

Inland Hunting / Trapping / Gathering Regulations



Approved by GTB Tribal Council
2009

Grand Traverse Band Natural Resources Department

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SECTION 1: PURPOSE

These Regulations are intended to ensure the wise use and conservation of the inland resources for future generations; to provide an orderly system for Tribal self-regulation regarding Tribal members' exercise of their Inland Article 13 Rights; and then to achieve compliance with the Consent Decree entered November 2, 2007 by the United States District Court in United States v. State of Michigan, Case No. 2: 73 CV 26, United States District Court for the Western District of Michigan (Inland Consent Decree).

SECTION 2: SCOPE AND APPLICATION

These Regulations shall govern all Inland Article 13 Rights activities of Tribal members on lands and waters within the inland portion of the 1836 Ceded Territory. Pending further notice, Tribal members shall not exercise Inland Article 13 Rights in disputed areas lying generally between the Ford and Escanaba Rivers in the Upper Peninsula or, as depicted in Exhibit A to the Inland Consent Decree, on the Thunder Bay Peninsula in Alpena County.

SECTION 3: DEFINITIONS

- A. Amphibian - A cold-blooded, smooth-skinned vertebrate of the class Amphibia. Amphibians hatch as aquatic larvae with gills and, in most species, then undergo metamorphosis into four-legged terrestrial adults with lungs for breathing air.
- B. Artificial Light: Any man made source of light.
- C. M'didaa-E'weesi'ek (big game) - Whitetail deer, black bear, wild turkey, elk, and moose.
- D. Bow - A weapon constructed from wood, plastic, metal, or other material with a cord connecting the two ends when bent or strung, and by means of which an arrow is propelled when drawn and released by hand.
- E. Cased or encased - Storage of a firearm or bow in any device or case made to contain a firearm or bow so that no portion is exposed.
- F. Ceded Territory - All lands and waters ceded in the 1836 Treaty as described in Article First, that were not reserved in Articles Second and Third of the 1836 Treaty, Article One of the 1855 Treaty, or are not now otherwise within Indian Country, as set forth below: Beginning at the mouth of the Grand River of Lake Michigan on the north bank thereof, and following up the same to the line called for in the first article of the Treaty of Chicago on the 29th of August, 1821, thence, in a direct line, to the head of Thunder bay River, thence with the line established by the Treaty of Saginaw on the 24th of September 1819, to the mouth of said river, thence northeast to the boundary line in Lake Huron between the United States and the British Providence of Upper Canada, thence northwestwardly, following the said line, as established by the commissioners acting under the Treaty of Ghent, through the straits, and river St. Mary's, to a point in Lake Superior north of the mouth of Githey Seebing or Chocolate river, thence south to the mouth of said river and up its channel to the source thereof, thence, in a direct line to the head of Skonawba river of Green Bay, thence down the south bank of river to its mouth, thence, in a direct line, through the ship channel into Green Bay, to the outer part thereof, thence, south to a point in Lake Michigan west of north cape, or entrance of Grand river, and thence east to the place of beginning, at the cape aforesaid, comprehending all the lands and islands, within these limits, not hereinafter reserved. Refer to map#?.
- G. CFA - Michigan's Commercial Forest Act, Mich. Comp. Laws, § 324.51101 et seq.
- H. CITES – Convention on the International Trade of Endangered Species. Species subject to CITES are listed in 50 C.F.R. Part 23, Appendices I, II and III.
- I. Commercial Purposes - The harvesting of a natural resource in which the resource harvested, or any portion thereof, is sold, but shall not include harvesting of a natural resource for personal use.
- J. Crossbow - A device using a bow that, once drawn, is held solely by means other than the effort of the person firing it.
- K. Disabled Tribal Hunter - A person who has been diagnosed by a certified Physician to be permanently physically disabled.
- L. Endangered Species - Any species of wildlife or plant designated as rare or endangered by the Tribal Council, or the United States Department of the Interior pursuant to 50 C.F.R. Part 17.
- M. Enforcement Officer - Any Tribal conservation enforcement officer authorized by Tribal law or these Regulations to enforce Tribal conservation regulations, or federal enforcement officers including Special Agents of the U.S. Fish and Wildlife Service, or other persons authorized by the Tribal Council to enforce these Regulations.
- N. Firearm - A weapon from which dangerous projectiles may be propelled by use of explosives, gas, or air as a means of propulsion.

- O. Furbearer - Fur bearing animals including coyote, red fox, gray fox, bobcat, beaver, otter, and muskrat, mink, weasel, skunk, raccoon, badger, wolf, cougar, pine marten, fisher and opossum.
- P. E’weesi’ek (Game) - Gaachiinhi-E’weesi’ek (small game) and M’didaa E’weesi’ek (big game).
- Q. Gather or Gathering- To take, acquire or attempt to take or acquire possession of any wild plant or part thereof or any other natural resource, except that Gather and Gathering do not include Hunting, Trapping or Fishing.
- R. Harvesting Activity - Hunting, Trapping, Fishing or Gathering or any combination thereof.
- S. Hunt or Hunting - The shooting, shooting at, pursuing, taking, catching, trapping, or killing any wild animal or animals.
- T. Inland Article 13 Rights - The right to hunt, and the other usual privileges of occupancy, secured by Article 13 of the 1836 Treaty of Washington, 7 Stat. 491, in the inland portion of the Ceded Territory. Subject to the provisions of these Regulations, Inland Article 13 Rights include the rights of Tribal members: (i) to Hunt, Fish, Trap, and Gather natural resources, without limitation as to the species (including non-native and artificially propagated species) targeted for harvest, the season or method of harvest, or the use of the resource harvested; (ii) to engage in other historically traditional activities (such as the construction and use of sweat lodges); and (iii) to obtain assistance from non-Tribal members to engage in the foregoing activities in accordance with the following principles:

General Principle 1. A Tribal member may engage in Hunting, Fishing, Trapping, or Gathering with any other person who is not a member of an 1836 Treaty Tribe, provided that the non-member possesses a license from, and complies with, the laws of the State of Michigan governing the subject activity.

General Principle 2. No Tribal member may be assisted in carrying out a usufructuary activity by a person who is not a member of an 1836 Treaty Tribe, unless the non-member is the spouse, parent, grandparent, child, grandchild, or sibling of the Tribal member, and the Tribal member is physically present during the activity.

General Principle 3. Permitted assistance by authorized non-members (as defined in General Principle 2) shall not include using a Spear or other gear to harvest fish, using a firearm or Bow, setting or placing traps or snares, uprooting a plant, or removing parts of plant from a plant left growing.

General Principle 4. Any person may assist a Tribal member holding a Disabled Hunter’s Permit, but shall not Hunt or carry a firearm or Bow unless authorized to do so by Tribal or Michigan law.

- U. Inland Consent Decree – The Consent Decree filed November 2, 2007 in the federal court litigation captioned United States, et al. v. State of Michigan, et al. (File No. 2:73 CV 26, U.S. District Court for the Western District of Michigan, docket entry 1799).
- V. MDNREE - The Michigan Department of Natural Resources & Environment, its successor entities, and those authorized persons or entities acting on its behalf.
- W. Migratory Birds - Those birds included in the terms of the convention between the United States and any other country for the protection of migratory birds and for which open seasons are prescribed in these Regulations, including ducks, geese, swans, doves, pigeons, rails, coots, gallinules, woodcock and snipe.
- X. Muzzleloader- A muzzleloading rifle, a muzzleloading shotgun, or a black powered handgun which receives a black powder or a commercially manufactured black powered substitute charge through the muzzle, as distinguished from one which is loaded at the breech.
- Y. NRD or Natural Resources Department – The Grand Traverse Band of Ottawa and Chippewa Indians Natural Resources Department.
- Z. Personal Use - The use of natural resources for direct personal or family consumption by Tribal members as food, medicine, shelter, fuel, clothing, tools; or cultural, ceremonial or transportation purposes; making finished handicraft articles or barter. For purpose of this section, the term:

“Family” means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

“Handicraft articles” means articles produced, decorated or fashioned in the exercise of traditional Indian handicrafts such as carving, weaving, beading, pottery, drawing or painting, without the use of mass copying devices; and

“Barter” means the exchange of natural resources or parts thereof for personal uses within and between Tribal communities.

- AA. Physician - A person duly licensed by any state in the United States to practice medicine or osteopathic medicine and surgery.
- BB. Regulations - These Regulations including any subsequent amendments and any separate Tribal conservation regulations enacted by the Tribe.
- CC. Reptiles - Any of various cold-blooded, usually egg-laying vertebrates of the class Reptilia, such as a snake, lizard, crocodile, turtle, or dinosaur, having an external covering of scales or horny plates and breathing by means of lungs.
- DD. Roadways - Any governmental or corporate roadways where vehicular traffic is not restricted and the roadway is routinely used by the general public.
- EE. Safety Zone - Any area within 150 yards (450 feet) of any occupied commercial structure, public structure, dwelling house, residence, cabin, camp, cottage, barn, or other building used in connection therewith.
- FF. Shotgun Zone – The area described in Appendix D of the Inland Consent Decree. Specifically, Michigan is divided into a northern rifle zone where rifles may be used for firearm deer hunting and southern shotgun zone where only shotguns, muzzle loading rifles and certain handguns may be used. The dividing line between the northern rifle deer hunting zone and the southern shotgun zone is as follows: Starting at a point on the Lake Michigan shoreline directly west of M-46, then easterly to M-46, then easterly along M-46 to US-131 at Cedar Springs, southerly on US-131 to M-57, easterly on M-57 to Montcalm Road on the Kent-Montcalm county line, southerly on Montcalm Road and the Kent-Ionia County line to M-44, easterly on M-44 to M-66, northerly on M-66 to M-57, easterly on M-57 to M-52 near Chesaning, northerly on M-52 to M-46, easterly on M-46 to M-47, northerly on M-47 to US-10 west of Bay City, easterly on US-10 to I-75, northerly on I-75 and US-23 to Beaver Road (about 1 mile north of Kawkawlin), easterly to Saginaw Bay, north 50 degrees east to the International Boundary. [will move description to map] (Refer to Map)
- GG. Slingshot - A “Y” shaped device with an elastic strip at the prong, or one strip of stretchable material, with a pocket on one end, used for projecting stones or other objects.
- HH. Gaachiinhi-Eweesi’ek (small game) - Ruffed grouse (partridge), ring-neck pheasant, cottontail rabbit, snowshoe hare, gray squirrel, black squirrel, fox squirrel, red squirrel, quail, woodchuck, porcupine, sharp tail grouse and crow.
- II. Targeting - Fishing, hunting, trapping, or gathering activity, which has the effect of catching or taking a specific species or species of fish, wildlife, or plants.
- JJ. Threatened Species - A species at risk of becoming endangered as determined by official action of the Tribal Council or by the United States Department of Interior.
- KK. Transport or Transportation - Carrying or moving by any vehicle or vessel, causing to be carried or moved or attempting to do so, or accepting or receiving wild animals, plants, or fish or any parts thereof.
- LL. Treaty - The March 28, 1836 Treaty of Washington with the Ottawa’s, 7 Stat. 491.
- MM. Tribe - The Grand Traverse Band of Ottawa and Chippewa Indians.
- NN. Tribes - “Tribes” means, collectively, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, and the Little Traverse Bay Bands of Odawa Indians.
- OO. Tribal Court - The Court of the The Grand Traverse Band of Ottawa and Chippewa Indians, except where the context references a Court or Hearing Body of one of the other Tribes.
- PP. Tribal License - A gathering, hunting, trapping, or fishing license issued by a Tribe to Tribal member, which is valid and current.
- QQ. Tribal Members - Enrolled members of the Grand Traverse Band of Ottawa and Chippewa Indians except where the context references enrolled members of one or more of the other Tribes.
- RR. Waters - Inland Lakes and Streams.
- SS. Wild animals - All creatures, not human, wild by nature, endowed with sensation, and power of voluntary motion, which includes quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, insects, and mollusks.

SECTION 4: LANDS AND WATERS ON WHICH TRIBAL MEMBERS MAY EXERCISE INLAND ARTICLE 13 RIGHTS

Tribal Members may exercise Inland Article 13 Rights, including hunting, fishing, trapping and gathering, on the following lands and inland waters within the Ceded Territory in accordance with the provisions of this Section 4 and other applicable provisions of these Regulations:

4.01 General Public Lands and Waters.

- A. Public Lands. Tribal members may exercise particular Inland Article 13 Rights on public lands that are open to the public under federal or state law for the particular activity (e.g., hunting, fishing, trapping or gathering) subject to other applicable provisions of these Regulations.
- B. Waters Located on Public Lands. Tribal members may exercise Inland Article 13 Rights on waters located on public lands that are open to the public under state or federal law for the particular activity (e.g., hunting, fishing, trapping or gathering) subject to other applicable provisions of these Regulations.
- C. Waters Open to the Public. See Section 4.05.

4.02 State, County and Municipal Parks, State Wildlife Refuges, Formally Designated State Wildlife Research Areas, and Formally Designated State Fisheries Research Areas. Tribal members may hunt and fish in these areas where and at such times when the parks, refuges, and research areas are open to the public for Hunting and Fishing under State law and members must comply with applicable State restrictions while hunting or fishing in such areas.

4.03 Lands and waters owned by any of the Tribes, their members, or their members' spouses, including leased lands and waters that bestow an ownership interest in conformance with Michigan law. Tribal members may engage in hunting, fishing, trapping and gathering activities on these lands and waters with permission of the owner/lessor subject to other applicable provisions of these Regulations.

4.04 Commercial Forest Act (CFA) Lands and Waters. Tribal members may hunt, trap and fish on lands enrolled in the State's CFA program (including waters located on such lands) subject to the restrictions in this section. Tribal members may gather and exercise other Inland Article 13 Rights on lands enrolled in the State's CFA program (including waters located on such lands) in accordance with the provisions of Section 4.06 below.

- A. CFA Landholdings of Less than One-Thousand (1,000) Acres. The Tribe or Tribal members must obtain permission from a CFA landowner in order to hunt, trap or fish on his or her CFA lands outside State seasons or methods if the CFA landowner owns, in the aggregate, less than one-thousand (1,000) acres in the CFA program. If permission is obtained, Tribal members may hunt, trap or fish on such lands subject to applicable provisions of these Regulations. If permission is not obtained, Tribal members may hunt, trap or fish on such lands only during State seasons and only with State-approved methods. Tribal members hunting on such lands during State seasons with State-approved methods remain subject to other applicable provisions of these Regulations.
- B. CFA Landholdings of More than One-Thousand (1,000) Acres. The Tribes or their members do not need to obtain permission from a CFA landowner in order to hunt, trap or fish on his or her CFA lands outside State seasons or methods if the CFA landowner owns, in the aggregate, more than one-thousand (1,000) acres in the CFA program. Tribal members may hunt, trap and fish on these lands subject to applicable provisions of these Regulations.
- C. Limiting Access. The generally applicable provisions of the CFA program allowing CFA landowners to limit access to CFA lands subject to active timber harvesting operations shall apply to hunting, trapping and fishing by Tribal members on CFA lands.
- D. Vehicle use. Tribal members shall not use snowmobiles, all-terrain vehicles, or other motor vehicles on CFA lands if such use is prohibited under State law.
- E. Permission is not required to hunt, trap or fish on any CFA lands, regardless of size of total ownership, during State seasons and with the use of State approved methods. Tribal members hunting, trapping or fishing on CFA lands during State seasons and with the use of State approved methods remains subject to other applicable provisions of these Regulations.

4.05 Other Waters Open to the Public for Fishing. Tribal members may fish in any other waters open to the public for fishing under federal or state law, including such waters open to the public that are accessible through public access sites, rights-of-way and public road crossings or otherwise accessible to Tribal members by permission granted by the

landowner or authorized lessee. *See separate publication entitled Public Rights to Fish and Hunt on Michigan's Lakes and Streams: A Primer for Michigan's Indian Tribes.*

- 4.06** Private lands and waters owned by non-Tribal members. Except as otherwise provided in Section 4.04 above regarding CFA lands, Tribal members may exercise Inland Article 13 Rights on private lands and waters owned by non-Tribal members (that is, any person or entity other than one of the Tribes, their members or their members' spouses) subject to the following provisions and restrictions as well as other applicable provisions of these Regulations:
- A. Permission Required. Except as otherwise provided below, Tribal members must have permission from the landowner or authorized lessee to exercise Inland Article 13 Rights on these lands and waters.
 - B. Limitation on Private Waters. In the case of private waters (that is, a non-navigable lake with no public access or a non-navigable stream segment on a parcel or parcels of private property), the granting of permission by a riparian owner must not violate the Michigan common law rights of any other riparian owner. *See separate publication entitled Public Rights to Fish and Hunt on Michigan's Lakes and Streams: A Primer for Michigan's Indian Tribes.*
 - C. Permission Implied Under Recreational Trespass Act. During State seasons, permission for Tribal members to hunt, fish and trap shall be implied on lands and waters open to the public for hunting, fishing and trapping under the Michigan Recreational Trespass Act, Mich. Comp. Laws, §§ 324.73101 *et seq.*, as now in force or hereafter amended.
 - D. Requirements When Permission Not Implied. When permission is not implied under Section 4.06C above, Tribal members hunting or trapping on these lands shall possess written evidence of permission from the landowner or authorized lessee, or the name and phone number of the landowner or authorized lessee from whom they obtained permission, and shall produce such written evidence or such name and phone number when requested to do so by an Enforcement Officer.
 - E. Limitations on Hunting and Trapping. Hunting and Trapping on these lands is limited to those seasons and methods available to State-licensed hunters and trappers, unless the Tribal member obtains a special needs subsistence or ceremonial permit from the Tribe, which shall be limited in number, and in which case the Tribal member shall be subject to the restrictions set forth in the permit as well as other applicable provisions of these Regulations.
 - F. Limitations on Fishing and the Exercise of Other Inland Article 13 Rights. Fishing and the exercise of other Inland Article 13 Rights on these lands is subject to other applicable provisions of these Regulations.

SECTION 5: SPECIAL USE PERMITS

In reviewing and taking action on a request for any Special Use Permit, the Tribe shall take into account the biological impact of the harvest. The Permit shall include such terms and conditions as may be necessary to protect the resource and ensure compliance with all applicable law.

- 5.01 Disabled Tribal Hunter Permits. The Natural Resources Department may issue a Disabled Tribal Hunter permit to discharge a firearm, bow or crossbow from a stationary motor vehicle within a roadway other than a state or federal highway to a member who is physically unable to walk without crutches, braces, mechanical support, or other reasons as verified by a Physician. The holder of such a permit must shoot away from and not across the roadway. Any person may assist a Tribal member holding a Disabled Hunter's Permit, but shall not Hunt or carry a firearm or Bow unless authorized to do so by Tribal or Michigan law.
- 5.02 Special Needs Subsistence/Ceremonial Permit. Tribal members with special needs may request a permit from the Natural Resources Department to harvest or otherwise take resources which may otherwise be regulated or prevented by other sections of these Regulations (except that there are no Special Needs Subsistence/Ceremonial Permits available for elk; and that there may only be two (2) Ceremonial Permits for black bear in any year). The criteria for a Special Needs Permit include, but are not limited to, religious or ceremonial use in accordance with the traditions and customs of the Tribe, personal/family hardship, and traditional feasts, ceremonies or celebrations. The Tribal member shall have a valid Tribal license and request in writing a special needs permit (and associated tags as may be necessary). A Tribal member with a Special Needs Permit may use the services of another properly licensed Tribal member to harvest an animal, *in which case both the permittee and helper must be named on the permit.*

- 5.03 Road kill Special Use Permit. If a Tribal member accidentally strikes and mortally wounds a regulated species while driving a motor vehicle or comes upon a fresh road kill of such animal, the Tribal member shall report the finding as soon as possible to the Natural Resource Department or local law enforcement agency. The Enforcement Officer may then authorize the issuance of a Special Use Permit to allow the Tribal member to take and use such animal as long as such issuance is otherwise lawful.

SECTION 6: HUNTING AND TRAPPING REGULATIONS

Part 1: License and Tag Requirements

- 6.01 Hunting and Trapping License. Any Tribal member who hunts or traps within the Ceded Territory, while having under his/her control or immediate possession any firearm, bow, crossbow, slingshot, or any other device capable of killing or restraining E'weesi'ek (game) or furbearers must have in his/her possession a valid and current Tribal Identification License.
- 6.02 Hunter's Safety Course. Any Tribal member who hunts or traps in possession of a firearm any E'weesi'ek (game) or furbearer must either possess a previous license issued specifically for hunting or trapping by one of the Tribes or another lawful issuing agent or have successfully passed a recognized Hunter Safety Course. Possession of a Tribal Identification card alone is not sufficient to satisfy this requirement.
- 6.03 Age Limits. Any Tribal member sixteen (16) years or younger, while hunting with a crossbow or firearm, must be under the immediate control of a parent/guardian or person designated by parent/guardian.
- 6.04 Transport/Harvest Tags. In addition to the Tribal license required by Section 6.01, a Tribal member must obtain annual transport/harvest tags in order to harvest certain species.
- A. Annual harvest/transport tags must be obtained from the Natural Resource Department in advance in order to harvest deer, bear, elk or wild turkey; incidental tags must be obtained from the Natural Resource Department within 72 hours in order to transport bobcat, fisher, marten or otter harvested incidentally out of season.
 - B. Harvest/transport/incidental tags must be completely filled out and affixed immediately to harvested animals and shall remain affixed during transport of the E'weesi'ek (game) and furbearers.
 - C. Harvest tags for big game may be used by a Tribal members' spouse provided that they are a member of the Tribal members' tribe. Additionally, any Tribal Elder may designate by notifying the Tribes' Natural Resource Department that another Tribal member of the Grand Traverse Band of Chippewa and Ottawa Indians, Little River Band of Ottawa Indians or Little Traverse Bay Bands with valid photo license to harvest on behalf of that Elder.
- 6.05 Traps. Traps used for harvesting furbearers, snowshoe hare or cottontail rabbit shall be leg hold, box type, or body gripping (Conibear) or locking type snares; except if traps are set on a beaver dam or lodge the trap shall be submerged.
- 6.06 Trap Markings. All traps and snares set shall be clearly marked with Tribal affiliation and driver's license or Tribal membership number of the person who set the trap. All traps shall be attended daily.
- 6.07 Possession. A legal and current Tribal license, a Special Use Permit if necessary, and any tags or permits as may be necessary shall be required to take, transport, or possess any fish, E'weesi'ek (game), furs, plants, hides, amphibians or reptiles, or auxiliary parts thereof within the Ceded Territory and for the purpose of possessing or using firearms, bows, or trapping devices in the course thereof, provided however, that nothing herein contained shall be construed to allow the violation of any other provisions of the Tribal Code relating to the possession or use of any regulated gear.
- 6.08 Incidental Tags. One (1) incidental tag per species per year may be issued upon notice to and investigation by a Tribal Conservation Officer. Any animals determined to be deliberately targeted will be forfeited to the Department and may lead to a citation. Any additional harvested animals must be turned into the Natural Resources Department.
- 6.09 Transportation. Furbearers, M'didaa-E'weesi'ek (big game), or Gaachiinhi Eweesi'ek (small game) lawfully taken by licensed Tribal members may be transported within or outside of the Ceded Territory provided that the member shall

have a valid and current Tribal license in possession. The transported E'weesi'ek (game) (that required a tag) must be tagged with a transport/harvest tag containing all necessary information required.

- 6.10 Barter of Hides & Flesh. It shall be lawful for Tribal members to possess, sell or use for barter, or transport hides, furs or pelts of fur bearers, lawfully taken, including the trade or barter of the flesh of beaver, raccoon and muskrat. Any game lawfully taken by a Tribal member may be given to Tribal Elders or families in need.

Part 2: Weapons; Shooting Hours and Locations

- 6.11 Automatic & Semi-automatic Weapons. 1) No Tribal member shall use in hunting, pursuing or killing a wild animal, or possess in an area frequented by wild animals, any fully automatic firearm. 2) No Tribal member shall use in hunting, pursuing or killing a wild animal, or possess in an area frequented by wild animals, any semi-automatic shotgun or center-fired rifle capable of holding more than six (6) shells in both the chamber or magazine combined, or use cartridges containing either tracer or exploding bullets. 3) All shotguns used for migratory birds (including woodcock) must be plugged so the total capacity of the shotgun does not exceed three shells.
- 6.12 Silencers. No Tribal member shall use, or be in possession of, a device or apparatus known as a silencer.
- 6.13 Additional Firearm Limitations. 1) In hunting M'didaa-E'weesi'ek (big game) other than wild turkey, a Tribal member may not use a firearm other than a center fire rifle of .223 (5.56mm) caliber or larger, muzzleloader of .40 caliber or larger, or shotgun using slug or buckshot. 2) In hunting wild turkey a Tribal member may not use a firearm other than a shotgun or muzzleloading shotgun using number four (#4) shot or smaller. 3) In hunting elk a Tribal member may not use a firearm other than a center fire rifle of .243 (6mm) caliber or larger, muzzleloader of .40 caliber or larger, or shotgun using slug or buckshot.
- 6.14 Bow and Arrow Limitations. In hunting Gaachiinhi-E'weesi'ek (small game) and M'didaa-E'weesi'ek (big game) a Tribal member may use a bow or crossbow, provided that a broad head with a minimum of one inch (1") cutting surface shall be used to hunt M'didaa-E'weesi'ek (big game) including wild turkey.
- 6.15 Shooting Hours. In hunting E'weesi'ek (game) or furbearers, no Tribal member shall shoot a firearm, bow or crossbow outside of lawful shooting hours. Lawful shooting hours are one half (½) hour before sunrise to one half (½) hour after sunset local time, except for migratory birds as provided in Section 8.01 below, and except for fox, raccoon, coyote and opossum, which may be hunted after sunset using a firearm capable of shooting .22 or smaller caliber rimfire ammunition only, with or without the use of dogs, game call, or artificial lights.
- 6.16 Hunters Orange. No Tribal member may hunt with a firearm on any lands during daylight hunting hours unless one (1) square foot of hunters orange is worn and visible from all sides. This requirement does not apply to a Tribal member hunting waterfowl, crow, wild turkey or predators, or to a Tribal member hunting with a bow or crossbow only; except that hunter orange is required for all hunters during the State regular firearm deer season (November 15-30).
- 6.17 Discharging Firearms, Bows and Crossbows.
- A. A Tribal member may not discharge a firearm, bow or crossbow over or across a public paved roadway.
- B. No Tribal member may discharge any firearm, arrow, or projectile from a motorized vehicle, provided, however, that a Tribal member may shoot from a motorized boat as long as the motor is not running and forward momentum has ceased, except for forward motion caused by the water or wind current, and provided further that a Tribal member with a valid disabled hunter's permit may hunt from a standing motorized vehicle.
- 6.18 Safety Zone. No Tribal member may discharge a firearm, bow or crossbow or shoot at any wild animal within a safety zone, as defined in Section 3. EE. of these Regulations, without being the owner or occupant of the safety zone property or having permission of the owner or occupant of the safety zone property. Exception: This provision does not apply to indoor or outdoor shooting ranges, target shooting, or law enforcement activities.

- 6.19 Shotgun Zone. No Tribal member shall hunt deer during State Firearm Deer Season (November 15-30) in the shotgun zone (see page 19, Shotgun Zone Map) with a firearm other than:
- A. A shotgun with a smooth or rifled barrel and of any gauge; or
 - B. A muzzle loading rifle or black powder handgun loaded with black powder or a commercially manufactured black-powder substitute; or
 - C. A conventional (smokeless powder) handgun of .35 caliber or larger and loaded with straight-walled cartridges and single- or multiple shot but which does not exceed a maximum capacity of nine rounds in the barrel and magazine combined.
- 6.20 Transportation of Firearms, Bows and Crossbows.
- A. No Tribal member may transport a firearm, other than a handgun, in any motorized vehicle within the Ceded Territory unless it is: 1) unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm and is zipped, snapped, buckled, tied, or otherwise fastened, with no portion of the firearm exposed; or 2) unloaded and in the closed trunk of a motor vehicle and not accessible from the driver and passenger compartment of the vehicle.
 - B. With the exception of a pistol carried under the authority of a concealed pistol license, no Tribal member may carry a handgun while in the field unless the handgun is in plain view. Carrying a handgun in a holster in plain view is permitted. No Tribal member may transport a handgun while enroute to and from a hunting area, however, with the exception of a pistol carried under the authority of a concealed pistol license, unless the handgun, including a BB gun larger than .177 caliber and any pellet gun, is unloaded and carried in a container or wrapper in the trunk of the vehicle or, if the vehicle does not have a trunk, the handgun is unloaded and carried in a container or wrapper and is not be readily accessible to any occupant of the vehicle.
 - C. No Tribal member may transport a bow or crossbow in a motor vehicle unless the bow is: 1) unstrung; or 2) completely contained in a case expressly made to contain it; or 3) in the closed trunk of a motor vehicle and not accessible from the driver and passenger compartment of the vehicle.
 - D. No Tribal member may transport a muzzleloading rifle in a motor vehicle unless the muzzleloader: 1) has the cap removed or is unloaded and is completely contained in a case expressly made to contain it; or 2) has the cap removed or is unloaded and in the closed trunk of a motor vehicle and not accessible from the driver and passenger compartment of the vehicle.

Part 3: Prohibited and Restricted Methods; Hunter Harassment

- 6.21 Artificial Light. No Tribal member may use an artificial light from a vehicle on a highway or in a field, wetland, woodland, or forest while having in his or her possession or control a firearm, bow or crossbow or other device capable of shooting a projectile, except while hunting outside of a vehicle for fox, raccoon, coyote and opossum, which may be hunted after sunset with use of dogs, game call, or artificial lights. (It is a violation of federal law to shine at any time on any National Wildlife Refuge.)
- 6.22 Pursuit with Vehicles. No Tribal member may hunt or pursue any E'weesi'ek (game) with an automobile, motorcycle, off road vehicle, airplane, snowmobile, motorboat, or any other motorized or wind powered vehicle or boat.
- 6.23 Harmful Substances. No Tribal member may take any E'weesi'ek (game), furbearers or migratory birds by use of explosive, live decoys, pitfalls, drugs, poisons, medicated bait, or other harmful or stupefying substances.
- 6.24 Trapping M'didaa-E'weesi'ek (big game). No Tribal member may trap or snare M'didaa-E'weesi'ek (big game).
- 6.25 Shooting of Animals While in the Water. No Tribal member may shoot E'weesi'ek (game) or furbearers while they are swimming.
- 6.26 Driving Wildlife. No Tribal member may set or use fire to drive wild animals or to attempt to take wild animals.
- 6.27 Hunting M'didaa-E'weesi'ek (big game) with Dogs. 1) No Tribal member may hunt deer, elk, or wild turkey with

dogs, except that a Tribal member may hunt wild turkey with dogs during the fall season and may use leashed dogs to track wounded deer. 2) A Tribal member may use dogs to hunt bear provided that no more than six dogs per pack are used and if relaying no more than six dogs are used.

- 6.28 Live Animals for Trapping. It shall be lawful to possess, in a humane way during trapping season, one (1) live coyote and two (2) live fox for the purpose of collecting urine and droppings for trapping; provided, at least one (1) member of the immediate family must have a valid Tribal trapping license.
- 6.29 Destruction of Furbearer Dens, lodges ,etc. It shall be unlawful to molest or break open the house, lodge hole, nest, burrow, or den of a badger, beaver, mink, muskrat, or raccoon, whether occupied or not.
- 6.30 Beaver Dams. It shall be unlawful to set a trap on a beaver dam or lodge unless the trap is fully submerged below the water.
- 6.31 Harassment of Hunters. No Tribal member may harass, impede, or interfere with any legally licensed hunter.

Part 4: Hunting Platforms and Blinds

- 6.32 Hunting from Platforms. Tribal members may hunt E'weesi'ek (game) or furbearers from a tree or portable raised platform.
- 6.33 Hunting Blinds. Tribal members may use hunting blinds on public and Tribal land subject to the following provisions:
- A. Marking of Raised Hunting Platforms and Ground Blinds. All raised platforms and ground blinds constructed from non-native, processed materials and erected or used on public or Tribal lands must have the user's name and Tribal identification number permanently affixed in legible English letters a minimum of 2" high. A Tribal member's name on a tree stand or ground blind on public land does not guarantee exclusive use.
 - B. Non-portable deer ground blinds utilizing man-made materials are prohibited on State lands prior to November 6.
 - C. All deer blinds utilizing man-made materials must be removed from State lands by January 12.
 - D. The use and placement of blinds utilizing man-made materials is prohibited in State Parks; except in zone 3 where portable blinds are allowed (see map).
 - E. All portable blinds must be removed from State land at the end of each day's hunt unless marked in accordance with Section 6.33A above.
 - F. Raised hunting platforms and/or ground blinds, whether made of natural or man-made materials, that are erected or used on public or Tribal land may not be affixed or attached to any tree by nails, screws, bolts or any item that penetrates through the bark of a tree, nor may screw-in tree steps be used; except that a "T" bolt or similar device supplied by a tree stand manufacturer for safety purposes may be used.
 - G. Man made pit blinds are prohibited on public and Tribal lands.

Part 5: Baiting

- 6.34 Baiting.
- A. No Tribal member may use salt and/or bait to hunt for E'weesi'ek (game) except for bear or as otherwise permitted by these Regulations. Baiting and/or feeding of elk and/or deer is unlawful in the Lower Peninsula of Michigan.
 - B. All containers used to carry bait to the site must be removed from the site.
 - C. No drugs or poisons may be used.
 - D. Baiting with use of grains, fruits, vegetables, salts or any other minerals is limited to two (2) gallons dispersed over a one-hundred (100) square foot radius in the Upper Peninsula of Michigan. Baiting with grain or any attractant to deer is unlawful in the Lower Peninsula of Michigan.

- E. No Tribal member may use bait for elk and/or deer in the Lower Peninsula of Michigan.
- F. It shall be lawful to use parts of furbearers or small game as bait for trapping; provided that bait must be placed where it is not readily accessible by raptors.

Part 6: Registration of Furbearers

- 6.35 Registration of Hides. A Tribal member must present any bobcat or otter harvested to the biological staff of one of the Tribes for inspection and registration within seventy-two (72) hours of harvest. A Tribal member shall present any fisher or marten harvested to the biological staff of one of the Tribes for inspection and registration within two weeks of the close of the season in which the animal was harvested. Tribal members shall call ahead to determine the availability of Tribal biological staff or to make arrangements to register animals outside of normal business hours. All animals subject to CITES must be tagged in accordance with Federal law.
- 6.36 Possession of Unregistered Furbearers. No Tribal member shall possess or transport a raw (un-processed/not tanned) unregistered (not sealed) bobcat, fisher, marten or otter after the required registration date.
- 6.37 Federal Laws on Hides. All Federal laws and regulations regarding the identification, sale, and transportation of hides, furs or pelts of any furbearer apply to the identification, sale or transportation of such hides, furs or pelts under these Regulations. All shipments of raw hides or furs must be plainly marked on the outside of the package as to the contents. In order to export bobcat, otter or bear hides from the United States, a Tribal member must obtain a CITES permit within 72 hours of harvest. For details, contact the Natural Resource Department.

SECTION 7: HUNTING SEASONS AND BAG LIMITS

SEE TABLE 1. SEASONS AND BAG LIMITS SUMMARY (Centerfold)

SECTION 8: MIGRATORY BIRD REGULATIONS

- 8.01 Shooting Hours. From one half (½) hour before sunrise until sunset.
- 8.02 Restrictions. It shall be unlawful to:
 - A. Engage in any migratory bird hunting without first obtaining a Tribal license.
 - B. Engage in wanton destruction of migratory birds.
 - C. Fail to make a reasonable effort to recover dead or wounded migratory birds.
 - D. Take, possess, transport, or aid, assist or abet the taking, possession or transportation, of any migratory bird protected by Tribal or Federal law.
 - E. Exceed established limits or use prohibited means of taking migratory birds.
 - F. Fail to allow the inspection of any migratory bird or bird part in possession upon demand of an Enforcement Officer.
 - G. Take migratory birds with trap snare swivel gun, punt gun, battery gun, automatic fired weapon, shot gun with shells longer than three and one half inches (3.5”), fish hook, poison, drug, or stupefying substance, or explosive.
 - H. Take migratory birds with a shotgun of any description greater than ten (10) gauge and capable of holding more than three (3) shells, unless it is plugged with a one (1) piece filler, which is incapable of removal without disassembling the gun, so its total capacity does not exceed three (3) shells.
 - I. Use or be in possession of any shot other than steel (or other approved non toxic shot) to take migratory birds; provided, however, that it shall be legal to hunt woodcock and morning dove with shot other than steel (or approved non toxic shot).
 - J. Hunt migratory birds from or by means or use of a sink box, or other low floating device, having a depression affording the hunter a means of concealment beneath the surface of the water.

- K. Use any rim fire, center fire, or muzzle-loading rifle to take migratory birds.
- L. Pursue migratory birds from a motorboat, or any other craft having a motor attached, or sailboat unless the motor is completely off, and/or the sails are unfurled, or by means of any motorized land or air conveyance.
- M. Use any land, water or air conveyance to drive, concentrate or disperse migratory birds.
- N. Use or attempt to use bait, or hunt on or near a baited area. Baiting for migratory birds shall mean the use and distribution of any grain, meals, salt, or other feed whatsoever so as to lure or attract such birds; and a place or locale which has been baited may be considered baited for ten (10) days after such bait has been removed. Provided, however, that it shall be legal to hunt migratory birds in agricultural fields where crops are standing, or have been harvested as a part of normal agricultural operational procedures, or grown for wildlife management, provided that the seeds and grains are not scattered or redistributed once the crop has been harvested.
- O. Violate any Federal law addressed in 50 C.F.R. Part 20 dealing with hunting migratory birds

SECTION 9: AMPHIBIANS AND REPTILES REGULATIONS

- 9.01 General Regulations. Amphibians and Reptiles may not be shot with firearms (including spring, air, or gas propelled), conventional bow, crossbow, or slingshot.
- 9.02 Endangered and Threatened Species. No animal as defined in Section 3 L. or Section 3 JJ. shall be taken or possessed except as authorized by the Natural Resources Department.
- 9.03 Amphibians. Amphibians may be taken the last Saturday in May through November 15 with no size limit. No more than fifty (50) of each species shall be taken per day and not more than one-hundred (100) of any species may be in possession at any given time.
- 9.04 Turtles. Snapping turtles and soft shell turtles – July 1 through September 30, twelve inch (12”) carapace length.
- 9.05 Equipment. Taking of amphibians and reptiles may be done by hand, trap, dip nets, seines and hook and line. Frogs may be speared.
- 9.06 Taking of amphibians and reptiles shall be for personal use only.
- 9.07 Turtle Trapping. All traps used for turtles shall also have at least four inches (4”) of air space inside the trap.

SECTION 10: WILDLIFE DAMAGE AND NUISANCE ANIMAL CONTROL

- 10.01 Nuisance Control Permit. A special use permit(s) may be issued by Tribe’s Natural Resource Department to take, possess or relocate wild animals that are damaging or about to damage property owned or controlled by the Tribe or a Tribal member. The permit shall be subject to such terms and conditions as deemed necessary or appropriate by the department and shall require the member to report whether the animal was killed.
- 10.02 Coyote, raccoon or crow may be taken on private property with permission from the owner at any time if the animal poses an immediate threat of harm to any live stock or person(s). All take under this provision must be reported to the Natural Resource Department within twenty-four (24) hrs.

SECTION 11: GATHERING REGULATIONS

- 11.01 It shall be lawful for Tribal members to gather plant materials and other natural resources on Tribal and other Private Lands for personal, medicinal, cultural, or traditional craft use, subject to the following regulations:
 - A. *Private Property* – Permission must be obtained from a private land owner prior to gathering on such land.
 - B. *Personal/Family Subsistence*- No Special Use Permit will be required for the use of vegetation or natural growth for direct personal or family consumption by Tribal members as food, medicine, shelter, fuel, clothing, tools; and transportation; or for the making of finished handicraft articles for personal use or barter.

- C. *Medicinal Use*- No license or permit will be required to gather vegetation or natural growth if such vegetation or natural growth is intended for religious or ceremonial purposes.
- D. *Commercial Gathering Permit*- Tribal members seeking to harvest vegetation or natural growth for the sole purpose of commercial sale of raw materials or incorporating it into a handicraft or artwork to be sold for a profit must acquire a Commercial Gathering Permit from the Natural Resource Department before the harvest or attempt to harvest any vegetation or natural growth, Except no permit required for the commercial gathering of fruit, berries, mushrooms or nuts.
- E. *Endangered Species* - It shall be unlawful to gather, collect, or be in possession of any vegetation or parts of any threatened or Endangered species.

11.02 It shall be lawful for Tribal members to gather plant materials and other natural resources on State lands for personal, medicinal, cultural, or traditional craft use, subject to the following regulations:

- A. **Maple Syrup/Sugar Bushes.** Tribal members shall be required to obtain a valid Tribal permit before engaging in sugar bush operations on State Forest land. Operations over twelve (12) trees will only be permitted in “Special Conservation Area (SCA).” Tribal members may request an area be placed into a SCA for Sugar Bush subject to Tribal and MDNRE joint approval.
 - 1. Restrictions –
 - a. It shall be unlawful to use tubing; to construct new trails or roads to access sugar bushes or to construct permanent structures.
 - b. Temporary structures may be permitted. Any temporary structures and/or any refuse shall be removed by the end of the permit expiration date.
- B. **Firewood.** Tribal members shall obtain a valid Tribal permit before collecting firewood from State Forest land. The gathering of firewood will only be permitted in designated firewood collection areas. Tribal members may request an area be placed into designated firewood collection areas subject to Tribal and MDNRE joint approval.
 - 1. Restrictions - It shall be unlawful to:
 - a. Cut or gathering trees except those that are dead and down;
 - b. Collect firewood within State timber sale contract areas unless written permission is obtained from the timber sale contractor;
 - c. Cut or gather trees marked with paint;
 - d. Cut or gather cedar and hemlock trees, provided that this provision will not prohibit gathering of cedar or hemlock boughs (see Conifer boughs below Section 11.02 C)
 - e. Sell firewood cut or gathered from State Forest land;
 - 2. Firewood permits will be issued for a maximum of five (5) standard cords per permit, and that only one permit per household per year will be issued.
 - 3. Tribal members shall have a valid Tribal permit in their possession when collecting firewood.
- C. **Conifer Boughs.** Tribal members shall obtain a valid Tribal permit before collecting conifer boughs from State Forest land. The gathering of conifer boughs will only be permitted in designated collection areas or dead and down trees. Tribal members may request an area be placed into a designated collection area subject to Tribal and MDNRE joint approval.
 - 1. Restrictions - It shall be unlawful to:
 - a. Collect conifer boughs within twenty feet (20’) of the edge of roads, designated trails, or Streams;
 - b. Establish new trails or roads to access collection areas;
 - c. Cut down trees for the purpose of gathering conifer boughs;
 - d. Remove boughs from trees less than twelve feet (12’) in height;
 - e. Remove boughs from the upper half of a tree;
 - f. Gather or cut cedar or hemlock boughs for other than modest quantities for personal medicinal or limited ceremonial uses;
 - g. Collect conifer boughs for commercial use, except for individuals making traditional handicraft items.
 - h. Sell firewood cut or gathered form State Forest land;

2. Tribal members shall have a valid Tribal permit in their possession when gathering conifer boughs.

D. Black Ash, Basswood and/or Ironwood. Tribal members shall obtain a valid Tribal permit before collecting Black Ash, Basswood or Ironwood from State Forest land. The gathering of black ash, basswood and/or ironwood will only be permitted in designated collection areas. - Tribal members may request an area be placed into a designated collection area subject to Tribal and MDNRE joint approval.

1. Restrictions - It shall be unlawful to a cut Black Ash, Basswood and/or Ironwood for commercial use, except for individuals making traditional handicraft products.

2. Tribal members shall have a Tribal permit in their possession when collecting black ash, basswood, or ironwood on state or Tribal lands.

E. White Birch Bark. Tribal members shall obtain a valid Tribal permit before collecting white birch bark from State Forest land. The gathering of white birch bark will only be permitted in designated collection areas and during authorized times of the year. Tribal members may request an area be placed into a designated collection area subject to Tribal and MDNRE joint approval.

1. Restrictions- It shall be unlawful to:

- a. Collect white birch bark from live trees within thirty-three feet (33') of the edge of roads or designated trails;
- b. Collect white birch bark for commercial use, except for individuals making traditional handicraft items.

2. Tribal members shall have a Tribal permit in their possession when collecting White Birch bark.

11.02 Modest Personal Sale. Tribal members may Gather plants and the products thereof, such as wild berries, mushrooms, pine cones, nuts and fruits, for producing modest levels of commodities for personal sale and may use the parts of harvested plants for the manufacture and sale of handicraft products.

11.03 Endangered Species. It shall be unlawful to gather, collect, or be in possession of any vegetation or parts of any threatened or endangered species; except as authorized by the Natural Resources Department.

11.04 It shall be lawful for Tribal members to gather plant materials and other natural resources on US Forest Service Lands (National Forest) for personal, medicinal, cultural, or traditional craft use, subject to the regulations described in the USFS Model Gathering Code (Contact Natural Resources Department or local USFS Field Station for permits and more information).

SECTION 12: ACCESS TO STATE AND FEDERAL LAND


12.01 Campgrounds. Tribal members shall follow MDNRE general camping registration procedures, including payment of camping fees, and all other applicable rules and regulations when camping at a developed campsite within a State Park or State Forest campground.

12.02 Dispersed Camping State Land. Dispersed camping is permitted on State Forest Land at least 1/2 mile from a State Forest Campground or boundary of a State Park. Permits are available at no cost from the Natural Resources Department or local MDNRE Field Office.

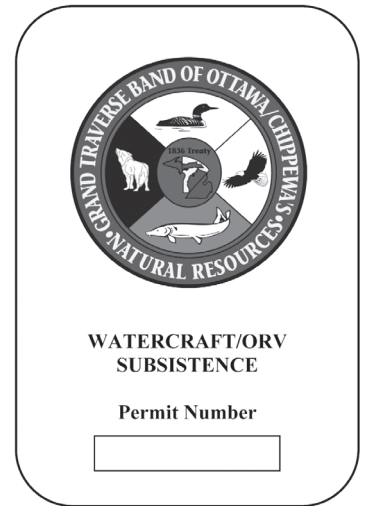
12.03 Fees to State Parks and Certain Launch Fees. Tribal member(s) engaged in the exercise of a Tribal treaty-related Hunting, Trapping, Fishing, or Gathering activities may have any entrance, use or launch fees associated with the Tribal member's use of such facilities waived when:

A. The Tribal member is in possession of a Tribally issued enrollment card; and

Campground Access Pass

		1836 Inland Treaty Rights Public Access Authority
LIFETIME PASS		
<small>Name</small>	<small>Signature</small>	
<small>Authorized by Tribal Chairman</small>		

- B. The member is in possession of a valid Tribally issued vehicle access card and has it properly displayed in the window on the passenger side of the vehicle.
 - C. Comply with all rules and regulations applicable at the launch site.
- 12.03 Enforcement of Campground Rules. State of Michigan State park rangers are authorized to enforce State park regulations within State parks on Tribal members while at the campground.



- 12.04 National Forest Campground Fee Exemption. Fees for camping at National Forest Campgrounds may be waived for Tribal members engaged in activities related to the exercise of Treaty Rights (Contact Natural Resources Department for details and materials).

- 12.05 Dispersed Camping USFS Land. Dispersed camping is permitted on State Forest Land at least ½ mile from a US Forest Service Campground.

- 12.06 Vehicle Access Permits. Permits for vehicles to utilize fee areas identified within the National Forest or Sleeping Bear Dunes National Lakeshore are available free of charge from the Natural Resources Department.

SECTION 13: USE AND CONSTRUCTION OF TEMPORARY STRUCTURES ON STATE LAND

- 13.01 Tribal members may be authorized to place temporary structures on State lands in accordance with the following provisions:
- A. **Temporary Structures of one-hundred (100) sq. ft. or less.** Tribal members seeking to construct a temporary structure, such as a sweat lodge, on State Forest lands shall be required to obtain and post a cost-free MDNRE dispersed camping permit on site. Permits can be obtained from the Tribal Natural Resource Department Office or local MDNRE State Forest Office.
 - B. **Prohibition of Non-native Materials.** It shall be unlawful to construct a temporary structure of any size (Hunting Blinds exempted) on State lands from non-native, processed materials, such as dimensional lumber, plywood, siding or roofing, except that Tribal members may use tarps or similar materials on temporary structures if removed from the site after use.
 - C. **Duration of Use.** It shall be unlawful to leave a temporary structure on State Forest lands for fifteen (15) days or more unless the Tribal member received advanced approval from the Tribal Natural Resource Department. All requests for extended stays over fifteen (15) days must be received a minimum of thirty (30) days prior to the construction, placement and use of the temporary structure on State Lands. All structures must be dismantled and removed after use.

SECTION 14: BIOLOGICAL ASSESSMENT AND MONITORING

- 14.01 Biological Assessment. The Natural Resource Department may require that fur bearers, Gaachiinhi-Eweesi'ek (small game), M'didaa-E'weesi'ek (big game), migratory birds, fish, reptiles, amphibians or the habitats of any of them within the Ceded Territory be subject to reasonable biological assessment. The purpose of such assessment is to ensure long range management of these species and their environs, or changes to the existing regulations or any future regulations as necessary to foster such preservation and management.
- 14.02 Assessment Permits. The Natural Resource Department may authorize a Tribal member to assist with or perform an assessment to assist the Tribe in gathering natural resource data to better help manage the resource more effectively. The Tribal member will be required to have a valid Tribal License and have in his/her possession at all times a duly authorized assessment permit while conducting such assessment.
- 14.03 Scientific Collectors Permit. The Natural Resources Department may issue its employees collector's permits for the purpose of conducting biological assessments.

- 14.04 Monitoring. It shall be the duty of the Tribal biologist to monitor all take and harvest of E'weesi'ek (game), fish, fur bearers, migratory birds, reptiles, amphibians, plants and the natural growth through the receipt of catch reports, through E'weesi'ek (game) bag checks, patrols, jawbone retrieval and mail surveys.
- 14.05 Emergency Action. The GTB Natural Resources and Environment Committee (NREC) and the NRD may make recommendation to the Tribal Chairman to take or enact emergency measures in order to preserve the rights or resources of the Tribe and its members. This may include but is not be limited to shortening or closing seasons, reducing bag limits and/or similar methods. The NREC and NRD will make efforts to coordinate emergency actions with the Tribes, State, and federal government as needed to preserve rights or resources.

SECTION 15: POSSESSION AND USE FOR RELIGIOUS PURPOSES

- 15.01 No animal shall be taken, or plant or mineral gathered, by any Tribal member for any purpose except as generally allowed for in these Regulations or by the Special Use Permit issued by the Tribe.
- 15.02 Nothing in these Regulations shall be construed to prohibit the possession or use of any species of plant or animal by a Tribal member for spiritual practices.
- 15.03 If a Tribal member finds a dead eagle, hawk, fur bearer, or any Threatened or Endangered Species, the member shall report the finding as soon as possible to the Natural Resources Department. The Tribal member should direct the appropriate Tribal authority to the place where the carcass was found. A conservation enforcement officer shall take a sworn statement from the Tribal member regarding the circumstance under which the carcass was found. If the conservation enforcement officer or appropriate Tribal authority is satisfied that the Tribal member was in no way involved in the intentional taking of the animal, the Tribal member may either keep the carcass or any part of it for spiritual practices or donate it to the Tribal repository, provided such action does not violate any applicable federal law.
- 15.04 To the extent determined permissible under applicable federal law, the Tribe may maintain a repository to keep parts of eagles, hawks, furbearers, and any protected species either taken in violation of these Regulations or other applicable Tribal law. Tribal members may request in writing animal parts from the repository for spiritual practices. The Tribe has developed regulations to process such requests so that items in the repository can be distributed to Tribal members in a fair and efficient manner. The Tribe may issue possession licenses if needed to protect Tribal members from non-Tribal law enforcement agencies (contact Natural Resources Department for details).

SECTION 16: GENERAL PROHIBITIONS

- 16.01 It shall be unlawful to:
- A. Exceed established limits or seasons; utilize prohibited means of taking E'weesi'ek (game), fish, reptiles, amphibians; or violate any other terms or conditions contained in any Special Use Permit.
 - B. Refuse to produce a license, permit, tag or other identification upon the request of a Law Enforcement Officer.
 - C. Refuse to consent to any inspection or search with probable cause as authorized in Section 17.06.
 - D. Harass or interfere with any legal licensed person fishing, hunting, trapping or gathering or any duly authorized biological staff while in the performance of their duties.
 - E. Fail to make a reasonable effort to recover dead or wounded fish, game or migratory birds.
 - F. Engage in wanton destruction of game, migratory birds or fish.

SECTION 17: ENFORCEMENT

- 17.01 Grand Traverse Band conservation enforcement officers are "Tribal law enforcement officers" or "Tribal officers" within the meaning of the 2007 Inland Consent Decree. Grand Traverse Band conservation enforcement officers, law enforcement and/or conservation enforcement officers of one or more of the other Tribes with whom GTB has

entered into a cooperative enforcement agreement, conservation officers employed by the State of Michigan (if the prerequisites stated in the 2007 Inland Consent Decree are have been satisfied), and Federal law enforcement and/or conservation enforcement officers (collectively, “authorized officers”) are authorized to enforce the provisions of these Regulations. Violations of these Regulations shall be processed through the GTB Tribal Court.

- 17.02 Citations of alleged violations of these Regulations from non-GTB “authorized officers” shall be transmitted to GTB’s Chief Warden prior to being referred to GTB Prosecutor.
- 17.03 Grand Traverse Band conservation enforcement officers are also authorized to carry firearms in the performance of their duties.
- 17.04 Grand Traverse Band conservation enforcement officers may stop any person suspected of committing an offense under these Regulations to determine whether the person is a Tribal member. If necessary, any person stopped may be detained until he or she exhibits a license and identification, consistent with the stipulation of the parties and order entered by the federal court.
- 17.05 Authorized Officers may detain any person(s) committing an offense and may seize or confiscate any fish, game, furbearers, wild animals, their parts or hides and/or any vehicles, vessels, firearms, bow, traps, nets, lines or any other associated paraphernalia used in committing the offense. All seized or confiscated material taken under this part shall be held as evidence according to applicable Tribal law enforcement policies or turned over to the Tribal Court.
- 17.06 Search and Seizures -
- A. Authorized officers may, without a search warrant, search any aircraft, watercraft, motorized vehicle, box, game animal, fish, bag, locker, tool box, ice chest, camper, camper shell, trailer, backpack, bedroll, sleeping bag, or other container or package if the officer has probable cause to believe that wildlife or parts thereof taken in violation of these Regulations or the instrumentalities of such illegal taking, are contained therein, and that such evidence will not be available absent immediate action.
 - B. Authorized officers may inspect all wildlife or parts thereof taken, possessed, or transported within the Ceded Territory, and may seize as evidence all wildlife that such officer has probable cause to believe has been taken, possessed, or transported in violation of these Regulations, and any object that the officer has probable cause to believe has been used as the instrumentality of such illegal taking, possession, or transportation.
 - C. For all property seized as evidence, the authorized officer shall make an inventory and provide a copy to the person from whom the property was taken. After the final disposition of the case, a hearing shall be held by the Court to determine the disposition of all property taken as evidence. Upon satisfactory proof of ownership, property taken as evidence shall be returned to the owner, except for contraband which shall be disposed pursuant to Tribal policy.

SECTION 18: PENALTIES, FINES, RESTITUTION AND JURISDICTION

- 18.01 Any licenses or permits authorized by this Code may be suspended or revoked by the Tribe, acting through the Tribal Court.
- 18.02 Any violation of these Regulations regarding gathering, season, bag and creel limits, or restrictions on method or matter of gathering, or taking, E’weesi’ek (game) or fish shall be tried before the Tribal Court under such procedures as are prescribed by the Court Rule or Tribal law.
- 18.03 Civil Infractions. Except for the provisions of Section 18.04, violations of these Regulations are civil in nature. Violations may be punished by suspension or revocation of the fishing, hunting, and/or trapping license or any permit(s) of the violator, assessment of a fine not more than \$1000, assessment of community service hours, forfeitures as set forth in Section 18.07, and/or restitution as set forth in Section 18.08.
- 18.04 **Criminal Offenses.** It shall be a criminal offense for any person over whom the Tribe may assert criminal jurisdiction to:
- A. Assault, resist, oppose, impede, intimidate, bribe, and attempt to bribe, or interfere with an authorized officer engaged in enforcing these Regulations.

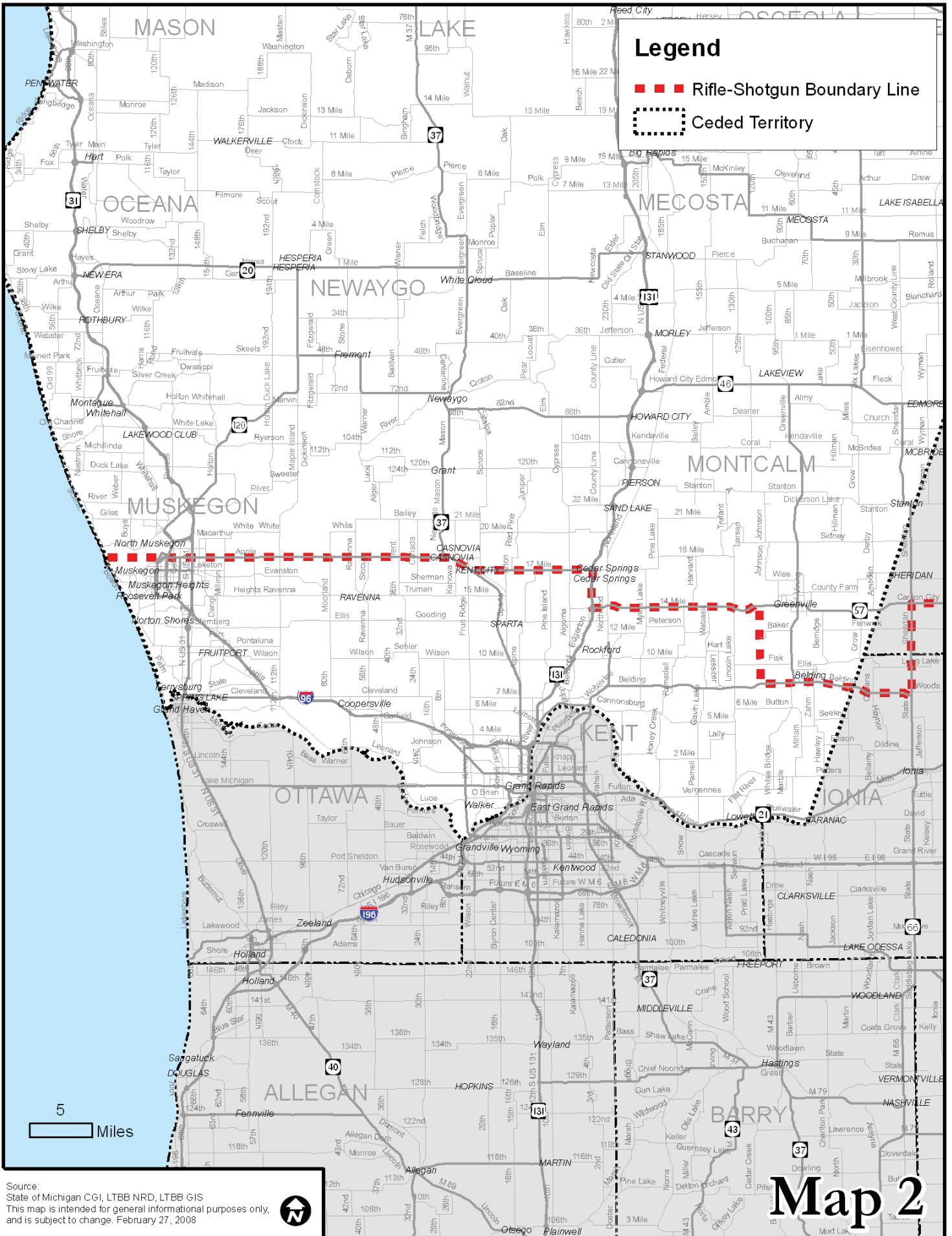
- B. Violate any license or permit suspension or revocation order.
 - C. Violate any court order.
 - D. Fail to report any injury to or death of any person resulting from the actions of any person taking or attempting to take any wildlife, game, fish or furbearer. Every possible assistance shall be rendered to the injured person prior to reporting the incident to the nearest law enforcement agency.
 - E. Molest, disturb or appropriate any wild plant, wild fish, or carcass thereof, which has been lawfully reduced to possession by or is otherwise owned by another.
 - F. Damage or steal any nets, stands, traps or gear belonging to another hunter, fisher or trapper.
 - G. Conspire or agree with another person or persons that they or one or more of them will engage in conduct which constitutes a crime.
 - H. Conspire or agree to aid another person or persons in the planning or commission of such crime or of an attempt to commit such crime.
 - I. Fail to obey the hand, voice, emergency light, visual or audible siren signal of a Tribal Conservation Officer or other authorized officer.
 - J. Elude, knowingly flee or attempt to evade an authorized officer following a visible or audible signal to stop. A visible or audible signal under this section may include the use of hands, voice, emergency lights or sirens.
 - K. Use unjustified force, violence or threaten the use thereof on an authorized officer for the purpose of interfering or influencing the performance of an official duty.
 - L. Fail to consent to any search with probable cause as authorized in Section 17.06.
 - M. Take any Threatened or Endangered Species except as authorized by these Regulations.
 - N. Engage in fraud or perjury in procuring a Tribal license or permit.
- 18.05 Violation of Section 18.04 may be punished by a fine of not more than \$5,000.00, by imprisonment for not more than one (1) year, by performance of community service hours, and/or by any combination of such fine, imprisonment and community service.
- 18.06 The criminal penalties shall be in addition to any forfeiture or restitution assessed.
- 18.07 Forfeiture. Any person convicted of any violation of these Regulations may, at the Court's discretion, have any materials seized in accordance with Section 17.06 permanently forfeited in addition to any other fines or penalties imposed by the Tribal Court.
- 18.08 Restitution. Any person convicted of any violation of these Regulations may, at the Court's discretion, be charged the cost of providing equitable restitution to the Tribe for the damage caused by each violation in addition to any other

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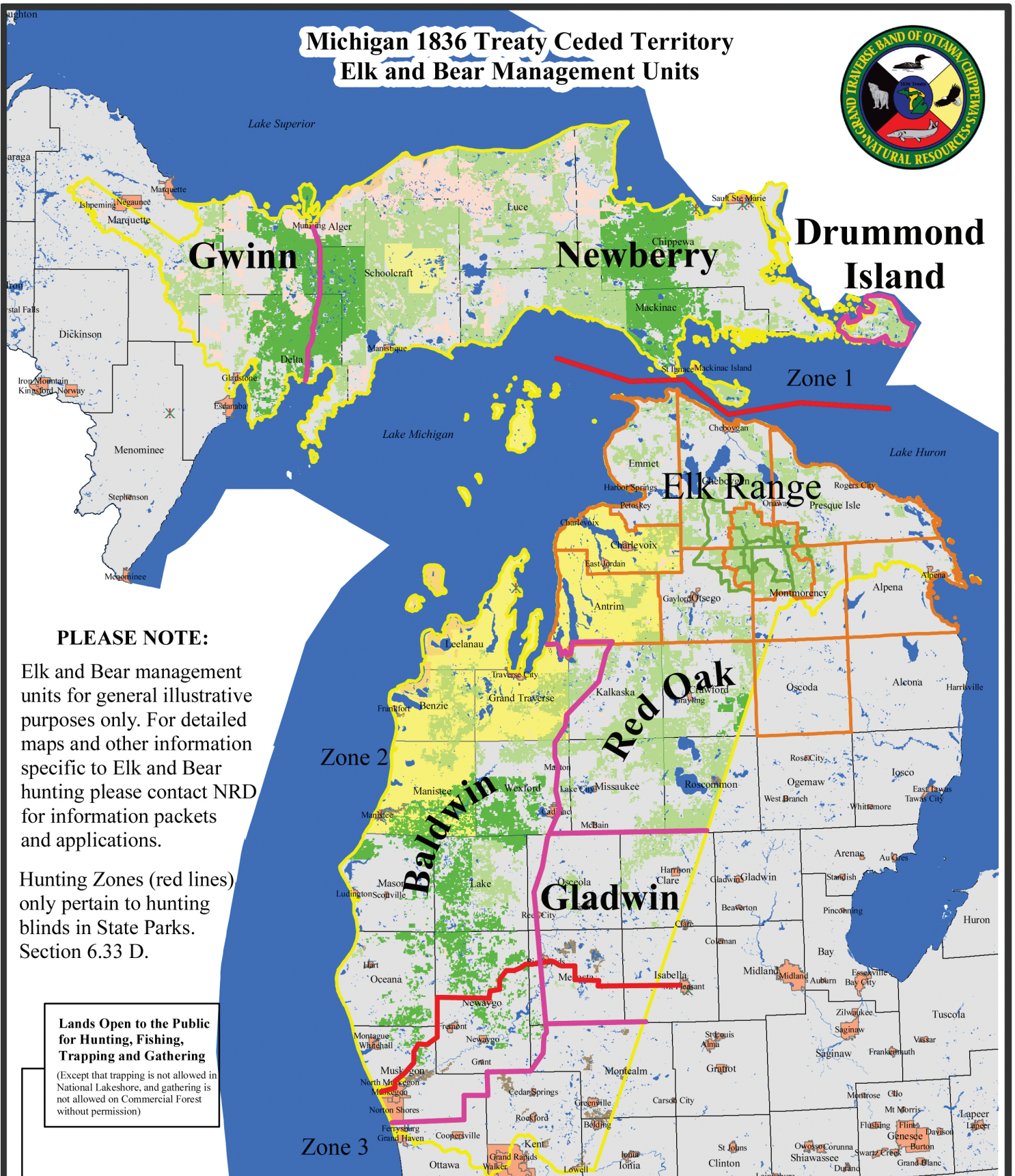
finer or penalties imposed by the Tribal Court. A person found liable for an infraction, upon a charge of illegal taking, killing, or possession of a plant, fish, migratory bird, or wildlife creature, may be ordered to reimburse the Tribe for each plant, fish, migratory bird, or wildlife creature, in an amount not to exceed the following:

SPECIES	
Any Endangered or Threatened Species	\$1000
Elk, bear	\$500
Deer, wild turkey	\$250
Beaver, mink, otter, badger, bobcat	\$100
Any waterfowl	\$50
Rabbit, muskrat, squirrel, raccoon Ruffed grouse, woodcock, morning dove, ringneck pheasant, quail, sharptail grouse	\$30
Any fish or e'weesi'ek (game) animal not named	\$25

- 18.09 Member Responsibility. It shall be no defense in any criminal or civil prosecution under these Regulations pertaining to hunting, fishing, trapping, or gathering for a Tribal member to claim a lack of awareness or understanding of law or regulations.
- 18.10 Federal Prosecution- Although these Regulations govern Inland Article 13 Rights activities upon federal lands, federal prosecution may be pursued for other violations of federal law.
- 18.11 State Prosecution. Prosecution in State Court of alleged safety zone and trespass/recreational trespass violation (authorized by section 24.3 of 2007 Inland Consent Decree) shall not preclude enforcement in Tribal Court of similar infractions proscribed in these Regulations.
- 18.12 State Jurisdiction Preempted. It shall not be a defense to any civil infraction or criminal offense under this chapter that the alleged activity may be lawful under state law.
- 18.13 Repeat Offenses. Repeat offenders may be fined up to \$5,000 and/or lose their hunting, trapping, fishing or gathering license(s) for specified periods of time as deemed appropriate by the Tribal Court.
- 18.14 Formal complaint process. Any Tribal member may file a formal complaint of unprofessional conduct against any Tribal or State Conservation Officer. Forms for filing formal complaints may be obtained from the Natural Resource Department.



Michigan 1836 Treaty Ceded Territory Elk and Bear Management Units



Drummond Island

Gwinn

Newberry

Elk Range

Red Oak

Baldwin

Gladwin

PLEASE NOTE:

Elk and Bear management units for general illustrative purposes only. For detailed maps and other information specific to Elk and Bear hunting please contact NRD for information packets and applications.

Hunting Zones (red lines) only pertain to hunting blinds in State Parks. Section 6.33 D.

Lands Open to the Public for Hunting, Fishing, Trapping and Gathering

(Except that trapping is not allowed in National Lakeshore, and gathering is not allowed on Commercial Forest without permission)

Public Land

- State Game Area
- National Wildlife Refuge
- National Lakeshore
- State Forest
- National Forest
- National Lakeshore

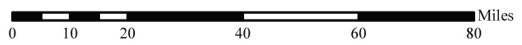
Management Zones

- August/September Elk Units
- December Elk Units
- Lakes and Streams
- Bear Management Units
- Hunting/Trapping Zone Lines

Tribal Zones

- GTB Six County Service Area
- Ceded Territory
- Federally Recognized Michigan Tribes

Map Data Sources: State of Michigan and ITC
Map Prepared By: Grand Traverse Band Ottawa/Chippewa
Map Projection: NAD 1983 UTM Zone 16N
March 2007





CONTACT INFORMATION:

GTB TOLL FREE LINE - 866.534.7750

NRD MAIN LINE - 231.534.7500

CONSERVATION / PUBLIC SAFETY DEPARTMENT - 231.534.7777

GTB Website: www.gtbindians.org

CORA Website: www.1836cora.org