TRIBAL CODE

CHAPTER 21:

HUNTING AND INLAND FISHING

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HISTORY NOTE:

Current Ordinances:

Resolution No: 2008-157, adopted July 29, 2008, adopts and restates Tribal Code Chapter 21: Hunting and Inland Fishing, and rescinds all earlier Hunting and Inland Fishing Codes.

Amendments:

Resolution No. 2026-326, adopted October 27, 2026, amends Chapter 21 by updating 21.503 Shooting hours; amends Chapter 21 by updating 21.702 Deer early firearm season.
Resolution No. 2026-240, adopted August 4, 2026, amends Chapter 21 by updating Natural Resources Department to Natural Resources Division; amends Chapter 21 by deleting 21.524 in its entirety; amends Chapter 21 by updating 21.601 Registration of Hides; amends Chapter 21 by updating 21.704 Furbearers seasons and bag limits; amends Chapter 21 by updating 21.702 Deer and 21.705 Bear to include handgun.
Resolution No. 2026-21, adopted January 6, 2026, amends Chapter 21 by adding 21.707 Special Circumstance Transfer of Elk or Bear Permits.
Resolution No. 2024-193, adopted June 18, 2024, amends Chapter 21 by adding 21.522(8) and editing 21.705(5)(e).
Resolution No. 2024-128, adopted May 7, 2024, amends Chapter 21 by adding the definition of cast net in addition to the term hand net as defined in the 2007 Inland Consent Decree. Sections 21.105(8) 21.903(1), 21.904(1), 21.911(2)(a), 21.913(1), 21.1003(1).
Resolution No. 2024-26, adopted January 16, 2024, amends Chapter 21 by adding section 21.309 Giizhik Bark Permit.
Resolution No. 2023-259, adopted August 1, 2023, amends §21.909(2). Restrictions for Trout Ponds.
Resolution No. 2023-258, adopted August 1, 2023 amends §21.204 Tribally Affiliated Lands Waters.
Resolution No. 2023-257, adopted August 1, 2023 amends §21.706 (7) Elk.
Resolution No. 2021-101, adopted April 20, 2021 amends §21.601 (1)(a) and adding (1)(b), one time waiver of the skull requirement.
Resolution No. 2021-57, adopted March 2, 2021 amends §21.522 (6), hunters present at all times.
Resolution No. 2019-157, adopted June 11, 2019, amends §21.524, Limited Firearm Deer Zone.
Resolution No. 2018-205, adopted September 4,2018, amends §21.702, Deer.
Resolution No. 2018-204, adopted September 4, 2018, amends §21.519, Baiting.
Resolution No. 2018-181, adopted August 7, 2018, amend §21.704 (2)(b) bag limits, furbearers.
Resolution No. 2016-231, adopted October 3, 2016 amends §21.1602(1), use of another's license.
Resolution No. 2016-96, adopted April 19, 2016 amends §21.515, use of suppressor. Effective May 19, 2016.
Resolution No. 2016-63, adopted March 8, 2016, amends §21.913(4) for 2016.
Resolution No. 2014-08, adopted January 14, 2014, technical amendments.
Resolution No. 2013-45, adopted February 26, 2013, amends §21.704(2) by reducing bag limit for pine marten.
Resolution No. 2012-230, adopted November 6, 2012, amends §21.516(2) by eliminating the required size of lettering.

Resolution No. 2012-229, adopted November 6, 2012, deletes §21.705(2)(c), transferring of bear permits.
Resolution No. 2012-188, adopted September 18, 2012, amends §21.703(1)(b), Turkey Season.
Resolution No. 2012-27, adopted February 14, 2012, amends §21.916(2) increasing limit.
Resolution No. 2011-260, adopted November 8, 2011, amends §21.404(3) by changing minimum hunting age.
Resolution No. 2011-169, adopted July 12, 2011, amending §21.519 by deleting (5).
Resolution No. 2011-10, adopted January 25, 2011, amending §21.905 by correcting lakes available in Otsego County.
Resolution No. 2010-214, adopted September 28, 2010, amending §21.701 by creating §21.701(3).
Resolution No. 2010-198, adopted September 7, 2010, amending §21.801 by creating §21.801 (2).
Resolution No. 2010-169, adopted August 24, 2010, amending §21.801 Migratory Bird Regulations.
Resolution No.:2010-56, adopted March 23, 2010, adding §21.917 Black Lake Sturgeon Season.
Resolution No: 2009-195, adopted September 22,2009, amending §§ 21.403 21.601(1), 21.704(1)(d), 21.706(7). Adding 21.801 Migratory Bird Regulations. Amending §21.1001(2), 21.1002(3)(4)(5), 21.1602(9)(10)(11).
Resolution No: 2008-180, adopted September 2, 2008 , creating §21.519 (5) Baiting Band in the Lower Peninsula.
Resolution No: 2008-217, adopted November 4, 2008, amending §§21.508 new section (6) 21.1101, 21.1503 (c) (3), 21.1503 (4), 21.1803.

Prior Ordinances:

Resolution No: 2008-78, adopted April 16, 2008, adopts and restates Tribal Code Chapter 21: Hunting and Inland Fishing, and rescinds all earlier Hunting and Inland Fishing Codes.

Adopted by Resolution No: 2008-44, February 26, 2008
Effective Date: February 26, 2008

Tribal Code: Chapter 21 Hunting and Inland Fishing adopted by Resolution No: 96-70, April 2, 1996 and Supplement to Chapter 21 Hunting and Inland Fishing Administrative Regulations, adopted by Resolution No: 2000-24, February 23, 2000; both repealed in their entirety by Resolution No:2008-44.

2007 Inland Consent Decree:

In October of 2003 the State of Michigan brought suit in Federal court to determine whether or not the Tribe's inland treaty rights continued to exist under the 1836 Treaty of Washington within the ceded territory. Included in the case were four other 1836 Treaty tribes. Trial was scheduled for January of 2006. In the summer of 2005 the parties explored settlement as an option. In August of 2006 the parties reached a preliminary settlement agreement titled the Agreement in Principle. From then on all effort was focused on settling the case to the benefit of all parties. This effort resulted in the 2007 Inland Consent Decree. The Decree detailed the scope of the treaty right and the allocation of natural resources amongst the parties. In October 11, 2007, the parties filed a stipulation to settle the case as outlined in the Decree. On Nov 2, 2007, the court entered the Decree. This Chapter 21 is the Tribe's prerequisite rules and regulations governing Tribal members' use of the treaty right within the ceded territory.

TRIBAL CODE

CHAPTER 21:

HUNTING AND INLAND FISHING

SUBCHAPTER I: PRELIMINARY MATTERS

21.101 Purpose and Authority.

These Regulations are intended to achieve compliance with the 2007 Inland Consent Decree entered 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 (2007 Inland Consent Decree); to provide an orderly system for Tribal self-regulation regarding Tribal member exercise of their Inland Article 13 Rights; and to ensure the wise use and conservation of the inland resources for future generations.

21.102 Scope.

This Chapter shall govern all treaty Inland Article 13 Right activities of Tribal members on lands and waters within 1836 Ceded Territory.

21.103 Repealer.

This Chapter and any future administrative regulations, together with all amendment and additions to either, do repeal in their entirety:

(1) Tribal Code Chapter 21: Inland Fishing and Hunting; and

(2) Tribal Code Chapter 21: Administrative Regulations.

21.104 Relation with Other Laws.

(1) In its interpretation and application, the provisions of this Chapter shall not conflict with the 2007 Inland Consent Decree and if such a conflict occurs the 2007 Inland Consent Decree shall control.

(2) Any conditions or requirements of a permit let under this Chapter shall have the same force and effect as if they were part of this Chapter.

(3) Any administrative regulations made pursuant to this Chapter shall have the same force and effect as if they were part of this Chapter.

21.105 Definitions.

For purposes of this Chapter, certain terms are defined in this Section. When not inconsistent with the context, words used in the present tense include the future, words in the singular number, include the plural number, words in the plural number include words in the singular, and words in the masculine include the feminine gender. The word shall is always mandatory and not merely discretionary.

(1) "Administrative regulation" shall mean a regulation promulgated by the Tribe in addition to this Chapter.

(2) "Amphibian" shall mean cold-blooded, smooth-skinned vertebrate of the class Amphibian.

(3) "Artificial fly" shall mean any commonly accepted single hook wet and dry flies, streamers, and nymphs without spinner, spoon, scoop, lip or any other fishing lure or bait attached. The fly or leader may be weighted but no weight shall be attached to the fly or to the terminal tackle in a manner that allows the weight to be suspended from or below the hook.

(4) "Artificial lure" shall mean any man-made lure manufactured to imitate natural bait. Artificial lures include spoons, spinners, and plugs made of metal, plastic wood and other non-edible materials. They also include plastic products made to resemble worms, eggs, fish and other aquatic organisms.

(5) "Baitfish" shall mean any legally taken and possessed fish (except sea lamprey, goldfish or any other exotic fish) used for catching other fish.

(6) "M'didaa-E'weesi'ek" (big game) shall mean whitetail deer, black bear, elk, and moose.

(7) "Bow" shall mean a weapon constructed from wood, plastic, metal, or other material with a string connecting the two ends when bent or strung, and by means of which an arrow is propelled when drawn and released by hand.

(8) "Cast net" shall mean a new or wire bag of any circumference with a handle that can be lifted by one person. This definition shall include and be construed in accordance with the "hand net" definition as defined by the 2007 Inland Consent Decree.

(9) "Ceded Territory" shall mean all lands and waters ceded in the 1836 Treaty as described in Article First.

(10) "CFA" shall mean Michigan's Commercial Forest Act, Mich. Comp. Laws, § 324.51101 et seq.

(11) "Crossbow" shall mean a device using a bow that, once drawn, is held solely by means other than the effort of the person firing it.

(12) "Cultural" shall mean any spiritual, medicinal, ceremonial, religious or traditional practice related to one's tribal membership or denoting or deriving from or distinctive of the ways of living built up by a group of people influenced by ethnic and cultural ties.

(13) "Division" shall mean the Natural Resources Division.

(14) "Endangered species" means 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.

(15) "Enforcement officer" means any law enforcement officer authorized by Tribal law or the Inland Consent Decree to enforce Tribal conservation regulations.

(16) "Firearm" shall mean a barreled weapon from which any shot, bullet or other projectile can be discharged, excluding air rifles.

(17) "Fishing activity" shall mean fishing for, catching, taking, or attempting to fish for, catch or take, any species of fish from Treaty Ceded waters, including all related activities which occur in or on the water, or immediately adjacent to the waters edge and in the process of loading or unloading fish, nets, or related gear, in or from a boat or vehicle.

(18) "Furbearer" shall mean fur bearing animals including coyote, red fox, gray fox, bobcat, beaver, otter, muskrat mink, weasel, skunk, raccoon, badger, pine marten, fisher and opossum.

(19) "E'weesi'ek" (Game) shall mean Gaachiinhi-E'weesi'ek (Small Game) and M'didaa E'weesi'ek (Big Game).

(20) "Fish" shall mean brook trout, lake trout, splake, brown trout, rainbow (steelhead) trout, Coho salmon, Chinook salmon, Atlantic salmon, largemouth bass, small mouth bass, rock bass, walleye, sauger, northern pike, muskellunge, tiger muskellunge, sturgeon, bluegill, sunfish, crappie, perch, lake whitefish, and round whitefish (Menominee), and any other species of fish now or in the future present in the Ceded Territory which may be taken for subsistence.

(21) "Handgun" shall mean a firearm which has a short stock or pistol grip and is designed to be held and fired by the use of a single hand.

(22) "Handicraft items" shall mean items produced, decorated or fashioned in the exercise of traditional Indian handicrafts such as, but not limited to, carving, weaving, beading, pottery, drawing or painting, without the use of mass copying devices.

(23) "Hunt" shall mean the shooting, shooting at, pursuing, taking, catching, trapping, or killing any wild animal.

(24) "Impoundment nets" shall mean any trap, hoop or fyke nets, which are stationary nets attached to the bottom that capture fish by guiding them into enclosures.

(25) "MDNR" shall mean the Michigan Department of Natural Resources, its successor entities, and those authorized persons or entities acting on its behalf.

(26) "Migratory birds" shall mean 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.

(27) "Muzzleloader" shall mean a black powder rifle, a black powder shotgun, or a black powder handgun which is loaded through the muzzle.

(28) "Natural resources" shall mean any fish, animal or plant material, or any part thereof

(29) "Pursuit" shall mean to follow in an effort to overtake or capture or to proceed along the course of.

(30) "Regulations" shall mean any conservation regulation contained within this Chapter.

(31) "Reptiles" shall mean any of various cold-blooded, usually egg-laying vertebrates of the class reptilia, having an external covering of scales or horny plates and breathing by means of lungs.

(32) "Rights" shall mean the right to hunt (including hunting, fishing, trapping and gathering), and the other usual privileges of occupancy, secured by Article 13 of the 1836 Treaty of Washington, 7 Stat. 491, on lands and inland waters within the boundaries of the territory ceded in the 1836 Treaty.

(33) "Roadways" shall mean any governmental roadway where vehicular traffic is not restricted and the roadway is routinely used by the general public.

(34) "Safety zone" shall mean an 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.

(35) "Shotgun zone" shall mean 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.

(36) "Slingshot" shall mean a "Y" shaped device with an elastic strip at the prong, or one strip of stretchable material, with a pocket on one end that is capable launching a projectile.

(37) "Spear" shall mean any hand, rubber or spring propelled shaft having a pointed tip or a series of pointed tips.

(38) "Stream" shall mean any rivers, streams, creek and flowage.

(39) "Gaachiinhi-Eweesi'ek" (small game) shall mean 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.

(40) "Threatened species" shall mean a species at risk of becoming endangered as determined by official action of the Tribal Council or by the United States Department of Interior.

(41) "Trade & barter" shall together and independent of one another mean the exchange of goods and services without the use of currency.

(42) "Transport" shall mean 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.

(43) "Trap" shall mean any leg hold, box or snaring device designed to physically hold an animal at a singular location.

(44) "Treaty" shall mean the March 28, 1836 Treaty of Washington with the Ottawa's and Chippewa, 7 Stat. 491.

(45) "Tribe" shall mean the Sault Ste. Marie Tribe of Chippewa Indians.

(46) "Tribes" shall mean, 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.

(47) "Tribal court" shall mean the Court of Sault Ste. Marie Tribe of Chippewa Indians, except where the context references a Court or hearing body of one of the other Tribes.

(48) "Tribal member" shall mean an enrolled member of the Sault Ste. Marie Tribe of Chippewa Indians except where the context references enrolled members of one or more of the other Tribes.

(49) "Turkey" shall mean a wild eastern turkey.

(50) "Weapon" shall mean a firearm, handgun, bow, compound bow or muzzleloader.

SUBCHAPTER II: LOCATION OF RIGHT

21.201 General Terms.

Tribal members may engage in hunting, fishing, trapping and gathering activities on lands and inland waters within the outer boundaries of the Ceded Territory pursuant to such additional requirements contained within this Chapter and applicable administrative regulations and in accordance with the following provisions and restrictions:

21.202 General Public Lands and Waters.

(1) Tribal members may exercise the right on lands that are open to the public in accordance with Federal or State law for the particular activity (e.g., hunting, fishing, trapping or gathering) subject to the specie specific restrictions and provisions of these regulations.

(2) Tribal members may exercise the right on waters open to the public under State or Federal law, including such public waters that are accessible through public rights-of-way and public road crossings or otherwise accessible to Tribal members by permission granted by the landowner or authorized lessee.

21.203 Restricted Public Lands and Waters

(1) Tribal members may exercise the right in State, County and Municipal Parks, State Wildlife Refuges, State Wildlife Research Areas, and State Fisheries Research Areas subject to specific restrictions for each area.

(2) These restrictions shall be listed as administrative regulations.

21.204 Tribally Affiliated Lands and Waters.

(1) Tribal members may hunt, fish, trap, or gather on Tribally owned lands and waters in accordance with the following.

(a) There shall be no hunting with a firearm within any city limits.

(b) There shall be no hunting, fishing, trapping, or gathering on land that is posted as no trespassing or no hunting.

(c) There shall be no hunting, fishing, trapping, or gathering upon any land that has within its exterior border a fish-rearing pond.

(d) Tribal members hunting on tribal lands deemed to require designated entry points shall use those designated entry points and follow any posted instructions.

(e) Tribal members may not hunt within 450 feet of a structure or Designated recreation trail.

(2) Tribal members engaging in any activity requiring a permit under Tribal Code must have the permit for that activity, including but not limited to the following:

(a) Maple, birch, or other live tree sap.

(b) Fur trapping

(c) Birch, cedar, or other live tree bark

(d) Tribal Lands Harvest permits will be issued following a lottery procedure implemented by Natural Resource Division, if needed.

(3) Tribal members may hunt, fish, trap, or gather on lands and waters owned by a Tribal member or the spouse of a Tribal member pursuant to this Chapter.

(4) Tribal members may hunt, fish, trap, or gather on lands and waters owned by another tribe and shall be subject to that tribe's conservation laws and jurisdiction.

21.205 Commercial Forest Act and Similar Lands and Waters.

(1) Tribal members may exercise the right on CFA lands enrolled in the State's CFA program-subject to the following restrictions:

(a) On CFA Lands less than one-thousand (1,000) acres the Tribe or Tribal members shall obtain permission from a CFA landowner in order to hunt or fish on those 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. Tribal members wishing to hunt outside the States seasons may do so upon approval of the land owner and pursuant to this Chapter.

(b) On CFA lands over one-thousand (1,000) acres the Tribes or their members will not have to obtain permission from a CFA landowner in order to hunt or fish on those 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.

(c) The 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 and fishing by Tribal members on CFA lands.

(d) Nothing herein shall be construed to authorize the use of snowmobiles, all-terrain vehicles, or other motor vehicles on CFA lands if such use is otherwise prohibited under applicable law.

(e) Gathering on CFA lands is prohibited absent owner consent.

(f) Trapping on CFA lands is prohibited only where the trapping activity destroys or alters the real property in any way whatsoever.

(2) Permission shall not be required to hunt or fish on any CFA lands, regardless of acreage or total ownership, during State seasons and with the use of State approved methods.

(3) Tribal members may exercise the right on other private lands required to be open to hunting, fishing, trapping, or gathering under operation of any law.

21.206 <u>Non - Tribal Member Lands and Waters.</u>

Tribal members may hunt, trap, fish or gather on private property owned by non-Tribal members subject to provisions and restrictions below:

(1) Tribal members shall:

(a) 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;

(b) Except that during State seasons, permission shall be implied on lands and waters open to the public for hunting and fishing under the Michigan Recreational Trespass Act, as now in force or hereafter amended.

(2) The Tribal members' hunting and trapping activities on private lands and waters shall be restricted to the seasons and methods available to State of Michigan hunters and trappers**.**

(3) Tribal members may engage in fishing activities on these waters.

(4) Tribal members shall not place impoundment nets on privately owned bottom lands if doing so is in violation of the Michigan common law riparian rights of the private bottom land owner.

SUBCHAPTER III: PERMITS

21.301 Disabled Hunter Permits.

(1) A disabled Tribal member may apply for a Disabled Hunter Permit. To be eligible for a Disabled Hunter's Permit, a Tribal member must:

(a) Suffer from physical disability or impairment and would face a significant health risk by participating in normal hunting activities; or

(b) Find it unduly burdensome to participate in normal hunting activities; or

(c) Otherwise be unable to participate in normal hunting activities.

(2) Requests for a Disabled Hunter's Permit shall be submitted to Law Enforcement.

(3) A Disabled Hunter's Permit authorizes hunting from a stationary vehicle subject to the following conditions:

(a) The roadway cannot be a street or a state or federal highway; and

(b) You may not fill the permit or tag of another; and

(d) The vehicle must have handicapped or disabled license plates; or

(e) You must display a sign provided by the Tribe that says "disabled."; and

(f) You must shoot away from, and not across or parallel to the roadway; and

(g) For purposes of this Section only, the transportation or possession of a loaded or uncased weapon in a motor vehicle while the vehicle is moving is prohibited at all times.

(4) Assisting a Tribe member having a Disabled Hunter Permit is allowed pursuant to Section 21.1802.

21.302 Special Needs Permit.

(1) Tribal members with special needs may request a Special Needs Permit from Law Enforcement to harvest or otherwise take natural resources which may otherwise be regulated or prevented by other sections of this Chapter. The criteria for a Special Needs Permit include, but are not limited to:

(a) Cultural use in accordance with the traditions and customs of the Tribe; or

(b) Personal/family hardship; or

(c) Other unique circumstances.

(2) The requesting Tribal member shall request a Special Needs Permit. A Tribal member with a Special Needs Permit may use the services of another properly licensed Tribal member to harvest an animal for them, in which case both the requesting Tribal member and the assisting Tribal member must be named on the permit.

21.303 Road Kill Permit. (Reserved for future use)

21.304 Nuisance Control Permit.

(1) A Nuisance Control Permit may be issued by the Division to take, posses 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 Division and shall require the Tribal member to report whether the animal was killed.

(2) Coyote, raccoon or crow may be taken on private property with permission from the owner if at any time the animal poses an immediate threat of harm to any live stock or person(s). Any animal taken under this provision must be reported to the Division within twenty-four (24) hours**.**

21.305 Ceremonial Seine Permit.

A limited number of Ceremonial Seine Permits may be issued by the Division in streams from December 1 through March 31.

21.306 Ceremonial Bear Permit.

Two Ceremonial Bear Permits may be issued by Law Enforcement per year.

21.307 Ceremonial Turkey Permit.

A limited number of Ceremonial Turkey Permits may be issued by the Division.

21.308 Subject to Regulations.

Any permit issued pursuant to this Subchapter is subject to all applicable Sections of this Chapter, all applicable administrative regulations and all permit conditions.

21.309 Giizhik Bark Permit.

(1) Giizhik Bark/Northern white cedar bark. Tribal members shall obtain a valid Tribal Giizhik Bark permit collecting giizhik bark from tribal or public land. A permit under this Section is only valid in designated areas and at designated times of year.

(a) It shall be lawful to:

(i) Harvest giizhik bark from standing, lives trees, meeting the following conditions:

1. Harvest occurs while ode'iminan (wild strawberries) are blooming and before the first frost, or June to September.

2. Trees from which bark is harvested are 12" or larger in diameter.

3. Bark is harvested in vertical strips that have a combined total width of one hand (6-8") or less.

4. Trees may only be harvested from once in their lifetime.

(b) Restrictions - It shall be unlawful to:

(i) Girdle giizhik trees and/or collect bark from the greater than one-fifth of the tree's circumference.

(ii) Collect giizhik bark from more than one-third of the harvestable trees in an area within the same year.

(iii) Collect giizhik bark from live tress within thirty-three feet (33') of the edge of roads or designated trails.

(iv) Collect giizhik bark for commercial use.

(v) Strip harvest limits do not apply to downed giizhik trees, whose root systems have been disconnected from the soil.

(vi) Tribal members shall have a Tribal permit in their possession when collecting bark.

SUBCHAPTER IV: HARVEST LICENSE

21.401 Harvest License.

(1) Any Tribal member ten (10) years of age or older shall have a Harvest License, who:

(a) Hunts within the Ceded Territory, while having under his/her control or immediate possession any firearm, bow and arrow, crossbow, slingshot, or any other device capable of killing or restraining fur bearers or E'weesi'ek (game) shall have in his/her possession a Harvest License; or

(b) Traps within the Ceded Territory, while having under his/her control or immediate possession any leg hold, snares, box type, or body gripping (conibare) trap or any other device capable of restraining or killing fur bearers, cottontail rabbit or snowshoe hare shall have in his/her possession a Harvest License; or

(c) Gathers within the Ceded Territory shall have in his/her possession a Harvest License, except as identified in Subchapter IX.

(d) Harvest License shall be valid from date of issue until March 31 of each year.

21.402 Harvest License Annual Report.

(1) Tribal members must obtain and submit a complete Harvest License Annual Report by February 1st of each year.

(2) Tribal members failing to comply with subsection (1) are prohibited from receiving any license or permit issued pursuant to this Chapter, Chapter 20 or Chapter 23 until such time as they submit a complete Harvest License Annual Report.

(3) Licenses issued under Section 21.403 are excluded from the requirements of this Section.

21.403 Hunter's Safety.

Any Tribal member eighteen (18) years of age or younger who applies for a Harvest License to take any Gaachiinhi-Eweesi'ek (small game), M'didaa-E'weesi'ek (big game), or fur bearer shall either produce a previous license to hunt or trap from a Tribe or other lawful issuing agent within any Tribal nation, state or province of Canada or have successfully passed a recognized Hunter's Safety Course of any Tribal nation, state or province of Canada. If you are over the age of eighteen (18) and can not produce evidence of a previous lawfully issued hunting license nor produce evidence of having successfully completed a certified Hunter's Safety Course, you will be required to take and successfully pass a written hunter's safety test or execute a waiver stating that you have previously taken and passed a recognized hunter's safety course of any Tribal nation, state or province of Canada or have previously purchased a license to hunt or trap from any Tribal nation, state or province of Canada before being issued a Tribal Hunting License. Tribal members born before 1960 are exempt from the requirements of this Section.

21.404 <u>Youth Hunting.</u>

(1) Hunters under the age of seventeen (17) actively engaged in hunting and trapping with a firearm must be accompanied by a parent, guardian, or someone 18 years of age or older designated by their parent or guardian. "Accompanied" means the adult must be able to come to the immediate aid of the other person and staying within a distance that permits unaided verbal communication and an unaided visual line of sight.

(2) The legal hunting age for taking a whitetail deer, bear, furbearing animals, or elk with a bow and arrow shall be 10 years of age.

(3) The legal hunting age for taking a whitetail deer, bear, or elk with a firearm shall be 10 years of age.

(4) The legal hunting age for the taking of small game, furbearing animals and for trapping with a firearm shall be 10 years of age.

(5) There is no minimum age for trapping, subject to subsection 4 above

(6) A Youth Mentoring Program may be established and operated pursuant to administrative regulations promulgated for that purpose so long as

(a) The youth shall be younger than 10 years of age.

(b) The youth shall only hunt and trap with the designated mentor.

21.405 <u>Harvest Tags.</u>

(1) In addition to the Harvest License required by this Section, a Tribal member shall be required to obtain annual harvest tags in order to harvest certain species.

(2) Annual harvest tags shall be obtained from the Tribe in advance in order to harvest deer, bear, moose, elk, wild turkey, bobcat, otter, fisher or marten.

(3) Harvest tags shall be completely filled out and affixed immediately to harvested animals and shall remain affixed during transport of the E'weesi'ek (game).

21.406 Law Enforcement.

(1) No Tribal member shall refuse to comply with any order given by a Tribal law enforcement officer, or any other law enforcement officer whose governmental entity has executed with the Tribe a deputization agreement or other agreement granting that governmental entity's law enforcement officers authority to enforce this Chapter against Tribal members.

(2) The Division shall cause to be published in the administrative regulations a list of those governmental entities that are authorized to enforce this Chapter against Tribal members.

SUBCHAPTER V: HUNTING REGULATIONS

21.501 Artificial Lights.

(1) Artificial light may only be used to hunt fox, raccoon, coyote, opossum, snowshoe hare and cottontail rabbit.

(2) Shining in any National Wildlife Refuge is prohibited.

21.502 Possession of Game.

No Tribal member shall possess or transport game or any part thereof without having in one's possession a Harvest License, harvest tag, or permit let under Subchapter III, as may be applicable, unless that game has been broken down into consumables, waste or decorative parts as applicable.

21.503 Shooting Hours.

Shooting hours are one half (½) hour before sunrise to one half (½) hour after sunset Eastern Standard Time (EST). Except that fox, raccoon, opossum, snowshoe hare, cotton tail rabbit and coyote may be hunted after sunset with use of dogs, game call, artificial lights, or infrared/night vision scopes.

21.504 Motorized Pursuit.

No Tribal member shall hunt any E'weesi'ek (game) with an automobile, motorcycle, ORV, airplane, snowmobile, motorboat, except as authorized by Section 21.301.

21.505 Prohibited Methods.

No furbearer, migratory birds, Gaachiinhi-Eweesi'ek (small game), or M'didaa-E'weesi'ek (big game) may be lawfully taken by use of explosive, live decoys, pitfalls, drugs, poisons, medicated bait, or other harmful or stupefying substances.

21.506 Trapping Big Game.

No Tribal member shall trap or snare M'didaa E'weesi'ek (big game) animals.

21.507 Water Hunting.

No Tribal member shall shoot game or a furbearer while it is swimming.

21.508 Transportation of Firearms.

No Tribal member shall transport a firearm in any motorized vehicle within the Ceded Territory unless the weapon is:

1) Unloaded in a case expressly made to contain a firearm; and

2) The case fully encloses the firearm being zipped, snapped, buckled, tied or otherwise fastened; and

3) No portion of the firearm is exposed; or

(4) Unloaded and in the closed trunk of a motor vehicle and not accessible from the driver and passenger compartment of the vehicle.

(5) If a muzzleloader the charge, cap, or primer must be removed.

(6) Disassembled or otherwise taken apart so as to render it incapable of being fired.

21.509 Transportation-Carrying of Handguns.

(1) No Tribal member shall transport a handgun in any motorized vehicle within the Ceded Territory unless the weapon is:

(a) Unloaded and carried in a case expressly made to contain it; and

(b) The case fully encloses the firearm being zipped, snapped, buckled, tied, or otherwise fastened; and

(c) No portion of the firearm is exposed; and

(d) The case is placed in the trunk of the vehicle; or

(e) If the vehicle has no trunk then the case is placed in a location where the driver and or passengers cannot readily access the case.

(2) While in the field, handguns must be carried in plain view. Carrying a handgun in a holster in plain view is permitted.

(3) These rules do not apply to handguns carried under the authority of a concealed pistol license.

(4) It shall be a violation of this Chapter to carry a concealed weapon while hunting on Tribally owned lands.

21.510 Transportation of Bows.

No Tribal member shall transport a bow or cross bow in a motor vehicle unless the weapon is:

(1) Rendered unusable by a bow lock; or

(2) Unstrung; or

(3) Completely contained in a case expressly made to contain it; and

(4) The case fully encloses the weapon being zipped, snapped, buckled, tied, or otherwise fastened; or

(5) In the closed trunk of a motor vehicle and not accessible from the driver and passenger compartment of the vehicle.

21.511 Firing a Weapon.

(1) No Tribal member shall discharge or fire any weapon from a aircraft, motorized vehicle, snowmobile, or motorized vessel under power, except as allowed pursuant to Section 21.301.

(2) No Tribal member shall discharge or fire a weapon within a safety zone except with owner's permission.

(3) A Tribal member may hunt within a road right of way if the adjoining land is public lands.

(4) No Tribal member may hunt within a road right of way if the adjoining land is private land except with the land owner's permission.

21.512 Harassment.

No Tribal member shall harass, impede, or interfere with any licensed hunter, trapper, fisher, or gatherer.

21.513 Automatic Firearms.

(1) The use of fully automatic firearms in the hunting, pursuing or killing of game is prohibited.

(2) The possession of such a firearm in an area frequented by game is prohibited during any big game season.

21.514 Semi-Automatic & Pump-Action Firearms.

(1) No tribal member shall hunt with a semi-automatic shotgun or semi-automatic firearm, other than a .17 or .22 caliber rim fire, that can hold more than six shells in the chamber and magazine combined.

(2) All semi-automatic or pump-action shotguns used for migratory game birds must be plugged so the total capacity of the shotgun does not exceed three shells.

21.515 Suppressors.

The use of a device or apparatus known as a suppressor is permitted. Nothing herein supersedes any Federal law pertaining to the ownership or use of a suppressor.

21.516 Raised Platforms-Tree Stands.

(1) Tribal members may hunt from raised platforms or tree stands on public and Tribal land subject to the following provisions.

(2) All raised platforms or tree stands constructed from man made materials and erected or used on Public and Tribal lands must have the users name and Harvest License number permanently affixed in legible English letters.

(3) Raised platforms or tree stands shall be removed from State lands within ten days after the end of deer season.

21.517 Ground Blinds.

The use of hunting blinds on public and tribal land is permitted subject to the following provisions:

(1) All ground blinds constructed from man made material and erected or used on Public and Tribal lands must have the users name and Harvest License number permanently affixed in legible English letters a minimum of two inches (2") high.

(2) Non-portable deer ground blinds utilizing man-made materials shall be prohibited on State lands prior to November 6.

(3) All blinds utilizing man-made materials shall be removed from State lands within ten (10) days of the end of deer season.

(4) The use and placement of blinds utilizing man-made materials shall be prohibited in State Parks.

(5) All portable blinds shall be removed from State land at the end of each day's hunt unless marked in accordance with subsection (1) above.

21.518 Driving Game.

No Tribal member shall set or use fire to drive game or to attempt to take game.

21.519 Baiting.

(1) The use of salt and/or bait to hunt for game is permitted, unless specifically disallowed elsewhere in this Chapter or in an administrative regulation.

(2) All containers used to carry bait to the baiting site must be removed.

(3) No drugs or poisons shall be used.

(4) No Tribal member shall use material grains, fruits, vegetables, salts or any other minerals as bait for elk and deer in any area designated by the State of Michigan as a TB designated zones.

(5) Notwithstanding subsection (1) above the baiting of deer in any manner whatsoever in Kent, Ionia, Montcalm, Mecosta, Newaygo, and Ottawa Counties is prohibited.

(6) Effective January 31, 2019 baiting and feeding deer is prohibited in the Lower Peninsula.

(7) The possession and use of natural cervid urine-based lures and attractants while hunting or trapping game species is prohibited with the exception of synthetic cervid

urine-based lures and attractants or natural cervid urine-based lures or attractants that are labeled with the official ATA (Archery Trade Association) Seal of Participation is legal.

(8) No Tribal Member shall use chocolate or anything with cocoa for baiting or feeding of any animal.

21.520 Caliber Limitations.

(1) Any firearm used in hunting M'didaa-E'weesi'ek (big game) must be a center fire firearm of .22 caliber or larger, muzzleloader of .40 caliber or larger, or shotgun using slug, sabot, or buckshot.

(2) Any firearm used in hunting wild turkey must be a shotgun or muzzle loading shotgun using number six (#6) shot or smaller or a rim fire firearm of .17 caliber or larger including all center firearms.

(3) Any firearm used in hunting furbearers must be a rim fire firearm of .17 caliber or larger including all center firearms

21.521 Archery Limitations.

(1) Bow and arrow may be used to hunt Gaachiinhi-E'weesi'ek (small game) and M'didaa-E'weesi'ek (big game) turkey and furbearer provided that a broad head with a cutting surface of at least one-inch (1") diameter must be used to hunt M'didaa-E'weesi'ek (big game).

(2) There is no limitation on cross bows.

21.522 Dogs.

(1) No Tribal member shall hunt deer, elk, moose or wild turkey with dogs, except that it shall be legal to hunt wild turkey with dogs during the fall season.

(2) It shall be legal to use leashed dogs to track wounded game.

(3) All other uses are permitted.

(4) Tribal members may hunt bear with dogs pursuant to Section 21.705.

(5) No Tribal member may run dogs on any wild animal from April 16 to July 14.

(6) Licensed hunters must be present at all times during pursuit of game.

21.523 Hunter's Orange.

(1) Tribal members may not 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.

(2) Tribal members hunting waterfowl, crow, wild turkey and predators do not have to wear hunters orange.

(3) Tribal members may not trap with a firearm on any public lands during daylight hunting hours unless one (1) square foot of hunters orange is worn and visible from all sides.

(4) Tribal members may not hunt with a bow or cross bow on any public lands during the State of Michgian's firearm season during daylight hunting hours unless one (1) square foot of hunters orange is worn and visible from all sides, except, no hunters orange is required while hunting from a ground blind, raised platform or tree stand.

SUBCHAPTER VI: TRAPPING

21.601 Registration of Hides.

(1) Tribal members shall:

(a) At a minimum the bottom jaw of all bobcat, fisher, marten or otter harvested shall be presented to a biological staff person of the Natural Resources Division for inspection and registration within two weeks of the close of the season in which the animal was harvested

(b) Fur harvesters may apply for a one-time waiver of the bottom jaw requirement with Sault Tribe Law Enforcement.

(2) Upon inspection and registration, the animals will have an official seal affixed to the pelt.

(3) All CITES applicable animals shall be tagged in accordance with Federal law.

21.602 Un-Registered Hides-Possession.

Tribal members may not possess or transport a raw (un-processed/not tanned) un-registered (not sealed) bobcat, fisher, marten or otter after the required registration date.

21.603 Federal Law.

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 said 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. If you wish to export bobcat, otter or bear hides from the United States, you will need to obtain a CITES permit.

21.604 Gear.

Traps used for harvesting fur bearers, snowshoe hare or cottontail rabbit shall be leg hold, snares, box type, or body gripping (conibare) seven inches (7”) square, or larger locking type snares.

(1) Body gripping traps larger than seven inches by seven inches (7" x 7") or larger must be at least half submerged in water.

(2) Steel jawed traps cannot have a spread width of more than eight inches (8").

(3) Body gripping traps larger than seven inches by seven inches (7" x 7") cannot be placed:

(a) Within one hundred yards of an occupied building without the owner's consent.

(b) Within three feet (3') of any wire mesh type fence.

(c) Within three feet (3') of a road culvert unless completely submerged in water.

(4) Body gripping (conibare) traps larger than seven inches by seven inches (7" x 7") cannot be set on dry land or frozen water unless it is four feet (4') or more above ground or placed in a box or similar container with openings restricted to seven inches by seven inches (7" x 7") or less.

(5) No steel jawed traps with teeth shall be set, placed or operated.

(6) Snaring regulations: The following restrictions apply to snaring activities.

(a) Any snare must be anchored so that it cannot be dragged.

(b) Any snare, other than a rabbit snare, must be tagged with the applicable Harvest License number.

(c) No snare may be spring activated.

(d) Any snare must be set in a manner which prevents an animal from being suspended unless it is attached to a drowning mechanism.

(e) All snares must be removed no later than March 31.

(f) Except for snares for rabbit and hare, any snare or cable wire may not have a diameter exceeding 1/8 inch.

(g) Except for snares for rabbit and hare, any snare must have a swivel device on the anchor end.

(h) No upland snare shall be set on a well-defined deer trail.

(i) No upland snare shall be set such that the top of the loop is more than twenty-four (24") inches above the ground or, when the ground is snow covered, more than twenty-four (24") inches above the adjoining trail.

(j) No upland snare shall be set with a loop size greater than fifteen (15") inches in diameter.

(k) Braided picture wire snares without locks or swivels may be used for the purpose of snaring rabbits or hares.

21.605 Trap Markings.

All traps and snares set shall be clearly marked with the name and current address of the person who set the trap or **t**heir Harvest License number

21.606 Attendance.

All traps shall be attended every 72 hours.

21.607 Live Animals.

Tribal members may 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 Harvest License .

21.608 Baiting.

Tribal members may bait for trapping, provided that bait must be placed where it is not readily accessible by raptors.

21.609 Turtle.

All traps used for turtles shall have at least four inches (4”) of air space inside the trap.

21.610 Destruction of Dens.

Tribal members may not molest or break open the house, lodge hole, nest, burrow, or den of a badger, beaver, mink, muskrat, or raccoon, whether occupied or not.

21.611 Beaver Dams.

Tribal members may not set a trap on a beaver dam or lodge unless the trap is fully submerged below the water.

21.612 Incidental Catch.

An incidentally trapped or snared animal must be released if possible. If the animal is not capable of being released the Tribal member must report the incident to the Division within 72 hours. The Division may require the animal to be turned in within 72 hours after the report is made. The Division may return the animal to the Tribal member at its discretion.

SUBSECTION VII: HUNTING & TRAPPING SEASONS AND BAG LIMITS

21.701 Small Game.

(1) Season shall be September 1 through March 31

(2) A limit of ten (10) of each species per day and a possession and transport limit of no more than two (2) days' limit.

(3) Sharp-tail grouse may be harvested under a Harvest License pursuant to the following regulations:

(a) Season shall be October 1 through November 30

(b) A limit of (4) four per day and (12) twelve per season and a possession limit and transport limit of no more than (2) two day's limit.

21.702 Deer.

The Chronic Wasting Disease Core Area is defined in Kent, Ionia, Montcalm, Mecosta, Newaygo, and Ottawa Counties.

Deer may be harvested with a bow and arrow, cross bow, rifle, shotgun, handgun or muzzleloader subject to the following seasons and bag limits.

(1) Bow and crossbow season shall be the day after Labor Day through the Sunday of the first full weekend in January.

(2) Firearm season shall be:

(a) Early season shall be the day after Labor Day through November 9.

(b) Late season shall be November 15 through the Sunday of the first full weekend in January.

(3) The bag limit for deer shall be:

(a) A limit of five (5) deer per Tribal member per year, no more than two of which may be antlered with one antler measuring at least three inches (3”).

(b) For the early firearm season the bag limit shall be two (2) deer, only one of which may be antlered with one antler measuring at least three inches (3").

Transportation of deer carcasses from the Chronic Wasting Disease Core Area is prohibited unless it is deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount.

21.703 Wild Turkey.

(1) Wild turkey season shall be:

(a) Spring season shall be April 15 through June 15. Bag limit shall be 2 bearded-birds only.

(b) Fall season shall be September 15 through November 14. Bag limit shall be 2 birds of either sex combined.

(2) The bag limit for turkey shall be two birds per season.

21.704 Furbearers.

(1) Firearm and Trapping Seasons shall be:

(a) For bobcat, badger, grey fox, red fox, , raccoon and mink October 1 through March 31.

(b) For snowshoe hare, cottontail rabbit, , grey squirrel, black squirrel and fox squirrel September 1 through March 31.

(c) For fisher and pine marten October 1 through March 15.

(d) For muskrat October 1 through April 30.

(e) For otter October 1 through May 15 in the Upper Peninsula and October 1 through April 15 in the Lower Peninsula.

(f) For beaver - October 1 through May 15 in the Upper Peninsula and October 1 through April 30 in the Lower Peninsula.

(g) For coyote, red squirrel skunk, weasel, porcupine and opossum no closed season.

(2) Bag limits shall be:

(a) For bobcat two (2) per season with a maximum of one (1) bobcat harvested from Lower Michigan.

(b) For pine marten and fisher three (3) per season, only in the Upper Peninsula.

(c) For otter five (5) per season in the Upper Peninsula and three (3) per season in the Lower Peninsula.

(d) For rabbit and squirrel a limit of ten of each species per day and a possession and transport of no more than two days limit.

(e) All other species have no bag limit.

21.705 Bear.

Bear may be harvested with a bow and arrow, cross bow, rifle, shotgun, handgun or muzzleloader subject to the following.

(1) Bear season shall commence on the same day as the State of Michigan's first bear season and shall end no later than the last day of the State of Michigan's last bear season.

(2) The hunting of bear shall be authorized by a Bear Permit through a lottery system.

(a) A Tribal member shall not hunt bear without having on their person a valid Bear Permit.

(b) The number of Bear Permits available for each year's hunt shall be determined by the Division.

(c) Permits shall be restricted to stated geographic boundaries.

(d) No Tribal member shall engage in hunting for bear outside the geographic area designated on their Bear Permit.

(3) No Tribal member may disturb a bear den or harass a bear in its den.

(4) No Tribal member may take a cub or a sow accompanied by a cub.

(5) Tribal members may use bait subject to the following.

(a) Bait may be used from July 1 to October 26;

(b) Bait may be hung from a tree or placed on the ground;

(c) Bait may be placed in a barrel or other container intended to hold bait so long as the barrel or container must is fastened to a tree or other immovable object in a manner that prohibits a bear from carrying off the barrel or container away from the baiting site;

(d) Bait in a TB zone must be presented in a manner that renders it inaccessible to deer or elk.

(e) Except as specified under 21.522 Baiting, there is no limit on the type or amount of bait.

(f) Containers used to transport bait to a baiting site must be removed from the baiting site and disposed of properly.

(6) Tribal members may use dogs subject to the following.

(a) No more than eight dogs may be run as a pack during season or training season.

(b) All dogs must be immunized.

(c) No Tribal member shall train a dog on a captive or otherwise restrained bear.

(d) No Tribal member may use dogs to hunt bear one half hour after sunset to one half hour before sunrise.

21.706 <u>Elk.</u>

(1) The Conservation Committee shall establish the number of and duration of the seasons if there is to be more than one season per year.

(2) The hunting of elk shall be authorized by a permit.

(a) A Tribal member shall not hunt elk without having on their person a valid elk permit.

(b) The number of elk permits available for each season's hunt shall be determined by the Division.

(c) Elk permits shall be distributed in accordance with a lottery system administrated by the Committee. The Committee shall establish an application period and a date certain upon which drawing results shall be posted. These dates may be adjusted from time to time as the Committee deems necessary.

(d) The Committee may authorize the transfer of an issued permit to another Tribal member.

(e) The Committee shall restrict the use of a permit to stated geographic boundaries.

(f) No Tribal member shall engage in hunting for elk outside the geographic area designated on the permit.

(3) Permit holders shall be required to attend a mandatory elk hunting orientation session. Failure to attend shall result in that Tribal member's permit being voided and reissued by the Division. Any biological or harvest reporting data required of the Tribal member at the orientation shall be a condition of the permit.

(4) Rifles must be at least a 24-caliber coupled with an 85-grain bullet or greater and must exert at least 1000 lbs. of energy at 100 yards.

(5) Hand guns must have a minimum barrel of four (4") inches, be of 24 caliber or larger and have 550 ft. lbs. energy at 50 yards.

(6) Tribal members shall not use food material to attract elk for the purpose of aiding their elk hunting efforts.

(7) Any Tribal member who draws an elk tag pursuant to these regulations shall be prohibited from entering the elk tag lottery.

21.707 Special Circumstance Transfer of Elk or Bear Permits

(1) An Elk or Bear Permit may be transferred to an eligible immediate family member in the case of the death of the permit holder.
   (a) Proof of death must be provided to Sault Tribe Law Enforcement to proceed with a transfer of the license.
   (b) Sault Tribe Law Enforcement will issue a transfer Permit to the eligible immediate family member.
   (c) If there is no immediate family member to transfer the permit to, the permit may be transferred to a member with an advanced illness under (2)

of this Section, if there are no members with an advanced illness to transfer to, the permit will be issued to someone on the alternative list.

(2) A person who receives an Elk or Bear Permit may transfer that permit to any eligible member who has been diagnosed with an advanced illness. Advanced illness is defined by the Public Health Code and requires a Physician Certification of Advanced Illness (PDF).
   (a) A member with an advanced illness wishing to receive a transferred permit must fill out a transfer form at Sault Tribe Law Enforcement and provide a completed (PDF).
   (b) Sault Tribe Law Enforcement will issue a transfer Permit to the eligible member who has been diagnosed with an advanced illness.

(3) All Permit transfers under this section must be started no less than five (5) days before the start of Elk or Bear season.

SUBCHAPTER VIII: MIGRATORY BIRDS

21.801 Migratory Bird Regulations.

(1) The Conservation Committee shall work with the Natural Resources Division to determine season dates, bag limits, and other migratory bird hunting restrictions on an annual basis.

(2) The regulations contained in 50 CFR part 20 are incorporated herein, except where they contradict the above.

SUBCHAPTER IX: INLAND FISHING REGULATIONS

21.901 Fishing Licenses.

No Tribal member may fish within the Ceded Territory unless he or she has in their possession a current and valid Tribal Fishing License.

21.902 Restrictions.

No Tribal member may:

(1) Use explosives, drugs, poisons, lime, medicated bait or other deleterious substances to take or attempt to take fish.

(2) Use firearms to take or attempt to take fish.

(3) Take any fish without a Tribal fishing license.

(4) Take any fish without a required permit.

(5) Use a snag hook to take or attempt to take fish.

(6) Wantonly destroy or waste of fish.

(7) Harass or impede another fisherman or boater.

(8) Possess any fish not hooked in the mouth while fishing with hook and line.

(9) Sell bait fish.

(10) Fish within one-hundred feet (100') of electrical lamprey control devices while in operation.

(11) Fish within one-hundred feet (100') of the lamprey control barrier on the Betsie River.

(12) Fish in the Rock River (Alger County) from the dam to the lower foot bridge downstream from M-28 (T47N, R21W, Sec. 15) from April 1 through June 30.

(13) Fish within three-hundred feet (300') of any of the State's salmon and steelhead egg collection weirs while in operation.

(14) Spear in the following Upper Peninsula Streams: Chocolay River; Mosquito River; Big Two Hearted River; Little Two Hearted River; and Anna River from its mouth upstream to the railroad crossing by Wagner Falls in Section 14, Township 46 North, Range 19 West.

21.903 <u>Methods and Gear</u>.

(1) Tribal members may use poles, rods, reels, tip-ups, clubs, trot lines, hand lines, spears, bows and arrows, seines, dip-nets, cast or hand nets and hands to fish.

(2) No Tribal member may use such gear without complying with the provisions in this Section as well as with all other applicable provisions in this Chapter.

(3) Hook and Line.

(a) On open water hook and line fishing is limited to four (4) lines per person.

(b) Ice fishing is limited to seven (7) lines per person.

(c) With a trot line:

(i) If on open water one end if the trotline is clearly marked with a gallon buoy along with the name of the Tribal member who set the line.

(ii) If through the ice one end of the trot line is clearly marked with an object having one foot visible above the ice along with name of the Tribal member who set the line.

(iii) Trotlines must be checked daily.

(d) All tip-ups shall be identified by name of the Tribal member fishing the tip-up and must be attended.

(4) No Tribal member may use a gill net in any inland lake or stream except with a permit.

(5) Tribal members may use impoundment nets subject to the following restrictions:

(a) No Tribal member shall use monofilament in any part of an impoundment net.

(b) The mesh size shall not be larger than three inch (3") stretch mesh.

(c) Pots shall not exceed eight feet (8') in length by five feet (5') in width or six feet (6') in height.

(d) Leads shall not exceed one-hundred and fifty feet (150') in length.

(e) The end of the lead, the ends of any wings used and the pot shall be marked with, at a minimum, a gallon sized buoy displaying the Tribal member's license number.

(f) Impoundment nets may only be used in lakes.

(i) No Tribal member shall use impoundment nets in streams except when harvesting burbot in accordance with Subjection 21.903(5)(d)(ii) below.

(ii) Impoundment nets may be used to harvest burbot in the AuTrain River in Alger County from AuTrain Lake to the mouth of the river from December 15 through the end of February with a permit.

(g) Tribal members must obtain a permit prior to setting any impoundment nets, and must be in possession of such permit when fishing with an impoundment net.

(h) Each permit will specify a bag limit, a time period for which the permit is valid and a lake system for which the permit is valid. A Tribal member fishing under such a permit must comply with the bag limit, time period and location set forth in the permit. Impoundment nets shall only be in the water during the time period for which the permit is valid.

(6) Tribal members may use short seines and long seines subject to the following restrictions:

(a) Short seines must be less than twelve feet (12') in length and no more than four feet (4') in depth.

(b) Long seines may be more than twelve feet (12') in length but must not be longer than thirty feet (30') in length or more than four feet (4 ') in depth.

(c) No Tribal member shall use long seines constructed of monofilament that exceed one and one-half inch (1.5") stretch mesh size.

(d) No Tribal member shall use seines in streams unless in possession of a special ceremonial permit issued under Section 21.903(6)(f) below, provided that Tribal members may use short seines to take minnows for personal use in non-trout streams.

(e) No Tribal member shall use a purse seine.

(f) A limited number of special ceremonial permits may be issued in streams from December 1 through March 31.

(7) Fixed ice shanties must have the owner's name and address permanently affixed on all sides with letters at least three inches (3") high.

21.904 <u>Baitfish.</u>

No Tribal member may take baitfish except in accordance with the following provisions:

(1) Tribal members may take baitfish for personal use only with hook and line, seines, dip nets, hand net, cast nets, and minnow traps with a Tribal fishing license.

(2) Seines shall not be used to take baitfish from trout streams or from Big Glen Lake (Leelanau Co.) or any of its tributaries for one-half mile above their mouths.

(3) Seines use to harvest minnows must not be over twelve feet (12') by four feet (4').

21.905 Special Restrictions for Pike & Muskellunge.

(1) No Tribal member may take pike and muskellunge from the bodies of water identified herein except in accordance with the following provisions.

(2) No Tribal member may spear pike or muskellunge from the following lakes, except that Tribal members may spear northern pike on waters marked * from January 1 through the end of February:

Alpena County:
Fletcher Floodwaters

Cheboygan County:
Cornwall Impoundment

Chippewa County:
Caribou Lake

Clare County:
Budd Lake

Delta County:
*Dana Lake

Kent County:
Campau Lake
Murray Lake

Mackinac County:
Brevort Lake

Marquette County:
Fish Lake

Montmorency County:
Fletcher Floodwaters
West Twin Lakes

Muskegon County:
Mona Lake
West Twin Lakes

Otsego County
Big Bear Lake

Ottawa County:

Lake Macatawa

Schoolcraft County
Big Bass Lake
Grassy Lake
McKeever Lake

(3) No Tribal member may take or possess northern pike in Potagannising River (Chippewa County) below the Potagannising Dam downstream to Maxton Road from April 15 through May 15.

21.906 Special Restrictions for Walleye.

No Tribal member may take walleye in either a Walleye or a Non-Walleye Lake Systems except in accordance with the following provisions.

(1) During the following seasons no Tribal member shall use Restricted Fishing Methods, defined as spears, bows, trotlines, clubs, impoundment nets, long seines, hand nets, or hook and line, in a Walleye Lake System unless in possession of a valid permit Walleye Harvest Permit:

(a) In the Upper Peninsula from April 1 through May 14.

(b) In the Lower Peninsula from March 15 through the Friday before the last Saturday in April.

(c) In all seasons when using impoundment nets or long seines.

(2) No Tribal member shall use impoundment nets or long seines in either Walleye Lake Systems or Non-Walleye Lake Systems at any time unless in possession of a valid Walleye Harvest Permit.

(3) No Tribal member shall retain walleye less than fourteen inches (14") in length, except walleye less than fourteen inches (14") that are speared or shot with an arrow must be retained as a part of the daily bag limit without penalty to the fisher.

(4) Walleye Harvest Permits shall specify a bag limit, specific method of harvest (spear, impoundment net, etc.), time period for which the permit is valid and lake system for which the permit is valid. A Tribal member fishing under such permit must comply with the bag limit, harvest method, time period and location set forth in the permit.

21.907 Special Restrictions for Walleye at Bays de Noc.

(1) No Tribal member shall harvest walleye in streams tributary to the Bays de Noc between March 1 and March 14.

(2) No Tribal member shall harvest walleye in streams tributary to the Bays de Noc between March 15 and May 15, unless in possession of a valid Bays de Noc Walleye Harvest Permit.

(3) A Tribal member may harvest walleye in streams tributary to the Bays de Noc pursuant to Section 21.914.

(4) Permits shall be specific to method of harvest (spearing or hook and line) and shall not allow the use of both methods simultaneously.

(5) No Tribal member shall retain walleye less than fourteen inches (14") in length, except that walleye less than fourteen inches that are speared must be retained as a part of the daily bag limit without penalty to the fisher.

(6) Bays de Noc Walleye Harvest Permit will specify a bag limit not to exceed ten (10) fish, specific method of harvest (spear or hook and line), time period for which the permit is valid and tributary for which the permit is valid. A Tribal member fishing under such permit must comply with the bag limit, possession limit, harvest method, time period and location set forth in the permit.

(7) Bays de Noc tributaries open under this Section are:

Delta County: Sturgeon River, Escanaba River, Days River, and Rapid River.

21.908 Special Restrictions for Trout on Specified Stream Segments.

(1) No Tribal member shall fish in the following categories of streams without complying with the restrictions set forth in this Section.

(2) In Category 5 Streams:

(a) Possession of brown trout, brook trout and Atlantic salmon is prohibited from October 1 through the last Friday in April. All other trout and salmon species may be possessed all year.

(b) Artificial flies only.

(c) The minimum size limits are:

(i) For brook trout and salmon (Coho, Chinook & Pink) ten inches (10").

(ii) For brown trout, rainbow trout (steelhead), splake and Atlantic salmon fifteen inches (15").

(iii) For lake trout twenty-four inches (24”).

(d) Retention of more than two (2) fish per species per day is prohibited for lake trout, rainbow trout, splake, brook trout, brown trout and salmon (all varieties) are two (2) per species per day.

(e) Category 5 Stream Segments.

Crawford County:

Manistee River - from M-72 downstream to CCC bridge;

North Branch AuSable River - from Sheep Ranch downstream to confluence with Mainstream;

South Branch AuSable River - from Lower High Banks downstream to confluence with Mainstream.

Kalkaska County:

Manistee River- from M-72 downstream to CCC Bridge.

Lake County:

Little Manistee River - from Spencer’s Bridge (T19N, R13W, Sec. 5) downstream to Johnson’s Bridge (T20N, R14W, Sec.24).

(3) In Category 6 Streams:

(a) Possession of brown trout, brook trout, and Atlantic salmon is prohibited from October 1 through the last Friday in April. All other trout and salmon species may be possessed all year.

(b) Artificial lures only.

(c) The minimum size limits are:

(i) For brook trout, splake and salmon (Coho, Chinook & Pink) ten inches (10”).

(ii) For brown trout and rainbow trout (steelhead) twelve inches (12”).

(iii) For Atlantic salmon fifteen inches (15”).

(iv) For lake trout twenty-four inches (24”)

(d) Retention of more than two (2) fish per species per day is prohibited for lake trout, rainbow trout, splake, brook trout, brown trout, and salmon (all varieties) -are two (2) per species per day.

(e) Category 6 Stream Segments.

Delta County:

Escanaba River-from Boney Falls Dam downstream to mouth of Sliver Creek (T40N, R23W, Sec. 11).

(4) In Category 7 Streams.

(a) Possession of lake trout, rainbow trout, splake, brook trout, brown trout, or salmon (any variety) while on or along category 7 stream segments and/or possess any lake trout, rainbow trout, splake, brook trout, brown trout, or salmon (any variety) harvested from category 7 stream segments is prohibited.

(b) Artificial flies only.

(c) Catch and release only.

(d) Category 7 Stream Segments.

Crawford County:

AuSable Mainstream – from Burtons Landing to Wakeley Bridge;

South Branch AuSable River- from Chase Bridge downstream to Lower High Banks.

Lake County:

Pere Marquette River- from M-37 downstream to Gleason’s Landing (T17N, R13W, Sec. 18).

(5) No Tribal member shall possess live, dead or preserved bait, organic or processed food or scented materials on any of the stream segments or banks of the stream segments described in this Section.

(6) No Tribal member shall use spears or bows to harvest steelhead in the Little Manistee River from the mouth of the Little Manistee River at its confluence with Manistee Lake upstream to three-hundred feet (300’) downstream from the Little Manistee River Weir.

21.909 Special Restrictions for Trout Ponds.

(1) No Tribal member shall fish in trout ponds (type "D" lakes) without complying with the restrictions set forth in this Section.

(a) Possession of brown trout, brook trout, lake trout, rainbow trout (steelhead), Coho, Chinook, Pink and Atlantic salmon is prohibited from October 1 through the last Friday in April.

(b) Artificial lures only.

(c) No Tribal member may use a spear to harvest any type of fish on lakes listed in this Section.

(d) No Tribal member may possess live, dead or preserved bait, organic or processed food or scented materials on any of the lakes or banks of the lakes described in this Section.

(e) Minimum size limits are:

(i) For brook trout, brown trout, rainbow trout (steelhead), splake, lake trout and Atlantic salmon fifteen inches (15”).

(ii) For Coho, Chinook and pink salmon ten inches (10”).

(f) Retention of more than one (1) fish species per day is prohibited for lake trout, rainbow trout, splake, brook trout, brown trout, and salmon (all varieties).

(2) Trout ponds (type “D” lakes) subject to this Section are:

(a) In the Upper Peninsula:

Luce County: Deer Lake, Moon Lake and Sid Lake.

Marquette County: S. Kidney Lake, Pauls Lake (North), Pauls Lake (South), Rockingchair Lake (North), Rockingchair Lake (South), and Strawberry Lake.

Schoolcraft County: Ned’s Lake, and Twilight Lake.

(b) In the Lower Peninsula:

Cheboygan County: Twin Lake #1.

Grand Traverse County: Sand Lake #2.

21.910 Special Restrictions for Protected Streams

(1) The following steelhead (rainbow) restrictions apply to the protected stream segments listed below. No Tribal member shall fish in such stream segments without complying with the restrictions set forth in this Section.

(a) Tribal members may harvest steelhead with hook and line in the stream segments listed in this Section except during the following closed seasons:

(i) In Upper Peninsula stream segments April 1 to the last Saturday in April.

(ii) In Lower Peninsula streams segments March 15 to the last Saturday in April.

(iii) No Tribal member may fish for steelhead with a spear in the stream segments listed in this subsection except from April 1 through April 15.

(b) No Tribal member may fish for steelhead with a spear in the stream segments listed in this Section unless in possession of a Protected Streams Spearing Permit.

(c) No Tribal member shall retain steelhead less than sixteen inches (16") in length, except that steelhead less than sixteen inches that are speared must be retained as a part of the daily bag limit without penalty to the fisher.

(d) Protected Streams Spearing Permits will specify a bag limit (not to exceed 3 fish), field possession limit (twice the bag limit), time period for which the permit is valid and stream segment for which the permit is valid. Tribal member fishing under such permit must comply with the bag limit, possession limit, time period and location set forth in the permit.

(2) Protected Stream Segments are:

(a) In the Upper Peninsula:

Alger County:

Sucker River: mainstem of the Sucker River and its tributaries upstream of Seney Road Bridge.

Chippewa County:

North Branch of the Pine River: North Branch of the Pine River and tributaries upstream of the Highway 40 Bridge.

Mainstream of the Pine River: Mainstream of the Pine River and its tributaries upstream of the confluence with the North Branch of the Pine River.

Mackinac and Chippewa County:

Black River: Black River mainstream and tributaries upstream of the confluence of Peters Creek.

North Branch of the Pine River: North Branch of the Pine River and tributaries upstream of the Highway 40 Bridge.

Mainstream of the Pine River: Mainstream of the Pine River and its tributaries upstream of the confluence with the North Branch of the Pine River.

North Branch of the Carp River: North Branch of Carp River and its tributaries.

South Branch of the Carp River. South Branch of the Carp River and its tributaries.

(b) In the Lower Peninsula:

Antrim County:

Jordan River: The mainstream Jordan River and all tributaries above Graves Crossing.

Benzie County:

Dair Creek: Dair Creek and its tributaries.

Little Betsie: Little Betsie River and its tributaries in the Betsie River watershed.

Platte River: The mainstream of the Platte River from the upper State-owned hatchery weir downstream to Platte Lake.

Cheboygan County:

Pigeon River-The mainstream Pigeon River and its tributaries upstream of Webb Road.

Sturgeon River: The mainstream Sturgeon River upstream of Afton Rd (a.k.a. Webb Road or Wolverine Road near Wolverine) and the West Branch of the Sturgeon River and its tributaries.

Lake County:

Baldwin River: Baldwin River and all tributaries upstream of M-37 in the Pere Marquette Watershed.

Little Manistee River: Little Manistee River mainstream from Spencer's Bridge upstream, including all tributaries.

Manistee County:

Bear Creek: Above County Road 600, Bear Creek mainstream and tributaries in the Manistee River watershed.

Dair Creek: Dair Creek and its tributaries.

Little Betsie River: Little Betsie River and its tributaries in the Betsie River watershed.

Muskegon County:

Cedar Creek: Cedar Creek and its tributaries upstream from River Road.

Bigelow Creek: Bigelow Creek and its tributaries in the Muskegon River watershed.

Skeel Creek: Skeel Creek and its tributaries.

North Branch of the White River: North Branch of the White River above Arthur Road in the White River watershed.

Newaygo County:

Cedar Creek: Cedar Creek and its tributaries upstream from River Road.

Bigelow Creek: Bigelow Creek and its tributaries in the Muskegon River watershed.

Baldwin River: Baldwin River and all tributaries upstream of M-37 in the Pere Marquette Watershed.

Pere Marquette Watershed: All tributaries upstream of M-37 in the Pere Marquette Watershed.

Oceana County:

Skeel Creek: Skeel Creek and its tributaries.

North Branch of the White River: North Branch of the White River above Arthur Road in the White River watershed.

Otsego County:

Pigeon River: The mainstem Pigeon River and its tributaries upstream of Webb Road.

Sturgeon River: The mainstem Sturgeon River upstream of Afton Rd (a.k.a. Webb Road or Wolverine Road near Wolverine).

West Branch of the Sturgeon River: The West Branch of the Sturgeon River and its tributaries.

Presque Isle County:

Little Ocqueoc River: Little Ocqueoc River and its tributaries.

Silver Creek: Silver Creek and its tributaries in the Ocqueoc River watershed.

21.911 Special Restrictions for Salmon.

(1) No Tribal member may spear Atlantic salmon in the Torch Lake watershed.

(2) On the Little Manistee River:

(a) No Tribal member may fish for Chinook salmon in the Little Manistee River from the mouth of the Little Manistee River at its confluence with Manistee Lake upstream to three-hundred feet (300') downstream from the Little Manistee River Weir with the use of a spear, bow, dip net, cast or hand net or hands unless in

possession of a permit issued by the Natural Resource Division authorizing such fishing.

(b) No Tribal member may fish with hook and line gear from September 6 through October 15 or with spears at any time in the vicinity of the Little Manistee River at its confluence with Manistee Lake. The closed area is defined by a line extending from a squared red post located one-hundred feet (100') southeast of the launch ramp at the MDNR Public Access Site on the east shore, extending southwesterly to a squared red post on the west shore located near the southern end of the Packaging Corporation of America's plant.

(c) No Tribal member may fish for Coho salmon within three-hundred feet (300') of the lower weir on the Platte River.

21.912 Special Restrictions for Quality Lakes.

(1) No Tribal member may fish in designated "quality" lakes identified in this Section without complying with the corresponding restrictions set forth in this Section.

(2) In **Crawford County** on Jones Lake:

(a) Open season is June 1 through September 30.

(b) Artificial lures only.

(c) Catch and release only.

(d) No Tribal member may possess live bait on any portion of the lake or on the banks of the lake.

(3) In **Crawford County** on Wakeley Lake

(a) Open season is June 15 through August 31.

(b) Artificial lures only.

(c) Catch and release only.

(d) No Tribal member may possess live bait on any portion of the lake or on the banks of the lake.

(4) In **Montmorency County** on North and South Blue Lakes and Robarge Lake.

(a) Open season is the last Saturday in April through September 30.

(b) Artificial lures only.

(c) Catch and release only.

(d) No Tribal member may possess live bait on any portion of the lake or on the banks of the lake.

21.913 Harvest Report.

(1) Tribal members must obtain and submit complete harvest reports for the harvest of trout, salmon, walleye, northern pike or muskellunge when fishing with a spear, bow, crossbow, impoundment net, seine, hands, trotline, dip net or cast or hand net.

(2) Tribal members are not required to submit harvest reports for fish speared through the ice. This exception does not apply when spearing through the ice pursuant to Sections 21.906, 21.907 or 21.910.

(3) Tribal members must also obtain and submit complete harvest reports when fishing with a permit under a Walleye Harvest Permit, Bay de Noc Walleye Harvest Permit, or Protected Streams Spearing Permit.

(4) Harvest reports must be returned within seven (7) days of harvest, with the exception of the Mullett Lake-Black River-Cheboygan River System where harvest must be reported within 24 hours, during the 2016 specially regulated harvest season (March 15-April 29, 2016).

(5) Harvest reports shall identify the body of water where the harvest took place, date of harvest, and number of fishes harvested by species. For harvests of steelhead in protected streams under a Steelhead Spearing Permit, harvest reports shall identify the stream segment where the harvest took place.

(6) Tribal members failing to comply with subsections (1) through (5) above are prohibited from receiving any license or permit issued pursuant to this Chapter, Chapter 20 or Chapter 23 until such time as they submit a complete report as applicable.

21.914 General Seasons.

(1) No Tribal member shall fish for a species of fish except during a designated open season for that species, subject to the limitations in Sections 21.906 through 21.912.

(2) For all species except sturgeon, grayling, walleye, trout and salmon open season is all year.

(3) For Lake Sturgeon there is no open season except in Otsego Lake. Otsego Lake is open for hook and line fishing all year and for spearing through the ice.

(4) There is no open season for grayling.

(5) Open season for walleye.

(a) In Bays de Noc tributaries.

(i) March 1 through May 15 all harvest is prohibited without a permit issued pursuant to Section 21.907.

(ii) May 16 through the end of February is open season and no Bay de Noc Walleye Harvest Permit is required:

(iii) March 15 through May 15 harvest is permitted pursuant to a Section 21.907 permit

(b) In Walleye Lake Systems walleye harvest by any method is prohibited without a permit issued pursuant to Section 21.906.

(i) In the Lower Peninsula March 15 to the Friday before the last Saturday in April.

(ii) In the Upper Peninsula April 1 to May 14.

(c) In Non-Walleye Lake Systems walleye harvest is allowed all year by any method except impoundment nets and seines.

(d) In Walleye Lake Systems harvest of walleye using any method except impoundment nets and seines is allowed from:

(i) In the Lower Peninsula first Saturday in April through March 14.

(ii) In the Upper Peninsula May 15 through March 31.

(e) In Non-Walleye Lake Systems open season is all year.

(f) On Great Lake tributaries, other than Bays de Noc tributaries, open season with any gear is all year unless prohibited elsewhere.

(6) Open season for salmon and trout is all year except as otherwise provided in Sections 21.908 through 21.912

21.915 <u>Size Limits.</u>

(1) Except as otherwise provided in Sections 21.908 through 21.912, no Tribal member may retain fish that do not meet the applicable size limits in this Section.

(2) For trout and salmon seven-inch (7") minimum.

(3) For largemouth and smallmouth bass ten-inch (10") minimum.

(4) For northern pike twenty-inch (20") minimum, except there is no size limit on the following lakes and rivers:

(a) In the Upper Peninsula:

Alger County

Nawakwa Lake
Trout Lake
16 Mile Lake

Chippewa County

Frenchman Lake

Delta County

Carr Lake
Chicago Lake
Hamilton Lake
Escanaba River (upstream from first dam at US-2)

Luce County

East Lake
Muskallonge Lake

Mackinac County

East Lake

Marquette County
Cedar Lake
Engman Lake
Dead River Storage Basin
Witch Lake
Middle Br. Escanaba River
Big West Br. Escanaba River

Escanaba River (upstream from first dam at US-2)

Schoolcraft County
Boot Lake
Crooked Lake
Kennedy Lake
Stanley and Thunder Lakes

(b) In the Lower Peninsula:

Alcona County

Badger Lake

Charlevoix County

Deer Lake
Fox Lake
Geneserath Lake
Hoffman Lake
Six Mile Lake

Cheboygan County

Black River upstream of Tower Dam (includes Tower Pond) and tributary streams only.
Silver Lake
Wildwood Lake

Clare County

Lake Thirteen

Crawford County

Big Creek Impoundment
River Lake
Pickerel Lake

Emmet County

French Farm Lake
O'Neal L. Floodings

Grand Traverse County

Boardman Lake
Brown Bridge Pond
Lake Dubonnet

Kent County

Bass Lake

Leelanau County

Florence Lake (S. Manitou Is.), artificial lures only

Manistee County

Bar Lake

Mason County

Hackert Lake (Crystal Lake)

Mecosta County

Haymarsh Lake

Missaukee County

Missaukee Lake

Montmorency County

East and West Town Corner Lakes
Black River and tributary streams only

Muskegon County

Big Blue Lake

Oceana County

Round (Wykoff) Lake
Silver Lake

Osceola County
Lake Miramichi
Rose Lake

Wells Lake

Oscoda County
Pickerel Lake

Otsego County

Black River and tributaries

Presque Isle County

Frandcis Lake
Ocqueoc River and tributary streams upstream of, but not including Ocqueoc Lake, Ocqueoc
Watershed Lakes (Ann, Bullhead, Ella, Emma, Ferdelman, Gorman, Horseshoe, Lost, Louise, Lower and Upper Barnhart, May, McIntosh, Moore, Mud and Nettie)
Black River and tributary streams only (not including Tomahawk Flooding).

Roscommon County

Lake St. Helen
Backus Cr.
Mud Lake
Little Mud Lake Waterfowl Flooding

(5) For muskellunge and tiger muskellunge thirty-eight-inch (38") minimum, except thirty-inch (30") minimum on lakes listed in Section 21.905

(6) For walleye fourteen-inch (14") minimum.

(7) For bluegill, sunfish, crappie, lake whitefish, Menominee, perch, catfish species, and other species not listed there is no minimum size.

21.916 Daily Catch Limits.

No Tribal member may harvest fish in excess of the applicable daily catch limits in Sections 21.908 through 21.912 and this Section, whichever is less.

(1) For lake trout, rainbow trout, splake, brook trout and brown trout five (5) per species per day in lakes with a maximum of ten (10) in combinations.

(2) For brook trout, brown trout, and rainbow trout in streams a maximum of ten (10) in any combination, no more than five (5) of which may be over sixteen inches (16") long.

(3) For Coho, Atlantic, Pink and Chinook salmon five (5) per species per day.

(4) For muskellunge and tiger muskellunge two (2) per day.

(5) For largemouth bass, small mouth bass, and walleye ten (10) per species per day except where specified otherwise by permit.

(6) For bluegill, sunfish, crappie, lake whitefish no limit.

(7) For northern Pike ten (10) per day.

(8) For Lake Sturgeon one (1) per season.

(9) For smelt a two (2) gallon limit for smelt caught with the use of seine.

(10) For perch one hundred (100) per day.

(11) For any species not listed: No creel limit.

21.917 Black Lake Sturgeon Season.

(1) The Conservation Committee shall establish the number of sturgeon permits and the duration of the seasons if there is to be more than one season per year.

(2) The fishing of sturgeon shall be authorized by permit.

(3) A Tribal member shall not fish for a sturgeon without having on their person a valid sturgeon permit.

(4) The number of sturgeon permits available for each sturgeon season shall be determined by the Division.

(5) Sturgeon permits shall be distributed in accordance with a lottery system administered by the Committee. The Committee shall establish an application period and a date certain upon which drawing results shall be posted. These dates may be adjusted from time to time as the Committee deems necessary.

(6) The Committee may authorize the transfer of an issued permit to another Tribal member.

(7) The Committee shall restrict the use of a permit to stated geographic boundaries.

(8) No Tribal member shall fish for sturgeon outside the geographic area designated on the permit.

SUBCHAPTER X: AMPHIBIANS & REPTILES

21.1001 Amphibians.

(1) Amphibians may be taken the last Saturday in May through November 15 with no size limit.

(2) 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.

21. 1002 Turtles.

(1) Snapping turtles and soft-shell turtles may be taken July 1 through September 30.

(2) Snapping turtles and soft-shell turtles must have a twelve-inch (12") carapace length, being the top of shell from front to back.

(3) No more than 10 soft shell and snapping turtles, in aggregation, shall be taken per day.

(4) No tribal member may possess any of the following turtle species: Blanding's, spotted, wood and eastern box turtle.

(5) No tribal member may possess any of the following species: black rat snake, eastern fox snake, copperbelly watersnake, Kirtland's snake and massasauga rattlesnake; boreal chorus frog, Blanchard's crick frog; smallmouth salamander, marbled salamander; all reptile eggs; and all other reptiles and amphibians protected under part 365 (Endangered Species) of 1994 P.A. 451.

21.1003 Gear and Method.

(1) Amphibians and reptiles may be taken by hand, trap, trot, dip nets, cast or hand nets, seines and hook and line. Frogs may be speared or taken with an air gun or slingshot.

(2) All traps shall have at least four inches (4") of air space inside the trap.

SUBCHAPTER XI: GATHERING ON STATE LAND

21.1101 General.

(1) No Tribal member shall gather plant materials or other natural resources on State lands for personal, cultural or traditional craft use, except as allowed here in or in Section 21.1503.

21.1102 Medicine.

Tribal members may gather medicines not identified in this Subchapter if they have in their possession a valid and current Tribal enrollment card.

21.1103 Handicraft Materials.

Tribal members may gather natural resources not identified in this Subchapter if they have in their possession a valid and current Tribal enrollment card.

21.1104 Food Goods.

Tribal members may gather edible natural resources not identified in this Subchapter if they have in their possession a valid and current Tribal enrollment card.

21.1105 Maple Syrup.

(1) A Tribe member may collect maple sap on State land under a Maple Syrup Permit.

(2) A permit let under this Section is only valid in designated areas.

(3) No Tribal member shall use tubing; and

(4) No Tribal member shall construct new trails or roads to access sugar bushes.

(5) Sales of maple syrup collected pursuant to a Maple Syrup Permit are allowed pursuant to Section 21.1503.

21.1106 Firewood.

(1) A Tribe member may collect firewood from State land under a Firewood Permit.

(2) A permit let under this Section is only valid in designated areas.

(3) No Tribal member shall:

(a) Cut for firewood trees that are not 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 as permitted under Sections 21.1102 and 21.1103..

(e) Sell firewood cut or gathered from State Forest land.

(f) Permits shall not exceed five (5) standard cords per permit.

(g) Only one permit per household per year may be issued.

21.1107 Conifer Boughs

(1) A Tribe member may collect conifer boughs from State land under a Conifer Bough Permit.

(2) A permit let under this Section is only valid in designated areas.

(3) No Tribal member shall:

(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 designated 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.

21.1108 Black Ash, Basswood and/or Ironwood.

(1) A Tribe member may collect black ash, basswood or ironwood from State land under a Black Ash, Basswood or Ironwood Permit.

(2) A permit let under this Section is only valid in designated areas.

21.1109 White Birch Bark.

(1) It shall be lawful to collect white birch bark from State land under a White Birch Bark Permit.

(2) A permit let under this Section is only valid in designated areas and at designated times of year.

(3) No Tribal member shall collect white birch bark form live trees within thirty-three feet (33') of the edge of roads or designated trails.

21.1110 Minimal Sap Collection.

(1) A Tribe member may harvest maple sap from up to twelve (12) trees on State lands under a Minimal Sap Collection Permit.

(2) No Tribal member shall use tubing.

(3) No Tribal member shall construct new trails or roads to access the twelve (12) trees

SUBCHAPTER XII: ACCESS TO STATE LAND.

21.1201 Camping.

(1) Tribal members may camp at a State park.

(2) Tribal members may camp at a State Forest campground.

(3) Tribal members may camp without cost on State Forest land.

(4) When camping as allowed under subsections 1, 2 and 3, Tribal members shall follow MDNR general camping registration procedures, including payment of camping fees, and all other applicable rules and regulations.

(5) Use of National Forest lands is governed according to Chapter 23.

21.1202 Launch and Access Fees.

(1) Tribal member(s) engaged in the exercise of an activity licensed or permitted pursuant to this Chapter 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 valid and current Tribally issued enrollment card; and

(b) The Tribal member is in possession of a valid and current Tribally issued vehicle access placard or sticker and has it properly displayed in the window on the passenger side of the vehicle.

(c) Launch fees are only waived where the only public access to a lake or stream segment is located on lands owned or managed by MDNR, and the Tribal member is engaged in the exercise of an activity regulated under this Chapter.

(i) This Section is operative only when the launch site has available space; and

(ii) All launch site rules and regulations apply.

(2) State of Michigan State Park Rangers are authorized to enforce State Park regulations within State Parks on Tribal members while at the campground.

SUBCHAPTERXIII: USE AND CONSTRUCTION OF TEMPORARY STRUCTURES ON STATE LAND

21.1301 Temporary Structures.

(1) A Tribe member may construct and use a temporary structure of one-hundred (100) sq. ft. or less but shall be subject to the following regulations:

(a) Obtain and post a cost-free MDNR dispersed camping permit on site.

(b) All trash, waste and tarps must be removed from the site upon the expiration of the MDNR dispersed camping permit.

(2) A Tribe member may construct and use a temporary structure of one-hundred (100) sq. ft. or more but shall be subject to the following regulations:

(a) Tribal members must apply for a Special Use Temporary Structure Permit.

(b) All trash, waste and man-made building materials must be removed from the site upon the expiration of the Special Use Temporary Structure Permit.

(3) No Tribe member may construct a temporary structure of any on State lands from non-native, processed materials, such as dimensional lumber, plywood, siding or roofing, except that Tribal members may use canvas tarps or similar materials on temporary structures if removed from the site after use

SUBCHAPTER XIV: BIOLOGICAL ASSESSMENT AND MONITORING

21.1401 Biological Assessment.

The Division may require any natural resource be subject to reasonable and appropriate biological assessment. The purpose of such assessment is to insure proper protection and management of these species and their habitats.

21.1402 Assessment Permits.

The Division may authorize a Tribal member to assist the Tribe in biological assessments. The participating Tribal member will be required to have in his/her possession at all times a duly authorized assessment permit while conducting such assessments.

21.1403 Emergency Action.

The Conservation Committee may take or enact emergency measures in order to preserve the rights or resources of the Tribe and its members. This may include but not be limited to shortening or closing seasons, reducing bag limits and/or similar methods. The Committee may take this action at any regularly scheduled meeting or by phone call poll for that purpose. However, such emergency enactment shall require a majority vote of the Committee.

SUBCHAPTER XV: POSSESSION AND USE OF NATURAL RESOURCES

21.1501 General.

A Tribal member shall not harvest, gather or take any natural resource for any purpose except as allowed for in this Chapter or the administrative regulations.

21.1502 Cultural Practices.

Nothing in this Chapter or the administrative regulations shall be construed to prohibit the harvesting, gathering, taking, possession or use of any natural resources by a Tribal member for any practice that is cultural in nature, subject to applicable State, Federal and Tribal laws.

21.1503 Personal and Commercial Use.

(1) This Section does not prohibit the gifting of natural resources.

(2) Natural resources acquired pursuant to this Chapter may be used to trade or barter within tribal communities.

(3) Tribal members may gather plants and the products thereof and other natural resources for:

(a) Personal use.

(b) The production of modest levels of commodities for sale.

(c) The use of plants and other natural resources for the manufacture and sale of handicraft products.

(4) Tribal members may sell furbearer's, flesh and hides, and parts of harvested animals for manufacture and sale of handicraft products.

SUBCHAPTER XVI: GENERAL PROHIBITIONS

21.1601 Prohibitions in General.

(1) A violation of this Chapter, the terms of any license or permit authorized by this Chapter, or any of the prohibitions within this Subchapter, shall constitute a criminal offense to be tried before the Tribal Court under the procedures set forth in Tribal Code Chapter 70: Criminal Procedure. A person convicted of any such violation may be sentenced to imprisonment for not more than thirty (30) days, or a fine of not more than $500.00 or both. The Tribal Court may also suspend or revoke any license or permit authorized by this Chapter for any such violation.

21.1602 Prohibitions.

Persons exercising hunting, trapping, or fishing rights under this Code shall not engage in any of the following conduct:

(1) Allowing any other person to make use of the license, permit or tag, regardless of whether or not such person would qualify to receive such a license, permit or tag. A violation of this section shall be punishable by loss of ability to receive any license or permit under this Chapter for one calendar year for a first offense and three years for any subsequent offense.

(2) Taking, assisting in taking, possessing or transporting any game prohibited to be taken, possessed or transported by this Chapter.

(3) Wanton destruction, misuse or waste of the game or fish of any area to which this Chapter pertains.

(4) Exceeding established limits, using prohibited means or equipment, or fishing, hunting, or trapping outside of established seasons.

(5) Fraud in the procurement of any license or permit or the alteration or attempted alteration of any license or permit.

(6) Refusal to display the proper permit or license upon request or authorized law enforcement personnel.

(7) Any other violation of the regulations contained in this Chapter including regulations of the Conservation Committee authorized by provisions of this Chapter.

(8) Partake in licensed or permitted activities pursuant to this Chapter without having on one's person the applicable license or permit and one form of identification.

(9) Interfere or harass any individual who is engaged in hunting, fishing, trapping or gathering activity.

(10) Tamper, steal, destroy, vandalize or interfere with any gear, item or object used by any individual to further their hunting, fishing, trapping or gathering activity.

(11) Steal a natural resource reduced to possession by any individual.

(12) Steal a natural resource from a trap, snare, trot line, impoundment gear, sap collection bucket or some other object designed to hold collected sap

(13) Fail to comply with an order of a law enforcement officer duly authorized pursuant to Section 21.405.

21.1603 Restitution.

In addition to Chapter 84: Civil Remedial Forfeiture Code, a Tribal member convicted of any violation of this Chapter, administrative regulation or permit condition may, at the Court's discretion, be charged the cost of providing equitable restitution to the Tribe for the damage which would be caused by each violation in addition to any other fines or penalties imposed by the Tribal Court. A Tribal member found liable for an infraction, upon a charge of illegal taking, killing, or possession of a plant, fish, migratory bird, or wildlife creature, shall reimburse the Tribe for each plant, fish, migratory bird, or wildlife creature, according to the following schedule.

SPECIES	
Sturgeon, Grayling, any Endangered or Threatened Species, elk, moose	$500
Deer, bear	$250
Beaver, mink, otter, badger, bobcat Muskellunge, Tiger muskellunge	$100
Any waterfowl Lake Trout, Brown trout, Rainbow trout, brook trout, Largemouth bass, Smallmouth bass, Walleye, Northern pike, Whitefish, Menominee whitefish	$50
Rabbit, muskrat, squirrel, raccoon Ruffed grouse, woodcock, morning dove, ring neck pheasant, quail, sharptail grouse, wild turkey	$30
Any fish or e'weesi'ek (game) animal not named	$25

21.1604 Forfeiture.

Any Tribal member convicted of any violation of this Chapter, administrative regulation or permit condition may, at the Court's discretion, have any natural resource, seized and permanently forfeited in addition to any other fines or penalties imposed by the Tribal Court.

SUBCHAPTER XVII: LAW ENFORCEMENT

21.1701 Law Enforcement Officers.

The Tribe's law enforcement officers, and law enforcement officers of one or more of the other Tribes, if cross deputization agreements are entered into, and conservation officers duly employed by the State of Michigan if the prerequisites stated in the 2007 Inland Consent Decree are in place, are authorized to enforce the provisions of this Chapter.

21.1702 Powers.

Law enforcement officers may

(1) Detain any person(s) committing an offense and may seize or confiscate any fish, game, furbearers, wild animals, their parts or hides or any other natural resource 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.

(2) 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 natural resources or parts thereof taken in violation of this Chapter or the instrumentalities of such illegal taking, are contained therein, and that such evidence will not be available absent immediate action.

(3) Inspect all-natural resource or parts thereof taken, possessed, or transported within the Ceded Territory, and may seize as evidence all-natural resources that such officer has probable cause to believe has been taken, possessed, or transported in violation of this Chapter, and any object that the officer has probable cause to believe has been used as the instrumentality of such illegal taking, possession, or transportation.

(4) For all property seized as evidence, the law enforcement 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 of pursuant to Tribal policy and that natural resources forfeited in conjunction with a violation of this Chapter or other Tribal law.

SUBCHAPTER XVIII: NON-TRIBE MEMBER ASSISTANCE

21.1801 Non-Tribe Member Assistance.

(1) For purposes of this Section assistance means forbidding the use of a spear or other gear to harvest fish, using a weapon to harvest game, setting or placing traps or snares, uprooting a plant or removing parts of a plant from a plant left growing.

(2) A Tribal member may be assisted by an individual that is not a Tribal member if:

(a) the individual possesses a license from and complies with, the laws of the State of Michigan governing the activity being conducted; or

(b) the individual is the Tribal member's spouse, parent, grandparent, child, grandchild or sibling and the Tribal member is present during the activity; or

(c) the individual is an enrolled member of the Tribes.

21.1802 Assisting Disabled Hunter.

Any individual may assist a Tribe member holding a Disabled Hunter Permit, but shall not carry a weapon unless authorized to do so by Tribal or State of Michigan law.

21.1803 Vehicle Registration.

Tribal members using an all terrain vehicle, a boat, a utility terrain vehicle or a snow machine in furtherance of an activity permitted, licensed or allowed pursuant to this Chapter shall have on their person a valid Tribal permit or license for the activity they are engaged in at that point in time and for an activity allowed to be undertaken without a permit or license or Tribal membership identification. The permit, license or Tribal membership identification shall serve as the Tribal registration of that vehicle for the limited purpose of the given all terrain vehicle, boat, utility terrain vehicle or snow machines use in the permitted licensed or allowed activity.