



DEPARTMENT of the INTERIOR

news release

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MAJOR FISHERIES DISPUTE SETTLED

Secretary of the Interior Don Hodel announced today that the 15-year-old fisheries dispute in the Great Lakes has been settled by agreement among the parties.

"The historic agreement will preserve the valuable fishery resource of the lakes, while at the same time, protect Michigan's multi-million dollar sports industry and permit the exercise of treaty* fishing rights guaranteed to the Indian Tribes," Hodel said.

Deputy Under Secretary of the Interior William Horn, who represented Secretary Hodel during the extensive negotiations said, "This is the second major settlement of an Indian treaty fishing dispute this year. It reflects the Administration's commitment to resolve Indian water and fishing rights disputes that have existed for decades."

The settlement was signed this morning after a marathon 26-hour negotiating session. Signatories to the agreement include the Department of the Interior, State of Michigan, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Grand Traverse Band of Ottawa/Chippewa Indians, the Michigan United Conservation Clubs, the Michigan Steelhead and Salmon Fisherman's Association, the Grand Traverse Area Sportfishing Association and the Michigan Charter Boat Association.

The agreement centers around a comprehensive plan for the rehabilitation of the lake trout in the waters of Lake Michigan. Many of its provisions protect the fisheries resource by establishing quotas to prevent over-fishing of sensitive waters.

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The most extensive provision immediately eliminates treaty gill net fishing in key sportfishing areas. The agreement also provides for the establishment of a Treaty Waters Conservation Office to ensure cooperation among the Michigan Department of Natural Resources and the Tribal Conservation Committees in the management of the fishery and in law enforcement in Lakes Michigan, Huron and Superior. In addition, the State of Michigan and the Department of the Interior have agreed to seek nearly \$5 million to improve the management of fishery programs in the waters of the three lakes.

The current round of negotiations was commenced by Federal Judge Richard A. Enselen of the Western District of Michigan. The negotiations started in 1981 at the request of Congressman Guy Vander Jagt of Michigan, and of then Governor William Milliken under the sponsorship of the Department of the Interior. Judge Enselen commented that he was "delighted with the spirit of cooperation and goodwill with which all the representatives have worked to reach the agreement. In matters of important public policy, it is always preferable if the government and private interests who are affected are able to negotiate and settle disputes themselves instead of seeking their rights through litigation."

The lawsuit ended by this agreement was begun in 1973 by the United States on behalf of the Bay Mills Indian Community to secure interpretation of Federal treaties concerning Indian fishing rights in the Great Lakes. The tribes and the U.S. Government signed the treaty establishing these rights exactly 149 years ago yesterday. At that time, Indians engaged in commercial fishing in treaty waters. After 1836, settlers came to Michigan and also participated in the use and enjoyment of the resource.

Today more than 9 million people live in the State of Michigan and share the privilege of using the Great Lakes. In 1976, the Michigan State Supreme Court recognized the Indian treaty rights, and in May 1979, the Federal Court issued a lengthy opinion further interpreting the treaty. Both the State of Michigan and the tribes continued to seek the court's intervention to resolve controversies arising over conservation closures, however. The closures were necessitated by the threat of over harvesting the various fish stocks in the lakes.

In 1983 the tribes filed a motion in court to allocate the fishery resource between themselves and the State of Michigan. By signing this agreement, the parties end early closure of commercial whitefish fishing while at the same time increasing the volume of valuable sport species.

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