

Inland Fishing Regulations

Approved by Tribal Council 2/22/2017



Grand Traverse Band Natural Resources Department

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SECTION 1: PURPOSE

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

SECTION 2: SCOPE AND APPLICATION

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

SECTION 3: DEFINITIONS

- A. Amphibian - A cold-blooded, smooth-skinned vertebrate of the class Amphibia. Amphibians hatch as aquatic larvae with gills and, in most species, then undergo metamorphosis into four-legged terrestrial adults with lungs for breathing air.
- B. Artificial Fly - 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.
- C. Artificial Light: Any man made source of light.
- D. Artificial Lure - Any manmade 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.
- E. Baitfish - Any legally taken and possessed fish (except sea lamprey, goldfish or any other exotic fish) used for catching other fish.
- F. Bow - A weapon constructed from wood, plastic, metal, or other material with a cord connecting the two ends when bent or strung, and by means of which an arrow is propelled when drawn and released by hand.
- G. Cased or encased - Storage of a firearm or bow in any device or case made to contain a firearm or bow so that no portion is exposed.
- H. Ceded Territory - All lands and waters ceded in the 1836 Treaty as described in Article First, that were not reserved in Articles Second and Third of the 1836 Treaty, Article One of the 1855 Treaty, or are not now otherwise within Indian Country, as set forth below: Beginning at the mouth of the Grand River of Lake Michigan on the north bank thereof, and following up the same to the line called for in the first article of the Treaty of Chicago on the 29th of August, 1821, thence, in a direct line, to the head of Thunder bay River, thence with the line established by the Treaty of Saginaw on the 24th of September 1819, to the mouth of said river, thence northeast to the boundary line in Lake Huron between the United States and the British Providence of Upper Canada, thence northwestwardly, following the said line, as established by the commissioners acting under the Treaty of Ghent, through the straits, and river St. Mary's, to a point in Lake Superior north of the mouth of Githcy Seebing or Chocolate river, thence south to the mouth of said river and up its channel to the source thereof, thence, in a direct line to the head of Skonawba river of Green Bay, thence down the south bank of river to its mouth, thence, in a direct line, through the ship channel into Green Bay, to the outer part thereof, thence, south to a point in Lake Michigan west of north cape, or entrance of Grand river, and thence east to the place of beginning, at the cape aforesaid, comprehending all the lands and islands, within these limits, not hereinafter reserved. Refer to map.
- I. CFA - Michigan's Commercial Forest Act, Mich. Comp. Laws, § 324.51101 et seq.
- J. Commercial Purposes - The harvesting of a natural resource in which the resource harvested, or any portion thereof, is sold, but shall not include harvesting of a natural resource for personal use.
- K. Crossbow - A device using a bow that, once drawn, is held solely by means other than the effort of the person firing it.
- L. Dip Net: A net or wire mesh not exceeding 9x9 feet square that is raised and lowered vertically when fishing.
- M. Endangered Species - Any species of wildlife or plant designated as rare or endangered by the Tribal Council, or the United States Department of the Interior pursuant to 50 C.F.R. Part 17.
- N. Enforcement Officer - Any Tribal conservation enforcement officer authorized by Tribal law or these Regulations to enforce Tribal conservation regulations, or federal enforcement officers including Special Agents of the U.S. Fish and Wildlife Service, or other persons authorized to enforce these Regulations under Section 11.01.

- O. Fishing Activity - 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.
- P. Fish – Any species of fish now or in the future present in the Ceded Territory which may be taken for subsistence.
- Q. Hand Net – A net or wire mesh bag of any circumference with a handle that can be lifted by one person.
- R. Harvesting Activity - Hunting, Trapping, Fishing or Gathering or any combination thereof.
- S. Impoundment nets - Trap nets or fyke nets, which are stationary nets attached to the bottom that capture fish by guiding them into enclosures.
- T. Inland Article 13 Rights - The right to hunt, and the other usual privileges of occupancy, secured by Article 13 of the 1836 Treaty of Washington, 7 Stat. 491, in the inland portion of the Ceded Territory. Subject to the provisions of these Regulations, Inland Article 13 Rights include the rights of Tribal members: (i) to Hunt, Fish, Trap, and Gather natural resources, without limitation as to the species (including non-native and artificially propagated species) targeted for harvest, the season or method of harvest, or the use of the resource harvested; (ii) to engage in other historically traditional activities (such as the construction and use of sweat lodges); and (iii) to obtain assistance from non-Tribal members to engage in the foregoing activities in accordance with the following principles:
 - General Principle 1.** A Tribal member may engage in Hunting, Fishing, Trapping, or Gathering with any other person who is not a member of an 1836 Treaty Tribe, provided that the non-member possesses a license from, and complies with, the laws of the State of Michigan governing the subject activity.
 - General Principle 2.** No Tribal member may be assisted in carrying out a usufructuary activity by a person who is not a member of an 1836 Treaty Tribe, unless the non-member is the spouse, parent, grandparent, child, grandchild, or sibling of the Tribal member, and the Tribal member is physically present during the activity.
 - General Principle 3.** Permitted assistance by authorized non-members (as defined in General Principle 2) shall not include using a Spear or other gear to harvest fish, using a firearm or Bow, setting or placing traps or snares, uprooting a plant, or removing parts of plant from a plant left growing.
 - General Principle 4.** Any person may assist a Tribal member holding a Disabled Hunter’s Permit, but shall not Hunt or carry a firearm or Bow unless authorized to do so by Tribal or Michigan law.
- U. Inland Consent Decree – The Consent Decree filed November 2, 2007 in the federal court litigation captioned *United States, et al. v. State of Michigan, et al.* (File No. 2:73 CV 26, U.S. District Court for the Western District of Michigan, docket entry 1799).
- V. MDNR - The Michigan Department of Natural Resources, its successor entities, and those authorized persons or entities acting on its behalf.
- W. NRD or Natural Resources Department – The Grand Traverse Band of Ottawa and Chippewa Indians Natural Resources Department.
- X. Personal Use - The use of natural resources for direct personal or family consumption by Tribal members as food, medicine, shelter, fuel, clothing, tools; or cultural, ceremonial or transportation purposes; making finished handicraft articles or barter. For purpose of this section, the term:
 - 1) “Family” means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and
 - 2) “Handicraft articles” means articles produced, decorated or fashioned in the exercise of traditional Indian handicrafts such as carving, weaving, beading, pottery, drawing or painting, without the use of mass copying devices; and
 - 3) “Barter” means the exchange of natural resources or parts thereof for personal uses within and between Tribal communities.
- Y. Regulations - These Regulations including any subsequent amendments and any separate Tribal conservation regulations enacted by the Tribe.
- Z. Roadways - Any governmental or corporate roadways where vehicular traffic is not restricted and the roadway is routinely used by the general public.
- AA. Spear - Any hand, rubber or spring propelled spear.
- BB. Stream - All rivers, streams, creeks and flowages.
- CC. Targeting - Fishing, hunting, trapping, or gathering activity, which has the effect of catching or taking a specific species or species of fish, wildlife, or plants.

- DD. Threatened Species - A species at risk of becoming endangered as determined by official action of the Tribal Council or by the United States Department of Interior.
- EE. Transport or Transportation - Carrying or moving by any vehicle or vessel, causing to be carried or moved or attempting to do so, or accepting or receiving wild animals, plants, or fish or any parts thereof.
- FF. Treaty - The March 28, 1836 Treaty of Washington with the Ottawa's, 7 Stat. 491.
- GG. Tribe - The Grand Traverse Band of Ottawa and Chippewa Indians.
- HH. Tribes - "Tribes" means, collectively, the Bay Mills Indian Community, the Sault Ste. Marie Tribe of Chippewa Indians, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, and the Little Traverse Bay Bands of Odawa Indians.
- II. Tribal Court - The Court of the Grand Traverse Band of Ottawa and Chippewa Indians.
- JJ. Tribal License - A gathering, hunting, trapping, or fishing license issued by a Tribe to Tribal member, which is valid and current.
- KK. Tribal Members - Enrolled members of the Grand Traverse Band of Ottawa and Chippewa Indians except where the context references enrolled members of one or more of the other Tribes.
- LL. Waters - Inland Lakes and Streams.
- MM. Wild animals - All creatures, not human, wild by nature, endowed with sensation, and power of voluntary motion, which includes quadrupeds, mammals, birds, fish, amphibians, reptiles, crustaceans, insects, and mollusks.

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

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

4.01 General Public Lands and Waters.

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

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

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

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

- A. CFA Landholdings of Less than One-Thousand (1,000) Acres. The Tribe or Tribal members must obtain permission from a CFA landowner in order to hunt, trap or fish on his or her CFA lands outside State seasons or methods if the CFA landowner owns, in the aggregate, less than one-thousand (1,000) acres in the CFA program. If permission is obtained, Tribal members may hunt, trap or fish on such lands subject to applicable provisions of these Regulations. If permission is not obtained, Tribal members may hunt, trap or fish on such lands only during State seasons and only with State-approved methods. Tribal members hunting on such lands during State seasons with State-approved methods remain subject to other applicable provisions of these Regulations.
- B. CFA Landholdings of More than One-Thousand (1,000) Acres. The Tribes or their members do not need to obtain permission from a CFA landowner in order to hunt, trap or fish on his or her CFA lands outside State seasons or

methods if the CFA landowner owns, in the aggregate, more than one-thousand (1,000) acres in the CFA program. Tribal members may hunt, trap and fish on these lands subject to applicable provisions of these Regulations.

- C. Limiting Access. The generally applicable provisions of the CFA program allowing CFA landowners to limit access to CFA lands subject to active timber harvesting operations shall apply to hunting, trapping and fishing by Tribal members on CFA lands.
- D. Vehicle use. Tribal members shall not use snowmobiles, all-terrain vehicles, or other motor vehicles on CFA lands if such use is prohibited under State law.
- E. Permission is not required to hunt, trap or fish on any CFA lands, regardless of size of total ownership, during State seasons and with the use of State approved methods. Tribal members hunting, trapping or fishing on CFA lands during State seasons and with the use of State approved methods remains subject to other applicable provisions of these Regulations.

4.05 Other Waters Open to the Public for Fishing. Tribal members may fish in any other waters open to the public for fishing under federal or state law, including such waters open to the public that are accessible through public access sites, rights-of-way and public road crossings or otherwise accessible to Tribal members by permission granted by the landowner or authorized lessee. See separate publication entitled *Public Rights to Fish and Hunt on Michigan's Lakes and Streams: A Primer for Michigan's Indian Tribes*.

4.06 Private lands and waters owned by non-Tribal members. Except as otherwise provided in Section 4.04 above regarding CFA lands, Tribal members may exercise Inland Article 13 Rights on private lands and waters owned by non-Tribal members (that is, any person or entity other than one of the Tribes, their members or their members' spouses) subject to the following provisions and restrictions as well as other applicable provisions of these Regulations:

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

SECTION 5: SPECIAL USE PERMITS

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

5.01 SPECIAL NEEDS SUBSISTENCE/CEREMONIAL PERMIT - Tribal members with special needs may request a permit from the Natural Resources Department to harvest or otherwise take resources regulated or prevented by other sections of these Regulations. The criteria for a Special Needs Permit include, but are not limited to, religious or ceremonial use in accordance with the traditions and customs of the Tribe, personal/family hardship, and traditional feasts, ceremonies or celebrations. The Tribal members shall have a valid Tribal license and request in writing a special needs permit (and associated tags as may be necessary). A Tribal member with a special needs permit may use the services of another properly licensed Tribal member to harvest a fish, in which case both the permittee and helper must be named on the permit. Special Needs Subsistence / Ceremonial Permits will be valid only for the particular time period and location as specified on the permit.

SECTION 6: INLAND FISHING REGULATIONS SUMMARY

6.01 FISHING LICENSES - Any Tribal member sixteen (16) years of age or older who fishes or attempts to take any fish, reptiles or amphibians while having under his/her control or in his/her immediate possession any pole, reel, tip-up hand line, trap, club, seine, net or spear, shall have in his or her possession a valid and current Tribal License.

6.02 AGE LIMITS

- A. Any Tribal member sixteen (16) years of age or older who fishes within the Ceded Territory shall have in possession a Tribal license.
- B. No Tribal member under sixteen (16) years of age shall be required to possess a Tribal License to fish, take reptiles or amphibians, or gather vegetation for personal use or use by his immediate family, however, those persons shall be required to follow all applicable Tribal regulations.

6.03 RESTRICTIONS – IT SHALL BE UNLAWFUL TO:

- A. Use explosives, drugs, poisons, lime medicated bait or other deleterious substances to take or attempt to take fish.
- B. Drive or harass fish into nets.
- C. Use firearms to take or attempt to take fish.
- D. Use gill nets, trap nets, seines or gorge to take fish, except as allowed under 6.04(B) impoundment net regulations, and for bait fish under Section 6.05 A.
- E. Use a snag hook to take or attempt to take fish.
- F. Wanton destruction or waste of fish.
- G. Harass or impede another fisherman or boater.
- H. Take fish for the sole purpose of egg (spawn) collection.
- I. Possess any fish not hooked in the mouth while fishing with hook and line.
- J. Sell flesh of fish from inland waters.
- K. Sell bait fish without a Special Use Permit.
- L. Fish within one-hundred feet (100') of electrical lamprey control devices while in operation.
- M. Fish within one-hundred feet (100') of the lamprey control barrier on the Betsie River.
- N. Fish in the Rock River (Alger County) from the dam to the lower foot bridge downstream from M-28 (T47N, R21W, Sec. 15) April 1-June 30.
- O. Fish within three-hundred feet (300') of any of the State's salmon and steelhead egg collection weirs while in operation including Swan Creek, Medusa Creek, Boardman River, Platte River, and Little Manistee River.
- P. 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.
- Q. Fish for Coho salmon within three-hundred feet (300') of the lower weir on the Platte River as long as the State prohibits harvests of Coho salmon in such Waters.
- R. Possess live, dead or preserved bait, organic or processed food or scented materials on any of the stream segments or banks of any type 5, 6 or 7 stream listed in **Table 1**.
- S. Use a spear to harvest fish in State Designated "Type D" lakes listed in Table 2.

6.04 METHODS AND GEAR - The use of poles, rods, reels, tip-ups, hand lines, spears, bow and arrow, seines, nets, clubs and hands are lawful for use while fishing subject to the following Regulations:

A. Hook and Line

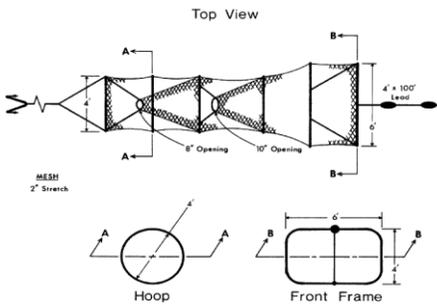
- 1) Individual hook and line fishing is limited to four (4) lines per person with four (4) hooks per line. Ice fishing is limited to seven (7) lines with four (4) hooks per line; except that there shall be no limit on the number of hooks per line while fishing for smelt.
- 2) Trot line - One (1) trotline per license holder is allowed. The trotline shall be limited to five (5) hooks or lures of which shall be size 4 or larger. Each trot line shall be clearly marked with a gallon buoy along with the Tribal license number of the person who set the line. All trot lines must be checked daily.

- 3) Tip-ups - All tip-ups fished shall be identified by name of the Tribal member fishing the tip-up. It shall be unlawful for Tribal member to leave a deployed tip-up unattended.

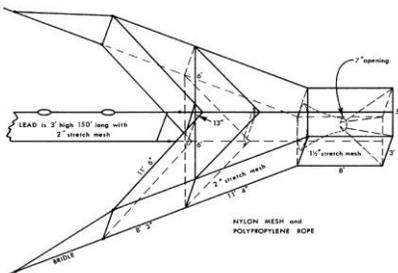
B. Nets

- 1) Gill nets - The use of gill nets is prohibited on all inland lakes and streams. *Exception- The use of gill nets may be authorized via permit to harvest fish from a lake from which all fish will be eradicated as determined by NRD or MDNR.
- 2) Impoundment (fyke/trap) nets - Tribal members may use impoundment nets subject to the following restrictions:

Fyke Net Example:



Trap Net Example:



- a. Size and Type Restrictions
 - i. It shall be unlawful to use monofilament in any part of an impoundment net.
 - ii. The mesh size shall not be larger than three inch (3") stretch mesh.
 - iii. Pots shall not exceed eight feet (8') in length by five feet (5') in width or six feet (6') in height.
 - iv. Leads shall not exceed one-hundred and fifty feet (150') in length.
- b. Marking - Each Impoundment Net used by a Tribal member for fishing shall have the end of the lead, the ends of any wings used and the pot marked with, at a minimum, gallon sized buoy displaying the member's Tribal affiliation and Hunting/Fishing License number.
- c. Lake use only
 - i. It shall be unlawful to use impoundment nets in streams except when harvesting burbot in accordance with Section 6.04.B.2.c.ii below.
 - ii. Impoundment nets may be used to harvest Burbot on AuTrain River in Alger County from AuTrain Lake to the mouth from December 15th to the end of February with an authorized permit.
- d. Permits - Tribal members shall obtain and possess a valid permit prior to setting any impoundment nets.
 - i. All permits must be requested and authorized a minimum of twenty-four (24) hours prior to setting the nets.
 - ii. 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.
- e. Privately-owned bottom lands of lakes open to the public. Tribal members intending to fish impoundment nets should review Section VII.e. of the Inland Consent Decree and the separate publication entitled *Public Rights to Fish and Hunt on Michigan's Lakes and Streams: A Primer for Michigan's Indian Tribes* (especially notes 71-72).

- 3) Seines - Tribal members may use seines subject to the following restrictions:

- a. Size restrictions
 - i. Short seines - a seine used that is less than twelve feet (12') in length and no more than four feet (4') in depth.
 - ii. Long seines - any seine or combination of seines that is over twelve feet (12') in length but no larger than thirty feet (30') and no more than four feet (4') in depth.
- b. Monofilament- it shall be unlawful to use Seines constructed of monofilament that exceed one and one-half inch (1.5") stretch mesh size.
- c. Lake use only.
- d. Purse seines - It shall be unlawful to use any size purse seine.
- e. No Tribal member shall use long seines in streams unless in possession of a Special Use Permit described in 6.04 B 3 f below, provided that Tribal members may use short seines to take minnows for personal use in non-trout streams.
- f. Special Use Permit- A limited number a special use permits may be issued for the use of long seines in streams between December 1 and March 31.



- C. **Spearing** - Tribal members may use spears subject to the species specific restrictions found in the pike/muskellunge, walleye, trout, salmon, sturgeon, and steelhead sections of these Regulations, general closures and the seasons for harvest, daily creel limits, and possession limits may be found within the Specially Regulated Fisheries Summary (**Table 5**). The Tribal licensee shall be required to submit harvest reports in accordance with Section 6.06 HARVEST REPORTING. Exception; spearing through the ice is allowed following Regulations summarized in the General Fishing Regulations Summary (**Table 4**) and does not require harvest reporting as with open water spearing.
- D. Fixed ice shanties must have the owner's name and address permanently affixed on all sides with letters at least three inches (3") high. Shanties must be removed when the ice is unsafe but no later than March 15.

6.05 SPECIALLY REGULATED SPECIES AND LOCATIONS

- A. Baitfish - Minnows for personal use may only be taken with hook and line, seines, dip nets, and minnow traps with a valid fishing license except that:
- 1) Seines - Seines shall not be used to take minnows from trout streams or from Big Glen Lake (Leelanau Co.), Hatlem Creek. (Leelanau Co.).
 - 2) Gear restrictions - Seines used to harvest minnows must not be over twelve feet (12') by four feet (4').
 - 3) Commercial Harvest – Under Special Use Permit Only.
- B. Walleye Systems
- 1) Hook and line seasons (no permit required)
 - a. Upper Peninsula – May 15 through March 30
 - b. Lower Peninsula – Last Saturday in April through March 30
 - 2) Restricted Fishing Methods (permits required)
 - a. Upper Peninsula – April 1 through May 14.
 - b. Lower Peninsula – March 15 through the Friday before the last Saturday in April.
 - c. The use of spears, bows, or hook and line during the above seasons on Walleye Systems or the use of impoundment nets or long seines at any time shall require the obtaining and possession of a valid permit prior to engaging in any of the above mentioned methods of harvest.
 - d. Application time period-All spearing, bow or hook and line permits must be requested and authorized a minimum of eight (8) hrs prior to engaging in the activity and all impoundment and long seine permits must be requested and authorized a minimum of twenty-four (24) hrs prior to engaging in the activity.
 - e. Each permit will specify a bag limit (not to exceed 10 fish), specific method of harvest (spear, impoundment, etc.), a time period for which the permit is valid and a lake system for which the permit valid.
 - f. Size limit - fourteen inches (14"). Walleye speared under the minimum size must be retained as a part of the daily bag limit without penalty to the fisher.
- C. Bay de Noc Tributaries
- 1) General Hook and Line (no-permit) Season - May 15 through March 14.
 - 2) Regulated Fishing Methods- The following walleye restrictions shall apply to the streams listed Section 6.05.E.2. e. below.
 - a. Regulated Fishing Methods permit Season (hook and line/spearing) -A valid permit shall be required prior to any harvest of walleye with a hook and line between March 15 and May 15 or at anytime with the use of a spear.
 - b. Application time period - All spearing, bow or hook and line permits must be requested and authorized a minimum of eight (8) hrs prior to engaging in the activity.
 - c. Each permit will specify a bag limit (not to exceed 10 fish), specific method of harvest (spear, hook and line, spear dip net, etc.), a time period for which the permit is valid and tributary for which the permit is valid.
 - d. Permits shall be specific to method harvest and shall not include more than one type of harvest.
 - e. Bay de Noc Tributaries open to Regulated Fishing Methods permit harvest include the following:

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

 - i) Size limit - fourteen inch (14") minimum. Walleye speared under the minimum size must be retained as a part of the daily bag limit.
 - ii) Daily creel limits - ten (10) per day.
 - iii) Field possession limit- ten (10) fish.
 - iv) All other Bay de Noc Tributaries closed to spearing or hook and line fishing between March 15 and May 15.

D. Salmon Restrictions

1. Torch Lake - It shall be unlawful to spear Atlantic salmon in the Torch Lake watershed.
2. Little Manistee River
 - a. Use of Spears, bows, dip nets or hands for Chinook Salmon-
 - i. Tribal members attempting to harvest 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 and arrow, dip net or their hands during a period beginning September 1 and ending November 14 shall be required to obtain in advance and then keep in their possession while fishing a valid permit. A limited number of permits will be available on an annual basis.
 - ii. Spearing shall be prohibited in the vicinity of the Little Manistee River at its confluence with Manistee lake- The area closed 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.
 - b. Hook and Line- It shall be unlawful to fish (hook and line) from September 6 through October 15 in southern end of Manistee Lake area 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 shall be closed, unless the MDNR meets its egg take quota for the year, at which time the fishing closure may be rescinded for the current year. Please contact the Natural Resource Department for more information.

E. Protected Steelhead Streams (see Table 3, Table 5, and Table 6) and maps for descriptions). The following steelhead (rainbow) trout restrictions apply to Protected Steelhead Stream Segments (highlighted yellow in maps):

- 1) Restrictions –
 - a. Hook and line Seasons-
 - Upper Peninsula Stream Segments - Last Saturday in April through March 30.
 - Lower Peninsula Stream Segments - Last Saturday in April through March 14.
 - b. Spearing Season-Spearing for Steelhead (rainbow trout) - Steelhead may be harvested via a spear with a valid Tribal permit from April 1 through April 15 only.
 - c. Size limit - sixteen inch (16") minimum
 - d. Daily creel limits- three (3) per day
 - e. Field possession limit- twice the daily creel limit.
- 2) Permits - Tribal members shall obtain and possess a valid permit prior to spearing steelhead in Protected Streams.

F. Black Lake Sturgeon Season (See Table 5)

- 1) Permits will be drawn by GTB-NRD at the December Tribal Council meeting.
- 2) To apply contact GTB-NRD by phone, email, or visit from Nov 1st to Dec 15th.
- 3) Harvest must occur within Black Lake, fishing activity within the Black River is strictly prohibited.
- 4) Harvest must be immediately reported to and check by GTB-NRD personnel.
- 5) Season: January 1st to December 31st.
- 6) Methods: Spearing through ice or open water and hook and line fishing.
- 7) Catch and release fishing is prohibited. You must keep the first fish that is caught.
- 8) Tag may be used by a Tribal member's spouse provided they are a member of the tribal members' tribe.
- 9) Tribal elders and handicapped tribal members may designate another tribal member of the Grand Traverse Band, Little River Band, or Little Traverse Bay Band to harvest for them.
- 10) For Otsego Lake sturgeon fishing (no permit required) please see Table 4.

6.06 HARVEST REPORTING - In addition to the Tribal License required by this section, Tribal members are also required to obtain and submit complete harvest reports for the harvest of the species of fish listed below with a crossbow, spear, club, hands, dip net, trot line or bow fishing equipment. Except that Tribal members will not be required to submit harvest reports or fish reports for fish speared through the ice.

- A. Harvest reports must be obtained from and submitted to the Natural Resource Department upon the harvesting of walleye, northern pike, muskellunge, salmon, trout (including steelhead and brook trout) via the use of spear, club, short seine, hands, dip net, crossbow, trot line or bow and arrow.
- B. Harvest reports shall indicate the body of water where the harvest took place, date of harvest, and number harvested for each species.

6.07 Harvest reports shall be submitted within seven (7) days of harvest date.

GREAT LAKES - Great Lakes Article 13 Rights are governed by the 2000 Consent Decree and corresponding Regulations of the Chippewa-Ottawa Resource Authority (CORA). The 2000 Consent Decree applies to the Great Lakes and the connecting waters of the St. Mary's River, and specifies two types of non-commercial fishing in the Great Lakes.

- A. **Recreational Fishing** - Tribal members may engage in recreational fishing activities in the 1836 Treaty waters of the Great Lakes in conformance with State recreational fishing rules without a license, so long as the Tribal members have a membership identification card in their possession. Tribal members in possession of an Tribal inland fishing license may follow the seasons, bag limits, and size limits for the species listed in **Table 4**, provided that legal methods of harvest include hook and line, spears, bowfishing equipment, dipnets and seines. Any other netting will be regulated under Subsistence Fishing below.
- B. **Subsistence Fishing** - Tribal members must obtain a Great Lakes subsistence fishing license from the Tribe if fishing activities in the Great Lakes and St. Mary's River include netting, spearing or other activities not authorized by State recreational fishing rules. Subsistence fishers may not possess more than one hundred (100) pounds round weight aggregate catch of all species. Subsistence fishing in the Great Lakes with gill nets or impoundment nets requires a Tribal permit; and subsistence gill netting is limited to one (1) net of three hundred (300) feet or less per vessel per day, except that in the St. Mary's River the limit is one hundred (100) feet in length. See the 2000 Consent Decree (Sections V and XII) and corresponding CORA Regulations for other applicable restrictions.

SECTION 7: Exceptions to General Regulations by County

Some water bodies have special regulations that differ from the General Fishing Regulations (Table 4), and Specially Regulated Fisheries (Table 5). These regulations are put in place to better manage fisheries for their health and sustainability. The following is a list of waters, organized by county, with special regulations **that are NOT included in the *General and Specially Regulated regulation tables and Section 6.05.***

Alger:

Rock R. closed to fishing from dam to lower foot bridge downstream from M-28 Apr. 1 - Jun. 30.
Duck and Echo Lks. (Grand Island), catch-and-release on smallmouth bass.
Kingston L. closed to pike and muskellunge spearing

Alpena:

Fletcher Floodwaters closed to pike and muskellunge spearing

Antrim:

Intermediate R. closed to fishing from Bellaire Dam to M-88 Bridge Apr. 1 - May 14.
Torch L. Closed to Atlantic salmon spearing.

Benzie:

Platte R. closed to fishing within 300 ft. of upper (hatchery) weir whenever weir is in place and closed within 300 ft. of lower weir whenever weir is in place; closed to fishing from US-31 bridge at Veteran's Park downstream to **Platte L.** Jan. 1 - Mar. 31.
Betsie R. closed to fishing all year within 100 feet of lamprey barrier and fish passage facility (T25N, R15W, S2).

Charlevoix:

Medusa Cr. and area of L. Michigan for a radius of 100' of mouth closed to fishing when weir is in place.
On **L. Michigan**, within one-half mile of the following islands of the **Beaver Island Archipelago: Beaver, Garden, High and Hog** the possession season for largemouth and smallmouth bass is Jul. 1 - Dec. 31.

Cheboygan:

Cheboygan R., Indian R., or Black R. unlawful to fish from Apr. 1 - Jun. 15 with spear, bow and arrow, crossbow, dip net or gaff.
Black R. between Kleber Dam and Red Bridge (T35N, R1E, S5) unlawful to fish in any manner during Oct. 1 - Jun. 15. **Lower Black R.** from Alverno Dam down to Mognrain Bridge, no

fishing Apr. 1 - May 14.

Black L. and tributaries no commercial minnow take; fishing for sturgeon is strictly prohibited except through a limited permit lottery. Apply Dec 1 - Jan 1 with GTB-NRD.

Douglas L. Pike Marsh closed to fishing when marsh is in operation.

Chippewa:

Potagannissing R. from Potagannissing Dam downstream to Maxton Rd. (T42N, R6E, S15) closed to fishing Mar. 16 - May 14 and is closed to the take or possession of northern pike from April 15th to May 15th.
L. Huron and St. Marys R., yellow perch minimum size is 7".

Clare:

Budd L. closed to pike and muskellunge spearing

Crawford:

Wakeley L. open season Jun. 15 - Aug. 31, catch-and-release fishing with artificial lures only.
Jones L. open season Jun. 1 - Sep. 30, catch-and-release fishing with artificial lures only.

Delta:

Little Bay de Noc north of a line drawn from Peninsula Point Lighthouse to the mouth of the Bark R.; no more than 1 walleye 23" or greater in daily possession limit.
Rapid R. Borrow Pit (Stockyard Pond, T40N, R21W, S5) closed to fishing all year.
Dana L. closed to pike and muskellunge spearing

Grand Traverse:

Boardman R. closed to fishing whenever weir is in place from 300' above to 300' below.
Arbutus and Spider Lks. largemouth and smallmouth bass minimum size limit is 10".

Kalkaska:

Cub L. (T27N, R5W, S19) largemouth and smallmouth bass minimum size limit is 10".

Kent:

Campau L. and Murray Lake closed to pike and muskellunge spearing

Lake:

Big Bass L. (T20N, R14W, S34) largemouth and smallmouth bass minimum size limit is 10".

Leelanau:

North Manitou L. bass minimum size limit is 18", the possession limit is 1; fishing restricted to artificial lures only; **Florence L.** (S. Manitou Is.) fishing restricted to artificial lures only

- Big Glen L. and Hatlem's Cr.** No person shall take or attempt to take minnows for personal use
- Luce:**
 Unlawful to launch or retrieve motorized vessel (greater than 5 horsepower) from state land on the **E. Branch Fox R.** from M-28 to the mouth of Cold Cr.
Tahquamenon R. and tributaries (upstream from Upper Falls) muskellunge minimum size limit is 38".
Round (North Manistique) closed to pike and muskellunge spearing.
- Mackinac:**
Mackinac, Shephard, and Flower Bays closed to fishing Mar. 15 - May 14.
L. Huron yellow perch minimum size is 7".
- Manistee:**
Little Manistee R. 300' above and below the DNR weir is closed to fishing all year.
South end of Manistee L. (south of a line from red post 100 ft. south of boat launch on east side of lake to a red post near south end of Packaging Corp. on west side of lake), closed to fishing Sep. 6 - Oct. 15 or to when the quota of Chinook eggs has been taken.
- Marquette:**
Bass, Engman Lks, Middle Br. and Mainstem
- Montmorency:**
Fletcher Floodwaters closed to pike and muskellunge spearing.
- Newaygo:**
Baptist L., no possession of walleye, channel catfish, flathead catfish or bullheads;
Brush and Sand Lks. no possession of channel catfish, flathead catfish or bullheads.
- Oceana:**
Silver L. and all tributaries, no person shall take or attempt to take minnows.
- Otsego:**
Otsego L. Pike Marsh closed to fishing whenever marsh is in operation.
- Presque Isle:**
Clinton Cr. closed to fishing Apr. 1 - May 14.
Grand L. Pike Marsh unlawful for any person other than state employee to use or operate a

motorized vehicle on the access road leading from US-23 to the Grand L. Pike Marsh during Mar. - May, closed to fishing whenever marsh is operating.

Rainy R. from confluence with Black L. upstream to N. Allis Rd. Bridge (T35N, R2E, S15) closed to fishing Apr. 1 - May 14.

Shuberts Cr. (Monaghan Cr.) from Long L. upstream to Clinton Cr. Rd. (T33N, R7E, S14), closed to fishing Apr. 1 - May 14.

Roscommon:

Backus Cr. from confluence with Cut R. upstream to Little Mud L. Dam closed to fishing Mar. 23 - Apr. 23.

Cut R. from confluence with Backus Cr. upstream to outlet at Marl L. closed to fishing Mar. 23 - Apr. 23.

Schoolcraft:

Grassy L. and McKeever L. closed to pike and muskellunge spearing.

Seney National Wildlife Refuge waters have limited fishing, contact Refuge office (906-586-9851). On the **Big Island Lakes Complex (Big Island, Bluegill, Byers, Center, Cucumber, Coattail, Farm (Blush), Jarr, Klondike, McInnes, Onega, Pear, Mid, Nevilles, Townline, Upper, and Vance lakes)** no wheeled or motorized vehicles (including electric or outboard motors) are allowed; artificial lures only; no spearing, no netting, and use of live bait prohibited; muskellunge and northern pike open season May 15 - Nov. 30, minimum size limit 42", and possession limit is 1 northern pike; muskellunge (including tiger muskellunge) is limited to 1 fish per year per angler and anglers must have a muskellunge harvest tag to harvest a muskellunge (see p. 9); bass fishing is open from Sat. before Memorial Day - Nov. 30, minimum size limit 18", and possession limit is 1; perch, bluegill, and pumpkinseed open season is from last Sat. in Apr. - Nov. 30, possession limit is 5 fish in combination; all other fish no open season. Unlawful to launch or retrieve motorized vessel (greater than 5 horsepower) from state land on the **E. Branch Fox R.** from M-28 to the mouth of Cold Cr.

SECTION 7: SEASONS AND BAG LIMITS

- 7.01** See Table 4 (Centerfold) for General Fishing Regulations Summary.
- 7.02** See Table 5 for Specially Regulated Fisheries Summary.
- 7.03** Maps and Descriptions of Regulated Fishing Locations are intended to support Tables 5 and 6 in further defining the Regulations and requirements for the harvest of particular species during seasons normally closed to fishing.

SECTION 8: BIOLOGICAL ASSESSMENT AND MONITORING

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

- 8.04 Monitoring.** It shall be the duty of the Tribal biologist to monitor all take and harvest of E'weesi'ek (game), fish, fur bearers, migratory birds, reptiles, amphibians, plants and the natural growth through the receipt of catch reports, through E'weesi'ek (game) bag checks, patrols, jawbone retrieval and mail surveys.
- 8.05 Emergency Action.** The GTB Natural Resources and Environment Committee (NREC) 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 NREC and NRD will make efforts to coordinate emergency actions with the Tribes, State, and federal government as needed to preserve rights or resources.
- 8.06 Technical Amendment.** The NREC may make technical amendments to this document as needed for the protection of the resources addressed herein.

SECTION 9: POSSESSION AND USE FOR RELIGIOUS PURPOSES

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

SECTION 10: GENERAL PROHIBITIONS

- 10.01 It shall be unlawful to:**
- A. Exceed established limits or seasons; utilize prohibited means of taking E'weesi'ek (game), fish, reptiles, amphibians; or violate any other terms or conditions contained in any Special Use Permit.
 - B. Refuse to produce a license, permit, tag or other identification upon the request of an authorized officer.
 - C. Refuse to consent to any inspection or search with probable cause as authorized in Section 10.06.
 - D. Harass or interfere with any licensed person fishing, hunting, trapping or gathering or any duly authorized biological staff while in the performance of their duties.
 - E. Fail to make a reasonable effort to recover dead or wounded fish, game or migratory birds.
 - F. Engage in wanton destruction of game, migratory birds or fish.

SECTION 11: ENFORCEMENT

- 11.01** Grand Traverse Band conservation enforcement officers are "Tribal law enforcement officers" or "Tribal officers" within the meaning of the 2007 Inland Consent Decree. Grand Traverse Band conservation enforcement officers, law enforcement and/or conservation enforcement officers of one or more of the other Tribes with whom GTB has entered into a cooperative enforcement agreement, conservation officers employed by the State of Michigan (if the prerequisites stated in the 2007 Inland Consent Decree have been satisfied), and federal law enforcement and/or conservation enforcement officers (collectively, "authorized officers") are authorized to enforce the provisions of these Regulations. Violations of these Regulations shall be processed through the GTB Tribal Court.
- 11.02** Citations of alleged violations of these Regulations from non-GTB "authorized officers" shall be transmitted to GTB's Chief Warden prior to being referred to GTB Prosecutor.
- 11.03** Grand Traverse Band conservation enforcement officers are also authorized to carry firearms in the performance of their duties.
- 11.04** Grand Traverse Band conservation enforcement officers may stop any person suspected of committing an offense under these Regulations to determine whether the person is a Tribal member. If necessary, any person stopped may be detained until he or she exhibits a license and identification, consistent with the stipulation of the parties and order entered by the federal court.

11.05 Authorized Officers may detain any person(s) committing an offense and may seize or confiscate any fish, game, furbearers, wild animals, their parts or hides and/or any vehicles, vessels, firearms, bow, traps, nets, lines or any other associated paraphernalia used in committing the offense. All seized or confiscated material taken under this part shall be held as evidence according to applicable Tribal law enforcement policies or turned over to the Tribal Court.

11.06 Search and Seizures -

- A. Authorized officers may, without a search warrant, search any aircraft, watercraft, motorized vehicle, box, game animal, fish, bag, locker, tool box, ice chest, camper, camper shell, trailer, backpack, bedroll, sleeping bag, or other container or package if the officer has probable cause to believe that wildlife or parts thereof taken in violation of these Regulations or the instrumentalities of such illegal taking, are contained therein, and that such evidence will not be available absent immediate action.
- B. Authorized officers may inspect all wild animals or parts thereof taken, possessed, or transported within the Ceded Territory, and may seize as evidence all wildlife that such officer has probable cause to believe has been taken, possessed, or transported in violation of these Regulations, and any object that the officer has probable cause to believe has been used as the instrumentality of such illegal taking, possession, or transportation.
- C. For all property seized as evidence, the authorized officer shall make an inventory and provide a copy to the person from whom the property was taken. After the final disposition of the case, a hearing shall be held by the Court to determine the disposition of all property taken as evidence. Upon satisfactory proof of ownership, property taken as evidence shall be returned to the owner, except for contraband which shall be disposed pursuant to Tribal policy.

SECTION 12: PENALTIES, FINES, RESTITUTION AND JURISDICTION

12.01 Any licenses or permits authorized by this Code may be suspended or revoked by the Tribe, acting through the Tribal Court.

12.02 Any violation of these Regulations regarding gathering, season, bag and creel limits, or restrictions on method or matter of gathering, or taking E'weesi'ek (game) or fish shall be tried before the Tribal Court under such procedures as are prescribed by the Court Rule or Tribal law.

12.03 **Civil Infractions.** Except for the provisions of Section 11.04, violations of these Regulations are civil in nature. Violations may be punished by suspension or revocation of the fishing, hunting, and/or trapping license or any permit(s) of the violator, assessment of a fine not more than \$1000, assessment of community service hours, forfeitures as set forth in Section 11.07, and/or restitution as set forth in Section 11.08.

12.04 **Criminal Offenses.** It shall be a criminal offense for any person over whom the Tribe may assert criminal jurisdiction to:

- A. Assault, resist, oppose, impede, intimidate, bribe, and attempt to bribe, or interfere with an authorized officer engaged in enforcing these Regulations.
- B. Violate any license or permit suspension or revocation order.
- C. Violate any court order.
- D. Fail to report any injury to or death of any person resulting from the actions of any person taking or attempting to take any wildlife, game, fish or furbearer. Every possible assistance shall be rendered to the injured person prior to reporting the incident to the nearest law enforcement agency.
- E. Molest, disturb or appropriate any wild plant, wild fish, or carcass thereof, which has been lawfully reduced to possession by or is otherwise owned by another.
- F. Damage or steal any nets, stands, traps or gear belonging to another hunter, fisher or trapper.
- G. Conspire or agree with another person or persons that they or one or more of them will engage in conduct which constitutes a crime.
- H. Conspire or agree to aid another person or persons in the planning or commission of such crime or of an attempt to commit such crime.
- I. Fail to obey the hand, voice, emergency light, visual or audible siren signal of a Tribal Conservation Officer or other authorized officer.
- J. Elude, knowingly flee or attempt to evade an authorized officer following a visible or audible signal to stop. A visible or audible signal under this section may include the use of hands, voice, emergency lights or sirens.
- K. Use unjustified force, violence or threaten the use thereof on an authorized officer for the purpose of interfering or influencing the performance of an official duty.
- L. Fail to consent to any search with probable cause as authorized in Section 10.06.
- M. Take any Threatened or Endangered Species except as authorized by these Regulations.

N. Engage in fraud or perjury in procuring a Tribal license or permit.

12.05 Violation of Section 12.04 may be punished by a fine not more than \$5,000.00, by imprisonment for not more than one (1) year, by performance of community service hours, and/or by any combination of such fine, imprisonment and community service.

12.06 The criminal penalties shall be in addition to any forfeiture or restitution assessed.

12.07 **Forfeiture.** Any person convicted of any violation of these Regulations may, at the Court's discretion, have any materials seized in accordance with Section 11.06, permanently forfeited in addition to any other fines or penalties imposed by the Tribal Court.

12.08 **Restitution.** Any person convicted of any violation of these Regulations may, at the Court's discretion, be charged the cost of providing equitable restitution to the Tribe for the damage caused by each violation in addition to any other fines or penalties imposed by the Tribal Court. A person found liable for an infraction, upon a charge of illegal taking, killing, or possession of a plant, fish, migratory bird, or wildlife creature, may be ordered to reimburse the Tribe for each plant, fish, migratory bird, or wildlife creature, in an amount not to exceed the following:

SPECIES	
Sturgeon, Grayling, any Endangered or Threatened Species	\$1000
Muskellunge, Tiger muskellunge	\$100
Lake trout, brown trout, rainbow trout, brook trout, largemouth bass, smallmouth bass, walleye, northern pike, whitefish, menominee whitefish	\$50
Any fish or e'weesi'ek (game) animal not named	\$25

12.09 **Member Responsibility.** It shall be no defense in any criminal or civil prosecution under these Regulations pertaining to hunting, fishing, trapping, or gathering for a Tribal member to claim a lack of awareness or understanding of law or regulations.

12.10 **Federal Prosecution.** Although these Regulations govern Inland Article 13 Rights activities upon federal lands, federal prosecution may be pursued for other violations of federal law.

12.11 **State Prosecution.** Prosecution in State Court of alleged safety zone and trespass/recreational trespass violation (authorized by section 24.3 of Consent Decree) shall not preclude enforcement in Tribal Court of similar infractions proscribed in these Regulations.

12.12 **State Jurisdiction Preempted.** It shall not be a defense to any civil infraction or criminal offense under this chapter that the alleged activity may be lawful under state law.

12.13 **Repeat Offenses.** Repeat offenders may be fined up to \$5,000 and/or lose their hunting, trapping, fishing or gathering license(s) for specified periods of time as deemed appropriate by the Tribal Court.

12.14 **Formal complaint process.** Any Tribal member may file a formal complaint of unprofessional conduct against any Tribal or State conservation enforcement officer. Forms for filing formal complaints may be obtained from the Natural Resource Department.

Table 1. Types 5, 6 & 7 Trout Streams Described

<u>County</u>	<u>Streams</u>
Type 5 Stream Segments:	
Crawford.....	AuSable Mainstream , from Burton’s Landing downstream to Wakeley Bridge, 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.....	Manistee River , from M-72 downstream to CCC Bridge.
Lake.....	Little Manistee River , from Spencer’s Bridge (T19N, R13W, Sec. 5) downstream to Johnson’s Bridge (T20N, R14W, Sec. 24).
Type 6 Stream Segments:	
Delta	Escanaba River , from Boney Falls Dam downstream to mouth of Silver Cr. (T40N, R23W, Sec 11).
Type 7 Stream Segments	
Crawford.....	South Branch AuSable River , from Chase Bridge downstream to Lower High Banks.
Lake.....	Pere Marquette River , from M-37 downstream to Gleason’s Landing (T17N, R13W, Sec. 18).

Table 2. State Trophy (Type D) Trout Lakes Described

<u>County</u>	<u>Lakes</u>
Cheboygan.....	Hemlock Lake
Luce.....	Deer Lake, Moon Lake, Sid Lake
Marquette.....	Keyhole Lake (East), S. Kidney Lake (T45N, R26W, Sec 28), Pauls Lake (North), Pauls Lake (South), Rockingchair Lake (North), Rockingchair Lake (South), Strawberry Lake
Otsego.....	Ford Lake, Lost Lake, North Twin Lake, Section Four Lake, South Twin Lake, West Lost Lake
Schoolcraft.....	Ned’s Lake, Twilight Lake

Table 3. Protected Steelhead Streams Described (highlighted in yellow on maps)

Within the following four Upper Peninsula groups of stream segments, the Tribes shall prohibit spearing of steelhead except from April 1 to April 15 and shall prohibit harvest of steelhead by all other methods from April 1 to the last Saturday of April (except for such methods with which, and at such times at which, the State permits steelhead harvests by State-licensed fishers):

County Stream Segments

Mackinac.....	Black River mainstem and tributaries upstream of the confluence of Peters Creek (Mackinac County, Lake Michigan Basin).
Mackinac and Chippewa.....	North Branch of the Pine River and its tributaries upstream of the Highway 40 bridge and mainstem of the Pine River and its tributaries upstream of the confluence with the North Branch of the Pine River (Mackinac and Chippewa counties, Lake Huron Basin).
Mackinac and Huron.....	North Branch of Carp River and its tributaries, and South Branch of Carp River and its tributaries (Mackinac County, Lake Huron Basin).
Alger.....	Sucker River mainstem and its tributaries upstream of Seney Road Bridge (Alger County, Lake Superior Basin).

Within the following 11 Lower Peninsula groups of stream segments, the Tribes shall prohibit spearing of steelhead except from April 1 to April 15 and shall prohibit harvest of steelhead by all other methods from March 15 to the last Saturday of April (except for such methods with which, and at such times at which, the State permits steelhead harvests by State-licensed fishers):

Muskegon and Newaygo.....	Cedar Creek and its tributaries upstream from River Road and Bigelow Creek and its tributaries in the Muskegon River watershed (Lake Michigan Basin, Muskegon and Newaygo counties).
Oceana and Muskegon.....	Skeel Creek and its tributaries and North Branch of the White River above Arthur Road in the White River watershed (Lake Michigan Basin, Oceana and Muskegon counties).
Lake and Newaygo.....	Baldwin River and its tributaries and all tributaries upstream of M-37 in the Pere Marquette watershed (Lake Michigan Basin, Lake and Newaygo counties).
Lake.....	Little Manistee River mainstem from Spencer’s Bridge upstream, including all tributaries (Lake Michigan Basin, Lake County).
Manistee.....	Above County Road 600, Bear Creek mainstem and tributaries in the Manistee River watershed (Lake Michigan Basin, Manistee County).
Benzie and Manistee.....	Dair Creek and its tributaries and Little Betsie River and its tributaries in the Betsie River watershed (Lake Michigan Basin, Benzie and Manistee counties).
Benzie.....	The mainstem of the Platte River from the upper State-owned hatchery weir downstream to Platte Lake (Lake Michigan Basin, Benzie County), <i>provided</i> that this stream segment shall be considered a Protected Stream only if the State permits passage of steelhead past the upper State-owned hatchery weir. <u><i>This segment is currently not considered or designated as “protected”; therefore permitting is not limited in the same manner as described for “protected streams” as above, follow general regulations on spearing and reporting (2010-11).</i></u>
Antrim.....	The mainstem Jordan River and all tributaries above Graves Crossing (Lake Michigan Basin, Antrim County).
Presque Isle.....	Little Ocuqueoc River and its tributaries and Silver Creek and its tributaries in the Ocuqueoc River watershed (Lake Huron Basin, Presque Isle County).
Otsego.....	The mainstem Pigeon River and its tributaries upstream of Webb Road (Mullett Lake, Lake Huron Basin, Otsego County).
Cheboygan and Otsego.....	The mainstem 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 (Burt Lake, Cheboygan and Otsego counties).

Table 4. General Fishing Regulations Summary

Species	Locality	Methods	Open Season	Bag Limit	Size Limits	Possession	Permits	Reporting	Notes
Trout and salmon	All inland Lakes not otherwise listed	Hook and line and spearing through ice (see note 2)	No Closed Season	5 per species per day**	10" minimum	10 in combination including all salmonids	None	None	
Trout and salmon	State Trophy Type "D" Lakes (see Table 2)	Hook and line with Artificial Flies Only	Last Saturday in April through September 30	1 per species per day	Trout and Atlantic Salmon 15" minimum; Pacific Salmon 10" minimum	1 per species per day	None	None	See Maps for Regulated Fishing Locations
Brook trout and Brown Trout	Designated Trout Streams*	Hook and line	(LP) December 1 through October 14 (UP) November 16 through September 30	10 per species per day with no more than three >16"***	8" min with no more than three >16"	10 in combination including all trout species	None	None	See Maps for Regulated Fishing Locations
Brook, brown, rainbow and lake trout; splake and salmon	Type 5 Streams	Hook and line with Artificial Flies Only	Brook and brown trout and Atlantic Salmon Last Saturday in April through September 30; Rainbow trout (steelhead) and Salmon Open All Year	2 per species per day***	Brook trout and salmon 10"; Brown and rainbow trout, splake, and Atlantic Salmon 15"; Lake trout 24"	2 in any combination; except coho, chinook and pink salmon 4	None	None	See Maps and Descriptions (Table 2) for Regulated Fishing Locations
	Type 6 Streams				Brook trout, splake and salmon 10"; Brown and rainbow trout 12"; Atlantic Salmon 15"; Lake trout 24"				
	Type 7 Streams		No Closed Season	No Possession (catch and release only)	Except that children under the age of twelve (12) shall be allowed to keep one fish if it is between eight inches (8") and twelve inches (12') in length.				
Lake trout	Type 3 Streams and all others not listed	Hook and line	No Closed Season	10 per day**	8" minimum	10 in combination including all trout species	None	None	
Rainbow trout (steelhead)	Type 3 Streams and all others not listed	Hook and line	No Closed Season	10 per day with no more than three >16"***	8" min with no more than three >16"	10 in combination including all trout species	None	None	
Rainbow trout (steelhead)	Protected Streams†	Hook and line	(LP) Last Saturday In April through March 14 (UP) Last Saturday In April through March 30	10 per day with no more than three >16"***	8" min with no more than three >16"	10 in combination including all trout species	None	None	See Maps and Descriptions (Table 4) for Regulated Fishing Locations
Salmon	Type 3 Streams and all others not listed	Hook and line	No Closed Season	10 per species per day	8" minimum	5 per species	None	None	
Large/smallmouth bass	All Inland Lakes and Streams not otherwise listed	Hook and line and spearing through ice (see note 1)	No Closed Season	10 per day	12" minimum	2xbag	None	None	See Section 6.05 C for special gear and species restrictions on specified inland lakes.

Walleye/sauger	Bay de Noc Tributaries	Hook and line	May 15 through March 14 (No Closed Season on Great Lakes)	10 per day	14" minimum	2xbag	None	None	See Section 6.05 E for details.
Walleye/sauger (See Note 2)	All Inland Lakes and Streams not otherwise listed	Hook and line and spearing through ice (see notes 1 and 2)	(UP) May 15 to March 31 (LP) Last Saturday in April through March 14	10 per day	14" minimum	2xbag	None	None	See Section 6.05 D for details.
Muskellunge	All Inland Lakes and Streams	Hook and line and spearing through ice (see note 1)	No Closed Season	1 per day	42" minimum	2xbag	None	None	See Section 6.05 B for special gear and species restrictions on specified inland lakes.
Northern Pike	All Inland Lakes and Streams not otherwise listed	Hook and line and spearing through ice (see note 1)	No Closed Season	5 per day	None	2xbag	None	None	See Section 6.05 B for special gear and species restrictions on specified inland lakes.
Lake Sturgeon	Otsego Lake	Hook and line and spearing through ice (see note 1)	No Closed Season Otsego Lake only	1 per season	None	1	None	Harvest Report	Daily Harvest Report
Arctic Grayling	No Open Season								
Bluegill, sunfish, crappie, lake whitefish, and yellow perch	All Inland Lakes and Streams not otherwise listed	Hook and line and spearing through ice (see note 1)	No Closed Season	50 per day	None	2xbag	None	None	See Section 6.05 C for special gear and species restrictions on specified inland lakes.
Other species not listed	All Inland Lakes and Streams	Hook and line and spearing through ice (see note 1)	No Closed Season	No limit	None	No limit	None	None	
Baitfish	All Inland Lakes and Streams	Hook and line, seines, minnow traps and dipnets	No Closed Season	No limit	None	No limit	Permit and Reporting Required for Commercial Harvest		See Section 6.05 A for gear restrictions
Smelt	All Inland Lakes and Streams	Hook and line, seines, minnow traps and dipnets	No Closed Season	2 gallon per day with seines; 5 gallon limit all other methods	None	2xbag	None	None	

*See Maps of Regulated Fishing Locations

**The daily bag limit for trout in streams shall be 10 total in any combination.

***The daily bag limit for trout in Type 5 and 6 streams shall be 2; except that 2 additional Coho, Chinook or Pink salmon may be possessed.

†Protected streams only--See **Table 3** and Maps of Regulated Fishing Locations.

Note 1: See Section 6.04 A of Inland Fishing Regulations for legal hook and line methods.

Note 2: See Table 5 where Walleye Systems are hook and line seasons by permit only for the following periods: (UP) April 1 through May 15 and (LP) March 15 through the Last Saturday in April; otherwise no permit is required.

Table 5. Specially Regulated Fisheries Summary

Species	Locality	Methods	Open Season	Bag Limit	Size Limits	Possession	Permits	Reporting	Notes
Trout and salmon-lakes	All inland Lakes not otherwise listed (see note 4)	Open Water Spearing/Bowfishing and netting (see notes 6 and 7)	No Closed Season	5 per day in any combination	16" minimum	2xbag		Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Brook and brown trout	Designated Trout Streams*	Open Water Spearing/Bowfishing and netting (see note 6)	(LP) December 1 through October 14 (UP) November 16 through September 30	Designated on permit	8" min with no more than three >16"	2xbag		Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Brook, brown, lake and rainbow trout (steelhead)	Type 3 Streams and all others not listed	Open Water Spearing/Bowfishing and netting (see note 6)	No Closed Season	10 per day**	8" min with no more than three >16"	2xbag		Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Rainbow trout (steelhead)	Protected Streams***	Open Water Spearing/Bowfishing and netting (see note 6)	April 1 through April 15	Designated on permit	16" minimum	2xbag	Daily spearing permits required	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Permit availability; See Section 6.05 G. for more details.
Salmon	Little Manistee River (see notes 2 and 3 Below)	Open Water Spearing/Bowfishing and netting (see note 6)	September 1 through November 14	5 per species per day	12" minimum	2xbag	Daily spearing permits required	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Permit availability; See Section 6.05 F. for more details.
Salmon	All streams not listed (see note 4)	Open Water Spearing/Bowfishing and netting (see note 6)	No Closed Season	5 per species per day	12" minimum	5 per species		Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Large/small-mouth bass	Inland Lakes†	Open Water Spearing/Bowfishing and netting (see note 6)	No Closed Season	10 per day	12" minimum	2xbag	Daily permits for netting only (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Walleye/sauger	Bay de Noc Tributaries	Hook and line, Open Water Spearing, and Netting (see note 6)	April 1 through May 14	Designated on permit	14" minimum	2xbag	Daily permits necessary as specified (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Permit availability; See Section 6.05 E. for more details.
Walleye/sauger	All inland lakes and streams not otherwise listed	Hook and line, Open Water Spearing, and Netting (see note 6)	(UP) April 1 through May 14 (LP) March 15 through last Friday before	Designated on permit	14" minimum	2xbag	Daily permits necessary as specified (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Permit availability; See Section 6.05 D. for more details.

			last Saturday in April						
Northern Pike	Inland Lakes† (see note 5)	Open Water Spearing/Bowfishing and Netting (see note 6)	No Closed Season	5 per day	20" minimum	2xbag	Daily permits for netting only (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Muskellunge	Inland Lakes†	Open Water Spearing/Bowfishing and netting (see note 6)	No Closed Season	1 per day	42" minimum	2xbag	Daily permits for netting only (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Lake Sturgeon	Black Lake	Open Water Spearing, Spearing through ice, Hook and Line (see note 6)	January 1 to December 31	By Permit Only	None	1 per permit	Lottery: Apply with GTB-NRD Nov 1 to Dec 15.	Immediate Reporting and Check-in Required	Contact NRD for Reporting Requirements and Documents
Bluegill, sunfish, crappie, lake whitefish, and yellow perch	Inland Lakes†	Open Water Spearing/Bowfishing and netting (see note 6)	No Closed Season	50 per day	None	2xbag	Daily permits for netting only (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents
Other Species Not Listed	Inland Lakes†	Open Water Spearing/Bowfishing and Netting (see note 6)	No Closed Season	Designated on permit	None	No limit	Daily permits for netting only (note 1)	Reporting required within 7 days of harvest (see note 6)	Contact NRD for Reporting Requirements and Documents

*See Maps of Regulated Fishing Locations

****The daily bag limit for all trout in streams shall be 10 total in any combination.**

***Protected streams only--See **Table 4** and Maps of Regulated Fishing Locations

†Designated lakes only (**Table 7**)--Harvestable quotas to be determined through assessments and consultation with participating management agencies.

Note 1: Daily permits are necessary **prior to harvest** for this species, for all methods, during specified season and locality; except that outside specified season, permits **prior to harvest** are only necessary for netting.

Note 2: Little Manistee River - It shall be lawful to use spears or bows to harvest only 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.

Note 3: Spearing shall be prohibited in the vicinity of the Little Manistee River at its confluence with Manistee lake- The area closed 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.

Note 4: It shall be unlawful to spear Atlantic salmon in the Torch Lake watershed.

Note 5: It shall be unlawful to take or possess northern pike in Potagannising River (Chippewa County) below the Potagannising Dam downstream to Maxton Road from April 15 through May 15

Note 6: See Sections **6.04 C.** and **6.05 D, E, F,** and **G** of Inland Fishing Regulations for specific netting, spearing and reporting requirements.

Maps of Regulated Fishing Locations

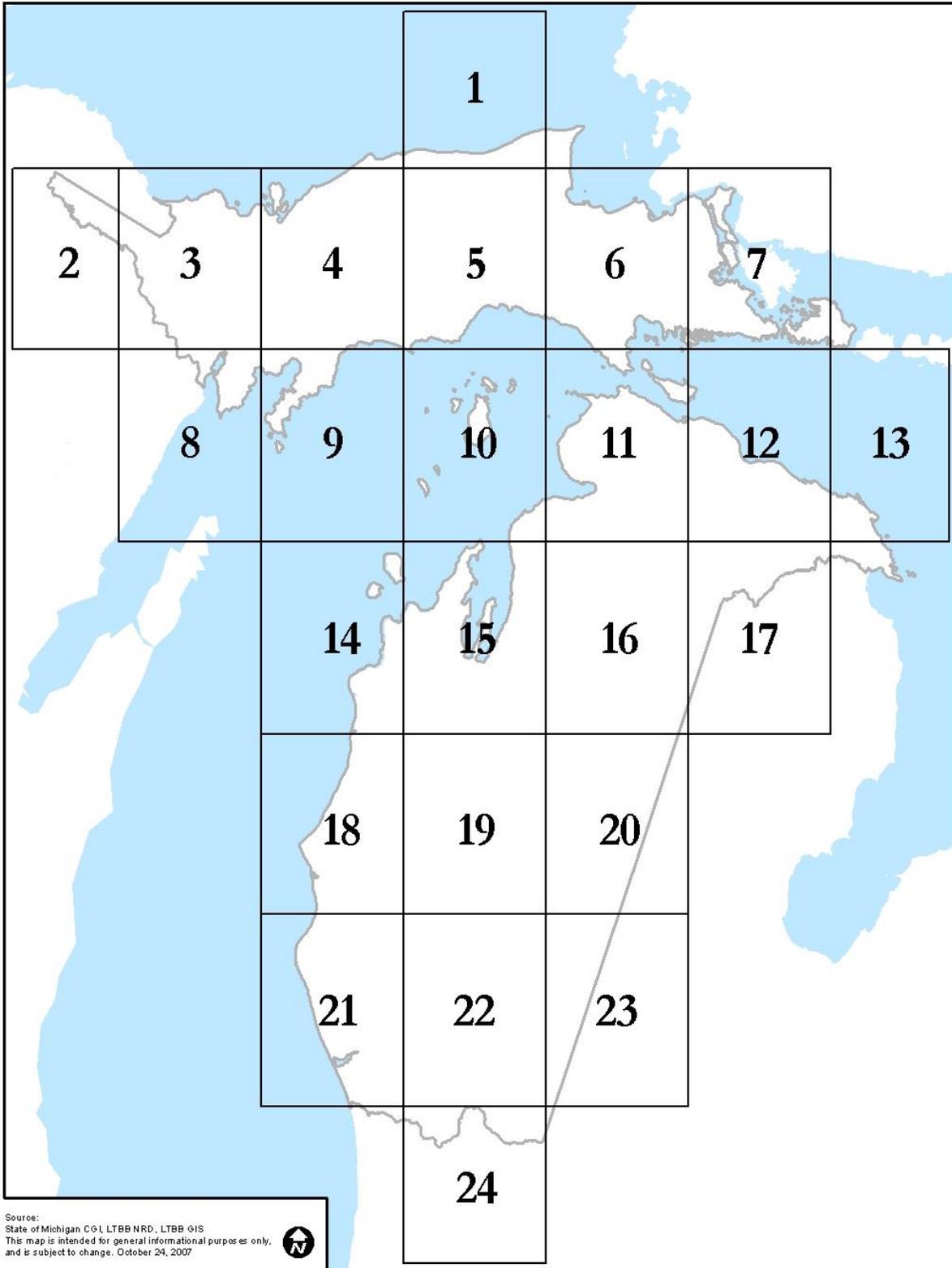
Legend

-  Trout Restrictions - Trophy (5, 6 & 7) Trout Streams (Table 1)
-  Type 5 Stream Segment
-  Type 6 Stream Segment
-  Brook and Brown Trout Designated Trout Streams
-  Type 3 Stream
-  State Trophy Trout (Type “D”) Lakes (Table 2)
-  Protected Streams – Steelhead (Rainbow) Restrictions (Table 3)
-  “Quality” Lakes (Section 6.05 C)
-  Lakes Closed to Pike and Muskellunge Spearing (Section 6.05 B)
-  Northern Pike No Size Limit Lakes
-  Northern Pike No Size Limit Rivers

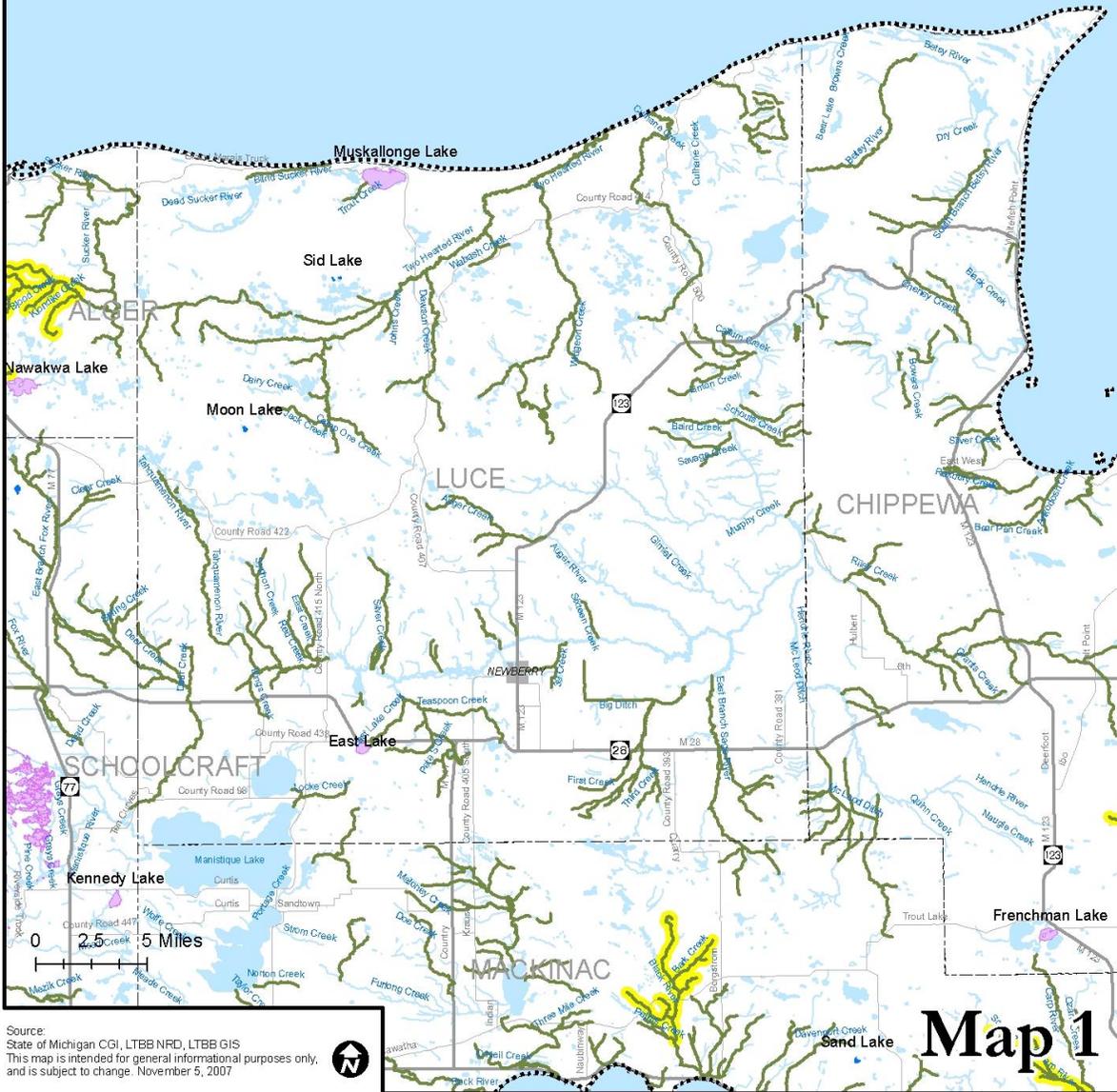
For questions please contact:

GTB Natural Resource Department
2605 N. West Bayshore Drive
Peshawbestown, MI 49682
(231) 534-7500 office
(231) 534-7576 fax



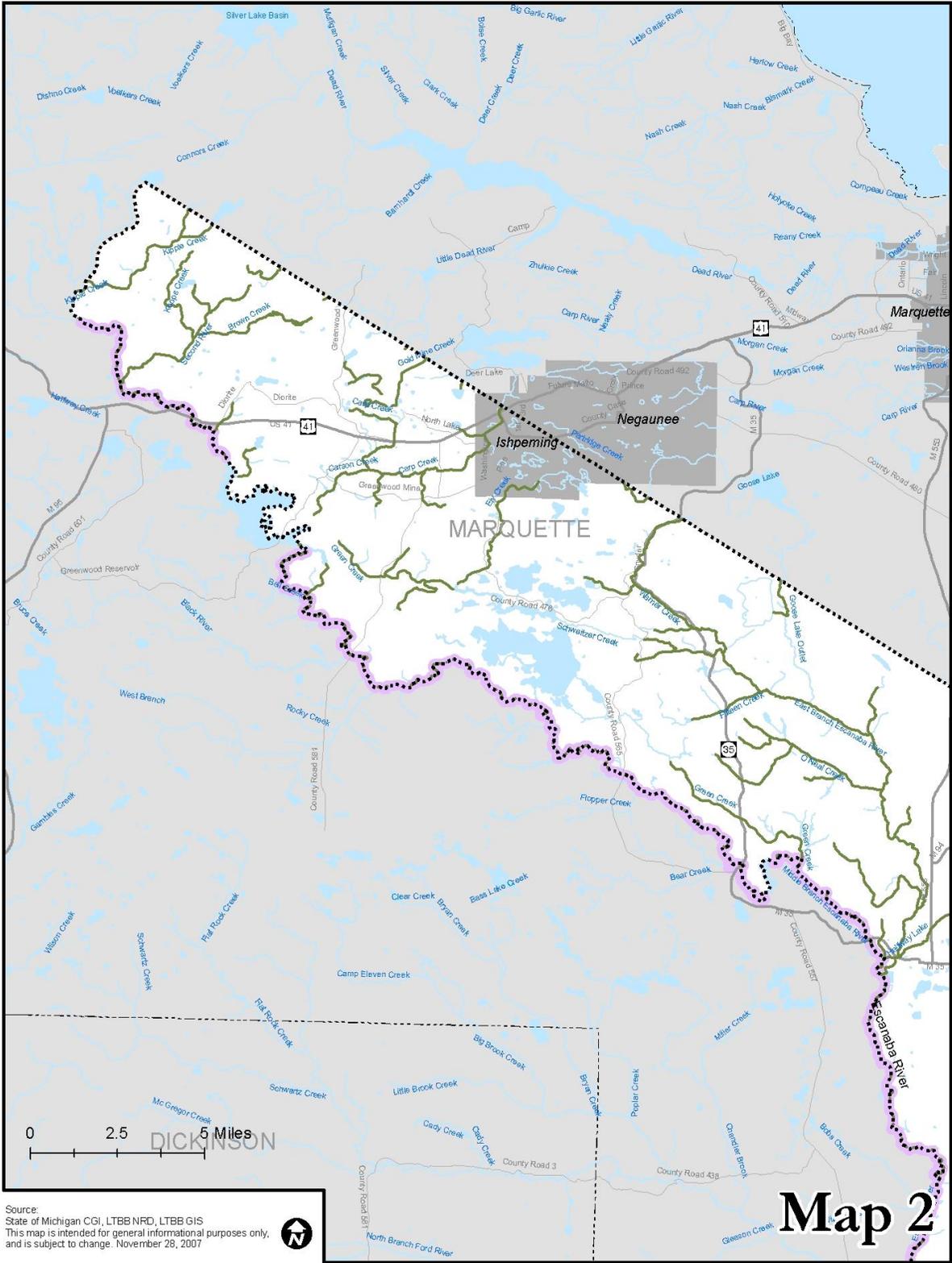


Lake Superior



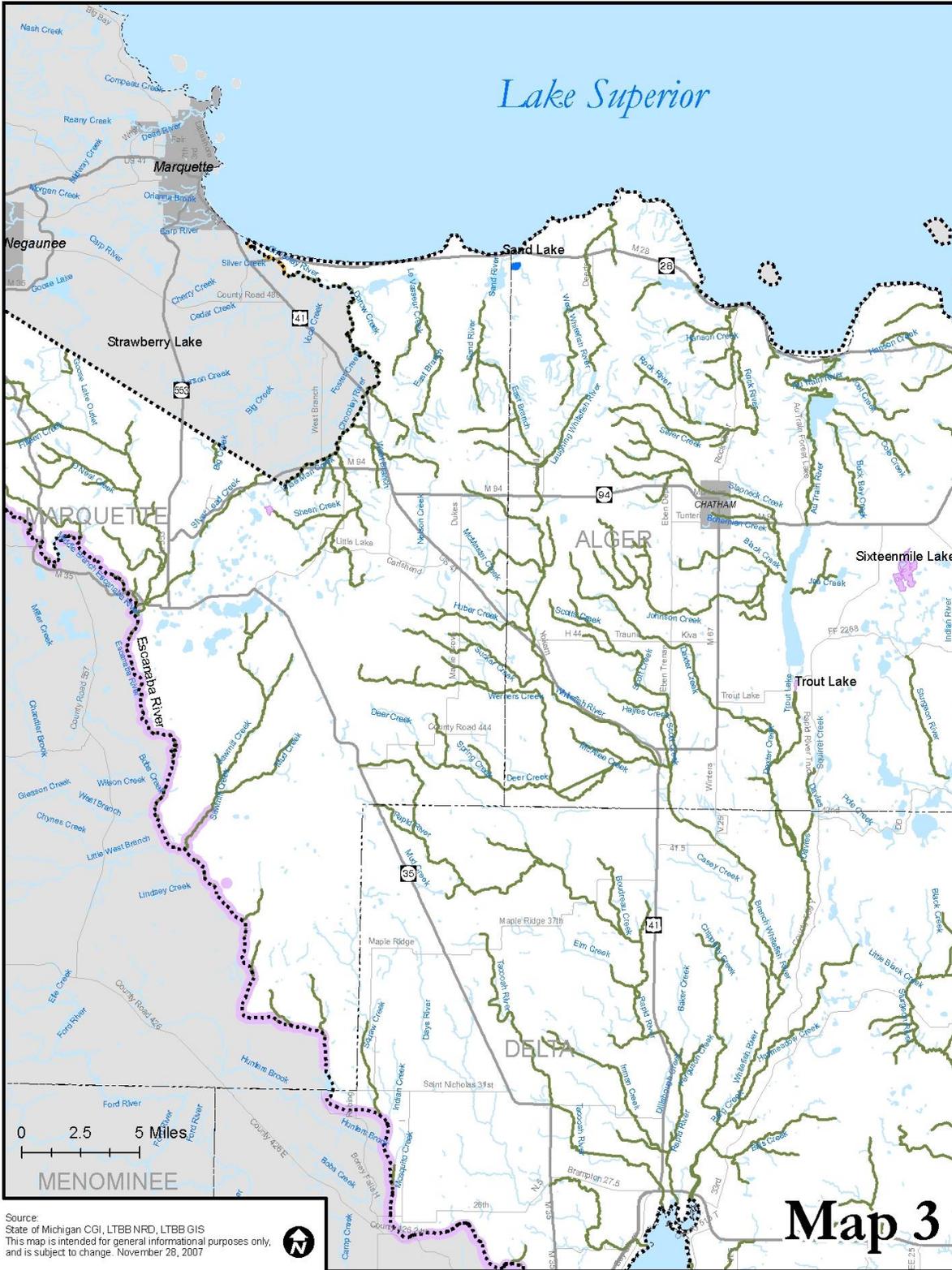
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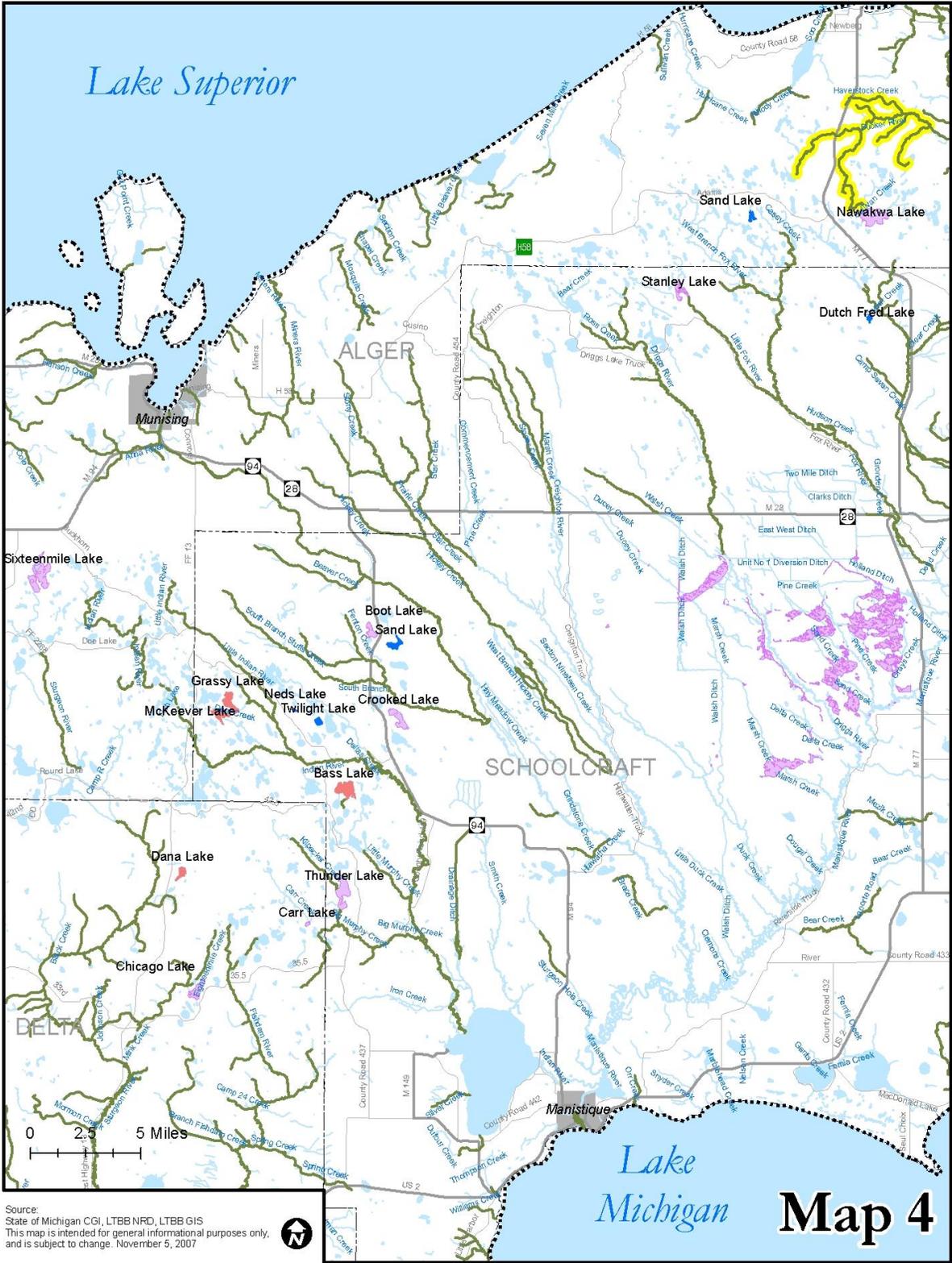




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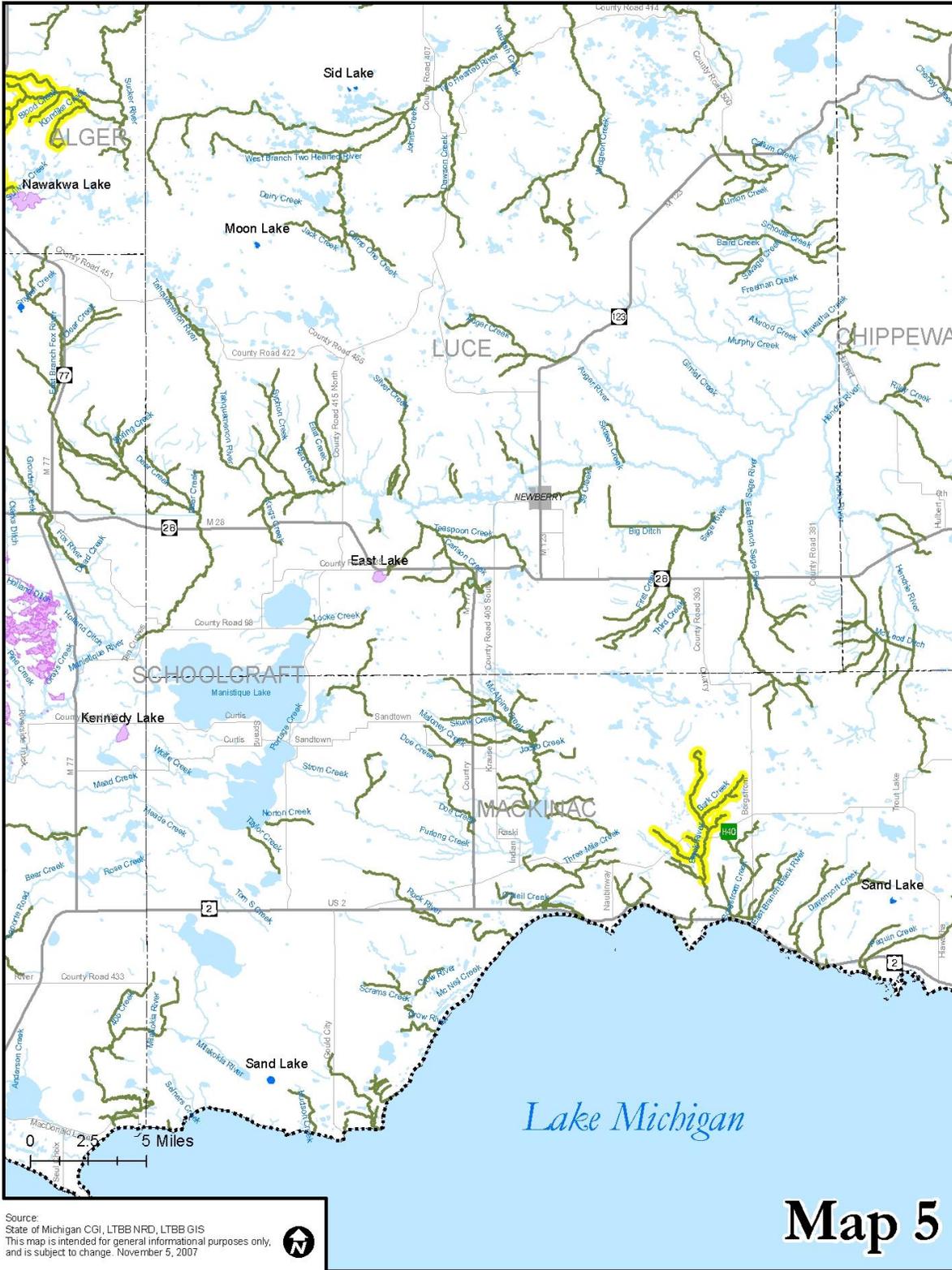
Map 2

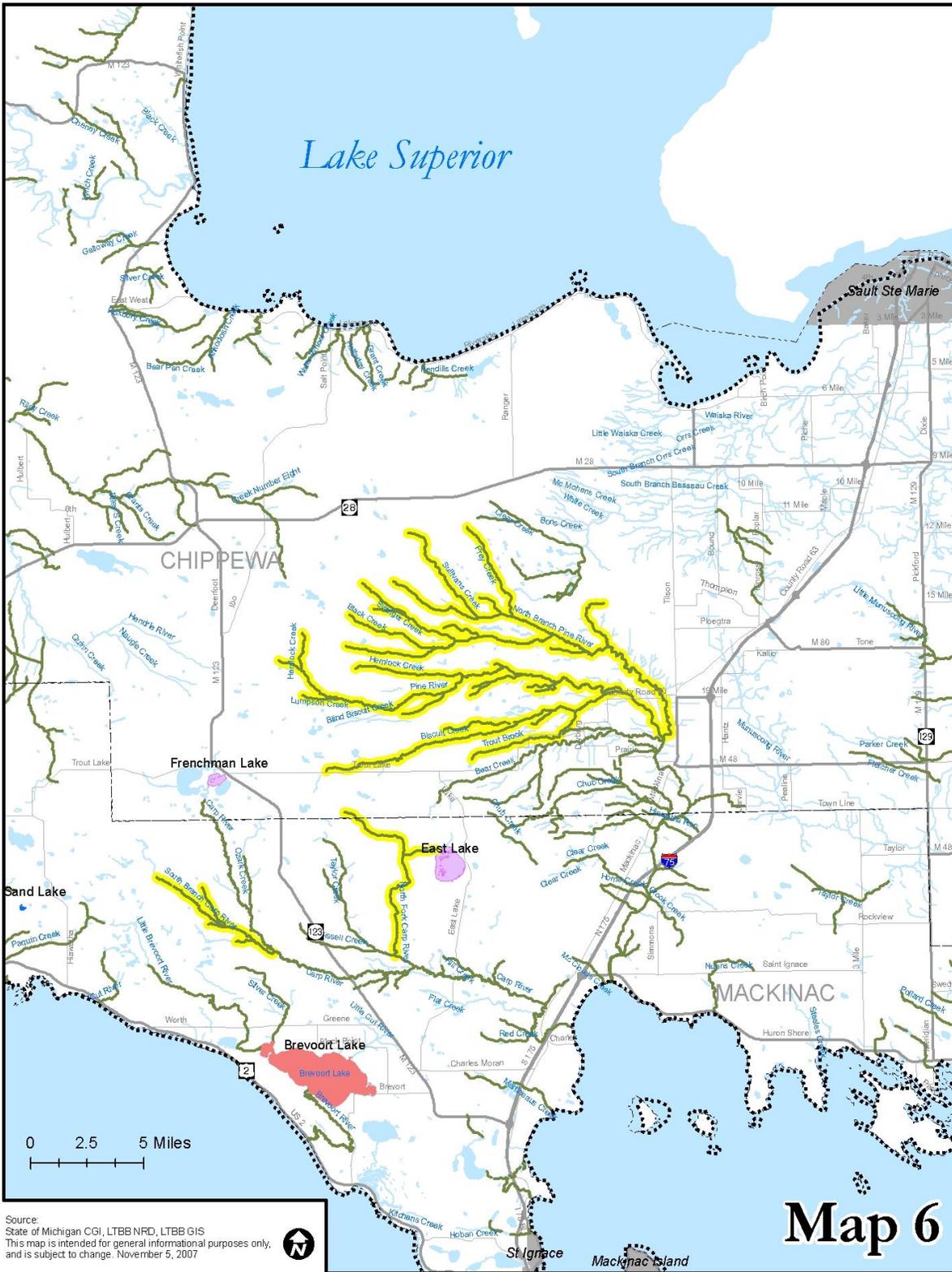




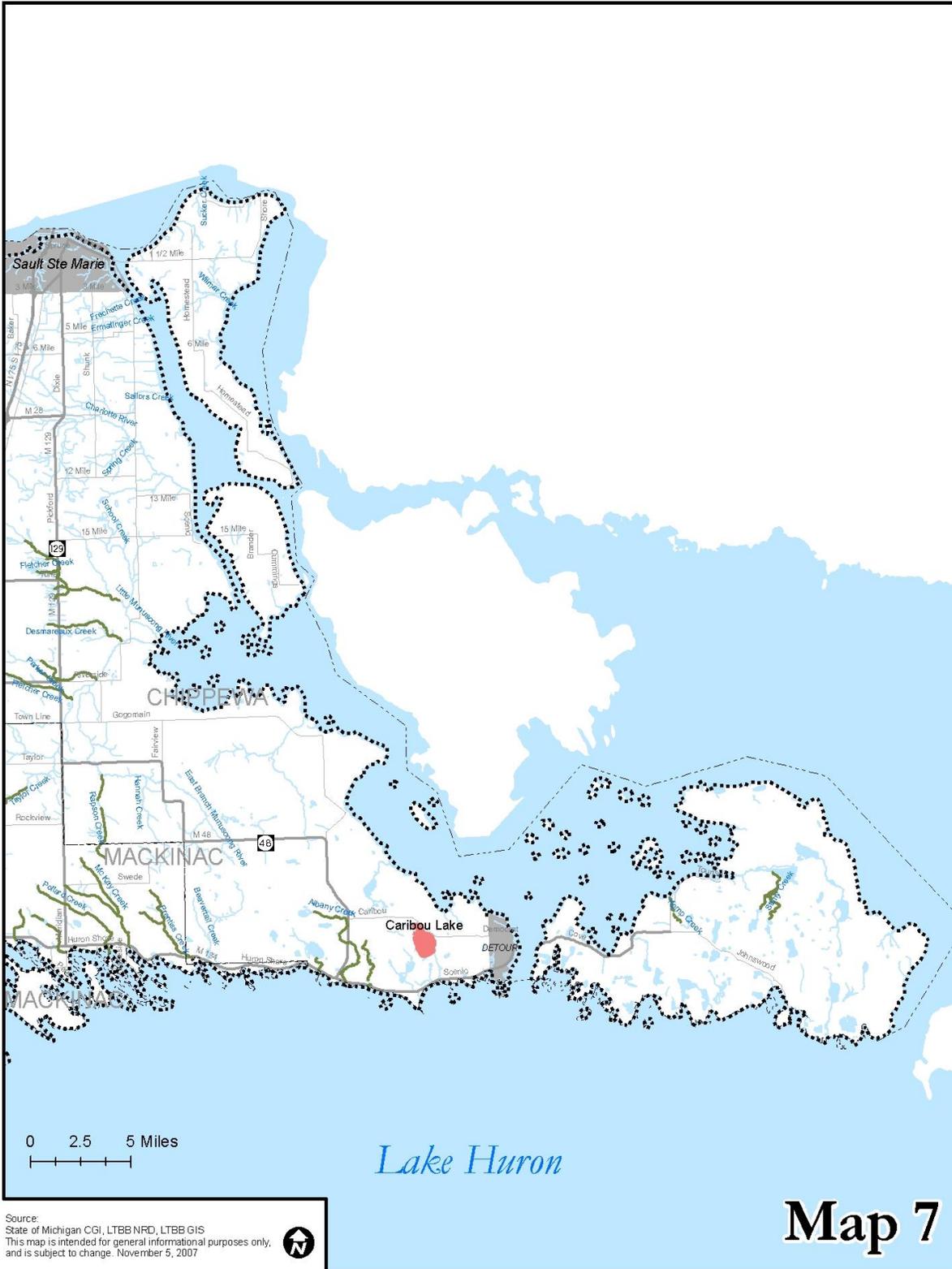
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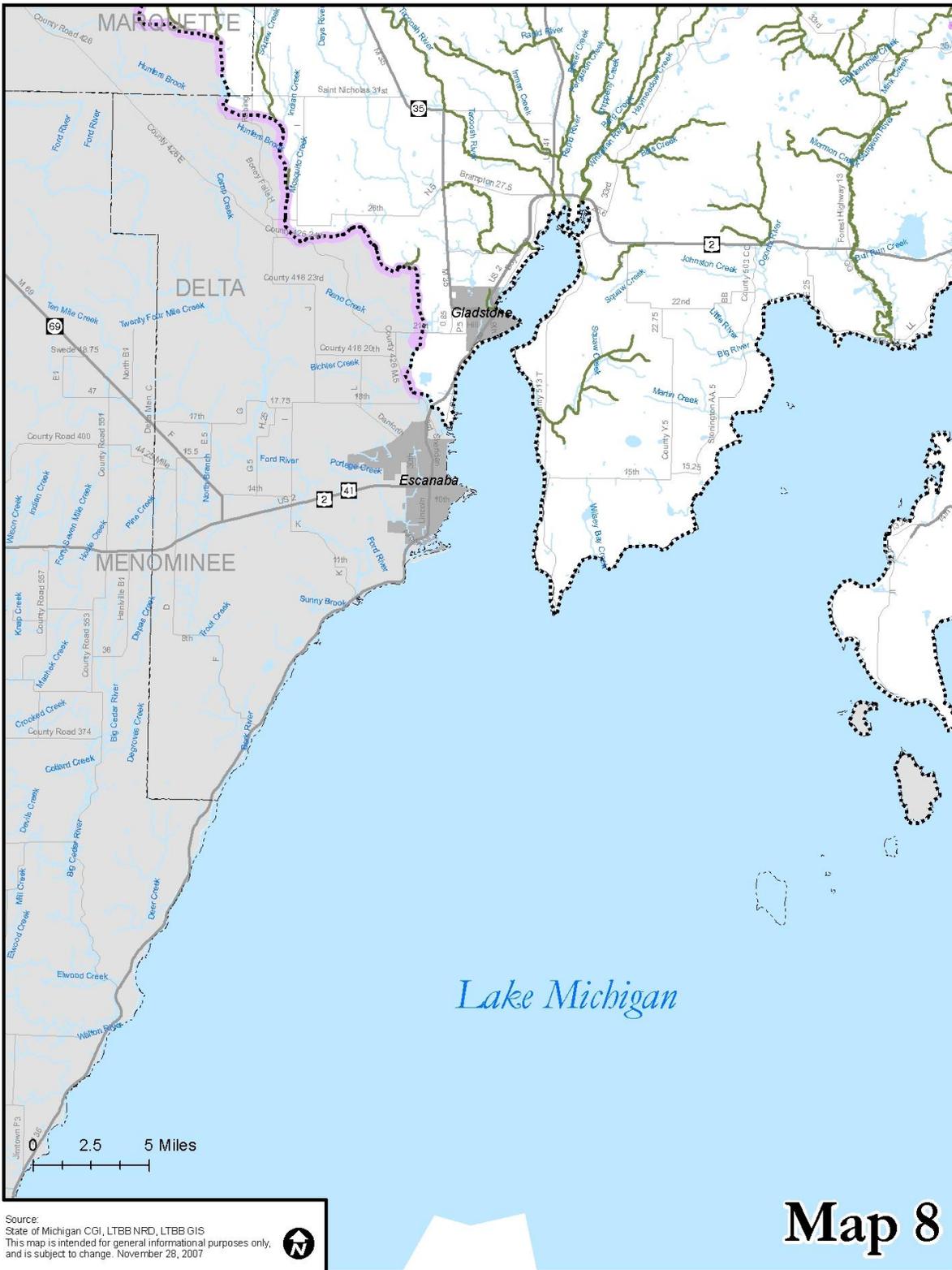
Lake Michigan **Map 4**





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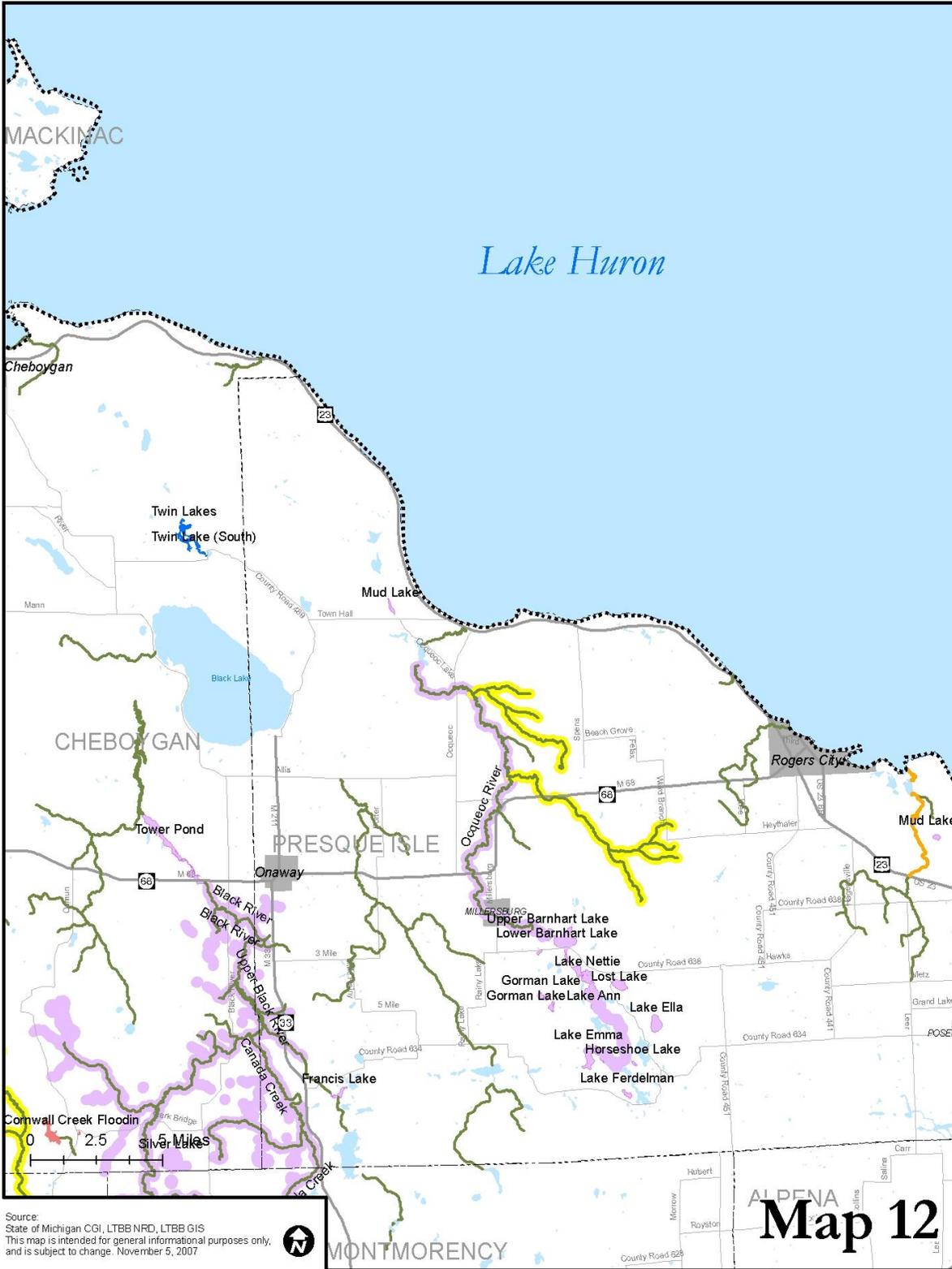


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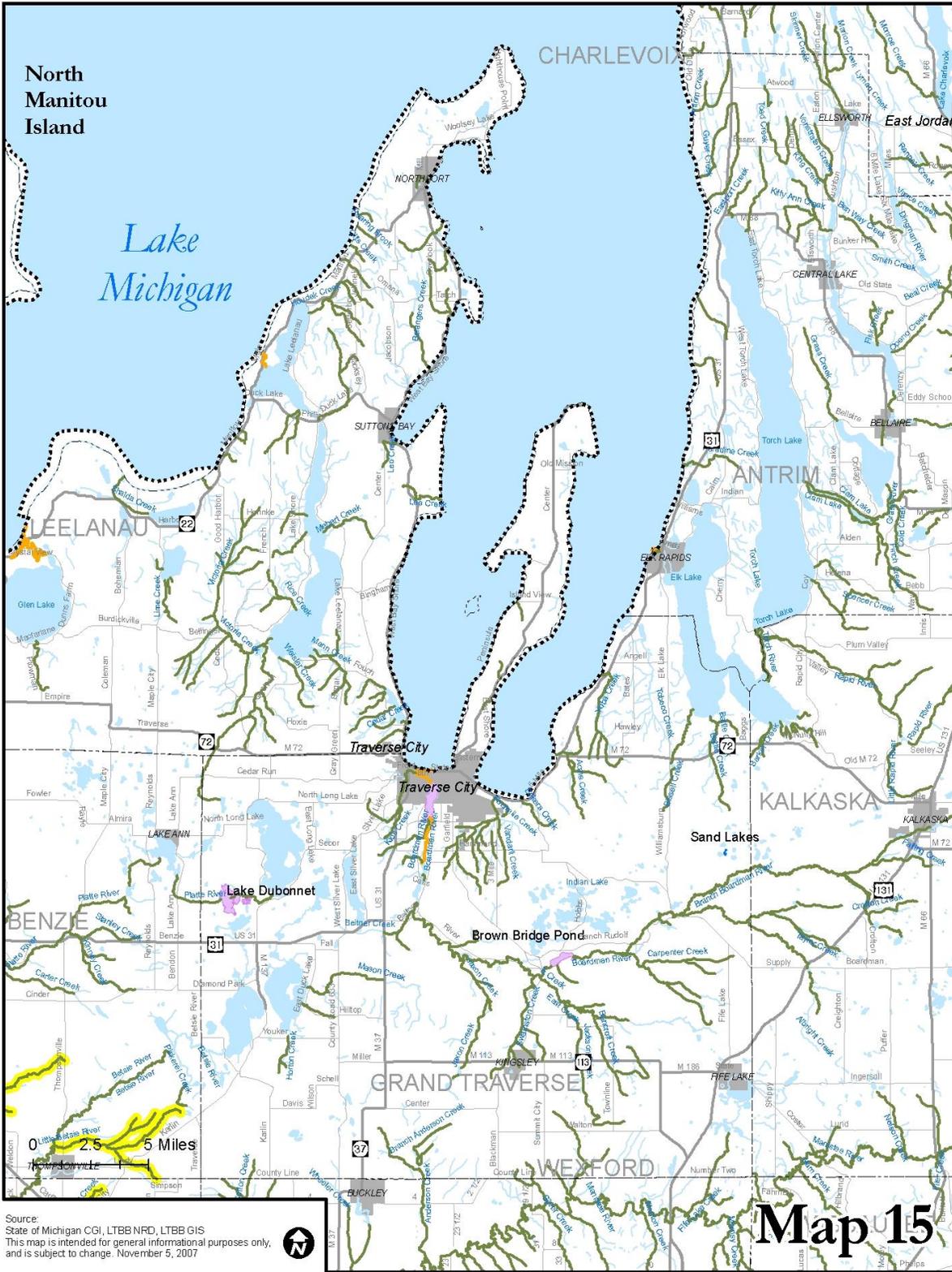
Lake Huron

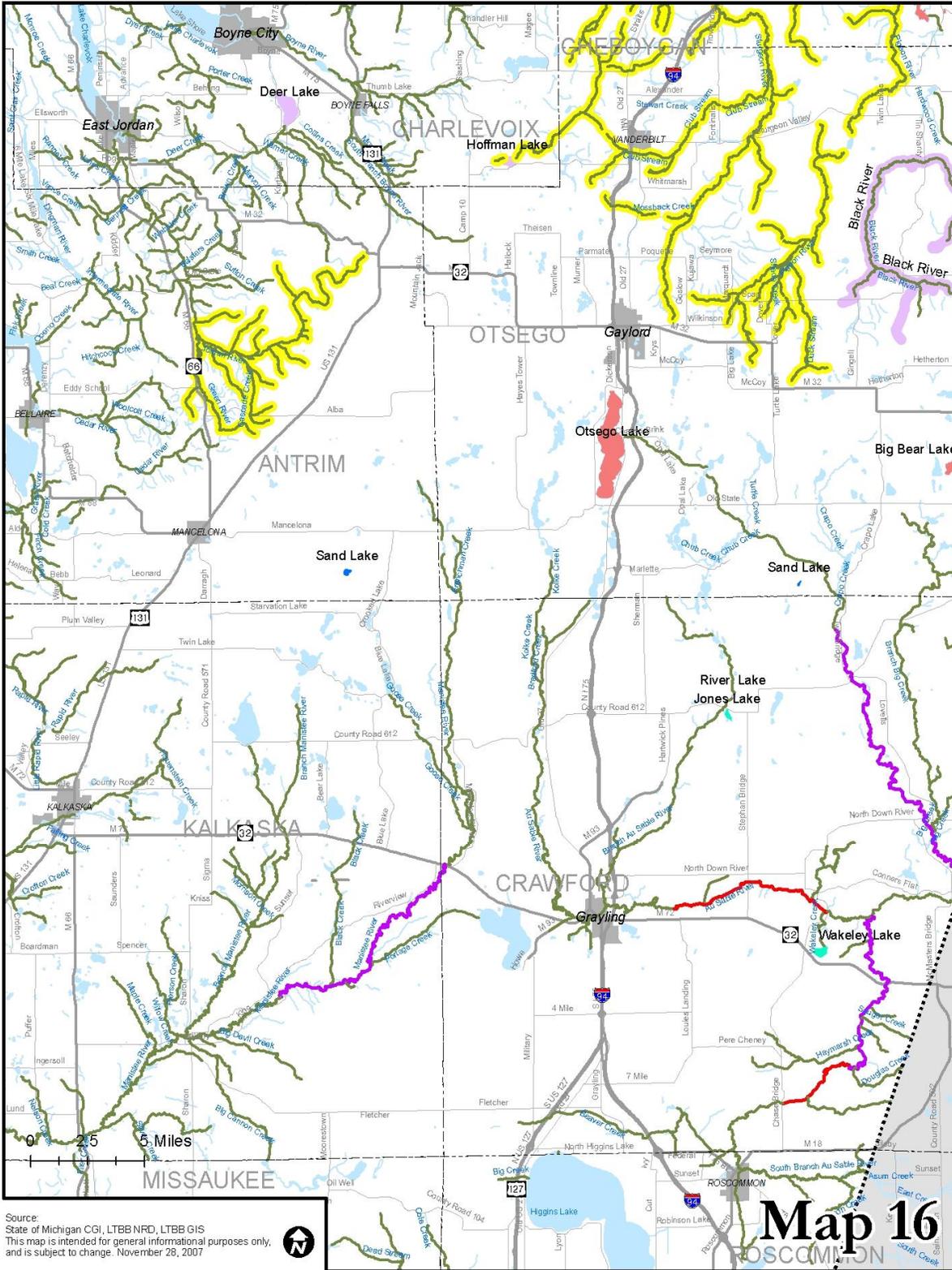


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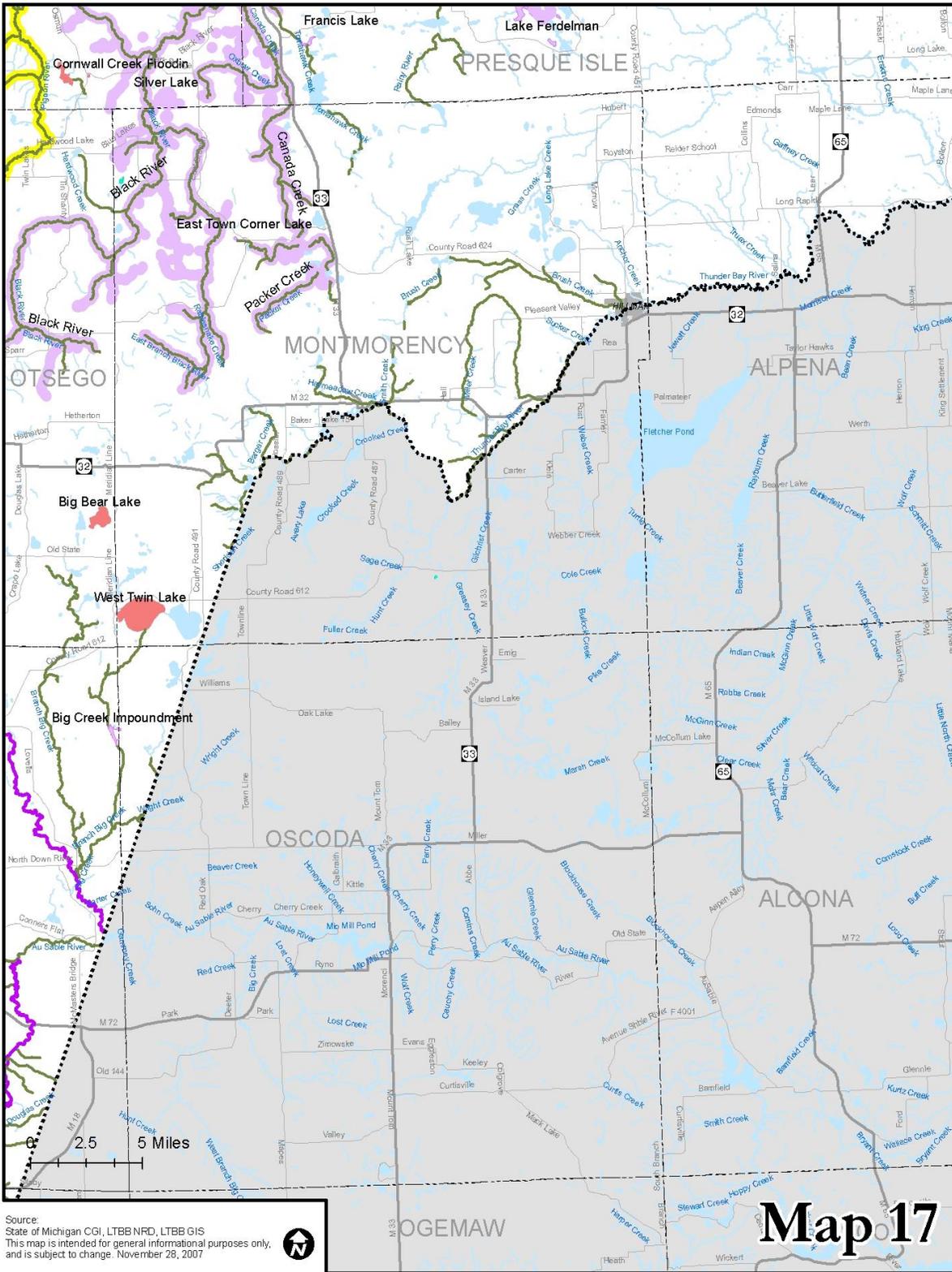
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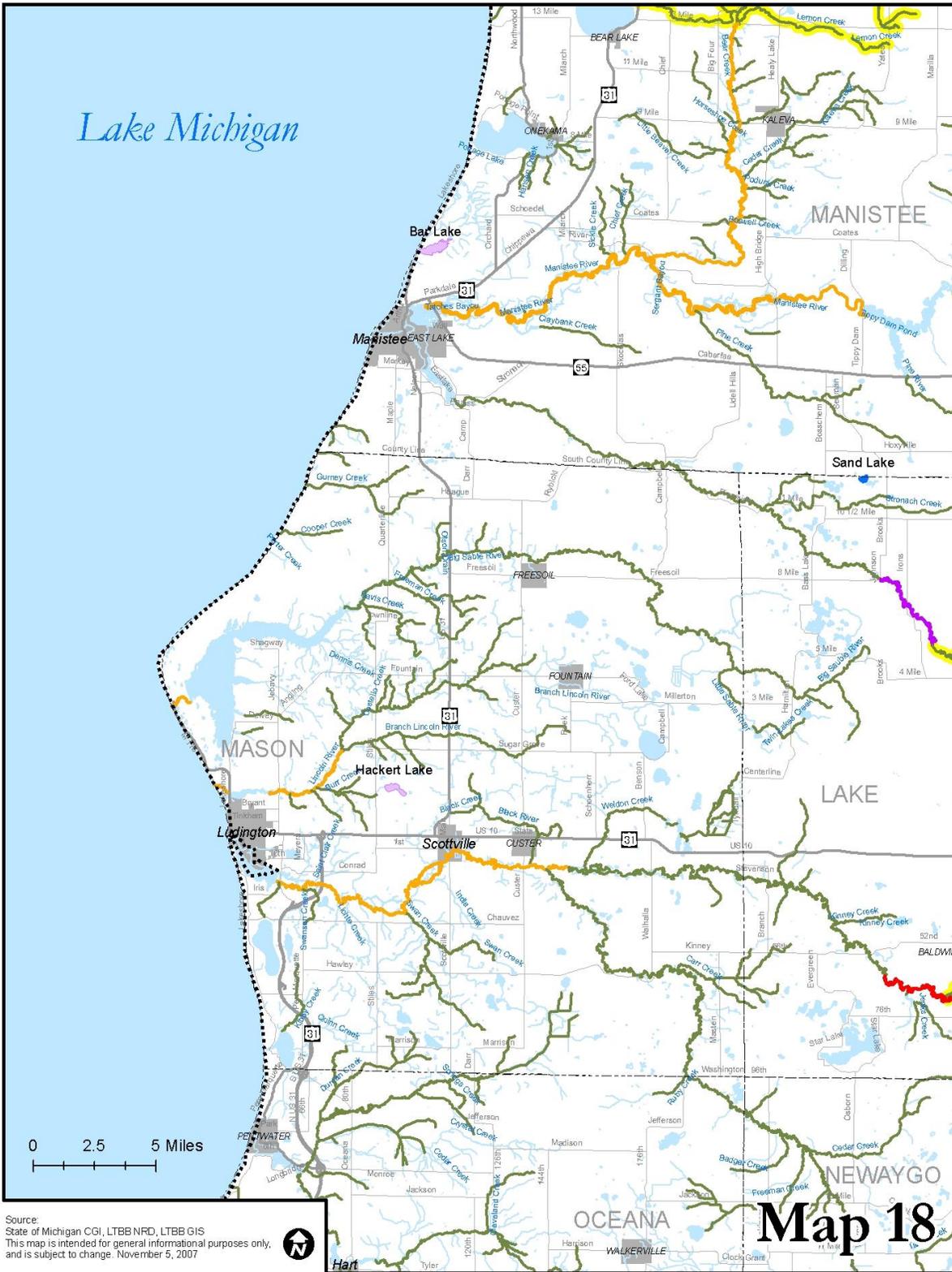


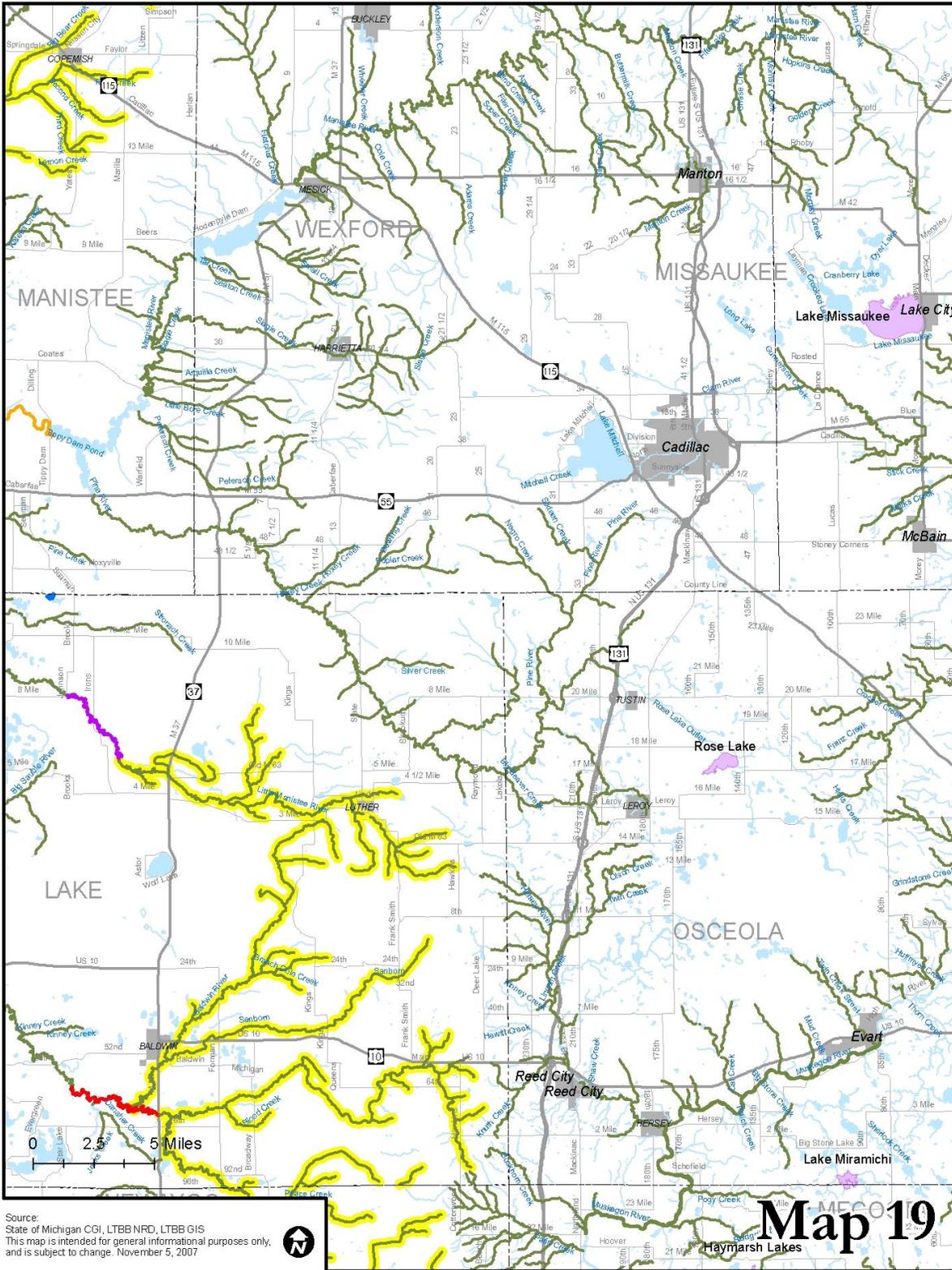


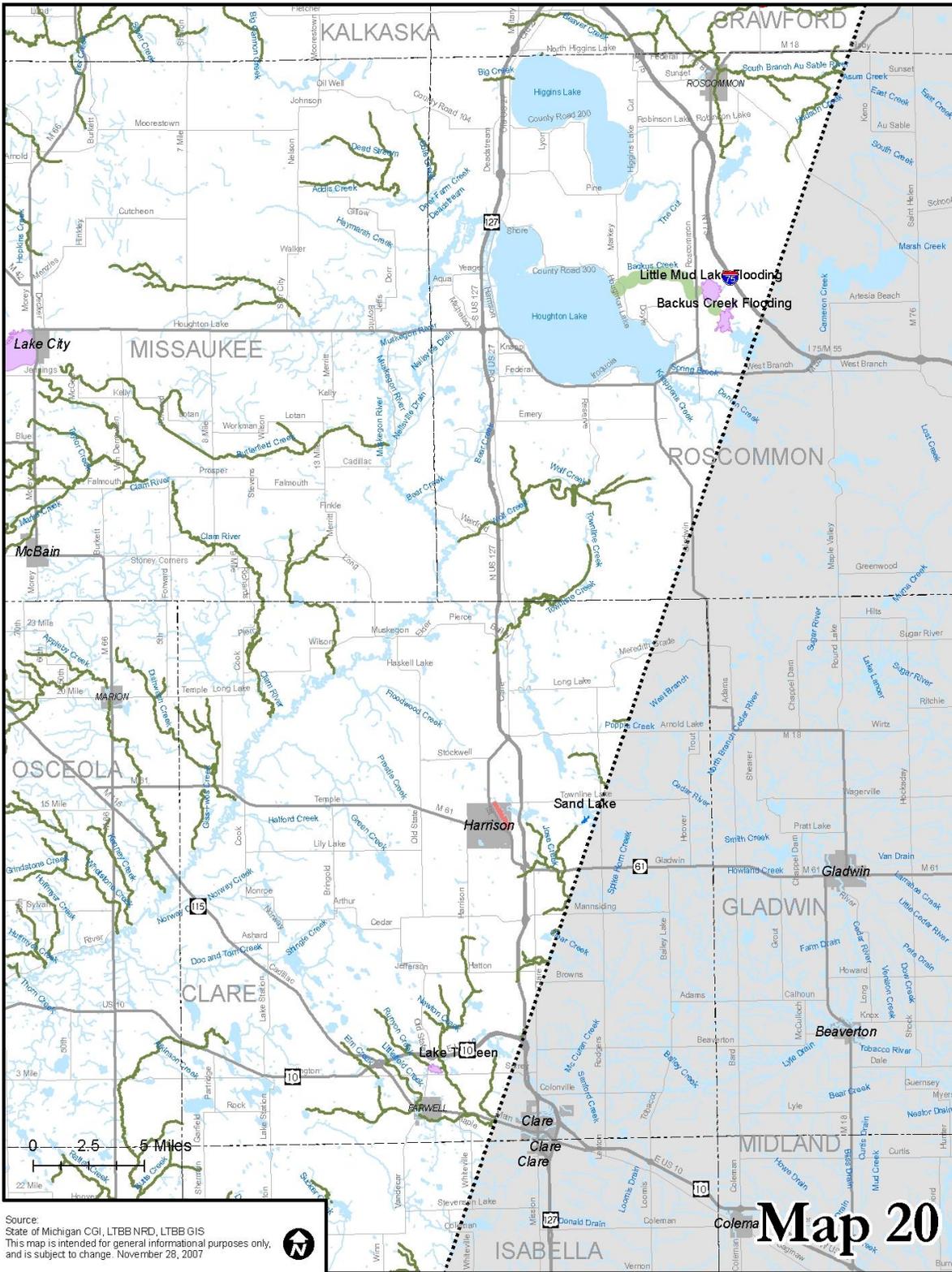
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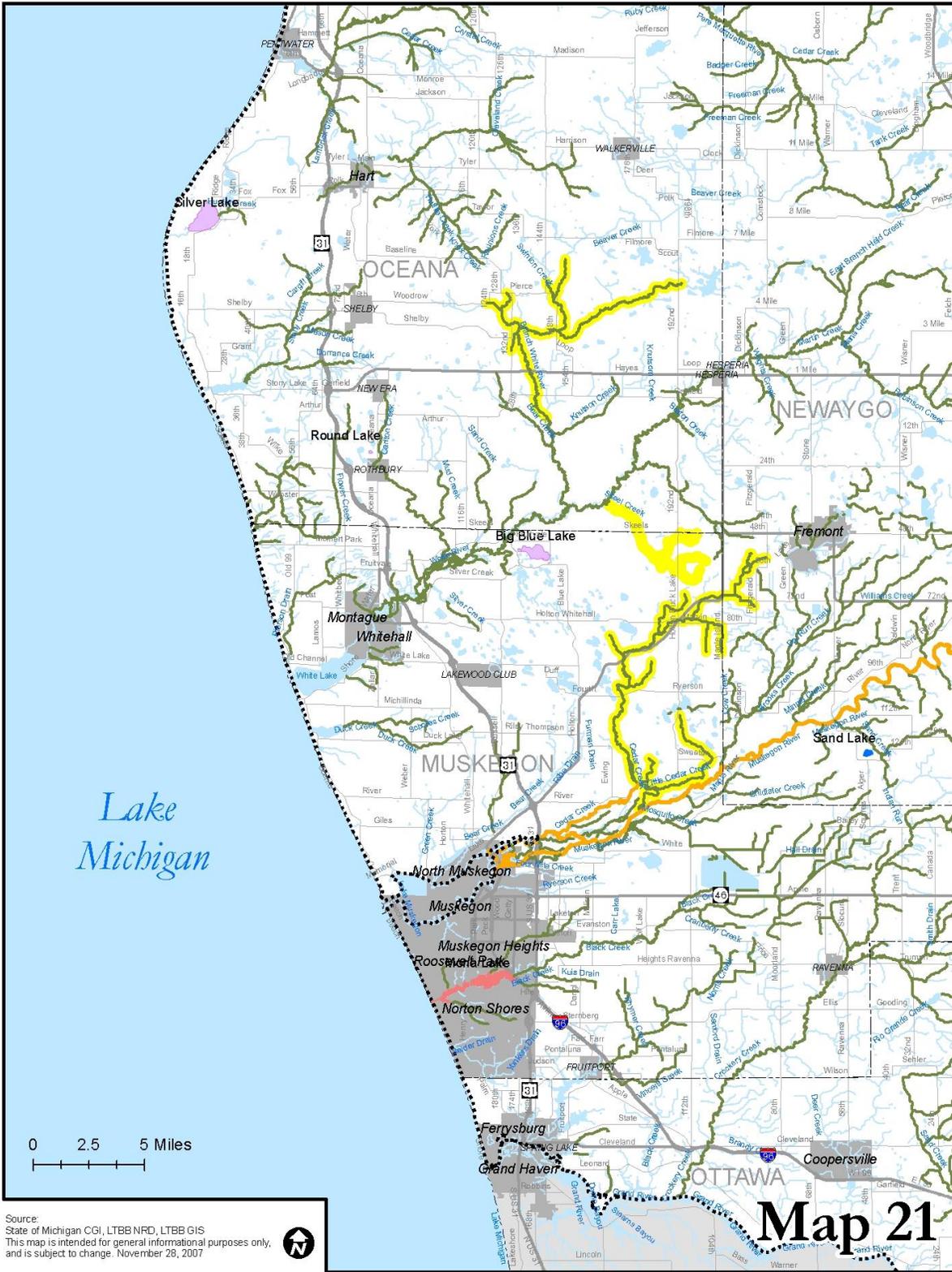
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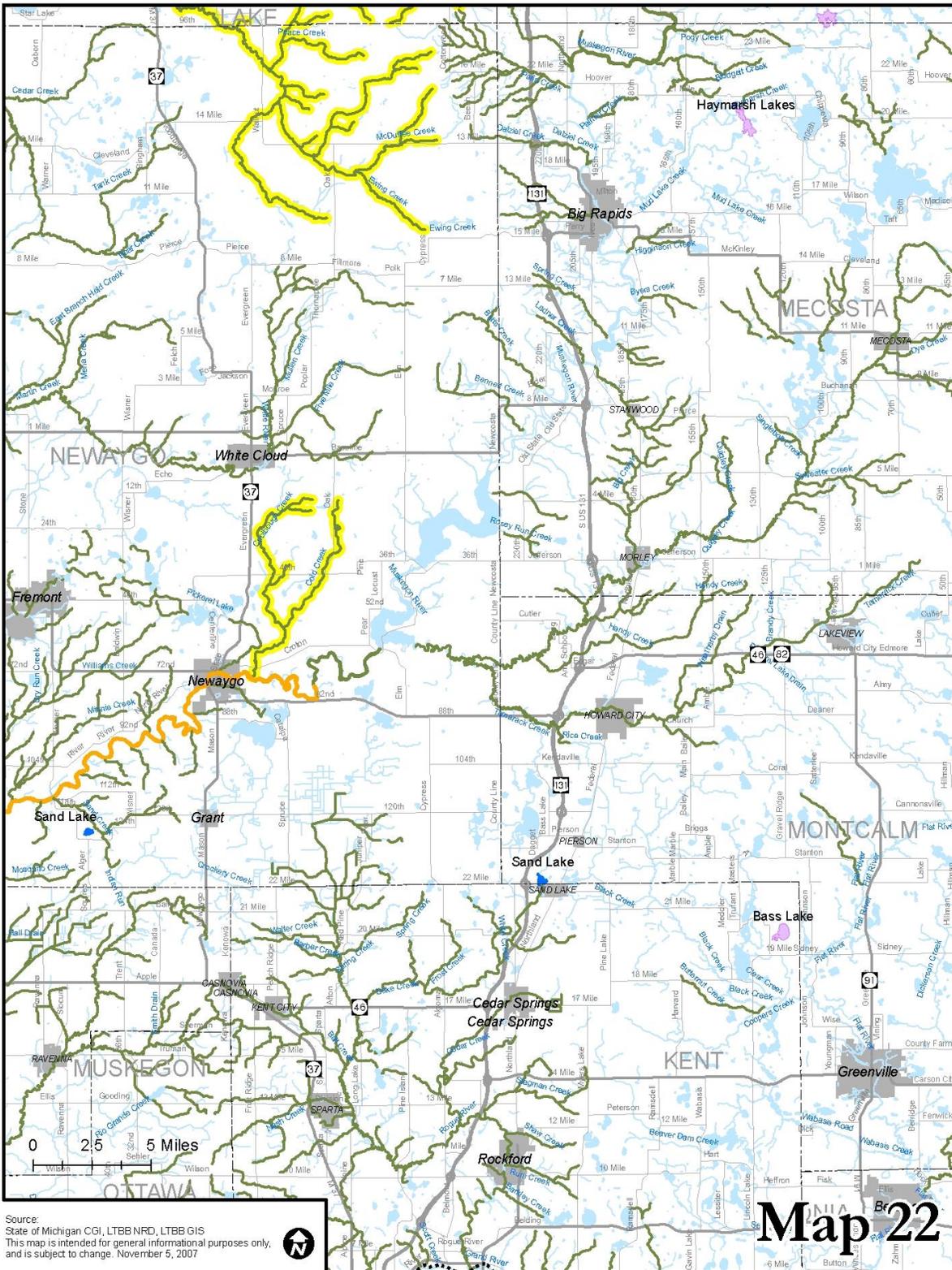






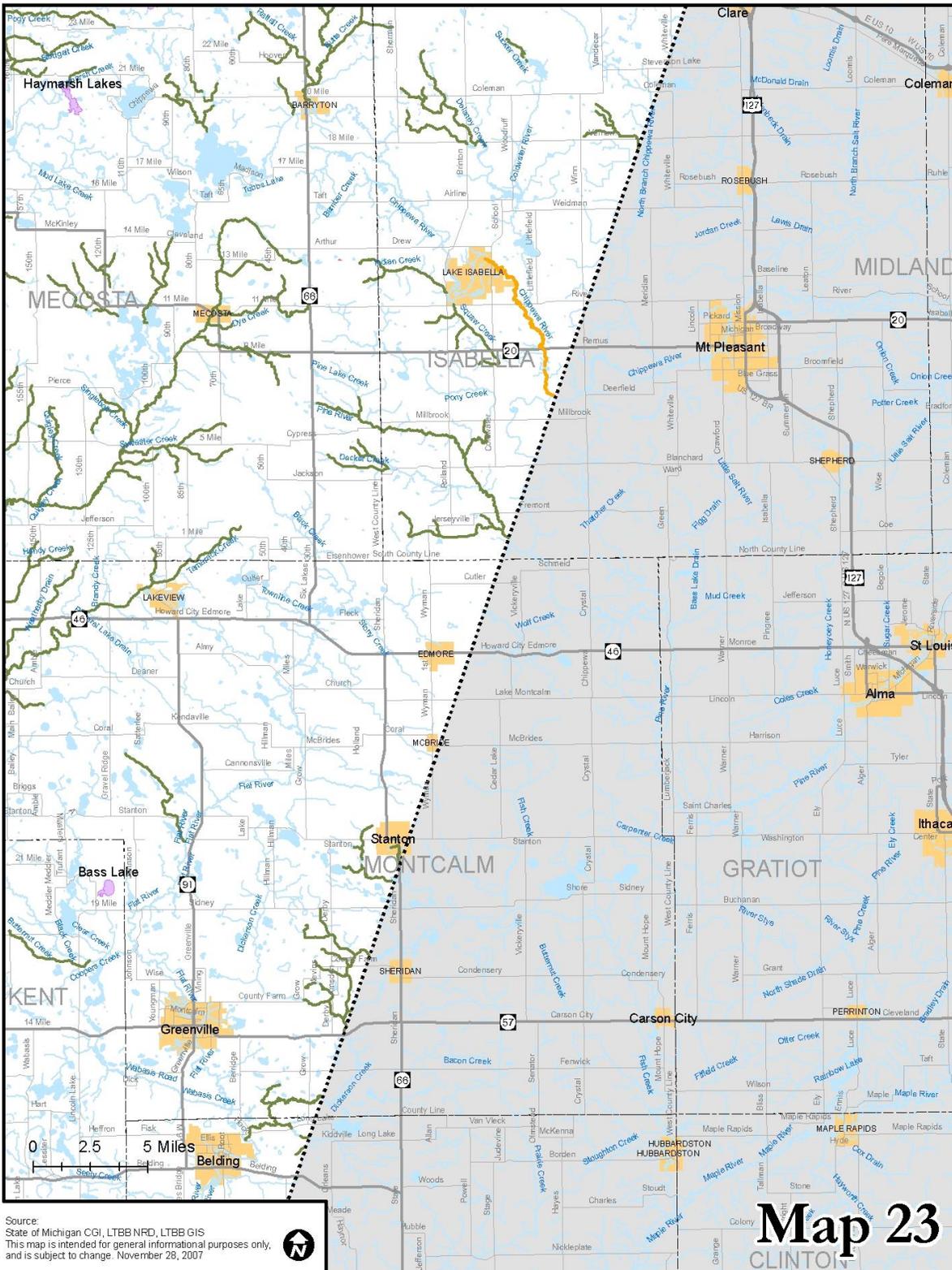


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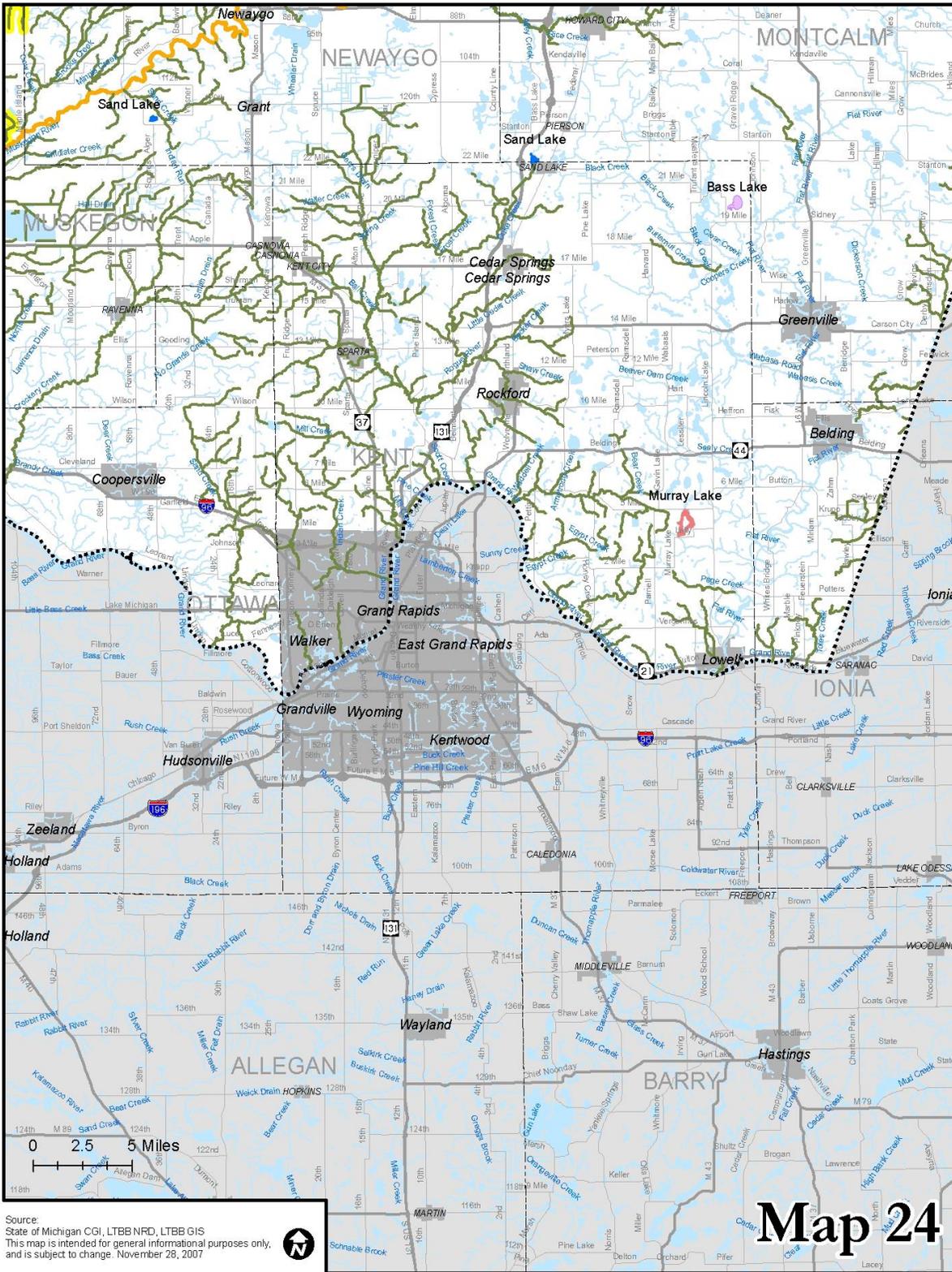
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Map 24



CONTACT INFORMATION:

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GTB Website: www.gtbindians.org
CORA Website: www.1836cora.org