

Treaty Natural Resource Division

Red Cliff Band of Lake Superior Chippewa



Ganawenjigaade

It is taken care of, protected...We take care of, protect, keep it



Volume 2, Issue 1
Spring 2013



Special points of interest:

- *Frog Bay Tribal National Park Logo Contest*
- *Employee of the Month*
- *Getting the Lead Out*
- *Living with Bears*
- *Fishing Monitor Work*
- *Minnesota Mining Maps*
- *More Surface Water Sampling Sites*

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From Sap To Syrup—Sugarbush Camps are busy everywhere

FROG BAY TRIBAL NATIONAL PARK

LOGO CONTEST

CALLING ALL ARTISTS AND PHOTOGRAPHERS!

We are looking for local artists or photographers to help us create the Frog Bay Tribal National Park logo.

GRAND PRIZE for the winning logo design will be \$100 gift certificate. Plus your art will symbolize Frog Bay for years to come!

DEADLINE for submissions is June 1st. Please bring your submissions to the Red Cliff Fish Hatchery or email. **If you have previously submitted a design, please contact us to be sure we have your image on file!**

CONTACTS for the contest are Bryan Bainbridge or Chad Abel. They can be reached at 779-3750. Email them at chad.abel@redcliff-nsn.gov or bryan.bainbridge@redcliff-nsn.gov

Employee of the Month

By Chad Abel

An office is only as good as its staff. And we hear at the Treaty Natural Resource Division think we have some of the best. The following team members were nominated for Employee of the Month in the last three months by their fellow co-workers.



January Employee of the Month – Linda Nguyen, Water Resources Mgr.

Linda has been a tremendous asset in the Environmental Office. Young and full of gusto, Linda has reoriented the Water Resource Program by organizing old data and improving work objectives in her grant contracts. She has also taken on the colossal duty of applying for TAS (Treatment as a State) certification with the EPA. This certification will allow the Tribe to set water quality standards for important water bodies here at Red Cliff. This is the beginning of a long but important process to protect Red Cliff waterways. I appreciate Linda's willingness to dive head first and take on this huge task.



February Employee of the Month – Lynna Gurnoe, Conservation Warden

Lynna has been instrumental in the successes her office has had the last couple of years. She updated many of the Warden's paper files to digital versions, and she began documenting daily enforcement activities as part of improved data management in that office. Lynna constantly shows her compassion and dedication to her work – whether she is patrolling grids, handling dog issues, or writing articles for the newsletter, she gives herself to her career. Sadly, Lynna accepted an offer to work for the Wisconsin DNR and will no longer be part of our Division's team. **Thank you Lynna for your dedication and hard work! We'll miss you!**



March Employee of the Month – Tony Corbine, Water Resources Asst.

Tony began working in the Environmental Office in April 2012. Tony released a Watershed Survey shortly after being hired, and to date he has received about 75 completed surveys from the tribal community. Results from the survey will help us to create a Watershed Management Plan that incorporates community input. Tony is also the architect behind the newsletter you are currently reading! Our Division did not have a newsletter until Tony came on board. I thank Tony for keeping this publication going and for being the thoughtful, easy going guy that he is.

Red Cliff Mining Task Force Update

The Red Cliff Mining Task Force continues its efforts to foster community involvement in mining-related issues. Task Force members have been involved in ongoing consultations with the U.S. Army Corps of Engineers regarding mining projects in Minnesota. The Task Force also helped to facilitate a trip to Madison for Red Cliff youth on the day of the Wisconsin State Senate Vote on AB1/SB1. Red Cliff youth performed a traditional Hoop Dance in the Capitol rotunda, and Red Cliff teens read a press release for members of the media. Red Cliff community members recently had the opportunity to hear about the activities of the Task Force, and let their own voices be heard at the Red Cliff Community Mining Summit. This event brought community members together to learn about mining issues and to discuss their ideas for addressing these concerns.

Red Cliff Mining Task Force meetings are open to the public. To find out the time and location of the next meeting, please call Chad Abel at 779-3750.



FOR MORE INFORMATION, CONTACT THE RED CLIFF NATURAL RESOURCES DEPARTMENT AT: 779-3795

Current Consultations with the U.S. Army Corps of Engineers

United Taconite Permit Modification

- Original permit issued in 1982
 - Expiration date of 2042 (valid for 60 years)
- Army Corps would like to modify permit to:
 - Include a requirement for wetland mitigation
 - Provide a more reasonable expiration date
- Areas of concern:
 - Possible use of area by Canadian Lynx
 - Impacts on wild rice and chain of lakes downstream from tailings basins
 - Current seepage from tailings basin 1
 - Impacts to historical sites
 - Contamination of culturally important plants used by area tribes
 - Basin 3 construction could impact 1300 acres of black spruce/tamarack bog

Minnesota Taconite Permit

- Expansion of 2 pits by 483 acres
- Mine access road realignment
- Loss of 64 acres of wetlands, and 4,000 linear feet of a perennial stream
- Discharging into waters already classified as “impaired” by MPCA
- Clean Water Act Permit expired in 1992, operating for over ten years without a valid permit

**Mining Maps
located on
page 20 and 21**

Mille Lacs Netting Regulations

Season: The open-water season includes the period from ice-out to ice-in. During this period, you may use the harvest methods allowed by your tribe.

Daily/Nightly Hours: There are no set times that netting must take place; however, a monitoring crew must be present whenever a gill net is lifted.

Requirements: A permit is required and can be obtained from the nearest GLIFWC registration station once netting has begun or at any landing that is open for netting. You must also have your tribal identification card on you at all times.



Photo courtesy of GLIFWC.org

Landings: You must use the landing or monitoring site designated by your tribe. An alternate landing may be used if weather conditions or safety concerns warrant. Identification of an alternate site must be properly coordinated with tribal law enforcement and monitoring personnel

Gill Nets: Your tribe must have declared a quota for a lake to be available for netting. Rivers are closed to gillnetting. You must possess a valid permit to use a gill net. A monitor must be present when the net is lifted.

Gillnetting in Mille Lacs Lake is allowed year around. Only subsistence netting may occur from March 2 - May 31. Subsistence nets during this and other times may be up to 100 feet in length and 4 feet deep. The allowable mesh sizes (bar) for subsistence nets during this and other times are 1.25 to 1.75 inches

From June 1 - March 1 both subsistence and commercial netting may be authorized. If authorized by your tribe, allowable mesh sizes (bar) for commercial nets are the same as for subsistence nets (i.e. 1.25 to 1.75 inches); however, commercial nets may be up to 300 feet in length and six feet in depth. All nets must comply with lifting, marking, and safety requirements. For gill-nets targeted at tullibee, only 1.75 inch mesh (bar) is authorized

No member shall fish with any gillnet unless the gillnet is marked in compliance with the following provisions:

- Each gillnet shall be marked with two flags on the inside of the net and one flag on the outside
- Each flag pole shall be three feet or more above the water and have a diameter of 2 ½ inches or less
- Each flag shall be white and ten inches square or larger; and
- Each pole shall have attached securely to it an identification tag issued by the tribal conservation department showing the member's tribal affiliation and tribal id number.

Bag Limits: Established by permits



Marissa Balber has joined the Environmental Department as a Water Resources Technician. She represented the Red Cliff band at a BIA Water Resources Technician Training Program hosted by the University of Arizona in Tucson last summer. She grew up as a Red Cliff community member, but is an enrolled member of the Bad River band. She splits her time between Red Cliff and Ironwood, Michigan as she is currently working toward her Engineering degree at Gogebic Community College. Her plan is to transfer to Michigan Technological University and complete her Bachelor of Science in Environmental Engineering. In her free time, she lists bicycling, swimming in Lake Superior, and wild foraging as her favorite activities. Currently, the scope of her work with the Tribe includes assisting the Water Resources Program in meeting their program goals by conducting surface water monitoring, data entry, revision of water program documents, and educational outreach activities. If you see her bicycling through Red Cliff this summer, be sure to wave hello.



Tribal Hatchery News

Highlights—2013 Quarter 1

22,000 Fish Released thus far in 2013
Fin Clipping 4/13/13 @ Hatchery

Start Design of RAS
Finished Spawning BKT

Prep for Walleye
Prep for Spring



Pictured above is an Assembly Line, of hatchery staff and the tribal wardens, releasing Brook Trout through the ice.

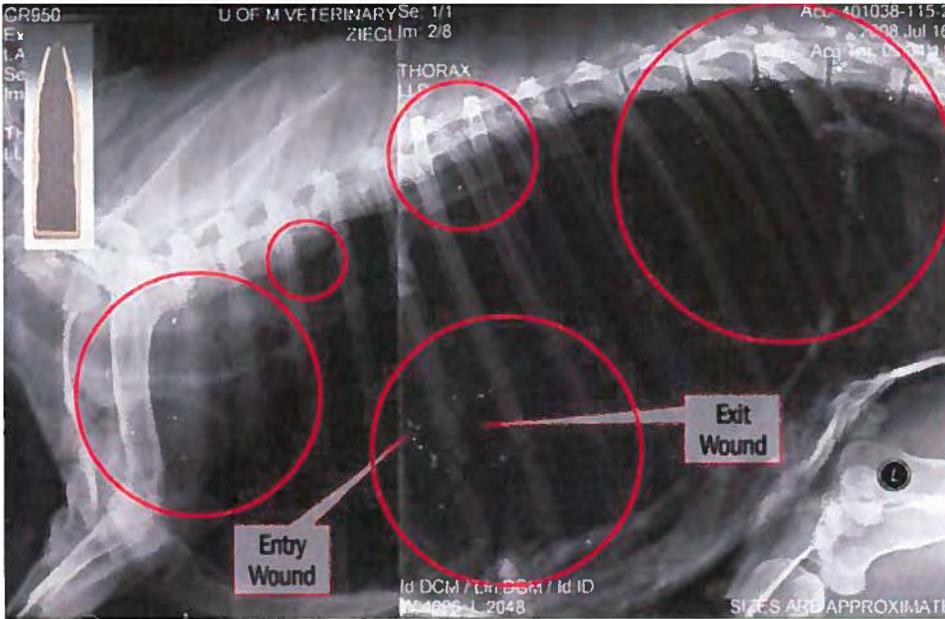
Pictured to the right is the hatchery staff releasing a group of fingerlings just before the ice cover.



Continued on page 12

Getting the Lead Out!

Why your deer may be dangerous even after you shoot it.....



A recent study conducted by the USGS at the National Wildlife Health Center has shown that there were elevated ammunition-associated lead levels in consumers' wild game. In the adjoining photo it shows the placement of lead from ammunition in the study's carcass (with white specks being lead). Note the distance those lead specks traveled from the entry wound. In surveys distributed to food banks the surveys showed that 8-15% of WI donated venison to food shelves contained lead fragments. These lead fragments are not only harmful to humans but are also hurting our Wisconsin wildlife. Some of the many affected animals

include carrion birds such as eagles and vultures, canines such as wolves and coyotes, and waterfowl such as ducks and geese. An unusual bird that is dropping in populations due to lead poisoning is woodcocks. Some other examples of lead that animals ingest are spent shot (waterfowl, upland game), sinkers (waterfowl), mine tailings (waterfowl), and paint chips.

Lead can cause neural degeneration (nerve damage), kidney damage, bone damage, and inhibits blood formation and nerve transmission. The body mistakes lead for calcium and then transports it to nerve cells and other tissues.



What can I do to help?

Switching to ammunition that does not contain lead will greatly reduce mortality in wildlife and limit the chance of humans ingesting lead fragments. Unfortunately this ammunition does cost more but saving a few dollars is worth environmental and the human health benefits.

On left: Lead rifle bullet with fragments produced. On right: Ammo made out of copper has no fragments

1842 Ceded Territory Spearfishing Regulations and History

The year two-thousand and thirteen will mark the twenty-ninth consecutive spring that spearfishing was conducted by the Chippewa tribes in the off-reservation waters of northern Wisconsin. An average of 450 tribal members from Lac Courte Oreilles, Lac du Flambeau, Mole Lake, Bad River, St. Croix and Red Cliff spear each year.

Spearfishing has been a tribal tradition for many tribes but the legality of off-reservation spearfishing came into the public beginning in 1973 when the Lac Courte Oreilles Band of Chippewa filed suit against the State of Wisconsin. The tribe claimed that the States laws conflicted with tribal hunting, fishing, and gathering activities guaranteed in the Treaties of 1837 and 1842. The suit was dismissed by the Federal District Court initially but in the Seventh Circuit Court of Appeals it was reversed. The State of Wisconsin petitioned the United States Supreme Court to review the Seventh Circuit Courts decision but the petition was denied. On August 21, 1987, Federal Judge Barbara Crab reaffirmed the standard principles brought about by other treaty rights cases throughout the county. She held that the State may regulate in the interest of conservation and that such regulations are necessary, however, the tribes may enact a system of regulations resulting from another decision on May 9, 1990. Throughout this whole process there were many protests against treaty rights with the worst protests happening while tribal members exercised their rights



Photo courtesy of GLIFWC.org

Basic Spearfishing Regulations:

No member shall spear without first possessing a valid spearfishing permit issued by GLIFWC and a valid tribal identification card.



Photo courtesy of GLIFWC.org

Equipment Regulations:

Spear must have: (a) a minimum of three barbed tines which are a minimum of 4-1/2" inches long; (b) each tine having a barb extending perpendicular which is greater than 1/8" inch. NOTE: While spearfishing (open water) no member shall possess any other harvesting devices, other than a spear.

Bag Limits; Possession Limits

No member while fishing off-reservation may have in their possession fish in excess of the bag or possession limit.

- Walleye-(by permit only) –*only 2 fish maybe over 20 inches of which* a) one fish may be of any size b) one fish between 20" – 24" c) all others up to 20"
- Muskellunge-(bag limit by permit only) – a) first fish may be any size b) after first fish, at least 1/2 of catch must be at least 32"
- Northern Pike - bag limit – 10 per person/day
- Largemouth and Smallmouth Bass - bag limit – 10 per person/day

Continued from previous page

Miscellaneous Regulations:

- ⇒ **Battery cover:** No member shall operate any motorboat equipped with a storage battery in the waters of the ceded territory unless the battery is: a) provided with suitable supports and secured against shifting with the motion of the boat b) equipped with a nonconductive shielding means to prevent accidental shorting of battery terminals
- ⇒ **Personal flotation devices:** No member shall operate or use a boat unless one PFD is on board for each person and that PFD is in serviceable condition. The PFD must be located in an easily accessible location in the event of an emergency.
- ⇒ **Lighting Equipment:** All boats are required to have lighting equipment and be on from sunset to sunrise: a) one lamp aft (rear) showing a bright white light all around the horizon (Must be visible for 2 miles on a dark clear night) b) one combined lamp in the fore part (front) of the motorboat and lower than the white light aft, showing green to starboard (left) and red to port (right) and so fixed that each side of the combined lamp throws a light from directly ahead to 2 points abaft the beam on its retrospective side. (Must be visible for one mile on a dark clear night)
- ⇒ **Exception for motorboat operated for spearing purposes:** The lighting requirements shall not apply to a member operating or using a motorboat while actively fishing with a spear provided that the member is using a light in the front part of the boat as part of such fishing and is operating the boat at a slow-no wake speed
- ⇒ **Assist by non-members:** Those persons who may assist a member: member's spouse, forebears (includes only parents and grandparents), children, grandchildren and siblings (includes person who have one or both parents in common). NOTE: assist is limited to operation of spearing boat only!
- ⇒ **Waste of Natural Resources:** No member shall unreasonably waste, injure or destroy or impair natural resources while engaging in the exercise of off-reservation treaty rights
- ⇒ **Throwing refuse in waters:** No member shall deposit, place or throw into any off-reservation waters any cans, bottles, debris, refuse or any other solid waste materials
- ⇒ **Sharing of tags/permits:** No member shall lend, share, give, sell, barter or trade, or offer to lend, share, give, sell, barter or trade to any person any identification document, permit or tag issued by the tribe

Spearing starts as soon as the ice leaves the shoreline of the designated lake's for each tribe

Red Cliff Tribal Members: ON THE DAY YOU ARE GOING TO SPEAR, CALL THE RED CLIFF WARDENS BEFOREHAND TO CHECK WHICH LAKES ARE AVAILABLE AND THE QUOTA ON THOSE LAKES. MAKE SURE TO CHECK FISH NUMBERS DAILY.

If you have any questions or comments please contact the Red Cliff Wardens at (715) 779-3732

Tribal Hatchery News

By: Chase Meierotto



The fish hatchery has recently finished the spawning of its Coaster Brook Trout. It has been a long spawning season with great rewards. After the thousands of fish that have been spawned over a million eggs were taken. The constant sorting, picking, and treating of eggs will continue but the handling of the large brood fish is complete. Eggs that were taken early in the season have already hatched and are doing well. Some have begun to eat feed while other are still feeding on their yolk sac. After all of the hours spent in the Broodstock building it is great to see the hatcheries efforts being successful. The Hatchery will have Brook Trout fry for sale as we will not be able to house all of the fish that have hatched. Any interested parties should contact the fish hatchery directly.

The hatchery has also been busy with releasing last year's production fish. To this date 22,000 yearlings have been released on the reservation shoreline. Due to the amount of fish the hatchery is currently housing it was necessary to release a portion of the fish early. Therefore, fish were size graded and the larger fish were all put together in one tank. These larger fish were then fin clipped and held for at least 30 days before they were released. The fin clip that was given to this year class is an ARP clip. That is a double clip being the adi-

pose (small fin before the tail) and right pectoral (fin on the right side of the fish that is closest to the head). This was done on 3 days early in the year. Because of the time of year there was very thick ice cover on the lake. This being the case a large hole needed to be cut in the ice. With the aid of a chainsaw and large ice chisel short work was made of the ice. Fish were then released in the lake where they will live out the rest of their lives.

As mentioned in previous newsletters the hatchery is looking at getting a recirculating aquaculture system installed. We have recently made our selection on which contractor we would like to use for the project. After going through the different bids that we received we made our selection based on who we thought could provide the best system for our fish. The winning contractor took into consideration the fish health as well as the hatchery budget. As of now the contractor is working on the design of the system and is getting the preliminary equipment needed.

Pictured above is a member of the hatchery staff spawning in the brood stock building.

Pictured to the right is a bowl of eggs ready to be fertilized .



Any Questions or comments please feel free to contact the fish hatchery

(715)779-3595 or (715)779-3750
chase.meierotto@redcliff-nsn.gov

Education Fair Newsletter Article



The education fair was hosted by the Red Cliff Education Department and the School District of Bayfield. This event was held March 11th, 2013 at the Legendary Waters Resort and Casino.

The fair provided students and community members the opportunity to meet with Universities, private colleges, Tribal colleges and other education related agencies.

The Treaty Natural Resources Division was present at the fair to get the attention of young Tribal members/students interested in the Summer Youth Internship program that the Division recently established. The Division is looking to hire three Tribal students and one Tribal crew leader for the summer months so they can experience some work in the natural resources field of work.

It is an excellent program to get involved with if you are interested in natural resources/biology. Some duties and responsibilities include but are not limited to:

- Fish hatchery duties.
- Perform stream restoration techniques.
- Fish assessment sampling in Lake Superior with Fisheries staff.
- Ride along with the Red Cliff Wardens.
- Assist Environmental staff with routine stream sampling.

Another job opportunity that is available with the Wisconsin Tribal Conservation Advisory Council (WTCAC) Native American Student Summer Internship Program. This program includes work Red Cliff Natural Resources, Bad River Natural Resources, and the NRCS. Similar duties and responsibilities are included as the Red Cliff Summer Intern Program.

Living with Bears on the Red Cliff Reservation



Black bears are commonly found in the northern third of Wisconsin, and numbers are continuing to grow. The expanding population means more bear-human conflicts. In order for bears to coexist with humans, we have to understand normal bear behavior. Black bears tend to be shy, solitary animals, but at some times of the year, particularly in the spring when bears emerge from their winter dens and food is not abundant, bears may be on the lookout for opportunistic food sources. This might be your garbage can, or the bird feeder in your backyard. Nearly all bear-human conflicts are a result of the animals' search for food. There are a lot of simple things you can do to avoid conflicts with bears. With your help we can continue to live together with this spiritual animal, enjoying their presence in the woods you call home.



Reducing Bear Conflicts Near Your Home

Black bears are attracted to numerous items around homes including: bird feeders, compost piles, grills, pet food, gardens, and garbage. Here are some simple recommendations to avoid problem bears:

BIRD FEEDERS:

- Make bird feeders inaccessible to bears by hanging them at least 10 feet off the ground, and 5 feet away from tree trunks, or on a limb that will not support a bear (you can refill the feeder by using a pulley system)
- Consider taking bird feeders down at the end of winter (mid-April) when bears emerge
- Bring feeders inside at night during the spring and summer
- If you see a bear at a bird feeder during the day, take the feeder down and discontinue use for at least 2 weeks.

GARBAGE:

- Keep your garbage cans tightly closed, and indoors if possible
- Pick up loose or spilled garbage so that it doesn't attract bears
- Occasionally clean out your garbage cans with ammonia to make them less attractive to bears
- Remove dumpsters from premises if possible, tie down dumpsters with bear proof latches
- Bring your garbage to the transfer station which is open Sunday, Tuesdays, and Thursdays, in Red Cliff and Wednesdays and Saturdays at the Town of Russell.

AND A FEW MORE...

- **NEVER FEED A BEAR!!** Intentional feeding will create a bear that is used to human contact

and may become a possible nuisance to you and other people in the area. The bear will not forget the feeding experience, and will tend to get more demanding with time.

- Bring in pet food at night
- Clean up and put away outdoor grills after you are done using them for the day



IF A BEAR IS CAUSING A NUISANCE IN YOUR AREA:

Contact the Red Cliff Game Wardens. Their office number is (715) 779-3732, and they check messages often. They can help you by providing additional information on reducing or eliminating your specific problem. If the situation has no human influence, and is severe and presents a threat to health and human safety, they can also remove the bear from that area.



IF YOU SEE A BLACK BEAR:

- Make noise and wave your arms – let the bear know you are there so you don't surprise it. Bears normally leave an area once they know a human is around
- If you happen to surprise a bear at close range, back away slowly.
- If you are near a vehicle or building, go inside until the bear wanders away
- Do not approach a bear. Respect black bears as wild animals and enjoy them safely – from a distance.



Attention Tribal Campers



Fee-exempt Camping at National Forest Campgrounds

Through an agreement between participating GLIFWC member bands and the U.S. Forest Service, Tribal members may camp for free with a permit in U.S.F.S. campgrounds. The free camping permits are available at the Red Cliff Wardens Office (715-779-3732) or at the Red Cliff Tribal Court House (715-779-3725).

To Use A Fee-Exempt Campground You Must:

1. Be a Red Cliff Tribal member or member of another Band that has ratified the Tribal/USFS Campground Agreement.
2. Obtain a Tribal camping permit from the Red Cliff Wardens or the Red Cliff Tribal Courthouse. A list of fee-exempt campgrounds, and the booklet entitled *Regulations Summary: National Forest Treaty Gathering and Camping* are available at the Wardens Office.
3. Follow the camping registration procedures at the campground. Generally, this involves providing information requested on the registration envelopes found at the campground, inserting the Tribal camping permit inside the envelope, and placing it in the deposit box.
4. Camp only at the campsite for which you have registered.
5. You may not leave your possessions unattended at a campground for more than 24 hours. If left unattended for 24 hours or more, your possessions may be confiscated and retained by GLIFWC law enforcement personnel.

Other information regarding to camping or other Treaty Rights may be found on the GLIFWC website or by calling the Red Cliff Wardens at 715-779-3732.

NOTICE TO COMMUNITY MEMBERS



ON MARCH 1, 2013 THE RED CLIFF CONSERVATION COMMISSION APPROVED AN ON-RESERVATION TURKEY HUNTING SEASON.

**SPRING SEASON DATES: APRIL 10, 2013 THROUGH MAY 19, 2013
(MALE BIRDS ONLY)**

FALL SEASON DATES: SEPTEMBER 1, 2013 THROUGH DECEMBER 31, 2013

BAG LIMIT: 1 TURKEY PER HOUSEHOLD, PER YEAR

REGISTRATION: TURKEYS MUST BE REGISTERED WITH THE RED CLIFF WARDENS WITHIN 3 WORKING DAYS OF THE DATE OF HARVEST

RESERVATION QUOTA: 20 TURKEYS TOTAL PER YEAR

IF YOU HAVE ANY QUESTIONS RELATED TO TURKEY HUNTING, PLEASE CONTACT THE RED CLIFF WARDENS AT 715-779-3732.

Camping season where are you?

By: Todd Norwood – Forestry and Wildlife

As I'm writing this article during the third week of March, it's cold, windy, and the snow is flying, adding to the already abundant snowpack. It sure doesn't look or feel like camping season is right around the corner (unless I revert to the days where winter-camping seemed fun) and the current forecast doesn't support the idea either. But, by the time you read this I'm hoping a change in season occurred and for the possibility of getting out of the house for some camping. And with that comes a certain danger for the region's forests.

If you've read any of my previous articles regarding the dangers of forest pests you might guess what's coming; yes, another statement likely regarding the Emerald Ash Borer or EAB. So here's the statement: Camping and firewood don't mix. That is, unless the firewood is local. The problem arises when firewood is harvested from one location and hauled to another to be burned. The general rule is that wood traveling greater than 25 miles from its origin is not safe. The reason for this guideline is many forest pests including EAB, gypsy moths, and diseases, among many others, hide in firewood. Once brought to the un-infested environment the pest spreads, potentially killing large areas of forest trees. It's now common for most camping destinations, such as state or federal campgrounds, to have non-local firewood bans with potential penalties associated with transporting wood.

As the summer camping season approaches, we should do our part to protect the region's forests by not moving firewood. Collect or buy firewood local to the camp and enjoy your fire knowing a healthy forest of trees will exist for future generations.



Hatchery Crew Member Daily Activities

Hi There! Just a little something of "What's Going On" up at the hatchery. We just got done spawning our brook trout, waiting for our last batch of egg's to hatch. We will be getting our walleye tanks and bell jars ready next. The bell jars are where the walleye eggs are put into so they can hatch out. What happens up at the hatchery on a day like today? Well the fish have to be fed, the tanks got to be cleaned, disinfect egg samples and count the fish once a month. Sample count is where we measure and weigh the fish. I hope this helps you understand a little of what goes on at the fish hatchery.

Fran Cadotte, Hatchery Technician

“What a fish monitor does”

What I, Tom Gary Jr, do as a fish monitor. First I contact the tribal commercial fisherman, so I can set up a monitor for the next day. Then I notify the state monitor to let them know who I am so they are aware I will be monitoring the next day and what time we are leaving the dock. They have the option to go with as part of the joint monitoring agreement Red Cliff tribe has with the state. Then I make sure all my gear is ready for the next day. The next morning I meet the fisherman down at their boat, or on the ice, and then ride to their nets. When they start lifting the nets, I stand out of the way and count the number and species of fish in the nets while keeping track on my data sheets. After they are done lifting I collect length, weight, otoliths (ear bone), scales, stomach samples and check for sea lamprey marks on lake trout. Otoliths and scales help determine the age of the fish. When they are done lifting all their gear we head back to the dock. When I get to shore I prepare for the next day of monitoring.

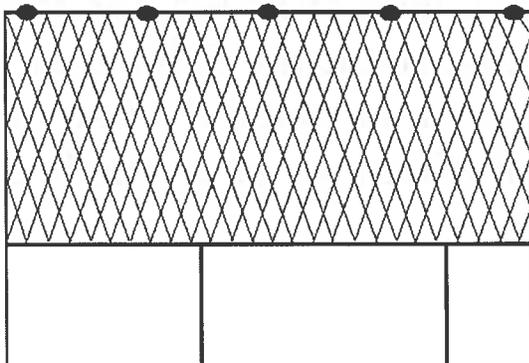
When I'm not out on the lake, I am reeling up our assessment nets, getting them ready for the next field season. The assessments we do are; MI-2 spring, pre recruit summer, lake trout spawning in the fall, near shore, siscowet trout, and a spawning whitefish. We do the same sampling as I am monitoring the commercial fishermen, using the Red Cliff research vessel.

“The new legged net study”

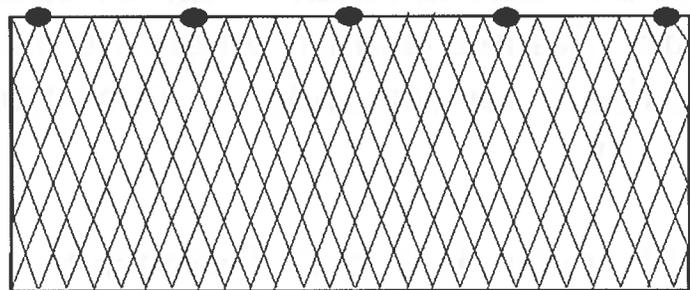
The idea behind the legged net study is to determine if the nets catch less lake trout than a regular gill net. The Red Cliff Fisheries Department is giving the commercial big boats a opportunity to help us out with the study, by letting them use a legged net. The fisherman has to allow a fish monitor on-board their boat when they are lifting the legged net gear. Hopefully the commercial fishermen will lift some of their regular gill nets in close range to the legged nets. This way, we can compare the numbers from the catch of the two different style nets. So if any big boat fishermen want to try out the legged nets or have any questions please call the Red Cliff fish hatchery @ 715-779-3750.

Thanks,
Tom Gary Jr, Red Cliff fish monitor

Legged Gill Net



Standard Gill Net



Fish on the Table: Working Together for the Community

The Northern Aquaculture Demonstration Facility (NADF) helped provide nutritious meals to the community food shelf by donating Arctic Char raised at their hatchery. The photos below show the process of preparing the fish for donation. Red Cliff Fisheries, Wardens and Clinic staff helped NADF fillet hundreds of pounds of fish for families here at Red Cliff.



I would like to thank NADF for hosting this food donation and for all of the staff who helped to make the food drive a reality! Miigwech! By, Chad Abel



The finished product! Healthy, protein-rich char fillets, vacuum sealed and ready for delivery.

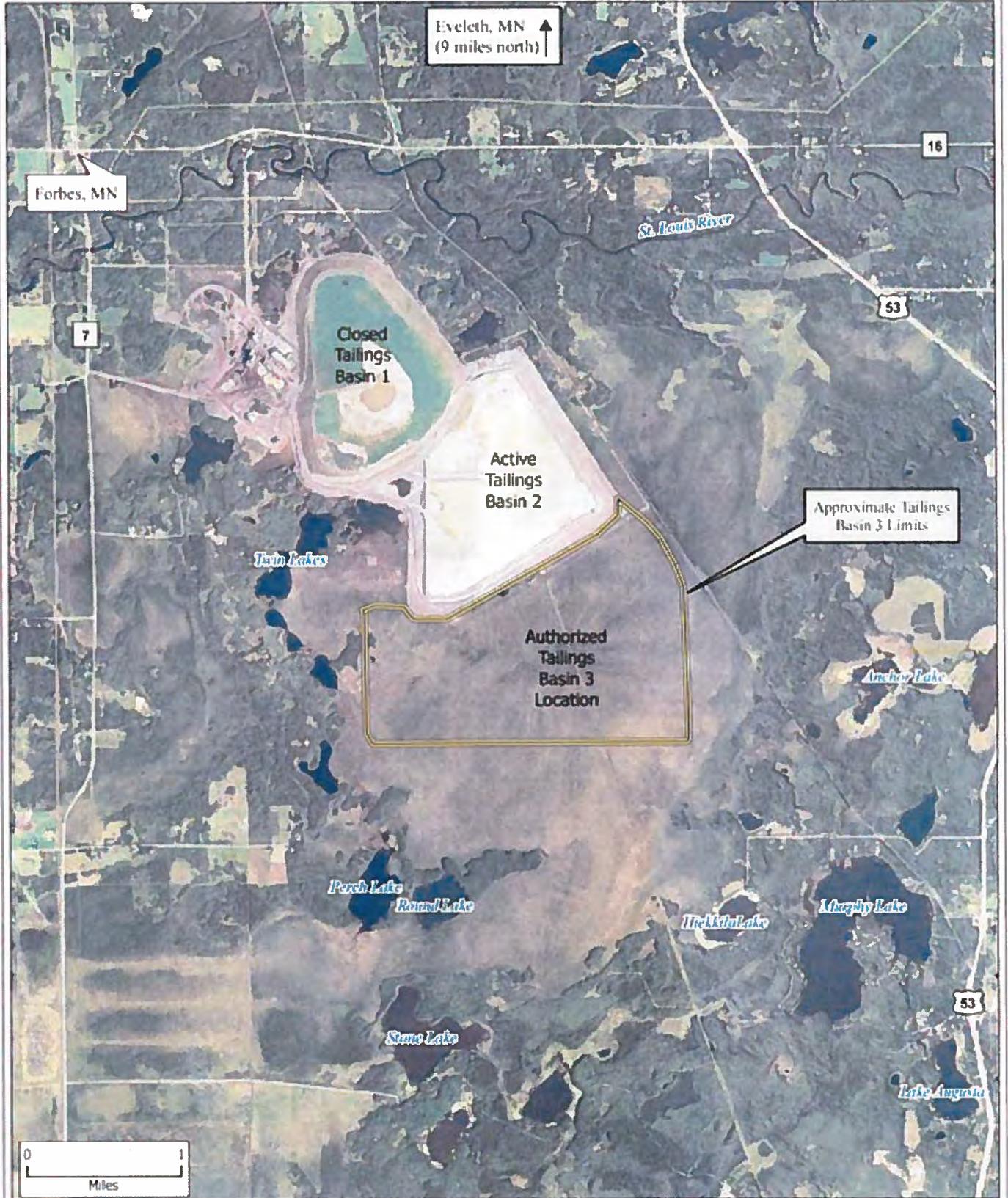


US Army Corps
of Engineers
St. Paul District

United Taconite Permit 1981-172-13



2010 FSA Aerial Imagery from LMIC WMS Server





SEH

400 West Superior Avenue, Suite 200
 St. Paul, MN 55102
 Phone: (612) 778-2000
 Fax: (612) 778-2002
 Email: info@seh.com

Project: USSAW 114087
 Issue Date: 05/05/2012

Map Name: Wetland Impacts
 Project Location: Minntac Mine Extension
 Scale: 1:50,000

Wetland Impacts
 Minntac Mine Extension
 Mountain Iron, Minnesota

2012-00415-JCB, Attachment 1 of 1



For Immediate Release: February 1st, 2013
Red Cliff Band of Lake Superior Chippewa
Lake Superior Barrels Project Field Work

For further information please contact:
Frank Koehn at 218-341-8822 or frankjkoehn@gmail.com ; Red Cliff Tribal
NALEMP Public Relations
Melonee Montano at 715-779-3650 or melonee.montano@redcliff-nsn.gov ;
Red Cliff Tribal Environmental Programs Manager



Preliminary data results show no immediate cause for concern regarding the safety of water and fish consumption and citizens of the region should continue to follow existing guidelines for Lake Superior.

The Red Cliff Band of Lake Superior Chippewa (Red Cliff Tribe) has completed initial field work and assessment on the content of barrels recovered from Lake Superior. Through guidance by the Red Cliff Tribal Native American Lands Environmental Mitigation Program Committee (NALEMP Committee), the Red Cliff Tribe and their contractor (EMR of Duluth, MN) conducted this fieldwork. This on-going project is taking place in several steps, spanning multiple years, and beginning in 2004 with the identification of the Lake Superior Barrel dumpsite as an area of potential human health and environmental concern and the subsequent application by the Red Cliff Tribe for funding through the Native American Lands Environmental Mitigation Program (NALEMP).

NALEMP is a program created for the specific purpose of aiding Tribes in addressing the effects of past military operations on Native American Lands. In 2006, the Red Cliff Tribe entered into a cooperative agreement with the US Army Corps of Engineers (USACE) through NALEMP, which is funded by the Department of Defense (DoD), to investigate the barrels. Oversight for the project is provided by the USACE-Omaha District, the Red Cliff Tribal Council, the Red Cliff Environmental Programs Manager, and the Tribal NALEMP Committee. The NALEMP Committee is composed of a group of Red Cliff Tribal members who volunteer their time to oversee the project for the Red Cliff Tribe. In 2007, the Red Cliff Tribe contracted EMR to complete a Work Plan Set, consisting of the Field Sampling Plan (FSP), Quality Assurance Project Plan (QAPP) and Site Safety and Health Plan (SSHP), for a geophysical survey to map barrel locations. In 2008 the Tribe contracted EMR to update and implement the Remedial Investigation/Feasibility Study (RI/FS). Field sampling for the RI/FS phase was originally scheduled for 2009, but was rescheduled for 2012 due to the lack of funding and additional regulatory requirements.

The Lake Superior Barrels Project is known as being both unique and ground-breaking. It is the first NALEMP funded project located within Ceded Territory in which the Lake Superior Chippewa Bands maintain Treaty Rights. It is the first project to be located within a large body of water that is part of a vast transportation system. Lake Superior is one of five Great Lakes in which through their connecting channels, they form the largest fresh surface water system on earth. These factors presented a number of challenges and regulatory requirements that have never been encountered before in a NALEMP funded project. These challenges have involved extensive consultation with many federal and state

agencies, including DoD, USACE, US Army Environmental Command (USAEC), the US Coast Guard (USCG), the Environmental Protection Agency (EPA), and the Minnesota Pollution Control Agency (MPCA).

A total of 25 barrels were recovered during the barrel recovery fieldwork between July 30, 2012 and August 13, 2012. Two types of contents were discovered within the barrels; a composite material of incinerated metals was found in three of the barrels and munitions parts were found in the remaining 22. All of the munitions parts recovered from these barrels were identified as ejection cup assemblies for BLU-4 cluster bomb devices. Explosives experts on board conducted tests in the ejection cup assemblies and identified an active ejection charge composed of M5 propellant. Each of the 22 barrels contained between 600 and 700 ejection cup assemblies. Similar barrel contents were recovered during investigations during the 1990s. These investigations had determined that the charges within the ejection cup assemblies were inert; therefore the discovery of active charges was unanticipated. Preliminary data results show no immediate cause for concern regarding the safety of water and fish consumption and citizens of the region should continue to follow existing guidelines for Lake Superior.

Although the goal of the fieldwork was to recover 70 barrels, the recovery team faced several challenges upon the discovery of and accumulation of several thousand active ejection charges. The primary concern was the safety of the team combined with the logistical concerns regarding the transport and disposal of explosive materials. After the recovery of 25 barrels, the Red Cliff Tribe and EMR, in consultation with federal agencies, made the decision to stop the recovery of additional barrels in order to reserve a portion of the project budget for the transport and disposal of the ejection cup assemblies. All recovered materials are securely stored while regulatory compliance details are arranged.

A variety of analytical testing was performed on samples taken from within the recovered barrels and from sediment and water outside of the barrel before they were recovered. Radiation testing was conducted immediately after each recovered barrel reached the surface of the water. No levels of radiation above background were detected at any point during the fieldwork. All samples were shipped to an independent, accredited laboratory and tested for a wide range of chemical constituents, including Resource Conservation and Recovery Act (RCRA) metals, VOCs, PCBs, PAHs, and asbestos. All of the analytical testing has been completed and analysis is ongoing. Work will continue on this project through the spring and summer. The analytical results will be used to determine if the barrel contents pose any potential threat to area residents, tribes, fisheries, aquatic life, or the environment. The primary goal is to determine if further investigation or remediation is required. Results will be summarized in a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) compliant Remedial Investigation and Feasibility Study reports, which are expected to be complete in 2013.

The mission of the Red Cliff Tribe to fully characterize the type and extent of military wastes, which may have impacts on human health, the economy, natural resources, and cultural uses within Chippewa Ceded Territory and to determine if further remedial work is required to preserve the rich natural resources of Lake Superior. Further, the Red Cliff Tribe is committed to the protection and restoration of natural resources the Ceded Territory, and is dedicated to working with federal agencies to clean up, restore, and protect the ecosystems of the ceded territory. The Red Cliff Tribe is also committed to ensuring that the US Government meets their Federal Trust responsibilities associated with the lands and waters of the Ceded Territories. Our goal is to allow for the full use of and enjoyment of the protected resources and ecological conditions of our region, without restriction due to contamination.

The Red Cliff Tribe will be hosting a closed press conference (invite only) in the near future.

Red Cliff Indoor Air Quality Program (IAQ) Environmental Department

Red Cliff's IAQ Program grant has been funded another year.

The EPA has approved Red Cliff's work plan effective April 1 2013 through April 1 2014. The IAQ project desired outcomes are to provide verifiable, hard data necessary to pursue funding for renovations /improvement projects that will improve IAQ and benefit the health of everyone in the home and office. Especially elderly, very young or people with health issues such as asthma, allergies, and lowered immune systems, as well as potentially lowering energy usage.

The IAQ Project will also aim to raise awareness and educate the public by hosting a table at the tribal health fair and at other events. These assessments are available and free to anyone. We will look at private, public, apartments, and trailers. There are many simple ways to improve IAQ and breathe easier.

New for this year is a basic source survey and completing an Ambient Air Emissions Inventory. An emissions inventory is a first step in developing capacity in air quality.

It is important that the Tribe have the capability to participate in regional issues affecting air quality. The Tribe is interested in protecting air quality as a natural resource and as an environmental health issue.

An emissions inventory identifies air pollution in a particular area over a period of time. Source tracking can be local as wood burning, local traffic, even boats. Other pollutants can be from further away such as mining, industry, or coal burning plants. The ultimate goal of the air program is for the Tribe to implement environmental statutes under the EPA Clean Air Act (CAA)

For questions or to schedule a assessment please call
Mike Balber
Red Cliff IAQ Program
(715) 779-3650

Surface Water Sampling

Field season is approaching and the Water Resources Program staff is gearing up! The Water Resource Programs Manager (Linda Nguyen) and Water Resources Technician (Marissa Balber) are calibrating surface water assessment instruments for the 2013 sampling season. This year we have added



eight new sites to include, Frog Creek, Sucker Creek, and headwaters and mouth of waterbodies that have been sampled in the past. A total of 16 will be assessed on a monthly basis. Also, we are upping our chemical testing parameters to include chlorine, sulfates, and mercury, pending on Environmental

Protection Agency (EPA) approval. That's all we have; stay tune for updates! If you have any question please don't hesitate to contact the Water Resources Staff at 715/779-3650

Clean Water Act Loopholes: Mining Activities

The Clean Water Act (CWA) is federal law governing water pollution. The principal goal is to prohibit the use of our waters as dump sites for pollution. Regardless of what we think about mining, most would agree that discharging untreated liquid into natural waterways is a bad practice and will cause detrimental effects on the environment. Although it might be less expensive to dump waste into nearby wetlands, streams, or lakes, versus establishing a water treatment system, the thought of contaminating your drinking water source does not seem logical. However, the Clean Water Act does not directly address groundwater contamination; groundwater protection provisions are included in the Safe Drinking Water Act.

Unless you conduct extensive research on the various Water Pollution Control Amendments and Acts, it is difficult to understand how the law is structured. In doing so you may find out that two loopholes exist, which allow mining companies to easily discharge contaminated water into public water bodies.

The first loophole is found in EPA and Army Corps of Engineers regulations which provide that "Waste Treatment Systems" are not waters of the U.S. and therefore not protected by the CWA. This allows mining companies to build massive tailings reservoirs by damming nearby valleys or low-lying areas. Any water in the dam area that is impounded is then considered part of a waste treatment system rather than protected waters. Because a mining facility constructed a manmade reservoir, unnatural by design yet water being a natural element of the environment, any discharge from the mine into the reservoir is not regulated by the CWA.

The second loophole is the result of a 2002 revision of the CWA regulations defining "fill material." Under the current definition, EPA and the Army Corps

of Engineers treat the discharge of tailings from hardrock mining as fill material subject to Section 404, a program originally created to govern dredging and construction-related activities, rather than to regulate the disposal of industrial wastes. Basically the toxic wastes discharged into waters are no longer governed by the CWA program designed to regulate those discharges and are not subject to the strict pollution standards.

Tribal governments are becoming aware of these loopholes and should be passing a resolution to address these major concerns with EPA and Army Corps of Engineers and state officials. We need to close the loopholes as we are concerned for the environment and quality of surface and groundwater. Please get involved and encourage other tribal members to do the same.

Department Numbers

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