

LES CHENEAUX COMMUNITY ACTION COMMITTEE
Les Cheneaux Islands, Michigan
October 18, 1988

PROPOSAL TO THE EXECUTIVE COUNCIL

We, as citizens representing the many interests of the Les Cheneaux area, respectfully submit that the following proposed actions be taken by the Executive Council and any subsequent, in addition to current, conservation laws be openly enforced bilaterally by tribal conservation officers and conservation officers of the Michigan Department of Natural Resources.

EXECUTIVE COUNCIL RESOLUTION GUIDE

1. The following resolution be adopted by the Executive Council as an amendment to the 1985 Consent Decree:

Resolved that, a perimeter line be established around the Les Cheneaux Islands, within grids #304 & #305, extending from the tip of St. Martin's point, to the inside (northern) tip of Goose Island, to a buoy to be placed one mile off the tip of Point Fuyards, to the tip of Beavertail Point.

In order to effect the following:

- A. Banning of any commercial fishery, or any large chartered boat fishing within the perimeter line, in order that a comprehensive management plan can be designed and implemented to insure the continued availability of our native resources and the continuation of our small boat fishery. (note 1)
 - B. The preservation and protection of spawning areas, inside the perimeter line, for the continuing concurrent tribal and sport fisheries of the Les Cheneaux area.
 - C. The right to an open and free navigation lane around the Les Cheneaux Islands, inside the perimeter line, for recreational boating - both power and sail - both day and night.
2. The Executive Council recommend to the Michigan Natural Resources Commission that the following measures be taken to improve the fisheries habitat of Les Cheneaux area:
- A. Endorsement of the "Les Cheneaux Fisheries Opportunity Analysis" by John Schrouder as a building block in the development of a comprehensive multiple use management plan of the area.
 - B. Assess the possibility of a limited closed season on perch fishing during spring spawning in 1990 if perch stocks don't show signs of improvement from the other conservation management measures being taken.

- C. Statewide daily creel limit of 50 perch.
- D. Continuation of 7- size limit on perch indefinitely.
- E. Addition of 15 day Sportsman's Fishing License. (note 2)

3. Adoption of the following additional regulations to increase the visibility of all commercial fishing nets outside the perimeter line:

A. The Executive Council recommend to the Michigan Natural Resources Commission, in the form of a resolution, that the "Marine Safety Act" be amended as follows, where underlined: (note 3)

"(2) At least 2 buoys marking gill nets or impoundment and trap nets, hook lines, or other similar type fishing devices shall meet all of the following requirements:

- (a) Be a spar buoy with a staff of not less than one inch in diameter.
- (b) Have an exposure of not less than 5 1/2 feet above the water surface.
- (c) Have a black flag, with a diagonal fluorescent stripe, not less than 10 inches by 12 inches affixed to the top of the buoy.
 - (d) Have affixed a license number or other identification...
 - (e) Be maintained in good and serviceable condition.
 - (f) Float in an upright position.

(g) Buoys or jugs with a fluorescent stripe be attached to all other lead lines."

B. The Executive Council recommend to the Chippewa/Ottawa Treaty Fishery Management Authority, in the form of a resolution, that section 5, item (d) of "The Rules and Regulations Governing Tribal Commercial and Subsistence Fishing Activities", be expanded to conform with the above mentioned portion of the "Marine Safety Act".

4. The Executive Council move expeditiously to define the specific value of the Les Cheneaux fishery in terms that are amenable to all parties and can therefore be openly negotiated.

5. Discussions begin between the principal parties of the Executive Council in order to facilitate enactment of a permanent settlement of the 1985 Consent Decree beyond the year 2000.

6. The Executive Council release an accounting of where and how all the federal and state financial contributions required by the 1985 Consent Decree have been used, and what further fiduciary obligations have not yet been met. In addition, the Council should report what tribal requests are on file for these monies.

7. We further request that funds be made available or released for:

- A. The conversion of small boat gill net fisheries to impoundment net fisheries and the subsequent training needed to facilitate this.
- B. Continuing cooperation in developing access sites in the upper great lakes for tribal commercial fishermen.
- C. A follow-up limnological study of the Straits Area that would include the inner channels of the Les Cheneaux Islands in order to provide current baseline data (note 4).
- D. A new tagging study in 1990 that would include the migration patterns of perch between Marquette Bay, Search Bay, and St. Martin's Bay in order to determine the potential benefits of habitat improvements to the inner channels of the Les Cheneaux Islands.

note 1:for example a large chartered boat might be described as a watercraft registered over 25 feet in length and carrying more than four downriggers and used to hire rent or lease for temporary use.

note 2:the \$5.00 per day license cost is unreasonable for many tourists in that 31% of fishing tourists stay two weeks and 40% of fishing tourists stay one week. ("Evaluation of the Yellow Perch Fishery and its Importance to the Local Economy of the Les Cheneaux Area"; Grant #CRP-8C-7; Coastal Management Program, MDNR; March, 1987)

note 3:Act #303 of the Public Acts of 1967, part III, Uniform Marking System, buoys marking fish nets or other fishing devices, R-281-1113.

note 4:"Biological, Chemical and Physical Relationships in the Straits of Mackinac"; Great Lakes Research Division of U of M; Oct. 1976.