



Results of the 2017 Off-Reservation *Waawaashkeshi* (deer), *Makwa* (bear) and *Omaskooz* (elk) Harvest in the 1836, 1837 and 1842 Ceded Territories of Michigan, Minnesota and Wisconsin

by

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INTRODUCTION

This report presents the results of the 2017 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).

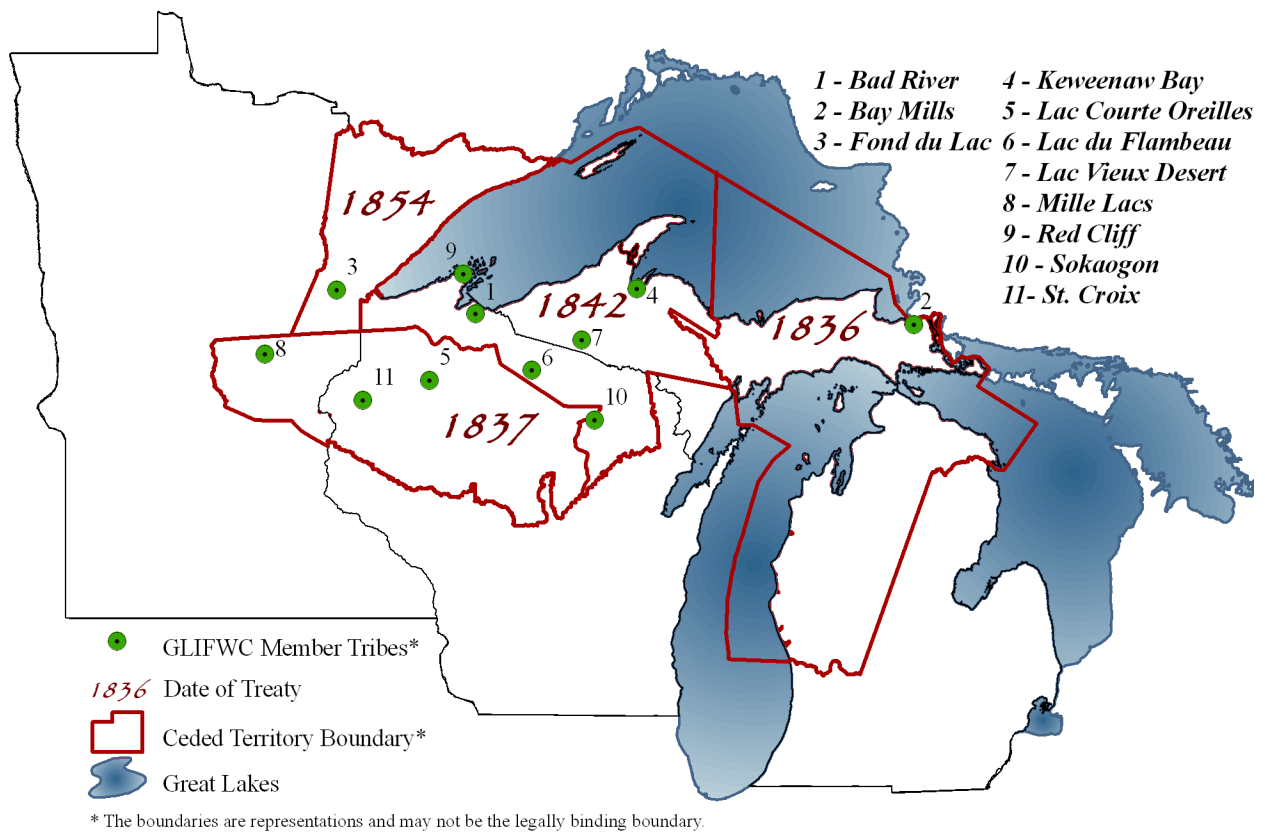


Figure 1. Location of ceded territories and GLIFWC member tribes in Minnesota, Wisconsin and Michigan.

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 2016, no declarations were required for the 2017 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 2017.

Table 1. Special hunts in Minnesota State Parks which overlap the 1837 ceded territory in 2018.

Park	Date	Type of Hunt
Banning	10/28 – 10/30	Youth
Crow Wing	12/2 – 12/3	Muzzleloader / Either Sex
St. Croix	10/28 – 10/30	Youth
St. Croix	11/16 – 11/19	All Ages / Either Sex
St. Croix	11/30 – 12/3	Muzzleloader / Either Sex
William O'Brien	11/11 – 11/12	All Ages / 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 2016, no declarations were required for the 2017 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 2,071 *waawaashkeshiwag* were harvested off-reservation in the 1836, 1837 and 1842 ceded territories of Michigan, Minnesota and Wisconsin by GLIFWC member tribes during the 2017 tribal *waawaashkeshi* season (Tables 2 and 3, Figure 2).

Michigan

A total of 199 *waawaashkeshiwag* were harvested off-reservation in Michigan during the 2017 tribal *waawaashkeshi* season (Table 2). Antlered *waawaashkeshi* comprised 50% of the total harvest. Bay Mills members harvested 95 *waawaashkeshiwag* in the 1836 ceded territory. In the 1842 ceded territory, 99 *waawaashkeshiwag* were harvested by members of Keweenaw Bay and Lac Vieux Desert. *Waawaashkeshi* were harvested from 13 counties in Michigan during the 2017 tribal *waawaashkeshi* season (Table 3, Figure 2). Baraga, Chippewa, Gogebic, and Mackinac counties accounted for 80% of the harvest.

Minnesota

A total of 97 *waawaashkeshiwag* were harvested off-reservation in the Minnesota 1837 ceded territory by members of Fond du Lac, Mille Lacs, and St. Croix (Table 2). Antlered *waawaashkeshi* comprised 41% of the harvest. Harvest was greatest in Mille Lacs County (Table 3, Figure 2).

Wisconsin

In Wisconsin, a total of 1,775 *waawaashkeshiwag* were harvested off-reservation in the 1837 and 1842 ceded territories. Antlered *waawaashkeshi* comprised 41% of the harvest. Harvest during the 2017 tribal *waawaashkeshi* season was distributed among 22 counties in Wisconsin (Table 3, Figure 2). Bayfield, Burnett, Douglas, Forest, Sawyer, and Vilas counties accounted for 81% of the harvest.

Table 2. Harvest summary for the 2017 off-reservation tribal *waawaashkeshi* season by registration station, state, and type of *waawaashkeshi*.

Station	Michigan			Minnesota		Wisconsin		Subtotal			Total
	Antlered	Antlerless	Unknown	Antlered	Antlerless	Antlered	Antlerless	Antlered	Antlerless	Unknown	
Bad River	3	1	0			37	44	40	45		85
Bay Mills	50	45	0					50	45		95
Fond du Lac ^a				8	11	15	16	23	27		50
Keweenaw Bay ^b	28	21	0					28	21		49
Lac Courte Oreilles						105	156	105	156		261
Lac du Flambeau						116	312	116	312		428
Lac Vieux Desert	18	16	16			2	2	20	18	16	54
Mille Lacs				31	45	28	36	59	81		140
Red Cliff						44	54	44	54		98
Sokaogon						32	87	32	87		119
St. Croix				0	1	124	156	124	157		281
Phone Registration	1	0	0			222	187	223	187		410
Warden Registration				1				1			1
Subtotal	100	83	16	40	57	725	1,050	865	1,190	16	2,071
Total		199			97		1,775		2,071		

^a Includes harvest by Fond du Lac members reported by Schrage (2018).

^b Includes harvest by Keweenaw Bay members members provided by Emery (2018).

Table 3. Harvest summary for the 2017 off-reservation tribal *waawaashkeshi* season by state, county and type of *waawaashkeshi*.

State	County	Antlered	Antlerless	Unknown	Total
Michigan	Baraga ^a	26	19	0	45
	Chippewa	41	23	0	64
	Delta	0	1	0	1
	Gogebic	13	13	4	30
	Houghton ^a	2	1	0	3
	Iron	1	1	0	2
	Isabella	1	0	0	1
	Luce	1	3	0	4
	Mackinac	6	14	0	20
	Marquette	1	1	0	2
	Ontonagon ^a	5	3	0	8
	Otsego	0	2	0	2
	Presque Isle	0	1	0	1
	Unknown	3	1	12	16
Subtotal		100	83	16	199
Minnesota	Aitkin	1	0	0	1
	Mille Lacs	19	33	0	52
	Morrison	2	7	0	9
	Pine ^b	21	14	0	35
	Subtotal		43	54	0

^a Includes harvest by Keweenaw Bay members members provided by Emery (2018).

^b Includes harvest by Fond du Lac members reported by Schrage (2018).

Table 3. (continued).

State	County	Antlered	Antlerless	Unknown	Total
Wisconsin	Ashland	6	7	0	13
	Barron	5	1	0	6
	Bayfield	147	186	0	333
	Burnett	142	181	0	323
	Chippewa	4	2	0	6
	Douglas	91	116	0	207
	Eau Claire	1	1	0	2
	Florence	4	4	0	8
	Forest	29	80	0	109
	Iron	2	13	0	15
	Langlade	10	12	0	22
	Lincoln	0	1	0	1
	Marinette	1	18	0	19
	Oconto	1	4	0	5
	Oneida	34	53	0	87
	Polk	8	4	0	12
	Price	12	13	0	25
	Rusk	12	6	0	18
	Sawyer	86	83	0	169
	Taylor	1	1	0	2
Vilas	73	223	0	296	
Washburn	56	41	0	97	
	Subtotal	725	1,050	0	1,775
Total		868	1,187	16	2,071

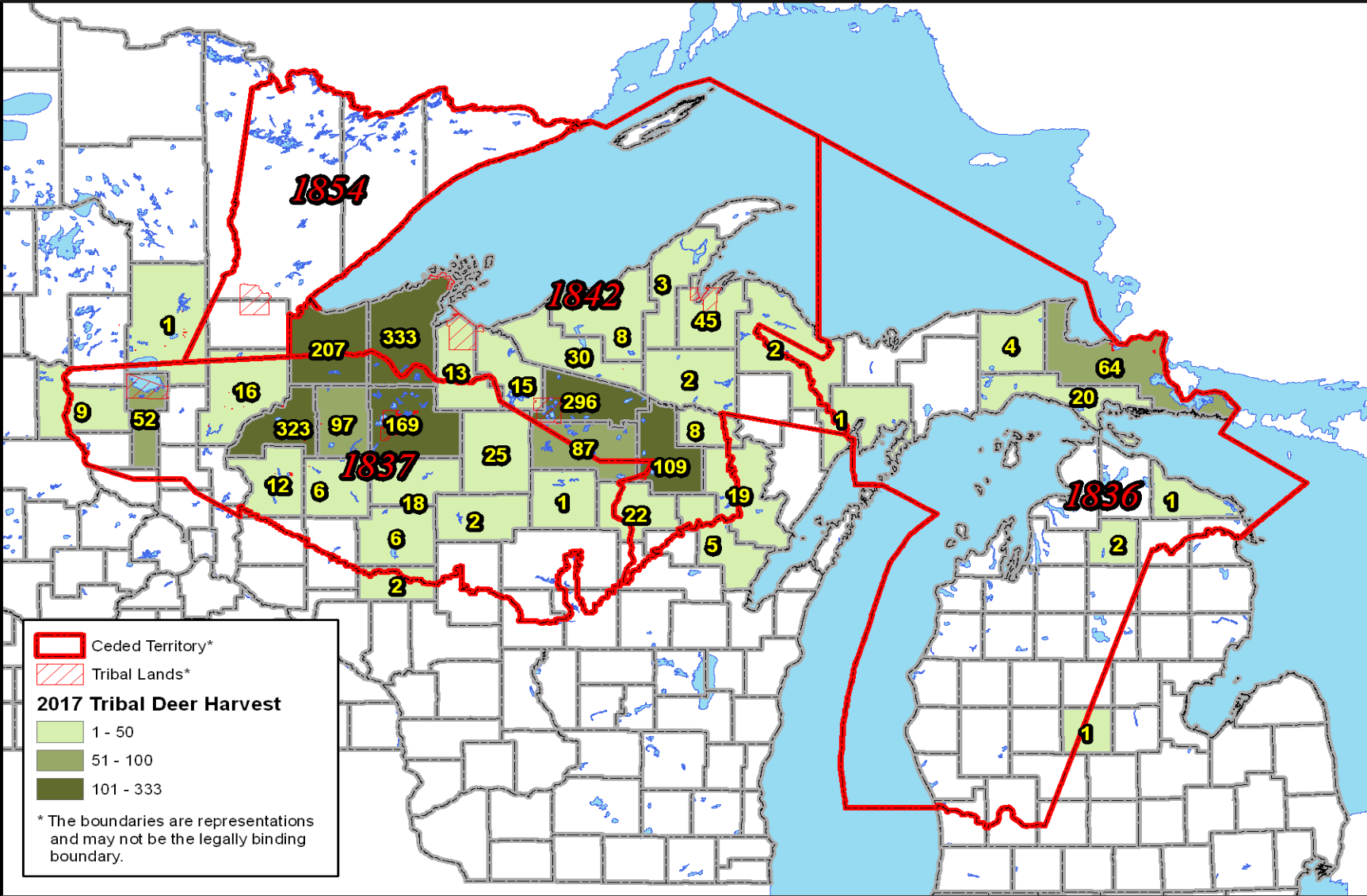


Figure 2. Distribution of *waawaashkeshi* harvest by GLIFWC member tribes during the 2017 off-reservation tribal *waawaashkeshi* season.

There were 779 successful *waawaashkeshi* hunters in 2017 (Figure 3, Table 4). During the 2017 off-reservation tribal *waawaashkeshi* season 442 hunters shot more than 1 *waawaashkeshi* (Figure 3, Table 4). The average number of *waawaashkeshiwag* harvested per hunter in 2017 was 2.6 (Figure 3). 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.

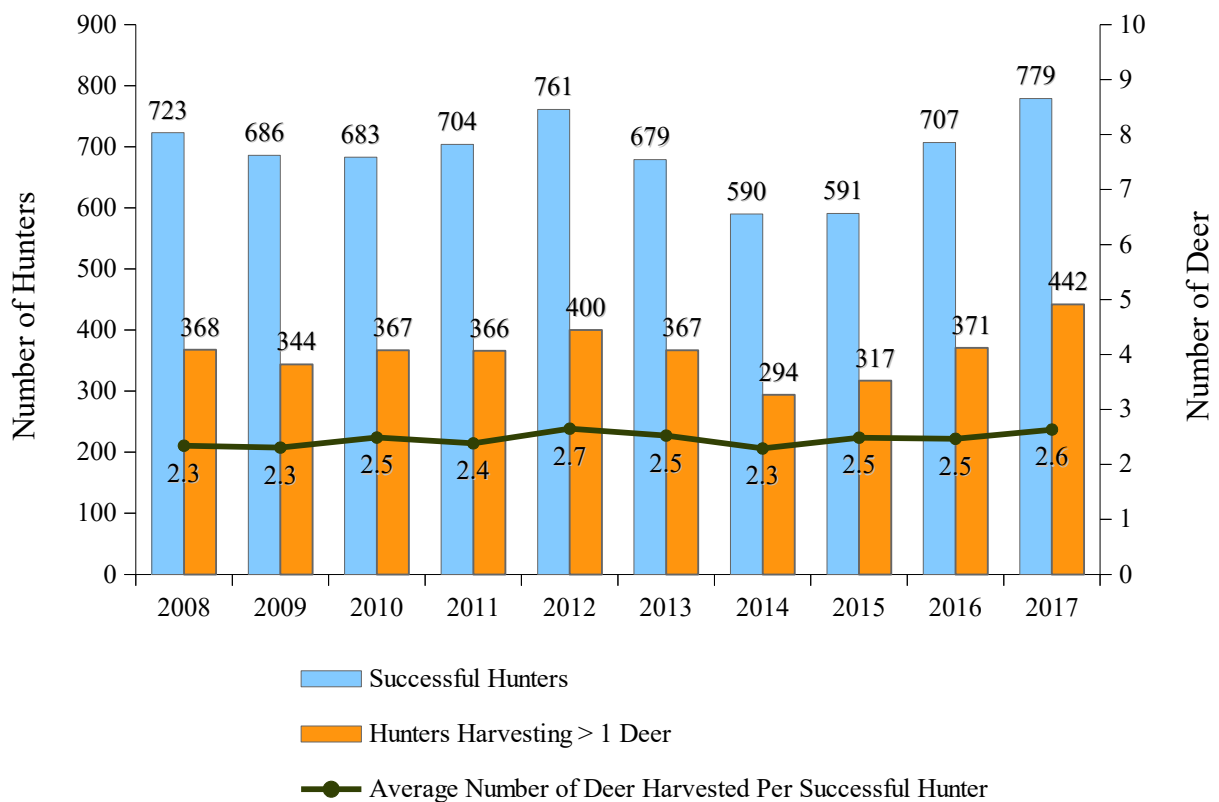


Figure 3. Trends for number of successful hunters, hunters harvesting multiple *waawaashkeshiwag*, and average number of *waawaashkeshiwag* harvested per successful hunter from 2008-2017. *Waawaashkeshiwag* registered at Bay Mills were included beginning in 2011.

Table 4. Number of successful hunters and the number of *waawaashkeshiwag* they harvested off reservation during the 2017 tribal *waawaashkeshi* season. *Waawaashkeshiwag* registered at Fond du Lac were not included.

Deer	Hunters	Percent of Hunters	Total Deer
1	337	43.3%	337
2	223	28.6%	446
3	69	8.9%	207
4	53	6.8%	212
5	30	3.9%	150
6	14	1.8%	84
7	12	1.5%	84
8	9	1.2%	72
9	6	0.8%	54
10	6	0.8%	60
11	2	0.3%	22
12	2	0.3%	24
13	5	0.6%	65
16	1	0.1%	16
17	2	0.3%	34
18	2	0.3%	36
19	2	0.3%	38
21	1	0.1%	21
27	1	0.1%	27
30	1	0.1%	30
33	1	0.1%	33
Totals	779	100%	2,052

Antlerless Thresholds

Minnesota

Fifteen *waawaashkeshi* permit areas and 6 State Parks which hold special *waawaashkeshi* hunts overlap the 1837 ceded territory. A total of 55 antlerless *waawaashkeshiwag* were harvested by tribal members from 6 permit areas in 2017 (Table 5). The tribal antlerless *waawaashkeshi* harvest was below the threshold level in all permit areas in 2017, thus there was no need for a tribal declaration or tribal quota for 2018.

Table 5. Off-reservation tribal *waawaashkeshi* harvest and antlerless threshold by permit area during the 2017 tribal *waawaashkeshi* season in Minnesota.

Permit Area	Antlerless Threshold	Antlerless Harvest
152	25	
154	100	
156 ^a	100	5
157	100	4
159	100	5
183 ^a	100	5
221	100	
222	100	7
223	100	
224	25	
225	100	
227	100	
235	25	
236	100	
249	100	29
Total	1,275	55

^a Includes harvest by Fond du Lac members reported by Schrage (2018).

Wisconsin

Thirty counties overlap the ceded territories in Wisconsin. A total of 1,775 *waawaashkeshiwag* were harvested from 22 counties in 2017 (Table 3). Antlerless *waawaashkeshi* accounted for 59% of the harvest. The threshold for counties with antlerless quotas = 0 (buck only) were calculated as the sum of state antlerless harvest. The threshold for counties with antlerless quotas > 0 were estimated as the sum of 15% of the state gun antlerless harvest and all other reported antlerless harvest. Antlerless harvest did not exceed the threshold value for any county in Wisconsin during 2017, thus there was no need for a tribal declaration or tribal quota in 2018 (Table 6).

Table 6. Off-reservation tribal antlerless *waawaashkeshi* harvest and antlerless threshold by county during the 2017 tribal *waawaashkeshi* season in Wisconsin.

County	Tribal Antlerless Harvest	Threshold ^a	State Regulations: Buck Only	Antlerless Quota Required in 2018
Ashland	7	112	Yes	No
Barron	1	4,978		No
Bayfield	186	3,865		No
Burnett	181	3,975		No
Chippewa	2	3,179		No
Douglas	116	2,280		No
Eau Claire	1	1,364	Yes	No
Florence	4	1,622		No
Forest	80	1,022		No
Iron	13	60	Yes	No
Langlade	12	2,857		No
Lincoln	1	2,906		No
Marinette	18	6,167		No
Oconto	4	5,241		No
Oneida	53	2,181		No
Polk	4	7,071		No
Price	13	2,364		No
Rusk	6	3,923		No
Sawyer	83	2,258		No
St. Croix	0	3,128		No
Taylor	1	3,645		No
Vilas	223	534	Yes	No
Washburn	41	3,543		No

^a Calculated from data provided by Dhuey (2018). The threshold for counties with antlerless quotas = 0 (buck only) were calculated as the sum of state antlerless harvest. The threshold for counties with antlerless quotas > 0 were estimated as the sum of 15% of the state gun antlerless harvest and 100% of all other reported antlerless harvest.

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 2016, no declarations were required for the 2017 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 2016, no declarations were required for the 2017 season.

Special Regulations

Some tribes have enacted more restrictive harvest regulations to acknowledge their 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 28 *makwag* were harvested off-reservation in the 1836, 1837 and 1842 ceded territories of Michigan, Minnesota and Wisconsin by GLIFWC member tribes during the 2017 tribal *makwa* season (Tables 7 and 8, Figure 4).

Michigan

A total of 5 *makwag* were harvested off-reservation in Michigan during the 2017 tribal *makwa* season (Table 8, Figure 4).

Minnesota

No *makwag* were harvested off-reservation in Minnesota during the 2017 tribal *makwa* season.

Wisconsin

In Wisconsin, a total of 23 *makwag* were harvested off-reservation during the 2017 tribal *makwa* season (Table 8, Figure 4).

Table 7. Harvest summary for the 2017 off-reservation tribal *makwa* season by registration station.

Station	Male	Female	Total
Bad River	2	0	2
Bay Mills	3	1	4
Fond du Lac	1	0	1
Keweenaw Bay	1	0	1
Lac du Flambeau	4	6	10
Red Cliff	2	1	3
Sokaogon	4	3	7
Total	17	11	28

Table 8. Harvest summary for the 2017 off-reservation tribal *makwa* season by state, county, and sex.

State	County	Male	Female	Total
Michigan	Chippewa	3	1	4
	Houghton	1	0	1
	Subtotal	4	1	5
Wisconsin	Ashland	1	0	1
	Bayfield	4	1	5
	Forest	4	4	8
	Langlade	1	1	2
	Oneida	3	2	5
	Price	0	1	1
	Taylor	0	1	1
	Subtotal	13	10	23
Total		17	11	28

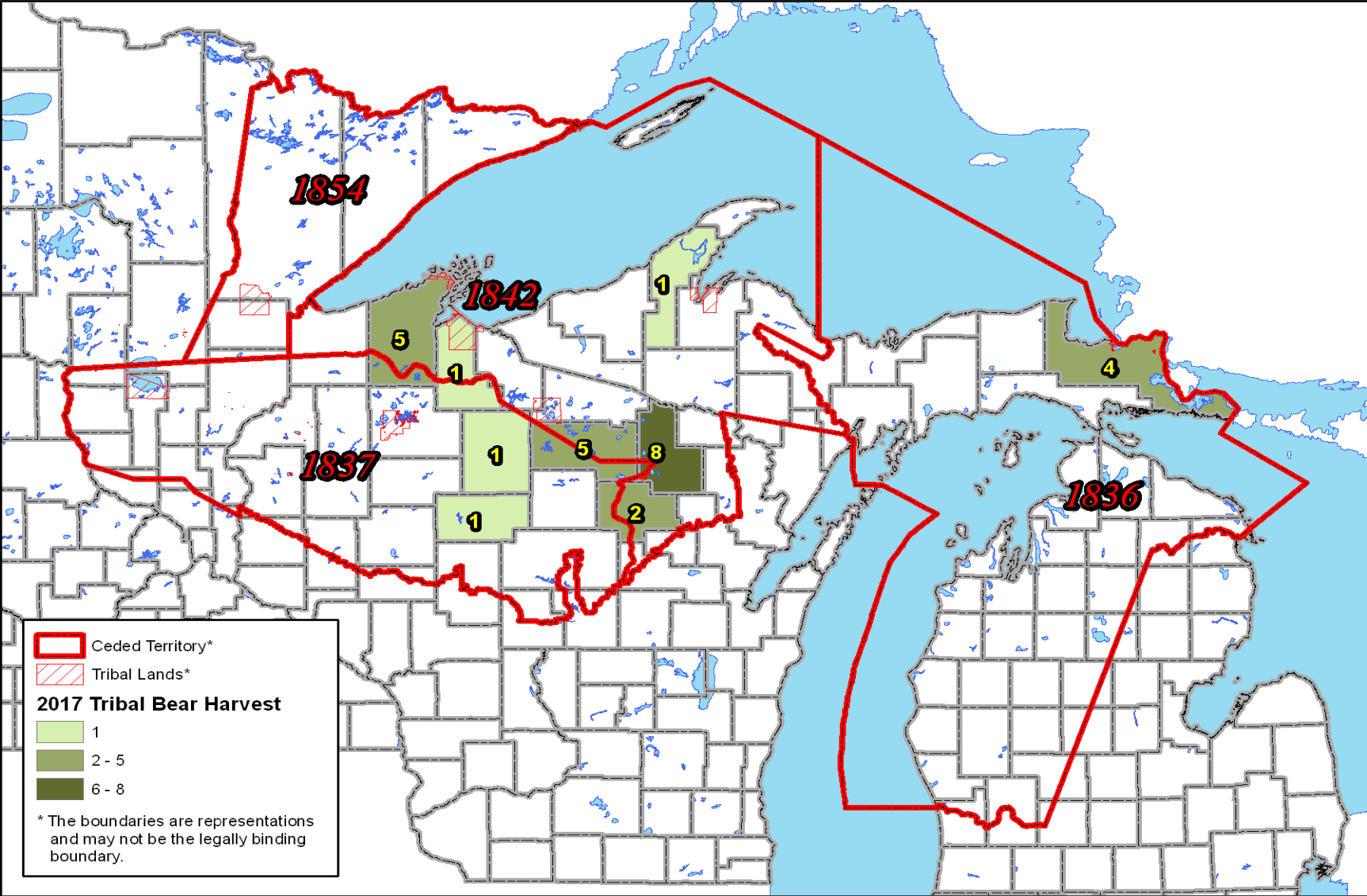


Figure 4. Distribution of *makwa* harvest by GLIFWC member tribes during the 2017 off-reservation tribal *makwa* season.

There were 27 successful *makwa* hunters in 2017 (Figure 5, Table 9). During the 2017 off-reservation tribal *makwa* season 1 hunters shot more than 1 *makwa* (Figure 5, Table 9). The average number of *makwag* harvested per hunter in 2017 was 1.0 (Figure 5).

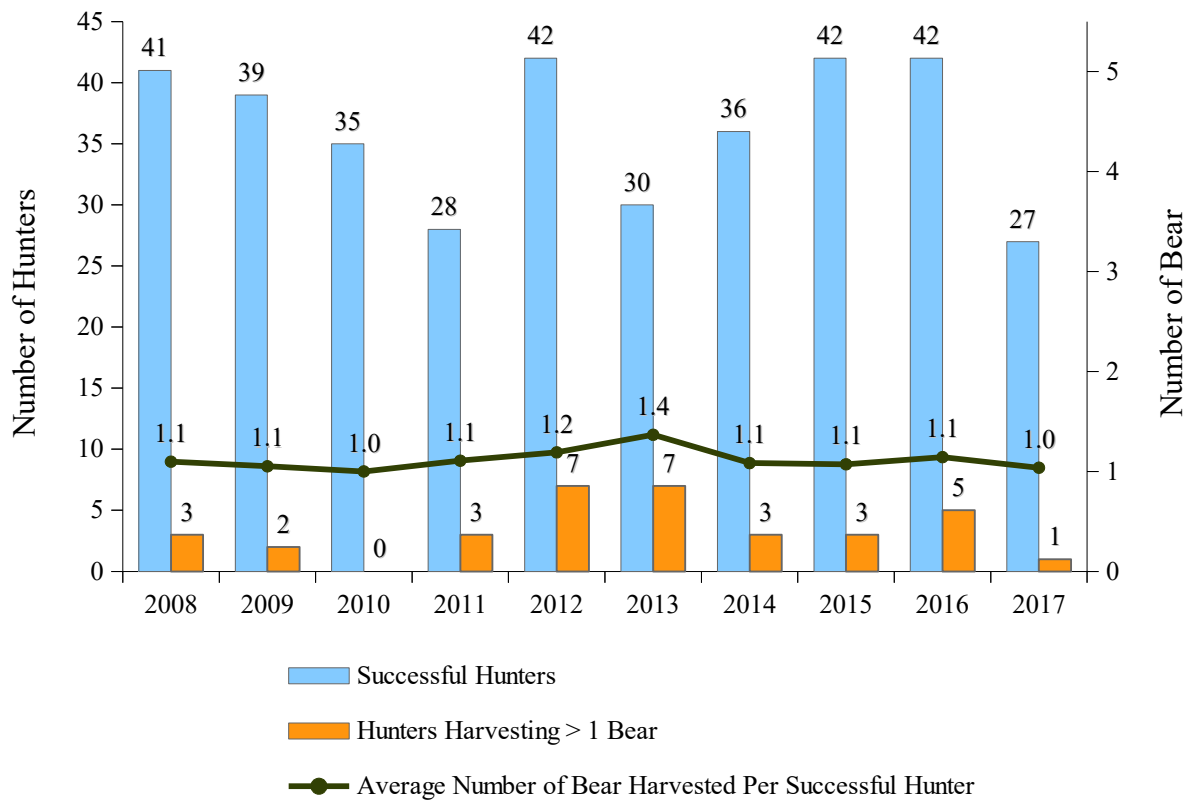


Figure 5. Trends for number of successful hunters, hunters harvesting multiple *makwag*, and average number of *makwag* harvested per successful hunter from 2008-2017. *Makwag* registered at Bay Mills were included beginning in 2011. *Makwag* registered at Fond du Lac were not included.

Table 9. Number of successful hunters and the number of *makwag* they harvested off-reservation during the 2017 tribal *makwa* season.

Bear	Hunters	Percent	Total Bear
1	26	96.3%	26
2	1	3.7%	2
Totals	27	100%	28

***Makwa* Thresholds**

Wisconsin

A total of 11 *makwag* (7 boars and 4 sows) were harvested in Zone A plus 12 *makwag* (6 boars and 6 sows) were harvested in Zone B (Table 10, Figure 6). 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 season.

Table 10. Off-reservation tribal *makwa* harvest and threshold by zone during the 2017 tribal *makwa* season in Wisconsin.

Zone	Total Bear Harvest		Threshold
	State^a	Tribal	
A	2,322	11	348
B	804	12	121
Total	3,126	23	

^aData provided by Dhuey (2017).

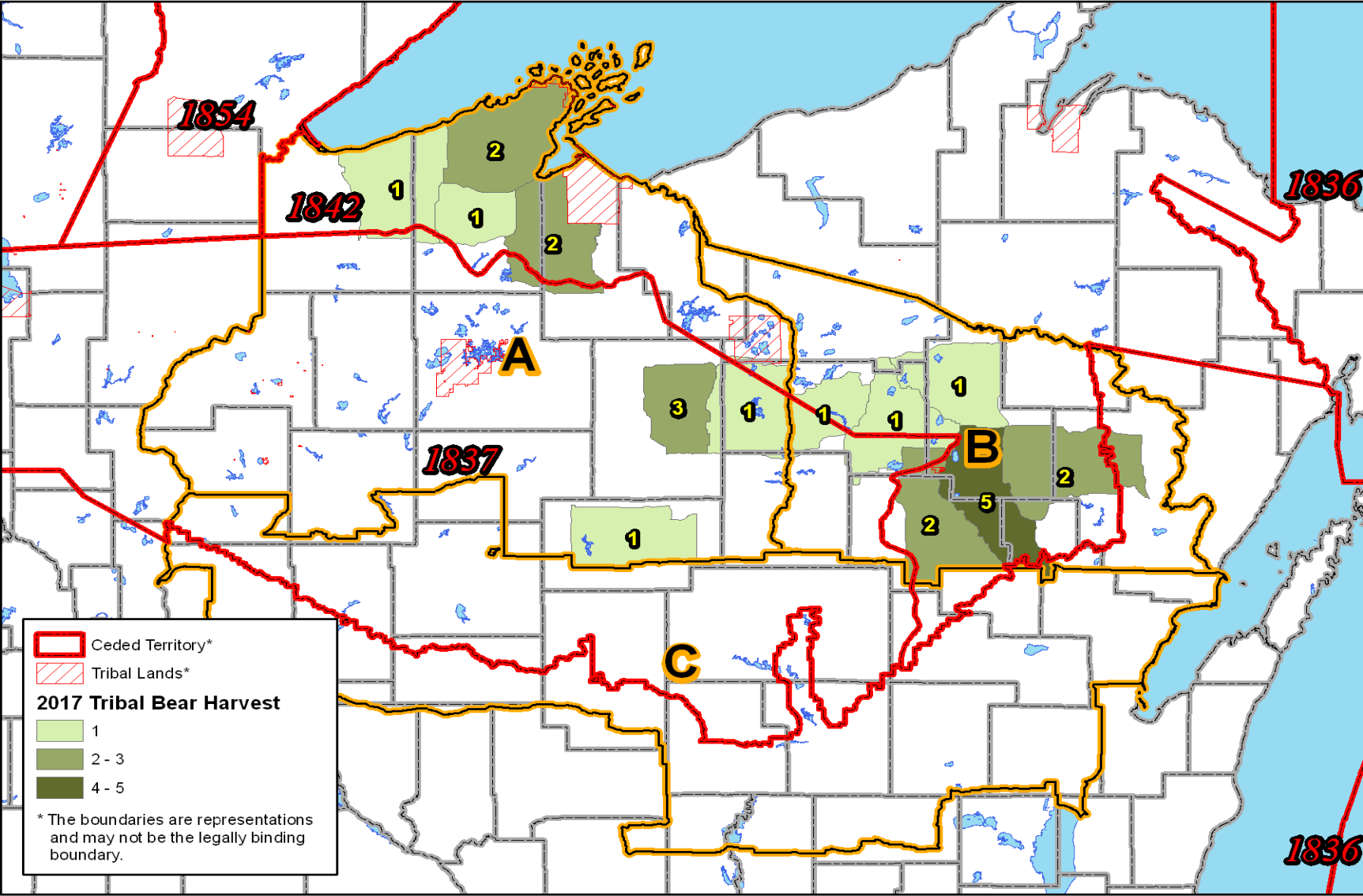


Figure 6. Off-reservation *makwa* harvest by zone during the 2017 off-reservation tribal *makwa* season in Wisconsin.

OMASHKOOZ (ELK)

Regulation Summary

In 2017, *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, 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.

Harvest

A total of 4 *omashkoozoog* (1 bull and 3 cows) were harvested off-reservation in the 1836 ceded territory of Michigan by members of the Bay Mills Indian Community during the 2017 *omashkooz* season (Martin 2018). One bull and two cows were harvested during hunt period 1, and one cow was harvested during hunt period 2 (Table 11). All animals were checked at Michigan DNR registration stations for disease testing and a tooth was taken for aging.

Table 11. Summary of 2017 off-reservation *omashkooz* harvest in Michigan.

Hunt Period	Dates	Management Units	Elk Harvest		
			Bull	Cow	Total
1	8/29 – 9/1 9/15 – 9/18 9/29 – 10/2	L	1	2	3
2	12/9 – 12/17	F, G, X		1	1
Total			1	3	4

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