



1836 TREATY FISHERY

*of the
Great Lakes Anishinabeg*



HISTORY

Thousands of years prior to European contact in the 1600s, the Great Lakes Anishinabeg lifeway had evolved into lakeside fishing villages, supplemented by small vegetable gardens and hunting. In those days, their fishing grounds were dominated by lake whitefish, which Natives harvested in many of the traditional areas still fished today.

As Europeans settled, the Anishinabeg fished not only for sustenance, but to supply the settlers. As more settlers arrived, their need for fish that tribal fishers could provide increased.

In a push for statehood for the Michigan Territories, the United States signed a treaty with regional Ottawa and Chippewa Indians in March 1836. The Anishinabeg ceded

1835 map of the Michigan Territories, just prior to the 1836 Treaty.



Water Spirit Mishipeshu depicted at Agawa, Ontario, on Lake Superior.

over 13.8 million acres of land and Michigan gained statehood a year later. At the same time, the Anishinabeg specifically reserved the right to hunt and fish.

This “treaty right” reserved by the tribes, and guaranteed by the United States, ensured that the tribes could meet subsistence, economic, cultural and spiritual needs. The U.S. Supreme Court and other federal courts have affirmed the continuing existence of these rights.

The Chippewa Ottawa Resource Authority (CORA) oversees treaty fishing in the 1836 treaty ceded territory (see map at right). Beginning in 1982, CORA established fishery management plans and conservation codes to conserve and enhance the resource. CORA’s member tribes take the role of management seriously, providing both the biological, legal and law enforcement expertise necessary for the protection of the natural resources.

THE FISHERY

The fishing tribes of the 1836 Treaty Ceded territory are Bay Mills Indian Community, Grand Traverse Band of Ottawa and Chippewa Indians, Little River Band of Ottawa Indians, Little Traverse Bay Bands of Odawa Indians and Sault Ste. Marie Tribe of Chippewa Indians (see map below). Each tribe is a sovereign entity.

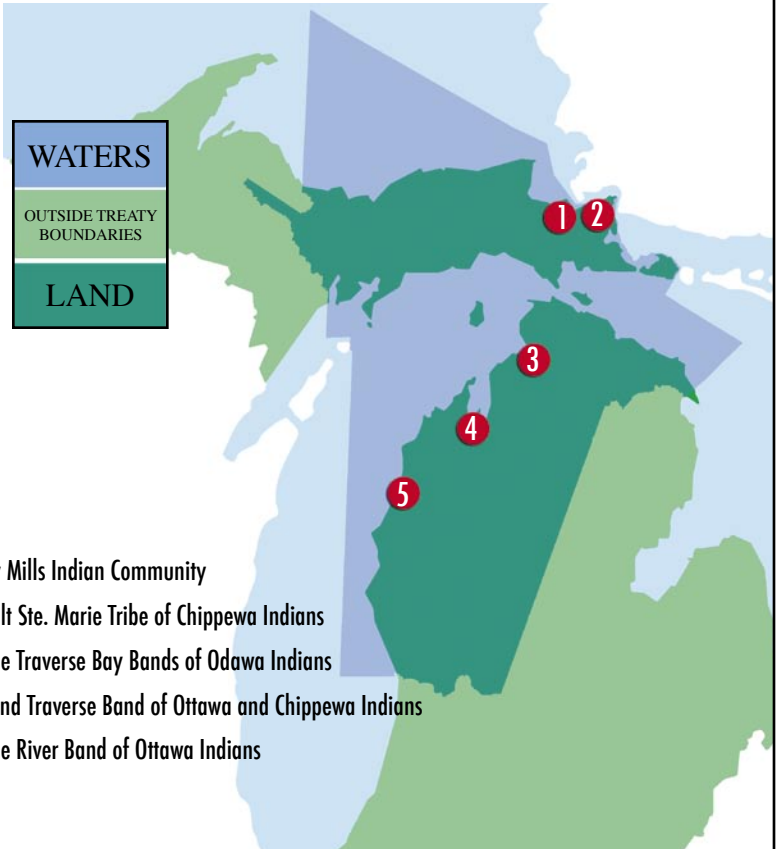
The tribes' members may fish for a living, for food, or



Bay Mills fishers Tim Kinney (L) and his brother Pat Kinney (R), who have fished together for 20 years, pull in their fishing nets set under the ice.

recreation. Commercial fishers must follow the regulations of CORA and their tribe. They must also adhere to maritime

1836 FISHERY ALLOCATION MAP



- 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

safety laws and federal seafood safety laws.

The main species of the tribal commercial fishery is lake whitefish. Other commercial species include lake trout, salmon, chubs, lake herring, menominee, walleye, and perch.

Spawning closures and other restrictions are set in place to protect and conserve fish populations.

Commercial fishermen use trap nets or gill nets. They need a license from their tribe in order to fish commercially. Fishing families tend to pass down both their operations and licenses to the next generation.

The fishers must keep records of their catch and fishing efforts, and submit catch reports to their tribal natural resource departments so that fish managers can better track fish populations and formulate harvest limits.

Those who fish solely for food are called subsistence fishers. Their catch may not be sold or exchanged. Subsistence fishers must be licensed by



Tribal elders participate in a fishery talking circle to gather their knowledge about eating fish. A Sault Tribe Elder shows off her prize winning canned whitefish.

their tribe and are limited to 100 pounds of all species combined in their possession. They must also make catch reports to their tribes for the same reasons as commercial fishers.

Members of the CORA tribes fish recreationally under rules similar to state-licensed sport fishers. The tribal recreational fishers don't submit catch reports, but participate in the same creel surveys as state-licensed anglers.

To better manage and enhance the fishery, tribal fishery biologists use assessment (research) fisheries throughout the ceded territory, sometimes partnering with federal and state agencies. The biologists collect fish data such as age, food habits, lamprey woundings, and health; conduct egg collections; implant tags; and other research.

Out in the bush, menominee is gutted and cleaned to be cooked over a slow fire on a quickly crafted wood grill.



COMMERCIAL SPECIES



The lake whitefish, scientific name *Coregonus clupeaformis*, is the principal catch of the 1836 tribal fishery. Lake whitefish are native to the Great Lakes and the Anishinabeg have been fishing them for millennia.

The Anishinabeg used whitefish as fresh food and preserved food. The bladders were used in the hide tanning process, and the eyes were an ingredient to make paint.

After sustaining the Anishinabe for so long, the whitefish is still here, and for the most part, populations are sustainable and healthy, although they have been adversely affected by invasive species, and other issues such as habitat loss.

The lake whitefish is one of the healthiest fish one can eat. It is very low in mercury and high in lean protein and omega-3 fatty acids. Whitefish is also one of the tastiest of fish. Once hailed as the finest fish in the Great Lakes by Fannie Farmer in her 1813 Boston Cooking School Cookbook, whitefish is now making a comeback for its wholesomeness. Michigan State University Sea Grant Extension “taste tests” show that Great Lakes lake white-

fish are preferred 2 to 1 over other whitefish, and frozen are as tasty as fresh.

Other commercial species in the Great Lakes are high in omega-3 fatty acids, most notably lake herring, lake trout and chubs. Even perch, walleye and smelt can offer some omega-3s.

Lake trout, scientific name *Salvelinus namaycush*, is another important commercial species. Even higher than whitefish in omega-3s, the trout also has high Vitamin D content. Smoked lake trout is particularly sought for gourmet dishes and spreads.

Powdering flesh and bones is one way to preserve fish. The fish is smoked and then pulverized over low heat. Called “Atikameg” by the Anishinabeg, lake whitefish is important to the Anishinabeg spirituality, food security, economy, medicine, and traditions.



MANAGEMENT

The CORA tribes self-regulate their fishery under an agreement, the Consent Decree, between the federal, state and five tribal governments, and the U.S. District Court.

Biological aspects of management are overseen by a standing committee to the Consent Decree, the Technical Fishery Committee (TFC), which is composed of tribal, state, and federal biologists. This committee determines harvest limits for the major species, reviews stocking plans, and addresses other important biological issues within the treaty-ceded territory in Great Lakes waters.

In the Consent Decree, the parties agreed that bloater chubs, lake herring, menominee, walleye and yellow perch may be harvested, each under its own set of regulations.

Lake trout is a special case. Lake trout rehabilitation is very important to all of the parties.



Tribal Fishery technicians conduct winter whitefish surveys.

The allowable lake trout harvest is calculated annually, and allocated between the state and the tribes. There are special areas called lake trout refuges where gill nets are not used and retention is prohibited.

Other species may be harvested for sale except those specifically prohibited: splake, brown trout, brook trout, rainbow trout, Atlantic salmon, largemouth and smallmouth bass, and northern pike. Further, if fishers can't return lake sturgeon or muskellunge back into the water alive, they must turn these species over to tribal biologists or the DNR.

Each year, the tribal whitefish and lake trout fisheries close November 6-29 to give the fish time to spawn without fishing pressure.

Safety is foremost in the

Tribal Commercial fisher Lewis Keller participates in a HACCP seafood safety course, learning to develop and implement a preventive plan.



minds of all managers. The tribes require their fishermen to mark their nets in accordance with regulations designed to ensure boater safety. Fishers must also follow maritime safety regulations that will keep them safe.

When regulations change, or practices likely to affect the fishery such as an assessment or stocking change, the tribes and the state and federal government are required to notify the other parties. If there is no response, the change can be implemented. If there is an objection, it must be resolved before further action. Sometimes fish managers have questions or concerns and these must be addressed.

When a resolution can't be achieved, the conflict goes to the Executive Council of the Consent Decree, comprised of the seven sovereigns that signed the Consent Decree: the elected leader of each CORA tribe, the director of the Michigan Department of Natural Resources, the Secretary of the Interior, or their



Fish Assessment Biologist Mark Ebener and commercial fisher Ralph Wilcox ready nets for chub (a deepwater ciscoe) research in Lake Superior.



CORA shares its McKay Bay access with the public in partnership with the GLFT.

duly authorized representative. The Executive Council meets at least once a year.



Sherrie Lucas peers at sea lampreys at an Inter Tribal Fisheries and Assessment Program educational display.

CONSERVATION

Each CORA member tribe has established a tribal natural resource department, law enforcement department and tribal court to ensure that the fishery is conserved for the seventh generation. The seventh generation philosophy means that each generation looks seven generations ahead in its planning and actions.

Each tribal conservation officer is trained to enforce federal and tribal regulations. In addition to mandatory training and instruction, tribal conservation officers receive vessel safety, navigation and rescue training.

Conservation enforcement is conducted by tribal and state conservation officers to enforce the regulations of the tribes, CORA and the Consent Decree. Tribal officers cooperate with the state's DNR, the U.S. Coast Guard, the U.S. Border Patrol and



A Bay Mills Law Enforcement Boat manned by tribal officers patrols the 1836 waters.

other duly recognized agencies.

A joint Law Enforcement Committee made up of officers from tribal and state governments was established under the Consent Decree. The committee meets regularly to schedule joint patrols and work on any enforcement issues.

CORA regulations cover jurisdiction, licensing, gear, species and closures. Requirements for catch reporting and criminal penalties are specified. The CORA regulations are available at www.1836cora.org.

Tribal fishers cited by tribal or state officers are referred to the conservation court of their tribe. Examples of criminal penalties are monetary fines, license revocation, forfeiture of catch or forfeiture of gear.

During a joint patrol with Little Traverse Bay Bands wardens, Grand Traverse Band Game Warden Jim Petoskey checks identification markings on a commercial trap net buoy.



RESEARCH & ENHANCEMENT

Tribes spend significant resources to restore the fishery where needed, and ensure a healthy and sustainable fishery for future generations.

Each tribe conducts its own research and projects while collaborating and cooperating on a myriad of activities with other tribes and agencies.

Annual projects include commercial harvest monitoring, lake trout and walleye population assessment, whitefish recruitment, forage fish surveys, and water quality monitoring.

Some recent activities are:

- Walleye egg collection, rearing and stocking;
- Lake trout egg planting;
- Whitefish natural mortality study;
- Habitat inventories and mapping projects; and
- Lake sturgeon rearing and stocking.

Tribal biologists and managers participate in lamprey studies and eradication efforts.



CORA tribes have worked diligently toward lake sturgeon rehabilitation. Above, the Little River Band of Ottawa Indians community prepares to release its first set of fingerlings reared in the river water of their birth.

Tribes also lead the way in dealing with aquatic nuisance species, double-crested cormorant control, and calling for stern measures to stop the introduction of more invasive species.

The Inter Tribal Fisheries and Assessment Program has operated Nunns Creek Fish Hatchery since 1989, working on walleye and salmon. It later added the walleye enhancement program.



In addition to their own whitefish research, the tribes assist the U.S. Geological Service with its ongoing whitefish tagging study. Above, a whitefish is surgically fitted with a microtag.

STEWARDSHIP

Environmental health and stewardship is of the utmost importance to the CORA and its member tribes, which are especially concerned about climate change, water quality, aquatic invasive species and habitat loss, and take an active role in restoration and protection.

In 2004, a small group of Anishinabe walked around Lake Superior to call attention to water quality issues. In 2005, leaders representing over 140 tribes and First Nations signed the Great Lakes Tribal Water Accord. In 2006, four sovereign tribes and First Nations signed a treaty to unite into a stronger voice to restore and protect the St. Mary's River.

CORA's Environmental Program represents CORA tribes on a long list of inter-governmental



Environmental Coordinator Mike Ripley holds a yellow perch he is preparing for contaminant testing at an independent lab.

committees and taskgroups, such as the National Aquatic Nuisance Species Taskforce.

CORA's long-term contaminant study has amassed over 15 years of contaminant data on fish caught by tribal commercial fishers. Each year, ITFAP tests fish from the 1836 waters of Lakes Huron, Superior and Michigan on a rotating basis tracking substances such as PCBs and mercury over time, region and species. This information is shared with other Great Lakes agencies.

The study has chronicled the Great Lakes-wide decrease in contaminants over the past 15 years. Lake whitefish in particular is very low in contaminants, and remarkably low in mercury. This does not stop the CORA tribes from keeping a keen watch on levels of contaminants and their sources.

Fishery technician Matt Allard carefully releases the last of the 1.3 million spring walleye fry stocked in 2006.



this inner flap will hold three fact sheets.



POCKET

with slots for business card



Acknowledgments –

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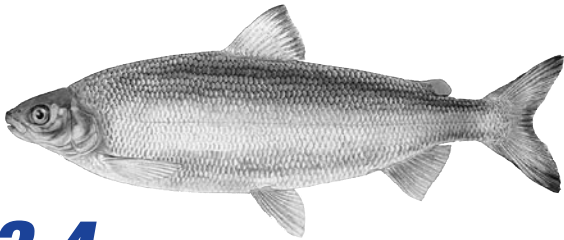
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Our Great Lakes Fish are **BURSTING** with Omega-3 fatty acids



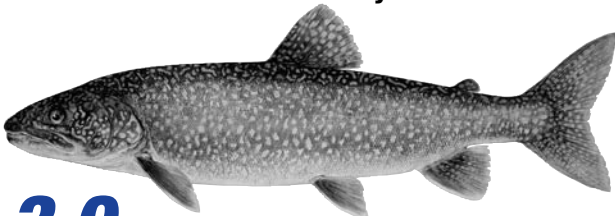
Intake of omega-3 fatty acids is essential to good brain and heart health, and helps with inflammatory diseases like arthritis. This means we need omega-3 fatty acids all of our lives, as developing babies in the womb all the way through our elderly years.

LAKE WHITEFISH – Atikameg
Coregonis clupeaformis



3.4 grams* omega-3 fatty acids

LAKE TROUT – Namegos
Salvelinus namaycush



3.0 grams* omega-3 fatty acids

* Grams per 3-ounce serving. Compare to an average of 1.3g of omega-3 per 3 ounces of canned tuna.

GREAT LAKES
fish

Also an excellent source of
⊗ **Lean Protein** ⊗ **Vitamins**
⊗ **Minerals** ⊗ **Amino Acids**
with no carbohydrates.

LAKE HERRING – Okewis
Coregonis artidii



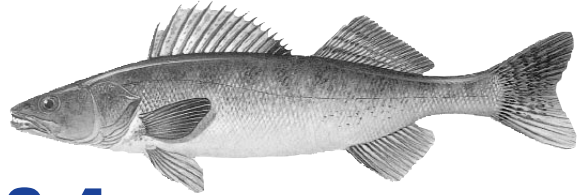
3.6 grams* omega-3 fatty acids

CHINOOK SALMON
Oncorhynchus tshawytscha



1.3 grams* omega-3 fatty acids

WALLEYE – Oгаа
Sander vitreus vitreus



0.4 grams* omega-3 fatty acids

Eat Wild from the Great Lakes!

FRONT

BACK