



**Results of the 2015 Off-Reservation *Waawaashkeshi* (deer), *Makwa* (bear) and *Omaskooz* (elk) Harvest in the 1836, 1837 and 1842 Ceded Territories of Michigan, Minnesota and Wisconsin**

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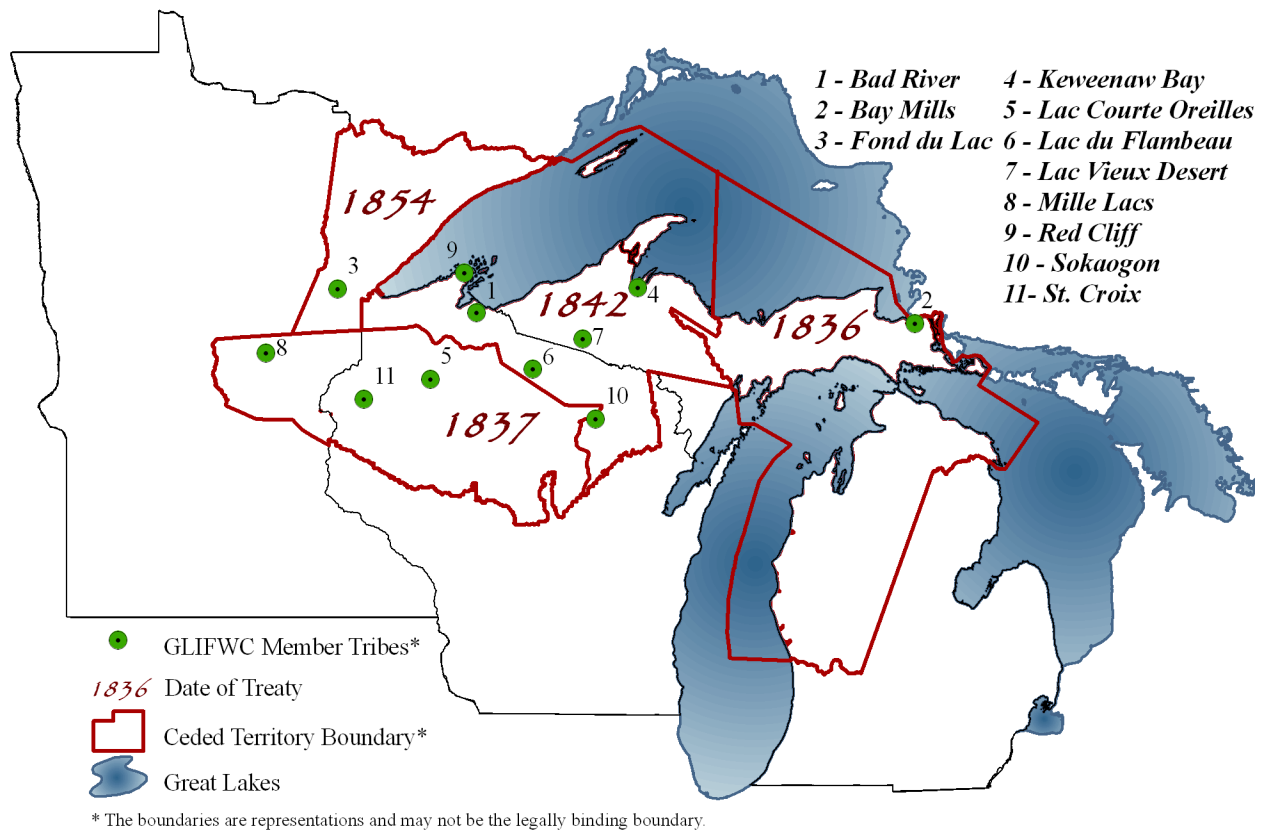
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## Results of the 2015 Off-Reservation *Waawaashkeshi* (deer), *Omashkooz* (elk) and *Makwa* (bear) Harvest in the 1836, 1837 and 1842 Ceded Territories of Michigan, Minnesota and Wisconsin

### INTRODUCTION

This report presents the results of the 2015 off-reservation harvest of *waawaashkeshi* (deer), *omashkooz* (elk) and *makwa* (bear) in the 1836, 1837 and 1842 ceded territories of Michigan, Minnesota and Wisconsin by GLIFWC member tribes (Figure 1).



**Figure 1.** Location of ceded territories and GLIFWC member tribes in Minnesota, Wisconsin and Michigan.

## **WAAWAASHKESHI (DEER)**

### **Regulation Summary**

#### Michigan

*1836 Ceded Territory* - In the 1836 ceded territory in Michigan, season regulations were enacted to be consistent with the 2007 Inland Consent Decree (*United States v. Michigan* (2007)) signed by five tribes and the State of Michigan. The Bay Mills Indian Community is the only GLIFWC member tribe that is signatory to the treaty of 1836 and the 2007 Inland Consent Decree.

*1842 Ceded Territory* - Five tribes have enacted regulations on harvesting in this area: Keweenaw Bay, Lac Vieux Desert, Lac du Flambeau, Sokaogon, and Fond du Lac.

#### Minnesota

In the 1837 ceded territory in Minnesota, season regulations were enacted to be consistent with *Minnesota v. Mille Lacs* (1999) and the wildlife management plans which have been developed by tribal and state officials following the Supreme Court's affirmation of the tribes' reserved rights. GLIFWC member tribes with treaty reserved rights in the 1837 ceded territory of Minnesota have enacted regulations at least as restrictive as the Model Off-Reservation Conservation Code for the 1837 Minnesota Ceded Territory ("Minnesota Model Code").

A harvest threshold system precludes the need to establish tribal antlerless *waawaashkeshi* quotas in Minnesota. Under this system, if the tribal antlerless *waawaashkeshi* harvest surpasses the threshold established for that permit area, then a declaration process is required for that permit area in the subsequent year. Because no antlerless thresholds were exceeded in 2014, no declarations were required for the 2015 season.

Six State Parks that are wholly or partially within the Minnesota portion of the 1837 ceded territory hold special hunts to reduce *waawaashkeshi* populations. In these State Park special hunts, hunting opportunity is limited by hunter density and not by desired harvest. Because of this, a declaration is required for participation in State Park special hunts. These declarations are for the number of hunters, not the number of *waawaashkeshi*. Table 1 summarizes the special hunts that took place in 2015.

**Table 1.** Special hunts in Minnesota State Parks which overlap the 1837 ceded territory in 2015.

Park	Date	Type of Hunt
Banning	10/31-11/1	Youth
St. Croix	10/31-11/1	Youth
St. Croix	11/19-11/22	All Ages / Either Sex
William O'Brien	11/14-11/15	All Ages / Either Sex
Crow Wing	12/5-12/6	Muzzleloader / Either Sex

Wisconsin

Tribal *waawaashkeshi* hunting regulations for members hunting in the 1837 and 1842 ceded territories in Wisconsin were enacted to be consistent with the rulings and stipulations related to *Lac Courte Oreilles v. Voigt* (1983). GLIFWC member tribes with treaty reserved rights in the 1837 and 1842 ceded territories of Wisconsin have adopted codes at least as restrictive as the Voigt Treaty Off-Reservation Conservation Code (“Voigt Model Code”). Currently, the Voigt Model Code can change through a technical amendment process, which allows for nearly automatic updates when state law, hunting, fishing, or harvesting regulations are liberalized. The Voigt Model Code can also be updated with more restrictive provisions as needed for conservation.

A harvest threshold system precludes the need to establish tribal antlerless *waawaashkeshi* quotas in Wisconsin. Under this system, if the tribal antlerless *waawaashkeshi* harvest surpasses the threshold established for that management unit, then a declaration process is required for that management unit in the subsequent year. Because no antlerless thresholds were exceeded in 2014, no declarations were required for the 2015 season.

**Harvest**

*Waawaashkeshi* harvest data were collected at tribal registration stations. Tribal registration stations were located on each of GLIFWC’s 11 member tribe’s reservations in addition to two stations in St. Paul, MN. GLIFWC conservation wardens also registered harvest in the field. With the exception of permits issued by Fond du Lac and Keweenaw Bay, all tribal permits and harvest registrations were entered into GLIFWC’s online permit system. Keweenaw Bay provided tribal off-reservation harvest data by county upon the season’s closure. Fond du Lac provided a summary of harvest by permit area upon the season’s closure.

Total Harvest

A total of 1,517 *waawaashkeshiwag* were harvested off-reservation in the 1836, 1837 and 1842 ceded territories of Michigan, Minnesota and Wisconsin by GLIFWC member tribes during the 2015 tribal *waawaashkeshi* season (Tables 2 and 3, Figure 2).

Michigan

A total of 127 *waawaashkeshiwag* were harvested off-reservation in Michigan during the 2015

tribal *waawaashkeshi* season (Table 2). Antlered *waawaashkeshi* comprised 28% of the total harvest. Bay Mills members harvested 47 *waawaashkeshiwag* in the 1836 ceded territory. In the 1842 ceded territory, 80 *waawaashkeshiwag* were harvested by members of Keweenaw Bay, Lac Vieux Desert and Sokaogon. *Waawaashkeshi* were harvested from 11 counties in Michigan during the 2015 tribal *waawaashkeshi* season (Table 3, Figure 2). Baraga, Chippewa, Gogebic, and Ontonagon counties accounted for 80% of the harvest.

#### Minnesota

A total of 72 *waawaashkeshiwag* were harvested off-reservation in the Minnesota 1837 ceded territory by members of Fond du Lac, Lac Courte Oreilles and Mille Lacs (Table 2). Antlered *waawaashkeshi* comprised 43% of the harvest. Harvest was greatest in Mille Lacs County (Table 3, Figure 2).

#### Wisconsin

In Wisconsin, a total of 1,318 *waawaashkeshiwag* were harvested off-reservation in the 1837 and 1842 ceded territories. Antlered *waawaashkeshi* comprised 37% of the harvest. Harvest during the 2015 tribal *waawaashkeshi* season was distributed among 24 counties in Wisconsin (Table 3, Figure 2). Bayfield, Burnett, Douglas, Sawyer, and Vilas counties accounted for 67% of the harvest.



**Table 2.** Harvest summary for the 2015 off-reservation tribal *waawaashkeshi* season by registration station, state and type of *waawaashkeshi*.

Station	Michigan			Minnesota			Wisconsin		Subtotal			Total
	Antlered	Antlerless	Unknown	Antlered	Antlerless	Unknown	Antlered	Antlerless	Antlered	Antlerless	Unknown	
Bad River							39	65	39	65		104
Bay Mills	21	26							21	26		47
Fond du Lac <sup>a</sup>				6	11	3	22	25	28	36	3	67
Keweenaw Bay <sup>b</sup>	6	24							6	24		30
Lac Courte Oreilles							100	184	100	184		284
Lac du Flambeau							86	221	86	221		307
Lac Vieux Desert	8	34	6					3	8	37	6	51
Mille Lacs				18	24		28	29	46	53		99
Red Cliff							30	35	30	35		65
Sokaogon	0	2					46	98	46	100		146
St. Croix							153	141	153	141		294
Warden Registration				7	3		5	8	12	11		23
Subtotal	35	86	6	31	38	3	509	809	575	933	9	1517
Total		127			72			1318		1517		

<sup>a</sup> Includes harvest by Fond du Lac members reported by Schrage (2016).

<sup>b</sup> Includes harvest by Keweenaw Bay members members provided by Emery (2016).

**Table 3.** Harvest summary for the 2015 off-reservation tribal *waawaashkeshi* season by state, county and type of *waawaashkeshi*.

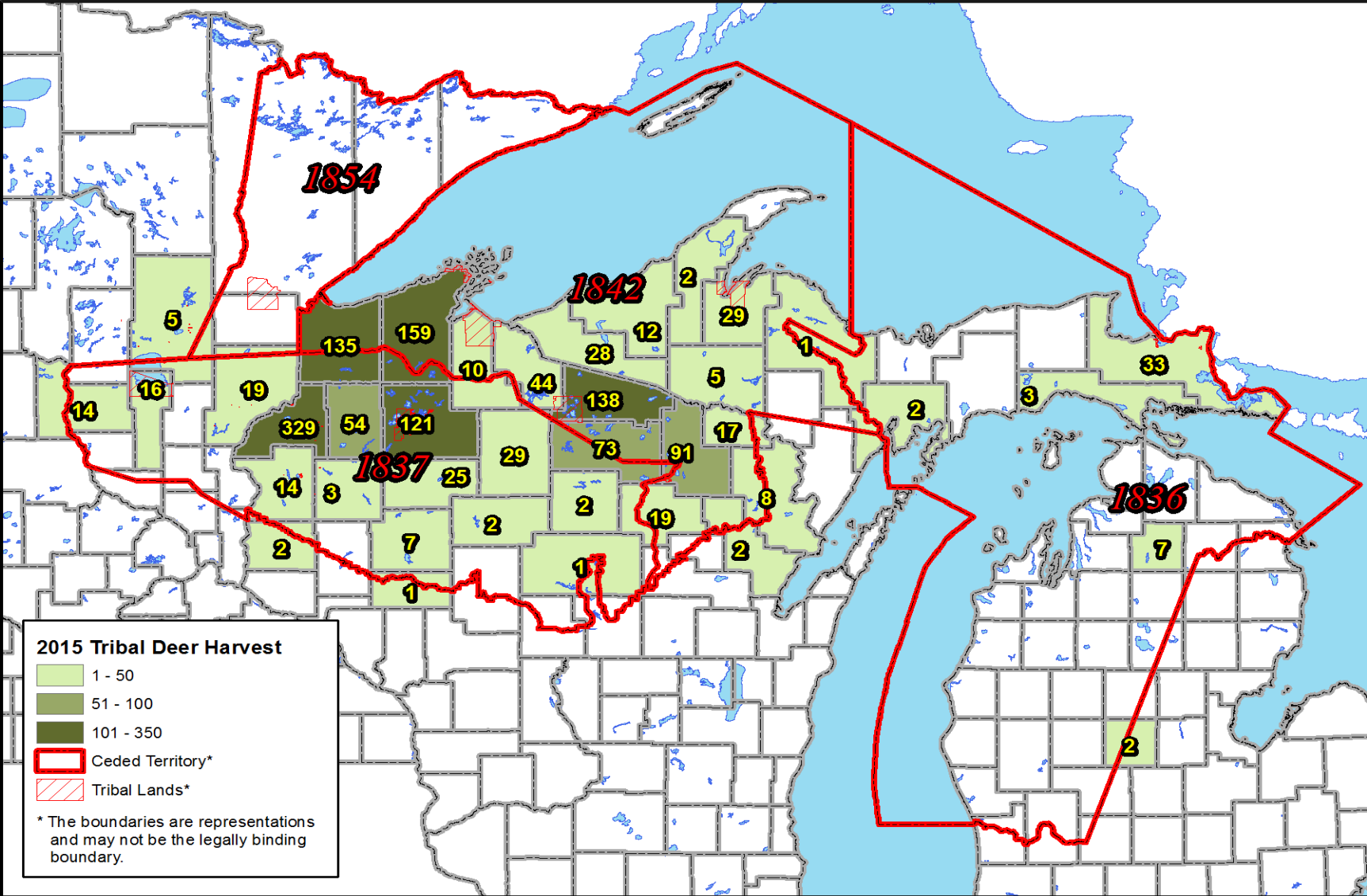
State	County	Antlered	Antlerless	Unknown	Total
Michigan	Baraga <sup>a</sup>	4	25	0	29
	Chippewa	19	14	0	33
	Delta	1	1	0	2
	Gogebic	6	18	4	28
	Houghton <sup>a</sup>	2	0	0	2
	Iron	0	4	1	5
	Isabella	1	1	0	2
	Mackinac	0	3	0	3
	Marquette <sup>a</sup>	0	1	0	1
	Ontonagon	2	9	1	12
	Otsego	0	7	0	7
	Unknown	0	3	0	3
	Subtotal		35	86	6
Minnesota	Aitkin	3	2	0	5
	Mille Lacs	9	7	0	16
	Morrison	5	9	0	14
	Pine	9	10	0	19
	Unknown <sup>b</sup>	5	10	3	18
	Subtotal		31	38	3

<sup>a</sup> Includes harvest by Keweenaw Bay members members provided by Emery (2016).

<sup>b</sup> Includes harvest by Fond du Lac members reported by Schrage (2016).

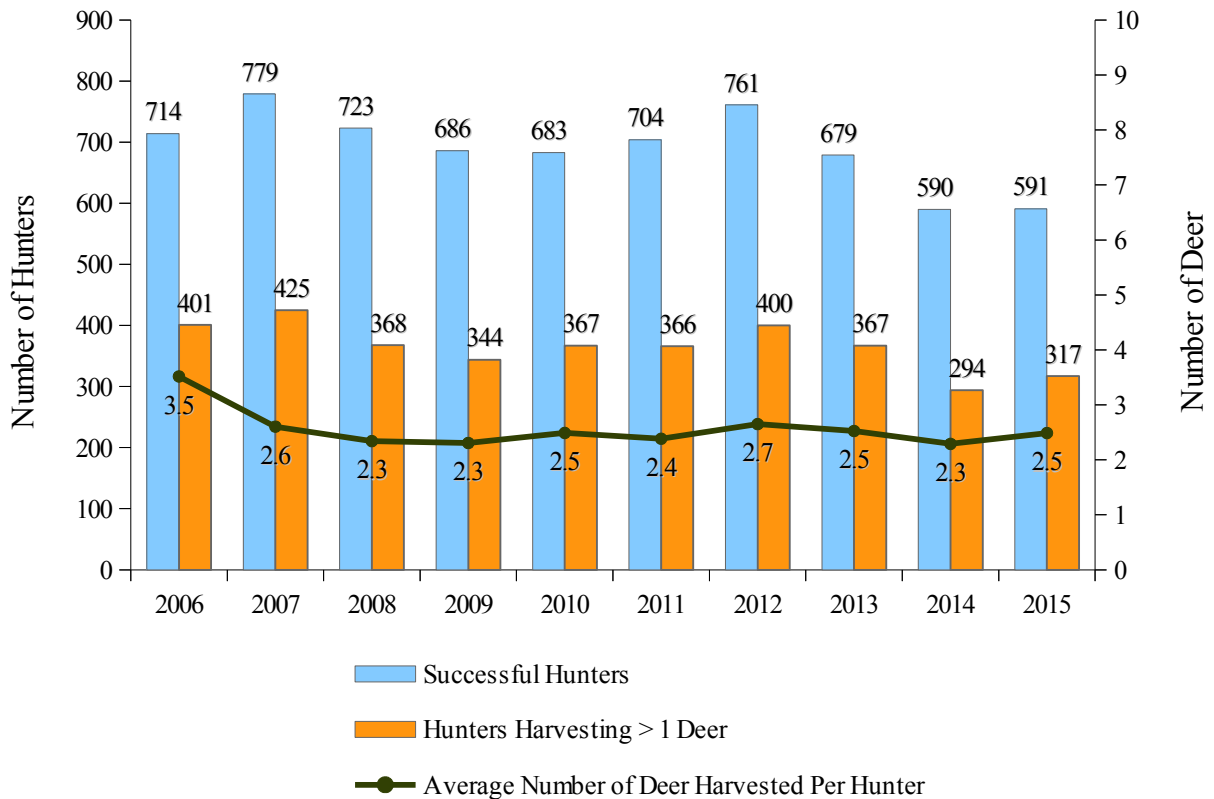
**Table 3.** (continued).

State	County	Antlered	Antlerless	Unknown	Total
Wisconsin	Ashland	4	6	0	10
	Barron	1	2	0	3
	Bayfield	68	91	0	159
	Burnett	168	161	0	329
	Chippewa	4	3	0	7
	Douglas	42	93	0	135
	Eau Claire	1	0	0	1
	Florence	1	16	0	17
	Forest	29	62	0	91
	Iron	11	33	0	44
	Langlade	6	13	0	19
	Lincoln	1	1	0	2
	Marathon	1	0	0	1
	Marinette	2	6	0	8
	Oconto	1	1	0	2
	Oneida	23	50	0	73
	Polk	11	3	0	14
	Price	9	20	0	29
	Rusk	15	10	0	25
	Sawyer	35	86	0	121
	St. Croix	0	2	0	2
	Taylor	1	1	0	2
	Vilas	39	99	0	138
	Washburn	23	31	0	54
	Unknown	13	19	0	32
	Subtotal		509	809	0
Total		575	933	9	1,517



**Figure 2.** Distribution of *waawaashkeshi* harvest by GLIFWC member tribes during the 2015 off-reservation tribal *waawaashkeshi* season.

There were 591 successful *waawaashkeshi* hunters in 2015 (Figure 3, Table 4). The average number of *waawaashkeshiwag* harvested per hunter in 2015 was 2.5 (Figure 3). During the 2015 off-reservation tribal *waawaashkeshi* season 317 hunters shot more than 1 *waawaashkeshi* (Figure 3, Table 4). Many tribal hunters provide meat for extended family, other tribal members in need, elders, feasts, and other community events. Thus, preserving the ability to harvest multiple *waawaashkeshiwag* has been an on-going goal of the off-reservation tribal *waawaashkeshi* season structure.



**Figure 3.** Trends for number of successful hunters, hunters harvesting multiple *waawaashkeshiwag*, and average number of *waawaashkeshiwag* harvested per hunter from 2006-2015. *Waawaashkeshiwag* registered at Bay Mills were included beginning in 2011. *Waawaashkeshiwag* registered at Fond du Lac were not included.

**Table 4.** Number of successful hunters and the number of *waawaashkeshiwag* they harvested off reservation during the 2015 tribal *waawaashkeshi* season. *Waawaashkeshiwag* registered at Fond du Lac were not included.

Deer	Hunters	Percent of Hunters	Total Deer
1	274	46.4%	274
2	128	21.7%	256
3	87	14.7%	261
4	26	4.4%	104
5	25	4.2%	125
6	15	2.5%	90
7	10	1.7%	70
8	9	1.5%	72
9	6	1.0%	54
10	2	0.3%	20
11	3	0.5%	33
14	2	0.3%	28
15	1	0.2%	15
16	1	0.2%	16
21	1	0.2%	21
31	1	0.2%	31
Totals	591	100.0%	1,470

## Antlerless Thresholds

### Minnesota

Fifteen *waawaashkeshi* permit areas and 6 State Parks which hold special *waawaashkeshi* hunts overlap the 1837 ceded territory. A total of 37 antlerless *waawaashkeshiwag* were harvested by tribal members from 7 permit areas in 2015 (Table 5). One additional antlerless *waawaashkeshi* was harvested with no permit area recorded for a total of 38 antlerless *waawaashkeshiwag* harvested from the 1837 ceded territory. The tribal antlerless *waawaashkeshi* harvest was below the threshold level in all permit areas in 2015, thus there was no need for a tribal declaration or tribal quota for 2016.

**Table 5.** Off-reservation tribal *waawaashkeshi* harvest and antlerless threshold by permit area during the 2015 tribal *waawaashkeshi* season in Minnesota.

Permit Area	Antlerless Threshold	Antlerless Harvest
152	25	0
154	100	0
156	100	4
157	100	3
159	100	11
183	100	4
221	100	1
222	100	9
223	100	0
224	25	0
225	100	0
227	100	0
235	25	0
236	100	0
249	100	5
Unknown	--	1
<b>Total</b>	<b>1,275</b>	<b>38</b>

<sup>a</sup> Includes harvest by Fond du Lac members reported by Schrage (2016).

### Wisconsin

A total of 30 counties in Wisconsin overlap the ceded territories. A total of 1,318 *waawaashkeshiwag* were harvested from 24 counties in 2015 (Table 3). Antlerless *waawaashkeshi* accounted for 61% of the harvest. The antlerless thresholds were calculated as the sum of the state antlerless harvest for counties with antlerless quotas = 0. For counties with antlerless quotas > 0, the thresholds were estimated as 15% of the total state antlerless harvest. The tribal antlerless harvest exceeded the threshold in Burnett County in 2015, thus there will be a tribal declaration and tribal quota for Burnett County in 2016 (Table 6).



**Table 6.** Off-reservation tribal antlerless *waawaashkeshi* harvest and antlerless threshold by county during the 2015 tribal *waawaashkeshi* season in Wisconsin.

County	Total Antlerless Harvest		Threshold <sup>b</sup>
	State <sup>a</sup>	Tribal	
Ashland <sup>c</sup>	130	6	130
Barron	3,716	2	557
Bayfield <sup>c</sup>	333	91	333
Burnett	939	161	141
Chippewa	3,316	3	497
Clark	3,857	0	579
Douglas <sup>c</sup>	548	93	548
Dunn	4,358	0	654
Eau Claire	1,941	0	291
Florence <sup>c</sup>	277	16	277
Forest <sup>c</sup>	233	62	233
Iron <sup>c</sup>	52	33	52
Langlade <sup>c</sup>	397	13	397
Lincoln	790	1	119
Marathon	6,933	0	1,040
Marinette	2,933	6	440
Menominee	1	0	0
Oconto	3,352	1	503
Oneida <sup>c</sup>	494	50	494
Polk	5,198	3	780
Portage	3,632	0	545
Price <sup>c</sup>	384	20	384
Rusk	1,071	10	161
Sawyer <sup>c</sup>	280	86	280
Shawano	5,539	0	831
St. Croix	2,311	2	347
Taylor	2,137	1	321
Vilas <sup>c</sup>	345	99	345
Washburn	1,826	31	274
Wood	2,547	0	382
Unknown		19	

<sup>a</sup> Data provided by Johnson (2016).

<sup>b</sup> The threshold for counties with antlerless quotas = 0 were calculated as the sum of state antlerless harvest. The threshold for counties with antlerless quotas > 0 were estimated as 15% of the state antlerless harvest.

<sup>c</sup> County with antlerless quota = 0.

## **MAKWA (BEAR)**

### **Regulation Summary**

#### Michigan

*1836 Ceded Territory* – In the 1836 ceded territory in Michigan, season regulations were enacted to be consistent with the 2007 Inland Consent Decree (*United States v. Michigan (2007)*) signed by five tribes and the State of Michigan. The Bay Mills Indian Community is the only GLIFWC member tribe that is signatory to the treaty of 1836 and the 2007 Inland Consent Decree. The 2007 Inland Consent Decree limits tribal *makwa* harvest to 10% of available harvest in each *makwa* management unit, provided that, if tribal members harvest 10% of available harvest in any unit, the tribe may authorize take of 12.5% of available harvest for that unit in subsequent years.

*1842 Ceded Territory* – Five tribes have enacted regulations on harvesting in this area: Keweenaw Bay, Lac Vieux Desert, Lac du Flambeau, Sokaogon, and Fond du Lac.

#### Minnesota

In the 1837 ceded territory in Minnesota, season regulations were enacted to be consistent with *Minnesota v. Mille Lacs (1999)* and the wildlife management plans which have been developed by tribal and state officials following the Supreme Court’s affirmation of the tribes’ reserved rights. GLIFWC member tribes with treaty reserved rights in the 1837 ceded territory of Minnesota have enacted regulations at least as restrictive as the Model Off-Reservation Conservation Code for the 1837 Minnesota Ceded Territory (“Minnesota Model Code”).

A harvest threshold system precludes the need to establish tribal *makwa* quotas in Minnesota as long as tribal *makwa* harvest is below a threshold level. Under this system, if the tribal *makwa* harvest surpasses the threshold established for that permit area, then a declaration process is required for that permit area in the subsequent year. Because no *makwa* thresholds were exceeded in 2014, no declarations were required for the 2015 season.

#### Wisconsin

Tribal *makwa* hunting regulations for members hunting in the 1837 and 1842 ceded territories in Wisconsin were enacted to be consistent with the rulings and stipulations related to *Lac Courte Oreilles v. Voigt (1983)*. GLIFWC member tribes with treaty reserved rights in the 1837 and 1842 ceded territories of Wisconsin have adopted codes at least as restrictive as the Voigt Treaty Off-Reservation Conservation Code (“Voigt Model Code”). Currently, the Voigt Model Code can change through a technical amendment process, which allows for nearly automatic updates when state law, hunting, fishing, or harvesting regulations are liberalized. The Voigt Model Code can also be updated with more restrictive provisions as needed for conservation.

A harvest threshold system precludes the need to establish tribal *makwa* quotas in Wisconsin as long as tribal *makwa* harvest is below a threshold level (15% of state harvest). Under this system,

if the tribal *makwa* harvest surpasses the threshold established for that zone, then a declaration process is required for that zone in the subsequent year. Because no *makwa* thresholds were exceeded in 2014, no declarations were required for the 2015 season.

### Special Regulations

Some tribes have enacted more restrictive harvest regulations to acknowledge the relationship with *makwa*:

- Lac Courte Oreilles prohibits its members from harvesting *makwa*.
- Sokaogon's registration station is only authorized to register *makwa* for its own members, but Sokaogon members may register *makwa* at other tribal registration stations.

### **Harvest**

*Makwa* harvest data were collected at tribal registration stations. Tribal registration stations were located on each of GLIFWC's 11 member tribe's reservations in addition to two stations in St. Paul, MN. GLIFWC conservation wardens also registered harvest in the field. With the exception of permits issued by Fond du Lac and Keweenaw Bay, all tribal permits and harvest registrations were entered into GLIFWC's online permit system. Keweenaw Bay provided tribal off-reservation harvest data by county upon the season's closure. Fond du Lac provided a summary of harvest by permit area upon the season's closure.

### Total Harvest

A total of 45 *makwag* were harvested off-reservation in the 1836, 1837 and 1842 ceded territories of Michigan, Minnesota and Wisconsin by GLIFWC member tribes during the 2015 tribal *makwa* season (Tables 7 and 8, Figure 4).

### Michigan

A total of 5 *makwag* were harvested off-reservation in Michigan during the 2015 tribal *makwa* season (Table 8, Figure 4).

### Minnesota

No *makwag* were harvested off-reservation in Minnesota during the 2015 tribal *makwa* season.

### Wisconsin

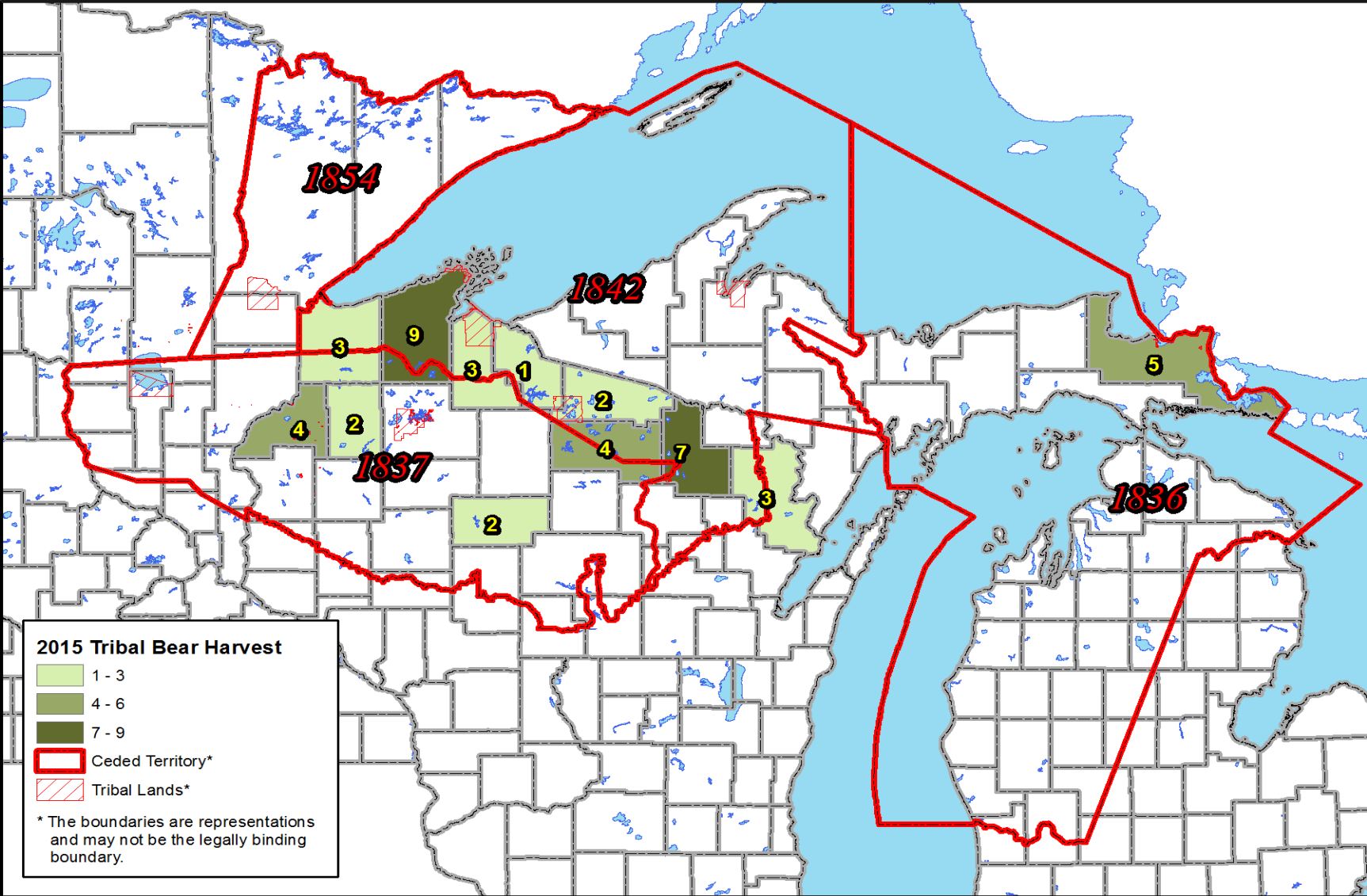
In Wisconsin, a total of 40 *makwag* were harvested off-reservation during the 2015 tribal *makwa* season (Table 8, Figure 4).

**Table 7.** Harvest summary for the 2015 off-reservation tribal *makwa* season by registration station.

Station	Boar	Sow	Total
Bad River	2	1	3
Bay Mills	2	3	5
Fond du Lac	0	1	1
Lac du Flambeau	8	5	13
Red Cliff	4	6	10
Sokaogon	2	5	7
St. Croix	3	3	6
Total	21	24	45

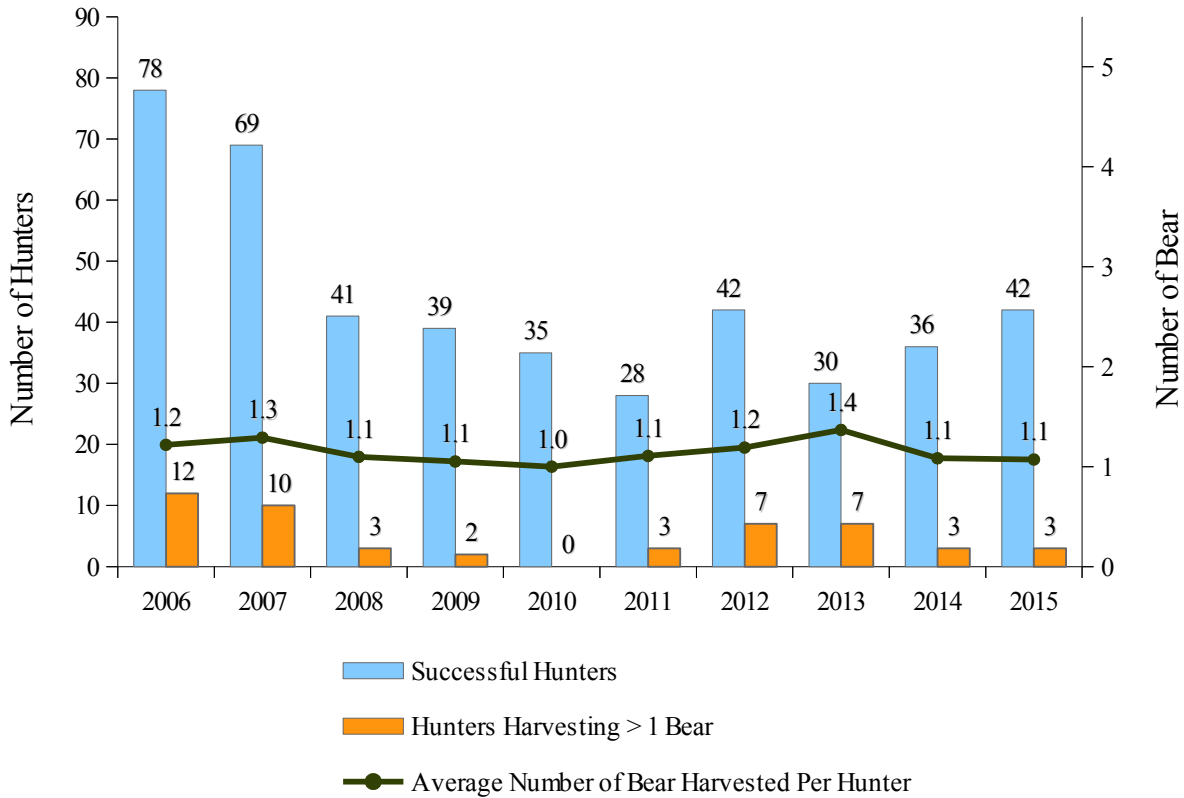
**Table 8.** Harvest summary for the 2015 off-reservation tribal *makwa* season by state, county, and sex.

State	County	Boar	Sow	Total
Michigan	Chippewa	2	3	5
	Subtotal	2	3	5
Wisconsin	Ashland	2	1	3
	Bayfield	3	6	9
	Burnett	2	2	4
	Douglas	1	2	3
	Forest	2	5	7
	Iron	1	0	1
	Marinette	1	2	3
	Oneida	3	1	4
	Taylor	1	1	2
	Vilas	2	0	2
	Washburn	1	1	2
	Subtotal	19	21	40
Total		21	24	45



**Figure 4.** Distribution of *makwa* harvest by GLIFWC member tribes during the 2015 off-reservation tribal *makwa* season.

There were 42 successful *makwa* hunters in 2015 (Figure 5, Table 9). The average number of *makwag* harvested per hunter in 2015 was 1.1 (Figure 5). During the 2015 off-reservation tribal *makwa* season 3 hunters shot more than 1 *makwa* (Figure 5, Table 9).



**Figure 5.** Trends for number of successful hunters, hunters harvesting multiple *makwag*, and average number of *makwag* harvested per hunter from 2006-2015. *Makwag* registered at Bay Mills were included beginning in 2011. *Makwag* registered at Fond du Lac were not included.

**Table 9.** Number of successful hunters and the number of *makwag* they harvested off-reservation during the 2015 tribal *makwa* season.

Bear	Hunters	Percent of Hunters	Total Bear
1	39	93%	39
2	3	7%	6
Totals	42	100%	45

## ***Makwa* Thresholds**

### Wisconsin

A total of 25 *makwag* (12 boars and 13 sows) were harvested in Zone A plus 15 *makwag* (7 boars and 8 sows) were harvested in Zone B (Table 10). The threshold was calculated as 15% of the total state bear harvest in units comprising tribal zones A and B. No tribal harvest exceeded the threshold value for any *makwa* management zone, thus no tribal quota was required for the 2016 season.

**Table 10.** Off-reservation tribal *makwa* harvest and threshold by zone during the 2015 tribal *makwa* season in Wisconsin.

<b>Zone</b>	<b>Total Bear Harvest</b>		<b>Threshold</b>
	<b>State<sup>a</sup></b>	<b>Tribal</b>	
A	2460	25	369
B	764	15	115
Total	3224	40	

<sup>a</sup> Data provided by McFarland (2016).

## **OMASHKOOZ (ELK)**

### **Regulation Summary**

In 2015, *omashkooz* were only available for tribal harvest in lower Michigan by tribes signatory to the treaty of 1836. Season regulations were enacted to be consistent with the 2007 Inland Consent Decree (*United States v. Michigan* (2007)) signed by five tribes and the State of Michigan. The Bay Mills Indian Community is the only GLIFWC member tribe that is signatory to the treaty of 1836 and the 2007 Inland Consent Decree. *Omashkooz* permits are tied to specific hunt periods (Table 11), but unfilled tags may be filled during the tribal-only season. The 2007 Inland Consent Decree limits tribal *omashkooz* harvest to 10% of state-issued either-sex permits and cow *omashkooz* harvest is limited to 10% of state-issued cow-only permits.

**Table 11.** Michigan *omashkooz* hunt periods.

<b>Hunt Period</b>	<b>Dates</b>	<b>Management Units</b>
1	Aug. 25-28 Sept. 11-14 Sept. 25-28	L
2	Dec. 5-13	F, G, X
tribal-only	Dec. 14-29	

### **Harvest**

A total of 3 *omashkoozoog* (1 bull and 2 cows) were harvested off-reservation in the 1836 ceded territory of Michigan by members of the Bay Mills Indian Community during the 2015 *omashkooz* season (Carrick 2016). One cow was harvested during hunt period 1 in September and the other cow and bull were harvested during the tribal-only season in late December. All animals were checked at Michigan DNR registration stations for disease testing and a tooth was taken for aging.



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