

# GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION

P. O. Box 9 • Odanah, WI 54861 • 715/682-6619 • FAX 715/682-9294



## • MEMBER TRIBES •

### MICHIGAN

Bay Mills Community  
Keweenaw Bay Community  
Lac Vieux Desert Band

### WISCONSIN

Bad River Band  
Lac Courte Oreilles Band  
Lac du Flambeau Band

### MINNESOTA

Fond du Lac Band  
Mille Lacs Band

Red Cliff Band  
St. Croix Chippewa  
Sokaogon Chippewa

## GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION ORDER

Order No. 2020-01

### **Wisconsin 1837 and 1842 Ceded Territory Manoominikewin Regulatory Amendment**

This Commission Order modifies amendments to the Tribes' manoominikewin (wild rice harvesting) regulations for the Wisconsin portion of the 1837 and 1842 ceded territory pursuant to the authority granted by §3.33 of the Tribes' Off-Reservation Conservation Codes. Section 3.33(b) permits issuance of a Commission Order via a Technical Amendment, which provides tribal members more treaty harvest opportunities in line with state harvesters subject to the *LCO* Case and Stipulation parameters pertaining to the following: age restrictions, disability exemptions, method restrictions, equipment restrictions, hunting hours, season length, new places to hunt or caliber restrictions.

Commission Order No. 2019-02 was signed in September, 2019, which exempted members aged 16 years or younger and 65 years and older, from the requirement to obtain a license to harvest or gather manoomin, consistent with current state age restrictions. Following the issuance of that Commission Order, the Commission received feedback from Rice Chiefs requesting that the regulations be amended to maintain a requirement for members aged 65 years and older to obtain licenses for the harvest and gathering of manoomin. This group of harvesters have historically been the most prolific harvesters of manoomin; maintaining the requirement for them to obtain licenses will preserve opportunities for the collection of data related to their manoomin harvesting, which is important for manoomin conservation and restoration efforts.

### **Sec. 1: Authority and Applicability; Terms Used and Definitions.**

**Subd. 1:** This Order is issued in accordance with §3.33(b) of the Tribes' Off-Reservation Conservation Codes (hereinafter "Code" or "Codes") that authorizes the Great Lakes Indian Fish and Wildlife Commission Executive Administrator to issue a Commission Order for Technical Amendments. Upon the issuance of this Order, unless a Tribe chooses to adopt more restrictive measures, and unless and until a subsequent order modifies the regulations, the regulations established herein shall be the Tribe's regulations as provide in each Tribe's Code.

**Subd. 2:** Wis. Stat. §29.607(3) addresses licensing for manoominikewin (wild rice harvesting) pursuant to state law, exempting individuals aged 16 years and younger and 65 years and older from any requirement to obtain a license. This Order exempts tribal members aged 16 years and younger to obtain a wild rice harvesting permit to harvest or gather manoomin (wild rice), in line with state harvesters.

**Subd. 3:** This Commission Order is meant to rescind Commission Order 2019-02, and amend the Tribe's Off-Reservation Conservation Codes pertaining to manoominikewin within the Wisconsin portion of the 1837 and 1842 off-reservation ceded territories.

**Subd. 4:** Terms used in the Codes shall be given the meaning set forth in the Codes when used in this Order.

**Sec. 2: Manoominikewin Regulatory Amendment.** Starting immediately, and unless and until changed by a subsequent order, mandatory reversion is required, or the parties make permanent the provisions of this order, the following parameters for off-reservation manoominikewin shall apply:

**Youth Exemption to Permit Requirement.** Members aged 16 years and younger shall not be required to possess any wild rice harvesting permits in order to harvest or gather manoomin. All other members shall be required to obtain a wild rice harvesting permit to gather or harvest wild rice.

**Sec. 3: Reservation of Each Tribe's Authority.** Nothing in this order is intended to, or shall be construed to, limit the authority of each Tribe to establish tribal manoomin gathering or harvesting regulations or other measures that are more restrictive than what is provided in this Order.

Dated this 23rd day of July, 2020.



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Michael J. Isham, Executive Administrator  
Great Lakes Indian Fish and Wildlife Commission

**Model Code Amendment**  
**Youth Exemption to Wild Rice Harvesting Permit Requirement.**

Model Code revision regarding manoominikewin regulations [§ 5.02 (Permit Required)] are (deletions shown by ~~strikeout~~ and additions by **redline**):

**5.02 Permit Required.**

No member, **over the age of 16 years**, shall harvest or gather wild rice pursuant to this ordinance without possessing a valid wild rice harvesting permit issued by the tribal conservation department. No wild rice harvest permit is required of helpers of a permittee who participate only in shore operations.