewa County. According to a press release, the purchase was made possible with a significant grant from Professor and Mrs. John A. Woollam and the J. A. Woollam Foundation, Inc., as well as federal wetland protection funds. The island is well known as a hot spot for viewing migratory great gray and snowy owls.

The new preserve is primarily composed of shoreline-associated wetlands which are of vital importance to many wildlife species. The habitat is ideal for bird species including spruce grouse (Michigan

special concern), many duck species, black terns (Michigan special concern), sedge wren, long-eared owl, and many more. In addition, marshes of the St. Mary's River are known to be critical as nursery habitat for Michigan sport fish species.

"Sugar Island is uniquely situated a short distance from the Canadian boreal forest in the middle of the St. Mary's River migration corridor," said Dr. Tom Allan, Associate Professor of Biology at Lake Superior State University.

The Conservancy currently owns three other preserves on Sugar Island: the 85-acre Pickering Hay Point Preserve, the 38-acre Cook Island Preserve, and the 20-acre Koren Preserve. In addition, the new preserve is in close proximity to large blocks of land owned by the University of Michigan Biological Station.



Nearly a mile of Sugar Island shoreline along the St. Mary's River has been purchased for protection by the Little Traverse Conservancy.

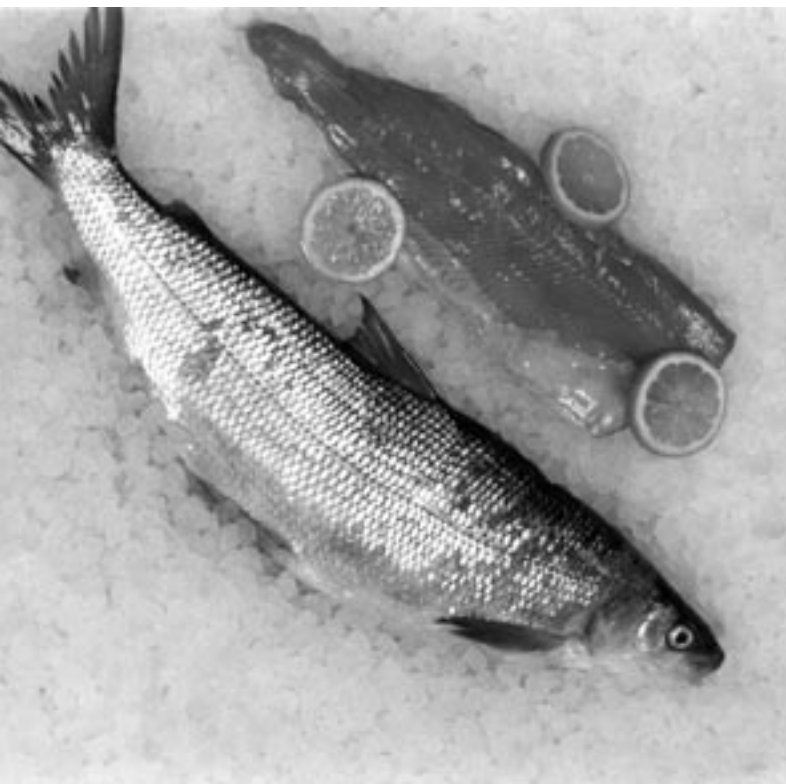


FISH SHOW LOW LEVELS, FROM PAGE 1 —

ly reduce their risk of heart attack and stroke by switching to a more lean protein source such as properly prepared fish. Other studies also show that a different type of fat, omega-3 fatty acids,

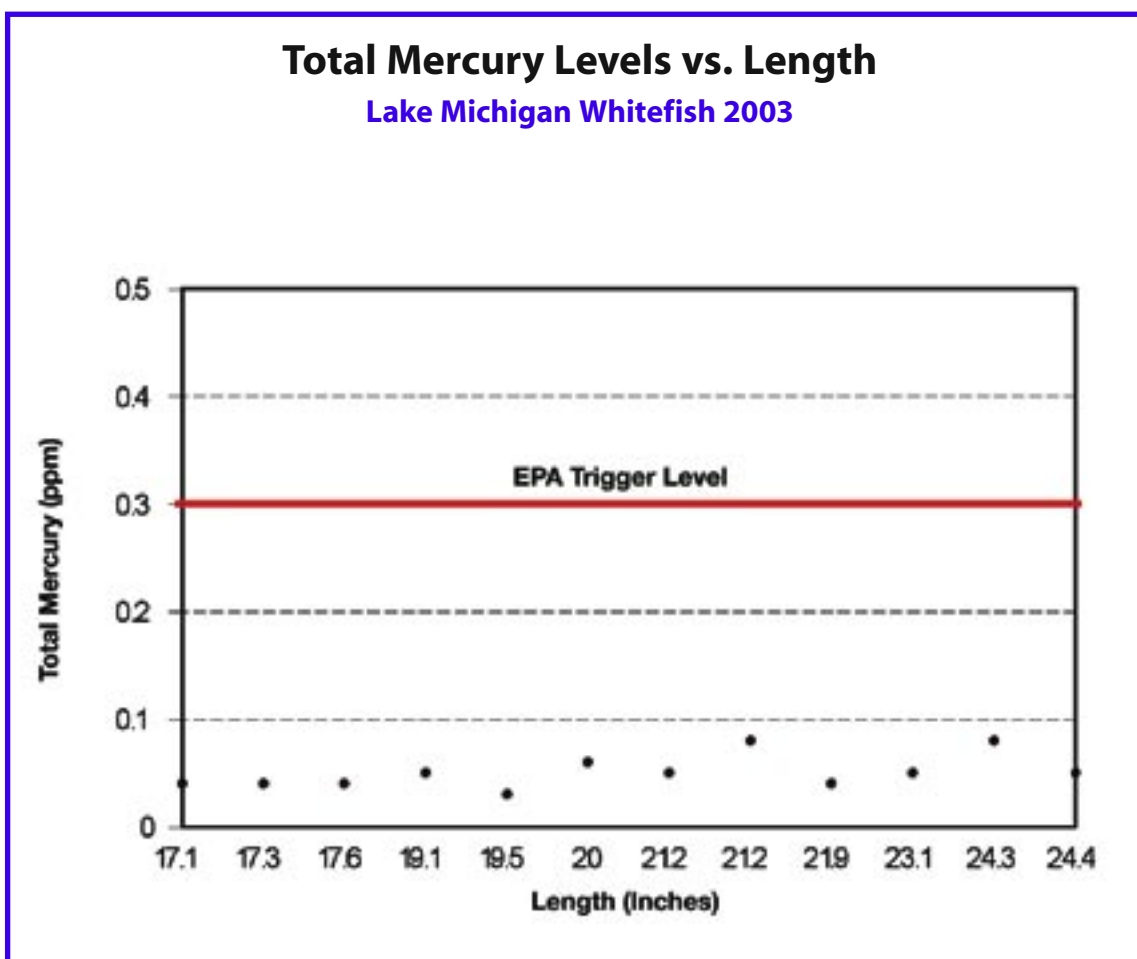
may actually reduce the risk of cancer. Great Lakes fish are especially high in omega-3 fatty acids in comparison to other foods.

For more information, contact Mike Ripley at 906-632-0072.



CORA file photo

FISH – IT'S WHAT'S FOR DINNER — Over the past three years, ITFAP has shown that diners can safely choose whitefish from the upper Great Lakes without fear of overdoing it on mercury. For the lowest contaminant levels, skin and remove fat from fillets.



ITFAP contaminant study 2003

Represented on the graph above is the mercury level of each individual whitefish taken and tested for mercury (and other contaminants) by Inter Tribal Fisheries and Assessment Program (ITFAP). Each point show the length of the fish caught, and its level of mercury. All fish tested are well below the EPA trigger of 0.3 parts per million (ppm).

Project maps nearshore fisheries habitat in Grand Traverse Bay

From Grand Traverse Band Natural Resources Dept.

PESHAWBESTOWN — The Grand Traverse Band of Ottawa Indians Natural Resources Department is conducting nearshore fish habitat mapping in Grand Traverse Bay.

The mapping project is funded by the Great Lakes Fishery Trust (GLFT), USEPA Great Lakes National Program Office (GLNPO) and the Bureau of Indian Affairs Water Resources Program (WRP).

The Band is working with contractors to digitize and

register 147 color photographs depicting shoreline and nearshore features within the Bay and map substrate compositions of particular nearshore areas thought to be important for fisheries habitat.

GLFT funds will allow for incorporation of the photos into GIS ARCMAP 8.X format for analysis and further use in other projects.

The resulting GIS files will be used as a base layer for data generated by the GLNPO and WRP projects evaluating sites in Grand Traverse Bay as potential areas for lake run (coaster) brook trout rehabili-

tation, as well as areas important for spawning and nursery habitat for lithophilous species such as lake trout, sturgeon, smallmouth bass and whitefish.

As part of the GLNPO and WRP studies, Grand Traverse Band is also using the data collected by the Grand Traverse Bay Watershed Center through a walking survey of the entire shoreline of the Bay. The Watershed Center survey documented the location and quantity of various substrates, vegetation, human impacts, and other aspects including

biotic and abiotic features.

The Band is using this information to prioritize site selection for further investigation under the GLNPO- and WRP-funded projects to help evaluate and ground truth potential spawning and nursery areas for coasters and other species. These areas will be identified through nearshore underwater diving transects and bottom mapping technologies including GPS linked sidescan sonar employed by the contractor hired to perform work under the WRP funded project.

The GTB Natural Resources Department expects to have these data complemented by additional nearshore substrate information collected by the Watershed Center in the near future. These data will then be used to create a quantifiable mosaic of important nearshore habitats coupled with photographic imagery within Grand Traverse Bay.

These GIS data will then be available to any interested agencies or resource preservation organizations for resource planning and other aquatic studies.



Photo by Erik Olsen/GTB

August 2003, Brett Fessel takes a dive on the east shore of Grand Traverse Bay during an underwater habitat transect for GTB's Coaster Brook Trout Habitat Evaluation Project funded by the EPA Great Lakes National Program Office.

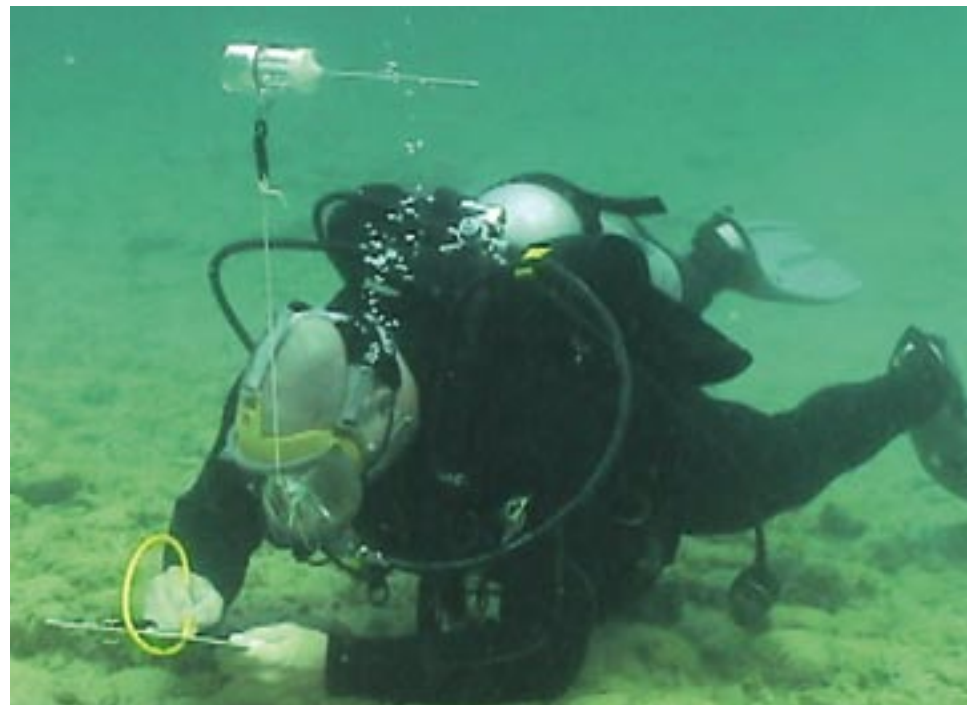


Photo by Erik Olsen/GTB

This September, Fessel catches smallmouth bass on film in Grand Traverse Bay near Engalls point during a habitat transect for the same project.

Chippewa Ottawa Resource Authority (CORA) proves the tribes can regulate their resource

The Chippewa Ottawa Resource Authority gathers five tribes under its wings to regulate treaty fishing in the 1836 treaty-ceded waters of the Great Lakes. Those tribes are (in alphabetical order): Bay Mills Indian Community (BMIC), Grand Traverse Band of Ottawa and Chippewa Indians (GTB), Little River Band of Ottawa Indians (LRB), Little Traverse Bay Bands of Odawa Indians (LTBB), and the Sault Ste. Marie Tribe of Chippewa Indians. These are the tribes residing within the 1836 treaty-ceded territory. **(Please see map below.)**

HOW CORA OPERATES

The CORA governing body is comprised of each member-tribe's tribal leader and natural resource entity chair (or a duly appointed representative). GTB, LRB and LTBB all have Natural Resource Commissions. Bay Mills and Sault Tribe have Conservation Committees. CORA Administrative Assistant Bev Aikens is the appointed secretary.

CORA chairs and vice chairs rotate among its board members. As of October 2004, Sault Tribe Chief of Police and Unit Director Fred Paquin serves as CORA chairman with LRB Ogema Lee Sprague serving as vice chairman.

CORA meets every other month to conduct its business. Each tribe takes a turn hosting the meetings.

CORA COMMITTEES

Two committees have been established under CORA: the Great Lakes Resource Committee (GLRC) and the Inland Lands and Waters Resources Committee (ILWRC). ILWRC is not yet an active committee, since the tribes' inland rights have yet to be estab-



lished, with litigation expected to begin in 2006.

Like CORA, GLRC holds its regular meeting every other month and its officers also rotate among its membership. Current chairman is LTBB Chairman Frank Ettawageshick and GTB Natural Resource Commission Chairman John Concannon with vice chair.

GLRC serves as the inter-tribal management body for the treaty fishery in 1836 treaty waters. According to the tribal management plan adopted by the 2000 Consent Decree, GLRC "has broad authority to protect, preserve, and manage the fishery resources, promulgate regulations, coordinate law enforcement activities, participate in intergovernmental fisheries or environmental bodies, gather biological information, coordinate with other governments and agencies to promote and take measure necessary to protect fish habitat and the environment, and develop methods for

limiting harvest."

The committee's first action was to pass the "Chippewa Ottawa Resource Authority Commercial, Subsistence, and Recreational Fishing Regulations for the 1836 Treaty Ceded Waters of Lakes Superior, Huron, and Michigan."

Also under CORA is the Biological Services Division, comprised of CORA tribes' fishery biologists.

WHAT IS THE ORIGIN OF CORA?

CORA is derived from its predecessor agency, Chippewa Ottawa Treaty Fishery Management Authority (COTFMA), established in 1985. Three tribes that were federally recognized as of 1985 — Bay Mills, Grand Traverse Band and Sault Tribe — set COTFMA in motion after the tribes' reaffirmed their right to conduct treaty fishing under the 1836 treaty in the court case, *US vs. Michigan*. This court case resulted in the 1985 Consent

Decree under which the 1836 treaty-ceded territory was allocated. Each of the tribes, the state of Michigan and the federal government had their own unique interest in the resource. The United States was mostly interested in lake trout rehabilitation.

In 1994, LRB and LTBB became federally recognized. At the prospect of the expiration of the 1985 Consent Order, all tribes in the 1836 treaty-ceded territory banded together to negotiate a new allocation agreement. After two years of negotiations, the 2000 Consent Decree under which 1836 tribes in Michigan regulate their treaty fishery went into effect Sept. 7, 2000.

The new agreement was the product of significant changes that occurred over the 15-year duration of the previous Consent Order: There were two more fishing tribes. The COTFMA tribes had developed an effective system of regulation, conservation and enforcement, becoming involved in every aspect of the fishery. Fish populations had changed, in terms of both

abundance and distribution.

THE 2000 CONSENT DECREE

The negotiations had yielded a new inter-tribal agency to replace COTFMA, namely CORA, and a new allocation agreement, the 2000 Consent Decree — that everyone hoped would more effectively allocate the resource. The 2000 Decree drops the zonal approach used in the 1985 Consent Order to allocate the resource and manages the fishery by species.

The 2000 Consent Decree names an Executive Council with biological and law enforcement standing committees. Established as a dispute resolution mechanism under the Decree, a seven-member Executive Council meets annually. Its members represent the seven sovereigns that negotiated the Decree: the five tribes, the state (MDNR) and the federal government (USFWS).

The Law Enforcement Committee is made up of conservation officers from each entity responsible for enforcement — the five tribes and the state. The Decree also established a Citizen Advisory Committee to provide insight and feedback on problems, issues, and concerns related to the agreement. Although the Citizen Advisory Committee has been posted for two years, it has yet to garner any members.

Comprised of tribal, state and federal biologists, the Technical Fishery Committee (TFC) operates by consensus. Using target "total allowable catch" (TAC), biologists developed methods of management for lake trout, whitefish, salmon, walleye, perch, herring and menominee. The TFC is responsible for gathering and reviewing data used to manage sport and commercial fisheries in the treaty waters.

TODAY'S PICTURE

After four years, the parties are still ironing out some procedures and interpretations arising from the Consent Decree. There are many challenges. For example, USFWS lake trout stocking projections were overestimated, while lamprey predation was greatly underestimated. The trap net conversion in which tribal gillnetters agreed to participate yielded what many feel is substandard equipment. The fish market has been greatly impacted by Canadian imports and unforeseen events such as the terrorist attack on Sept 11, 2000, which devastated New York international fish markets.

Yet, for all the challenges, tribal leaders still work toward the successful exercise of the treaty right to fish as Anishinabe have fished for centuries. At the forefront of our leaders concerns right now is the ability to access fish stocks, to sell tribal fish for a fair price, and the continued health and well-being of the treaty resource.

St. Marys River's BPAC holds annual summit on Thu., Nov. 4

SAULT STE. MARIE — The public is invited to the Fourth Annual Environmental Summit organized by the Binational Public Advisory Council (BPAC) Resource Office in Sault Ste. Marie's Lake Superior State University. The summit will take place from 5-7 p.m. on Nov. 4 in the LSSU Cisler Center's Michigan and Ontario rooms.

Organizations will offer displays in one room while presentations take place in the other. Participants will learn and share information about the progress on environmental issues along the St. Marys River and surrounding area.

Those interested in registering to display (required; deadline is Oct. 15) should contact BPAC at stmarysriver@lssu.com.

HACCP sign up

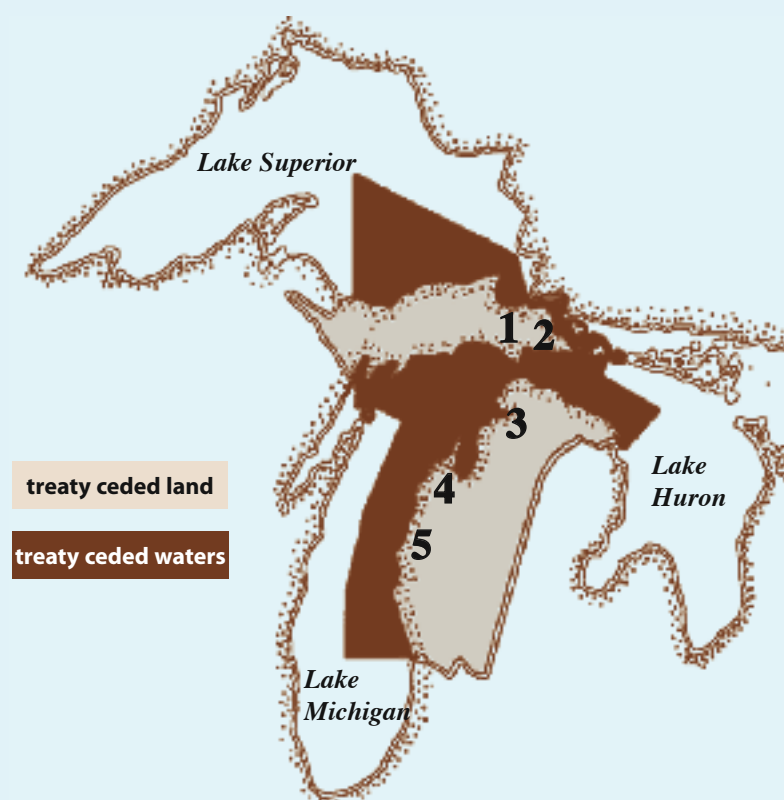
Michigan Sea Grant will offer a HACCP training when enough interested parties sign up for a training session.

Michigan Sea Grant helps Great Lakes fish processors comply with federal regulations regarding seafood safety. In 1997, the U.S. FDA mandated that all fish processors develop and implement Hazard Analysis and Critical Control Point (HACCP) plans to identify and control potential hazards throughout food processing.

Michigan Sea Grant's certified HACCP trainer, Ron Kinnunen, conducts regular training workshops for fish processors to explain HACCP principles and provide model HACCP plans.

CORA Public Information & Education Program is collecting names of tribal parties wishing to become HACCP certified. Contact Jennifer Dale at 906-632-0043 or jmdale@chippewaottawa.org. If leaving a phone message, please be sure to include your name and a contact phone number where you can be reached.

1836 TREATY CEDED AREA and THE CORA TRIBES



- 1) Bay Mills Indian Community
- 2) Sault Ste. Marie tribe of Chippewa Indians
- 3) Little Traverse Bay Bands of Odawa Indians
- 4) Grand Traverse Band of Ottawa and Chippewa Indians
- 5) Little River Band of Ottawa Indians