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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

and

BAY MILLS INDIAN COMMUNITY, SAULT  
STE. MARIE TRIBE OF CHIPPEWA INDIANS,  
GRAND TRAVERSE BAND OF OTTAWA AND  
CHIPPEWA INDIANS, LITTLE RIVER BAND OF  
OTTAWA INDIANS, and LITTLE TRAVERSE  
BAY BANDS OF ODAWA INDIANS,

File No. 2:73 CV 26

Hon. Richard Alan Enslen

Plaintiff-Intervenors,

v

STATE OF MICHIGAN, et al,

Defendants.

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**ORDER AMENDING SECTION VII.A.7.b.2  
OF THE CONSENT DECREE**

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A Consent Decree was entered on August 7, 2000, upon the stipulation of the parties, by which the Court established regulation, management and allocation of fish resources in the Great Lakes waters of Lakes Huron, Michigan, and Superior subject to the treaty fishing rights reserved by Plaintiff-Intervenors in the Treaty of March 28, 1836 (7 Stat. 491) for the time period of 2000 to 2020.

The parties have executed a stipulation to amend Section VII.A.7.b.2 of the Consent Decree. The Court approves the agreement of the parties set forth in the stipulation and enters this Order:

IT IS HEREBY ORDERED that Section VII. A.7.b.2. is hereby amended to read:

The following phase-in to target levels based on reduction in harvest shall apply to Tribal harvest limits in MM-1, MM-2, and MM-3 (combined) in any year in which this phase-in method results in a higher commercial harvest limit than the method in sub. a., above; provided, that the Tribal harvest limit in MM-1, MM-2, and MM-3 (combined) shall not be less than 450,000 pounds round weight in any year during this period;

(1) For the year 2001, the Tribes' lake trout harvest limit shall be their 1997 through 1999 average harvest, less the reduction in lake trout harvest projected from gill net conversions under section X.C.

(2) The Tribes' lake trout harvest limit shall be their prior year's harvest limit, less the reduction in lake trout harvest projected from gill net conversion under section X.C. occurring since the calculation of the previous harvest limit.

(3) Recreational harvest limits for 2005 and 2006 shall be ten percent (10%) of the Tribes' previous three-year average harvest.

(4) Recreational lake trout harvest limits shall be 50,000 pounds or the model-generated lake trout harvest limit, whichever is greater, in 2007 and thereafter until sea lamprey-induced lake trout mortality is significantly below the 1998 baseline levels for three consecutive years.

(5) All phase-in to target provisions shall apply to Tribal and recreational lake trout harvest limits until sea lamprey-induced lake trout mortality is significantly below the 1998 baseline levels for three consecutive years.

(6) After three consecutive years of sea lamprey-induced lake trout mortality levels which are significantly below the 1998 baseline levels, the parties shall review the status of lake trout in MM-1, MM-2 and MM-3 (combined) to determine if a model-generated harvest limit, as contemplated in Section VII.A.5. of the Consent Decree, is the appropriate basis for establishing lake trout harvest limits, or if another methodology for calculating lake trout harvest limits in those management units is warranted.

/s/ Richard Alan Enslin

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Hon. Richard Alan Enslin  
U.S. District Court Judge

Dated: April 4, 2007