



**SUMMARY OF THE 1987 OFF-RESERVATION
TREATY WATERFOWL SEASON OF THE
LAKE SUPERIOR TRIBES OF
CHIPPEWA INDIANS**

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TRIBES OF CHIPPEWA INDIANS

INTRODUCTION

The fall of 1987 marked the third off-reservation treaty waterfowl hunting season conducted in northern Wisconsin, the second in Upper Michigan, and the first year that waterfowl hunting was proposed for the portion of Minnesota ceded in the Treaty of 1837 (Figure 1). Participating tribes included Bad River, Lac Courte Oreilles, Lac Du Flambeau, Mole Lake, Red Cliff and St. Croix in Wisconsin, the Keweenaw Bay Indian Community and Lac Vieux Desert Community of the Mole Lake tribe in Upper Michigan, and the Mille Lacs Band in Minnesota.

Hunting regulations initially proposed by the Great Lakes Indian Fish and Wildlife Commission (GLIFWC) on behalf of tribal governments were modified slightly by the U.S. Fish and Wildlife Service (USFWS) after consultation with GLIFWC and the Departments of Natural Resources of Wisconsin (WDNR), Michigan (MDNR) and Minnesota (MnDNR). The proposed regulations were reviewed by the Mississippi Flyway Council and published in the Federal Register for public comment.

GLIFWC, WDNR and MDNR subsequently concurred with the regulations, when finalized by USFWS, and entered into an agreement allowing joint implementation and enforcement of the hunt. The U.S. Fish and Wildlife Service also approved proposed tribal regulations for the Minnesota ceded territory. However, the State of Minnesota did not acknowledge off-reservation treaty rights and threatened to enforce state rules against individuals exercising those rights.

REGULATIONS

Season Dates:

Wisconsin and Minnesota Zones	
Duck and Coot	Sept. 19 - Nov. 9
Late Scaup	Nov. 10 - Nov. 25
Canada Geese	Sept. 19 - Oct. 31
Other Geese	Oct. 1 - Nov. 9
Michigan Zone	
Duck and Coot	Oct. 3 - Nov. 11
Canada Geese	Sept. 26 - Oct. 15
Other Geese	Sept. 26 - Nov. 11

The tribal duck season in Wisconsin opened 12 days before the state season and closed with it; the tribal goose season opened 12 days before the state's northwest zone season and closed 11 days after it. Tribal seasons in Michigan ran concurrently with the state's seasons in the western portions of the Upper Peninsula. In Minnesota, tribal duck and geese seasons opened 14 days before the state and closed 2 days before the state.

All tribal members hunted under the point system. Bag and possession limits for ducks followed 1987 federal values and limits; limits for Canada Geese were 3 daily and 6 in possession. All federal and state closed areas, permissible methods, non-toxic shot requirements and shooting hour restrictions were adopted, with the exception that open water hunting was allowed.

As in 1986, there was no closed period in the tribal season prior to the opening of the state season. The only exception to this was at the Powell Marsh Management Area in north central Wisconsin where USFWS arbitrated a dispute between the Tribes and the State of Wisconsin by imposing a 3 day closed period. Other areas were protected from potential displacement of waterfowl by a 48 hour emergency closure rule which could be used to close specific areas if localized "burnout" of waterfowl was observed to result from tribal hunting pressure.

METHODS

Tribal waterfowl hunters are required to possess a tribal natural resource harvesting permit validated for waterfowl hunting. Approximately 65% of the permit holders were mailed waterfowl hunting/harvest questionnaires (Figure 2). Non-respondents were sent a follow-up questionnaire or surveyed by phone until responses had been obtained from nearly half of the surveyed individuals, or approximately 30% of all waterfowl permit holders (Table 1).

Preliminary data analysis indicated that respondents to questionnaires were more likely to have hunted (16.2%) than non-respondents surveyed by phone (6.6%). In analysis, for those tribes where this effect was most pronounced, results from mail respondents were applied to a portion of all permit holders equal to the percent of individuals responding to the questionnaire. Results from individuals surveyed by phone or interview were applied to the remaining portion of permit holders. For those tribes where this effect was less pronounced, or where sample sizes were small, questionnaire and telephone respondents were pooled for analysis.

RESULTS

WISCONSIN

Tribal harvesting permits were validated for waterfowl hunting by 759 tribal members in 1987 versus 593 in 1986 (Table 1). This increase appears to have resulted from an increased number of individuals who checked all harvest categories on their natural resources harvesting permit. The increase in active hunters was much less, rising by 9 to an estimated 79 individuals in 1987. Since the tribal harvesting permit is: 1) issued free of charge, 2) also required for harvesting deer, bear, small game, furbearers and wild rice, and 3) validated for waterfowl hunting by a simple check-off, the percentage of non-active permit holders is high.

Table 1. Distribution of treaty waterfowl hunters by tribe.

TRIBE	NO. OF PERMITS ISSUED	NO. (%) SAMPLED	NO. (%) RESPOND- ENTS	ESTIMATED NUMBER ACTIVE
Wisconsin:				
Bad River	142	83 (58)	42 (30)	7
Lac Courte Oreilles	38	33 (87)	19 (50)	4
Lac Du Flambeau	306	180 (59)	72 (24)	34
Mole Lake	102	52 (51)	21 (21)	11
Red Cliff	119	69 (58)	40 (34)	12
St. Croix	52	50 (96)	17 (33)	11
Michigan:				
Lac Vieux Desert	54	50 (93)	20 (37)	20
Keweenaw Bay	18	17 (94)	12 (67)	12
Minnesota:				
Mille Lacs	26	26 (100)	13 (50)	8
Total	857	560 (65)	256 (30)	119

Tribal members made an estimated 425 goose hunting trips and 375 duck hunting trips in Wisconsin in 1987. They harvested an estimated 655 ducks, 137 geese, and 161 coot (Table 2). Fifty percent of the goose hunting trips were made during the "early season", or prior to the State's opening on October 1. This was also an important period for goose harvest, with 61% of the take occurring during this 12 day period. No harvest or hunter effort was reported for the special late "scaup only" season. Duck harvest fell for all tribes except Mole Lake. Special sampling problems at Mole Lake yield a harvest estimate which is likely biased upwards.

Mallards and blue-winged teal made up a record 46% and 19% of the bag respectively in 1987 (Figure 3). Scaup were second at 21%, while wood ducks, normally an important component of the bag, accounted for less than 1% of the harvest in 1987. All other species accounted for only 13% of the total take.

Table 2. 1987 Wisconsin treaty waterfowl harvest by tribe.

Tribe	Number Harvested		
	Ducks	Geese	Coots
Wisconsin			
Bad River	40	0	0
Lac Courte Oreilles	10	0	0
Lac du Flambeau	127	63	0
Mole Lake	198	15	147
Red Cliff	27	9	0
St. Croix	193	39	11
Michigan			
Keweenaw Bay	2	3	0
Lac Vieux Desert	9	1	1
Minnesota			
Mille Lacs	49	7	2
Total	655	137	161

Mole Lake and St. Croix members harvested the largest number of ducks, each taking approximately 30% of the total harvest. Lac Du Flambeau and St. Croix members accounted for 46% and 28% of the goose harvest respectively.

The distribution of hunting pressure indicates that most tribal members hunt waterfowl near reservations (Figure 4). Vilas County (including Powell Marsh) and Forest County, located near the Lac du Flambeau and Mole Lake reservations, were the most heavily hunted areas. They accounted for 28% and 25% of the hunter effort, or approximately 223 and 198 hunter days, respectively. Burnett and Bayfield Counties, located near the St. Croix and Red Cliff reservations, together accounted for another 35% or 280 hunter days. No other county received more than 5% of the effort. Tribal hunting pressure was neither great enough nor concentrated enough to require emergency closure of any area.

Powell Marsh Management Area

The Powell Marsh Management Area is located just north of the Lac du Flambeau reservation in north-central Wisconsin. It includes 5500+ acres including approximately 1800 acres of refuge. Due to concerns raised by the WDNR, special waterfowl regulations were in place at Powell. These regulations included a 3 day closed period prior to the State opener on October 1 and a tribal quota of 25 geese from the period of September 19, the tribal opener, to September 25 if fewer than 300 Canada geese were present in the Powell area. This second regulation was enacted to protect the small (approximately 100) breeding population of giant Canada geese present at Powell. However, on the morning of the tribal opener, a GLIFWC biologist estimated at least 1200 Canada geese were present at Powell Marsh. As a result, the tribal quota did not take effect.

Two estimates of goose harvest and hunter effort were made for Powell. The first was made using responses to a special set of questions on the harvest questionnaire and extrapolating to non-surveyed individuals. The second estimate was made by contacting all surveyed individuals who hunted at Powell and obtaining the names of their hunting partners and anyone else they knew who hunted at Powell. These individuals were then also surveyed.

Both methods yielded similar harvest estimates. The first method estimated 53 Canada geese were harvested, 34 in the "early" season; the second method estimated 43 Canadas, 33 in the early season. (The higher estimate was used in estimates of total harvest.) Estimates of hunting effort at Powell were more varied: the first method yielded an estimate of 151 days of effort, 117 in the early season, while the second method yielded an estimate of 65 days, 46 in the early season. The actual hunting effort probably falls between the two estimates, but field observations by tribal and state personnel (Chester Botwinski, personal comm.) suggest the lower estimate is probably much closer to the actual level.

Tribal waterfowl hunting pressure at an intermediate level of 72 early season days would be roughly equivalent to 4 parties of 2 individuals each hunting each day.

Three-Year Trends

The Wisconsin treaty duck harvest declined approximately 12% from 1986 while the goose harvest increased by more than 50% (Table 3). The number of active hunters and the total harvest remains low and of little significance to the resource.

Table 3. Treaty waterfowl harvest in Wisconsin: 1985-1987.

YEAR	NUMBER OF ACTIVE HUNTERS	ESTIMATED HARVEST		
		DUCKS	GEESE	COOTS
1985	63	336	63	124
1986	70	740	87	69
1987	79	655	137	161

UPPER MICHIGAN

Treaty waterfowl hunting in Upper Michigan is conducted by members of the Keweenaw Bay Indian Community and the Lac Vieux Desert community of the Mole Lake Band (Figure 4). Thirty-two members of these tribes were estimated to have hunted waterfowl off-reservation in 1987 (Table 1). Nearly all of their hunting effort and harvest occurred in Michigan. The total Michigan harvest was estimated at 268 ducks, 101 geese, and 172 coots (Table 4), taken on 201 duck hunting days and 105 goose hunting days.

As in Wisconsin, tribal members tended to hunt waterfowl close to the reservations. The two counties containing Indian communities accounted for nearly 80% of the tribal waterfowl hunting days (Figure 4).

Table 4. 1987 Michigan treaty waterfowl harvest by tribe.

Tribe	Number Harvested		
	Ducks	Geese	Coots
Lac Vieux Desert	235	41	172
Keweenaw Bay	33	60	0
Total	268	101	172

MINNESOTA

Treaty waterfowl hunting in Minnesota was conducted by members of the Mille Lacs Band. Some members of this tribe also live and hunt waterfowl within the Wisconsin ceded territory, particularly in the St. Croix region.

Of the 26 Mille Lacs members who obtained waterfowl hunting permits, 13 resided in Minnesota, an estimated 5 of which were active (Table 1). They harvested an estimated 88 ducks, and 4 coots on 36 duck hunting days (Figure 5). As in other areas, tribal members tended to hunt waterfowl close to home.

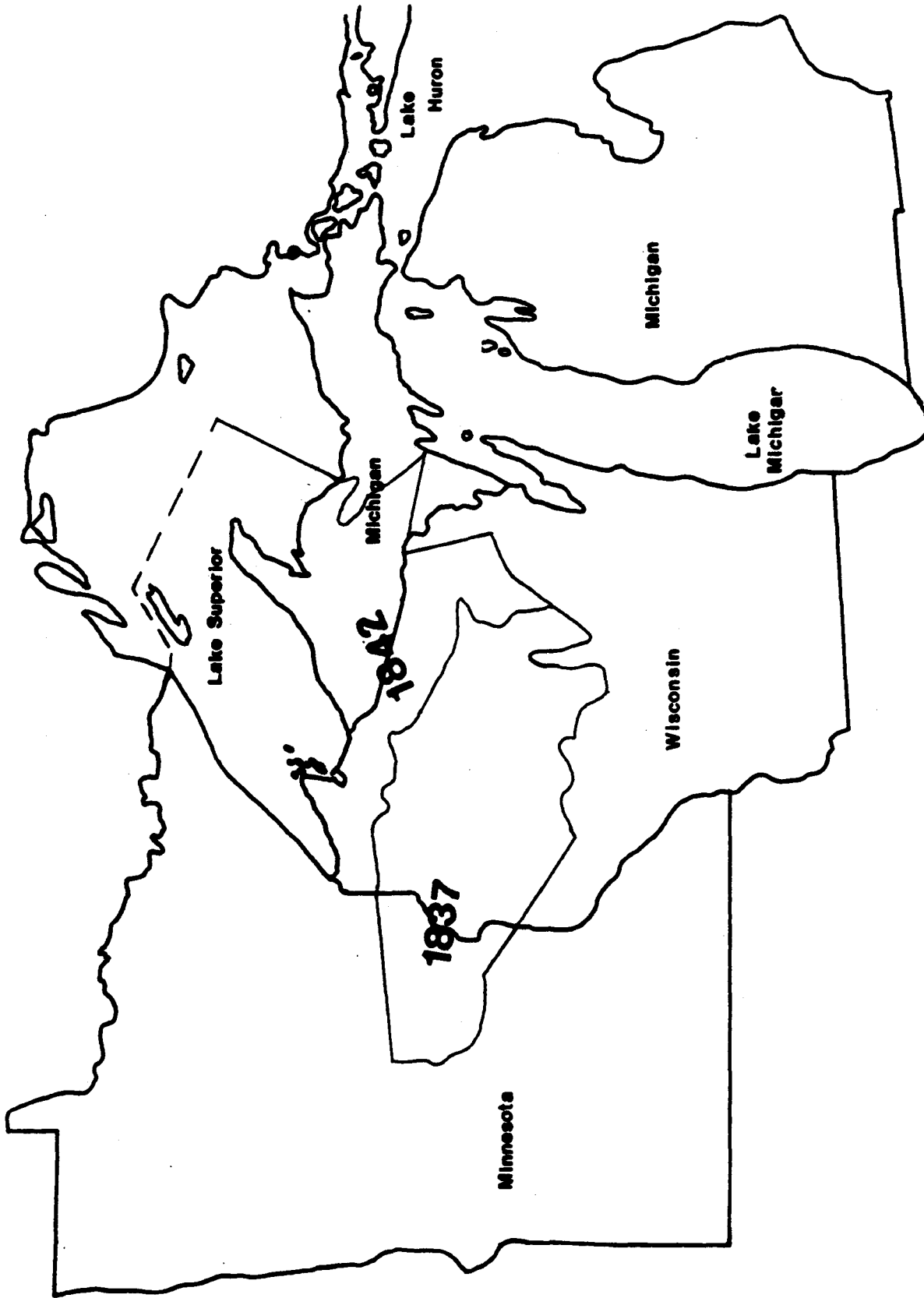


Figure 1. Map of the territories ceded in the treaties of 1837 and 1842.

1987 OFF-RESERVATION TREATY WATERFOWL HARVEST SURVEY

- WISCONSIN -

- 1) TRIBAL ID NUMBER: _____ RESERVATION ENROLLED AT: _____
- 2) DID YOU HUNT WATERFOWL OFF-RESERVATION IN 1987? YES NO
- 3) IF YES, PLEASE FILL OUT REMAINDER OF SURVEY.
IF NO, PLEASE RETURN SURVEY IN THE ENVELOPE PROVIDED. NO POSTAGE IS NECESSARY.
THANK YOU FOR YOUR HELP!

4) PLEASE FILL IN THE NUMBER OF DUCKS OF EACH SPECIES YOU HARVESTED BELOW.
IF YOU ARE NOT CERTAIN OF THE SPECIES, LIST AS "UNIDENTIFIED DUCK".

DUCKS

SEASON: SEPTEMBER 19 - NOVEMBER 9

Species	Number Harvested	Species	Number Harvested
Mallard	_____	Redhead	_____
Blue-winged Teal	_____	Ring-necked Duck	_____
Green-winged Teal	_____	Goldeneye	_____
Wood Duck	_____	Bufflehead	_____
Black Duck	_____	Hooded Merganser	_____
Pintail	_____	Common Merganser	_____
Cadwall	_____	Canvasback	_____
Viggon	_____	Unidentified Duck	_____
Shoveler	_____	Coot (Mudhen)	_____
Scaup (Blue-bill)	_____		

5) PLEASE LIST THE NUMBER OF GEESE HARVESTED BELOW. NOTE THAT YOU MUST DIVIDE YOUR CANADA GOOSE HARVEST INTO 2 TIME PERIODS, THE "EARLY" AND THE REGULAR SEASON. THE "EARLY" SEASON IS THAT PORTION OF THE TRIBAL SEASON WHICH OCCURRED BEFORE THE OPENING OF THE STATE WATERFOWL SEASON ON OCTOBER 1.

GEESE

Species	Number Harvested
Canada Geese:	
Early Season, Sept. 19 - Sept. 30	_____
Regular Season, Oct. 1 - Oct. 31	_____
Other Geese (Blue, Snow, White-fronted) Oct. 1 - Nov. 9	_____

6) THE FOLLOWING QUESTIONS ARE ABOUT THE POWELL MARSH MANAGEMENT AREA LOCATED JUST NORTH OF THE LAC DU FLAMBEAU RESERVATION. PLEASE PROVIDE US WITH INFORMATION ON THIS AREA OF SPECIAL INTEREST.

- A) Did you hunt geese at the Powell Marsh Management Area? Yes No
- B) If yes, how many days did you hunt geese at Powell Marsh? _____
- C) If yes, how many of the geese listed above were harvested at Powell Marsh?
Canada, Early Season _____ Canada, Regular Season _____ Other _____

7) PLEASE SEE BACK SIDE OF SURVEY!

8) PLEASE LIST BELOW THE NUMBER OF DAYS YOU SPENT HUNTING FOR DUCKS AND THE NUMBER OF DAYS YOU SPENT HUNTING FOR GEESE. AGAIN, DIVIDE YOUR GOOSE HUNTING INTO EARLY AND REGULAR SEASONS. LIST EACH DAY SPENT HUNTING ONLY ONCE, EVEN IF YOU HARVESTED BOTH DUCKS AND GEESE ON A SINGLE TRIP.

COUNTY HUNTED	Number of Days Spent Primarily Hunting Ducks		Number of Days Spent Primarily Hunting Geese	
	Early Season	Regular Season	Early Season	Regular Season
Ashland	_____	_____	_____	_____
Barren	_____	_____	_____	_____
Bayfield	_____	_____	_____	_____
Burnett	_____	_____	_____	_____
Douglas	_____	_____	_____	_____
Forest	_____	_____	_____	_____
Iron	_____	_____	_____	_____
Langlade	_____	_____	_____	_____
Ontonagon	_____	_____	_____	_____
Polk	_____	_____	_____	_____
Price	_____	_____	_____	_____
Rusk	_____	_____	_____	_____
Sawyer	_____	_____	_____	_____
Vilas	_____	_____	_____	_____
Washburn	_____	_____	_____	_____
Other: _____	_____	_____	_____	_____

9) SPECIAL LATE SCAUP-ONLY SEASON: THE 1987 OFF-RESERVATION WATERFOWL REGULATIONS INCLUDED A SPECIAL LATE SEASON FOR SCAUP (BLUE-BILLS) AFTER THE REGULAR WATERFOWL SEASON ENDED. THE SPECIAL SCAUP-ONLY SEASON WAS OPEN NOV. 10 - NOV. 25.

A) DID YOU HUNT SCAUP (BLUE-BILLS) DURING THE SPECIAL LATE SEASON IN 1987?
YES NO

B) IF YES, HOW MANY OF THE SCAUP LISTED IN QUESTION 4 WERE HARVESTED DURING THIS SPECIAL SEASON?

- 10) DID YOU HUNT ANY OF THE FOLLOWING SPECIES IN 1987?
- | | | |
|-----------------------|------------------------------|-----------------------------|
| SOX OR VIRGINIA RAILS | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| COMMON SNIPES | <input type="checkbox"/> | <input type="checkbox"/> |
| WOODCOCK | <input type="checkbox"/> | <input type="checkbox"/> |

11) COMMENTS: _____

12) PLEASE RETURN THE SURVEY IN THE ENVELOPE PROVIDED. NO POSTAGE IS NECESSARY. THANK YOU FOR YOUR HELP!!!!

Figure 2. Sample 1987 off-reservation treaty waterfowl harvest survey.

Figure 3. Species composition of the Wisconsin treaty waterfowl harvest, 1985 through 1987.

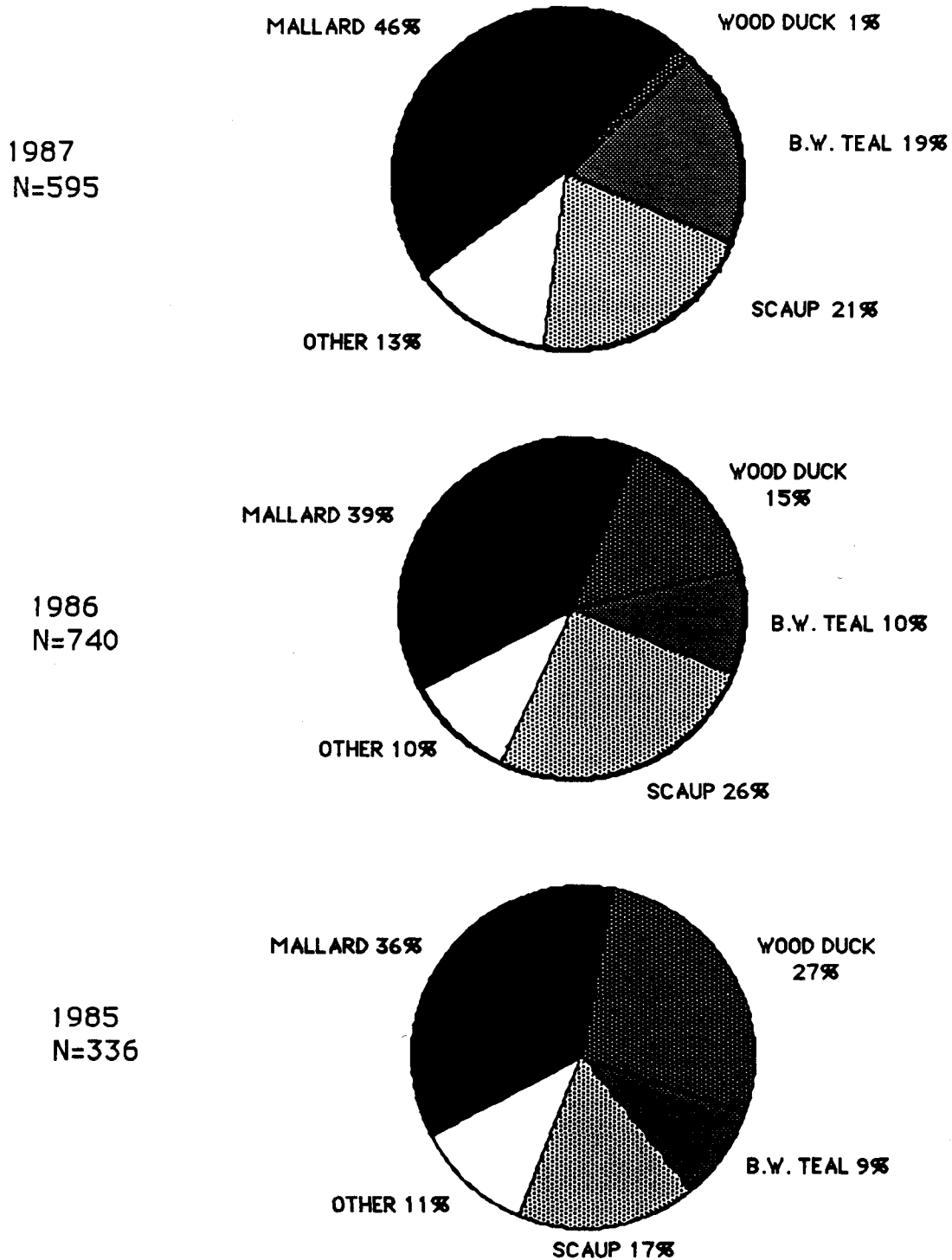


Figure 5. Distribution of tribal waterfowl hunting pressure in the Minnesota ceded territory : number of duck hunting days per county.

