



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

www.scatrwd.com

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. "Driving cross country" and "driving off-road", means driving off the main or established roadways (paved or dirt).
- I. "Fur bearing animals" include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. "Game fish" including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. "Hunting year" means the period from August 1 to July 31 of the following year.
- L. "Legal Live Bait Species" consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. "Management Bull Elk" is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the "management bull" hunter will be required to attend before hunting a management bull.
- N. "Management Hunt" means a hunt for the purpose of culling Management Bull Elks.
- O. "Members" means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. "Non-Member" means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. "Non-member spouse" means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. "Para-gliding" means any aircraft not registered with the Federal Aviation Administration.
- S. "Predators" means coyotes, bobcats, and foxes.
- T. "Protected Mammals" includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. "Recreation and Wildlife Code" means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. "Reservation" means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. "Restricted Areas" are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. "SCRWD" means San Carlos Recreation and Wildlife Department, the Tribe's agency charged with enforcement of these regulations.
- Y. "Small game" is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble's quail, Mearn's quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

Revised November, 2008

(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as an educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. "Driving cross country" and "driving off-road", means driving off the main or established roadways (paved or dirt).
- I. "Fur bearing animals" include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. "Game fish" including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. "Hunting year" means the period from August 1 to July 31 of the following year.
- L. "Legal Live Bait Species" consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. "Management Bull Elk" is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the "management bull" hunter will be required to attend before hunting a management bull.
- N. "Management Hunt" means a hunt for the purpose of culling Management Bull Elks.
- O. "Members" means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. "Non-Member" means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. "Non-member spouse" means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. "Para-gliding" means any aircraft not registered with the Federal Aviation Administration.
- S. "Predators" means coyotes, bobcats, and foxes.
- T. "Protected Mammals" includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. "Recreation and Wildlife Code" means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. "Reservation" means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. "Restricted Areas" are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. "SCRWD" means San Carlos Recreation and Wildlife Department, the Tribe's agency charged with enforcement of these regulations.
- Y. "Small game" is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble's quail, Mearn's quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

Revised November, 2008

(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as an educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within $\frac{1}{4}$ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. “Driving cross country” and “driving off-road”, means driving off the main or established roadways (paved or dirt).
- I. “Fur bearing animals” include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. “Game fish” including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. “Hunting year” means the period from August 1 to July 31 of the following year.
- L. “Legal Live Bait Species” consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. “Management Bull Elk” is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the “management bull” hunter will be required to attend before hunting a management bull.
- N. “Management Hunt” means a hunt for the purpose of culling Management Bull Elks.
- O. “Members” means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. “Non-Member” means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. “Non-member spouse” means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. “Para-gliding” means any aircraft not registered with the Federal Aviation Administration.
- S. “Predators” means coyotes, bobcats, and foxes.
- T. “Protected Mammals” includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. “Recreation and Wildlife Code” means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. “Reservation” means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. “Restricted Areas” are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. “SCRWD” means San Carlos Recreation and Wildlife Department, the Tribe’s agency charged with enforcement of these regulations.
- Y. “Small game” is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble’s quail, Mearn’s quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
 - J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
 - K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
 - L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
 - M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
 - N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
 - O. Turkeys shall not be taken while roosting in trees.
 - P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
 - Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.



SAN CARLOS APACHE TRIBE – Recreation & Wildlife Department

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Commission Rules and Regulations

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(Approved by Commissioners on 8/14/09)

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REG 001 - DEFINITIONS

- A. Any term not defined herein shall be construed according to the San Carlos Apache Tribe Wildlife and Recreation Code, adopted by Ordinance No. 76-1 (August 27, 1976)
- B. “All-terrain vehicles” or “ATV” mean vehicles that are designed primarily for recreational non-highway all-terrain travel. This definition includes vehicles designed for recreational non-highway all-terrain travel
- C. “Angling” means the taking of fish by one(1) line with two (2) or less hooks, or by one line and one artificial lure which may have more than one hook or by one line with two or less artificial flies, lures or legal bait.
- D. “Aquatic wildlife” consists of fish, amphibians, waterdogs, mollusks, crustaceans and soft-shelled turtles, excluding threatened and endangered fish species and leopard frogs.
- E. “Big game” means antelope, bear, deer, elk, javelina, mountain lion, sheep and turkey.
- F. “Camping” means any overnight stay within a temporary structure.
- G. “Closed Area” means an area designated by a Recreation & Wildlife Commission rule, regulation or order that is closed to everyone including Tribal Members and non-members, with the exception of emergency personnel and/or government employees conducting official business in that area.

- H. "Driving cross country" and "driving off-road", means driving off the main or established roadways (paved or dirt).
- I. "Fur bearing animals" include muskrats, raccoons, coatimundi, opossums, otters, mink, badgers, and ringtail cats.
- J. "Game fish" including trout of all species, small mouth and largemouth bass, crappie, bluegill, sunfishes and catfish of all species.
- K. "Hunting year" means the period from August 1 to July 31 of the following year.
- L. "Legal Live Bait Species" consist of water dogs, fathead minnows, mosquito minnow, worms, and crayfish.
- M. "Management Bull Elk" is defined as a bull that has deformed antlers. Deformities will be further defined in the management hunt class that the "management bull" hunter will be required to attend before hunting a management bull.
- N. "Management Hunt" means a hunt for the purpose of culling Management Bull Elks.
- O. "Members" means any person who is an enrolled tribal member of the San Carlos Apache Tribe.
- P. "Non-Member" means any person who is not an enrolled member of the San Carlos Apache Tribe, with the exception of non-member spouse.
- Q. "Non-member spouse" means any person who is not an enrolled tribal member but who is legally married to an enrolled member of the San Carlos Apache Tribe.
- R. "Para-gliding" means any aircraft not registered with the Federal Aviation Administration.
- S. "Predators" means coyotes, bobcats, and foxes.
- T. "Protected Mammals" includes all mammals protected by special tribal, federal or state laws, especially those under the Endangered Species Act of 1973.
- U. "Recreation and Wildlife Code" means the governing law of the San Carlos Apache Tribe, Ordinance No. 76-1 and all other applicable laws, statutes, ordinances and regulations thereof, which are incorporated herein by this reference.
- V. "Reservation" means the federal Indian trust lands within the exterior boundaries of the San Carlos Reservation of the San Carlos Apache Tribe.
- W. "Restricted Areas" are areas that are closed to all activities by non-members, non-member spouse and non-member BIA or non-member tribal employees, *except as stated in the commission orders*.
- X. "SCRWD" means San Carlos Recreation and Wildlife Department, the Tribe's agency charged with enforcement of these regulations.
- Y. "Small game" is cottontail rabbit, mourning and white-wing dove, Eurasian dove, band-tailed pigeon, Abert squirrel, Gamble's quail, Mearns's quail, scale quail, pheasants and waterfowl.

- Z. “Temporary structure” means any kind of shelter built for the purpose of hunting or outdoor recreation and located outside of established residential and business areas. Allowable structures include pre-fabricated tents, pop-up trailers, recreational vehicles, fifth wheels, campers, mobile homes.
- AA. “Trout” means all species of the family Salmonidae.
- BB. “Unprotected Mammals” are Norway rats, house mice, skunks, jackrabbits, pack rats and ground squirrels. Unprotected birds are starlings and house sparrows.
- CC. “Water Craft” means any boat designed to be propelled by machinery, oars, paddles or sails for navigation upon the water, or as defined by other Commission rules, regulations or orders.
- DD. “Water Fowl” means swimming game birds including ducks, geese, swan, mergansers, and coots.

REG 002 – TIME AND METHODS

- A. Shooting hours, unless otherwise specified in other Commission Rules, Regulation or Orders, are on-half (1/2) hour before sunrise and one-half (1/2) hour after sunset.
- B. Tribal Members shall have in their possession a valid tribal identification for the purpose of purchasing hunting, fishing, and guiding permits.
- C. Hunting and shooting firearms shall not be allowed within 1 Mile from any established residential and business area in San Carlos, Peridot, Seven Mile Wash, Gilson Wash and Bylas districts.
- D. Firearms cannot have a cartridge in the chamber while in a vehicle, except for SCRWD and other agency personnel while conducting their official duties.
- E. Any person of legal age and licensure for a handgun may carry unconcealed handguns for personal protection purposes.
- F. Tribal members may use crossbows for hunting unprotected species.
- G. Big game may be taken only with the following weapons.
1. Center fire rifles
 2. Center fire handguns
 3. Bows having a standard pull of forty or more pounds, using arrows with broad heads not less than 7/8 inches in width with metal cutting edges, including arrowheads that expand upon impact.
 4. Black power rifles. (Pending)
 5. In addition to the weapons authorized above, turkey and javelina may be taken with .22 magnum rim fire rifles, 5 mm rim fire rifles and .17 calibers. Turkey may also be taken with shotguns shooting shot.
- H. The following devices and ammunition are prohibited for the taking of any protected wildlife on San Carlos Apache Reservation and shall not be possessed while taking such wildlife.

1. Fully automatic firearms, including firearms capable of selective automatic fire.
 2. Tracer ammunition or armor piercing ammo designed for military use, except full-jacketed bullets, which may be used for predators.
 3. Shotguns larger than ten gauge or shotguns capable of holding more than two shells in the magazine, unless plugged with one-piece filler that limits the magazine capacity to two shells, incapable of removal without disassembling the gun.
 4. Semi-automatic center fire rifles with a magazine capacity of no more than five cartridges.
 5. Contrivances designed to silence, muffle, or minimize the report of a firearm.
 6. Poisoned projectiles, or projectiles containing explosives. Exception: Personnel from the SCRWD, the United States Fish and Wildlife Service etc. may use these projectiles in performance of their official duties.
- I. All management animals and all non-member big game animals taken, except for javelina and turkey, have to be reported by the holder of the tag, license or permit or the guide thereof to a game ranger or SCRWD staff within 24 hours after the applicable permit expires. Except for unprotected species or coyotes, no animal killed may be abandoned in the field. All reasonable efforts must be made to avoid the waste of meat of fish, small game, bears, turkeys, and ungulates, and the hides of predators, mountain lions, and bears.
- J. No animals may be taken with a firearm at night with the exception of raccoons which may be taken with the use of an artificial light, provided that the light is not attached to, or operated from, a vehicle. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.
- K. Predators may be taken with bows and arrows and all legal firearms. Predators shall not be taken with any fully automatic weapon. Permits for predators are sold only at the SCRWD
- L. No predator hunting shall be allowed in the month of September in the Dry Lake, Hilltop, 9-Mile trophy elk hunt units or in the Malay Gap Elk hunt units.
- M. Calling or attempting to call or attract wildlife with electronic calls is prohibited. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties. (Changed back to no electronic calls because that is what is stated in the Ordinance 76-1.
- N. Small game birds may be taken with shotguns shooting shot, 22 caliber, BB or pellet gun, slingshot, and bow and arrows.
- O. Turkeys shall not be taken while roosting in trees.
- P. Non-members may use their own dogs only for hunting small game and waterfowl, unless otherwise specifically authorized by a rule, regulation, or order of the Recreation & Wildlife Commission. Such dogs must be collared with the dog owner's identification.
- Q. Dogs may be used to hunt mountain lions and bears during the non-member hunts, provided that the dogs are owned by a legally licensed tribal member guide who must be with the hunter while in the field with the dogs. No person shall use any bait at any time to attract or take any big game on the San Carlos Reservation. SCRWD personnel shall be exempt from this regulation when in the performance of their official duties.

- R. Non-member big game hunters shall submit a photo of the animal they have taken and a completed hunter questionnaire to the SCRWD within 14 days after the last day of the hunt.
- S. Any hunter killing a game animal that is inedible due to disease can be issued another tag free of charge as long as the first kill is tagged, reported to, and verified by the SCRWD Law Enforcement or Wildlife Management. The carcass of the animal shall become the property of the San Carlos Recreation & Wildlife Department.
- T. Radio collared and/or ear tagged wildlife may be harvested if the species, management unit, and season is legal for the hunter's tags. The radio collar and/or ear tags must be returned to the SCRWD within 5 days of harvest. Only authorized employees may use tracking equipment to hunt or track collared animals.
- U. Aerial reconnaissance and/or aerial scouting for game animals is prohibited except for SCRWD and other agency personnel while conducting their official duties.
- V. Non-member big game hunters may scout 72 hours immediately before their hunt with a valid big game permit.
- W. Non-member big game hunting permits shall become invalid 24 hours after their game is harvested.

X. Trapping

1. Lawful taking devices

- a) Steel leg hold traps which do not have toothed jaws and which have jaw spreads that have less than seven and one-half (7 ½) inches. Leg hold traps may have greater jaw spreads for underwater sets.
- b) Conibear or other instant kill traps with jaw spread of less than five (5) inches (terrestrial and aquatic sets).

2. Procedural requirements:

- a) Only persons fourteen (14) years or older are permitted to trap. Trapping permits are required for all persons fourteen years of age or older. Permits are only available at the San Carlos SCRWD Office.
- b) Every trapper shall inspect his traps daily and kill or release all predatory and fur-bearing animals trapped. A trapper shall release without additional injury, all animals he trapped that he cannot lawfully keep. Every trapper shall possess while in the field a device designed or manufactured to restrain trapped animals so that they can be removed from the traps when their release is required by this rule including a choke restraint device sufficient to release a javelina.
- c) Traps must not be set within one-fourth mile of a boat launching area, a picnic area, a camping area, or a roadside rest area developed for public use.
- d) Traps must not be set within one mile of any occupied residence or building without permission of the owner or resident.
- e) Traps must not be set within one hundred yards of interstate highway 70 or within 25 yards of any other road on the Reservation.

- f) Traps must not be set within thirty feet of a sight-exposed bait. A “Sight-exposed bait” means any animal or parts thereof on the ground or suspended in a manner that it can be seen from above. This does not include dried or bleached bones with any tissue attached or small amounts of paste type baits or traps flags. “Trap Flag” means any attractant made from materials other than animal parts suspended at least three feet above ground.
- g) The use of any type of trap other than those specifically mentioned in the previous sections is prohibited.
- h) Every trapper shall file a complete written report with the San Carlos SCRWD by April 1 or each year. Reports forms will be available at the SCRWD at the time the trapping permit is purchased.
- i) All traps shall be plainly identified with the name and address of the owner legibly marked on a metal tag attached to the trap. The owner is responsible for the legibility of the tag. Traps not properly tagged will be confiscated.
- j) All trappers shall not dispose of any carcass within one-half (1/2) mile from any campsite, facility or known camping area.

Y. Lawful fishing methods:

1. All game fish species may be taken only by angling. Only carp may be taken with bow and arrow only on the San Carlos Lake, Talkalai Lake, and the Gila River
2. Fathead minnows and mosquito minnows are the only live baitfish that may be possessed or sold, for use on the San Carlos Lake or Talkalai Lake. The use of live baitfish is strictly prohibited on all other San Carlos waters.
3. Amphibians (except leopard frogs), waterdogs, mollusks, crustaceans and soft-shelled turtles may be taken by angling or with any handheld non-motorized implement, which does not discharge a projectile. In addition, they may be taken with lawful minnow traps with dimensions not to exceed 12 inches in depth, 12 inches in width and 24 inches in length.
4. Only members are allowed to commercially harvest legal bait species on the Reservation. A Recreation and Wildlife Bait Collection Permit is required to commercially harvest legal bait species. The introduction or stocking of these species into any waters on the San Carlos Apache Reservation is strictly prohibited.
5. Bullfrogs may be taken only by angling, spear, bow and arrow, dip net, or by hand.
6. Aquatic wildlife may be taken night or day. Artificial light may be used.
7. It is unlawful for any person to leave a line or pole unattended while fishing.
8. Tribal Members can use up to two poles with a valid fishing permit.
9. A non-member may use two poles only with a valid Reservation two-pole permit and only when accompanied with a valid fishing permit.
10. AQ fishing permit is required for all non-members twelve (12) years of age or older for taking aquatic wildlife on the Reservation. A fishing permit also allows the holder to camp on the

Reservation for the period covered under the permit. The spouse and such children may accompany the permit holder, but they are required to purchase a separate fishing or recreation or boating permit should they individually attempt to take aquatic wildlife or otherwise enter onto a boat.

11. Non-member children under the age of twelve (12) do not need a permit to take aquatic life but must be accompanied by an adult who does have a valid San Carlos fishing permit.
12. Daily fishing permits will expire at midnight from the time of purchase.
13. Any fish taken on the San Carlos Reservation must have the head or tail or skin attach so that species can be identified.
14. Game fish must be killed before they are transported from the waters where taken.
15. Trot line fishing is prohibited.
16. Annual fishing permits are only for San Carlos, Talkalai, and Seneca Lakes.

REG 003 – UNIT BOUNDARIES

Unit 26-A. That portion of the San Carlos Reservation beginning at Black River Crossing; westerly along the north Reservation boundary, southerly along the west boundary; east along the south Reservation boundary to Coolidge Dam; easterly along the Gila River to the San Carlos River; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to road 1100; northerly along road 1100 to the point of beginning.

Unit 26-B. That portion of the San Carlos Reservation beginning at the junction of the Gila and San Carlos Rivers; northerly along the San Carlos River to Seven Mile Wash; westerly along Seven Mile Wash to 1100 road; then northerly along the 1100 road to Black River Crossing; easterly along the north Reservation boundary to Military Trail; southerly along the Bloody Basin road to Pole Corral; then southerly along road 1500 to the Old Summit logging trail (road 1520); southerly to Ash Creek Ranch and south to 1000 road then easterly to R100 boundary then south to Reservation boundary then south along the Reservation boundary to the Gila River; westerly along the Gila River to the point of beginning.

Unit 26-C. That portion of the San Carlos Reservation beginning at the junction of the Military Trail and the Black River, easterly along the north Reservation boundary; southerly along the east Reservation boundary; westerly along Reservation boundary to R100 boundary to the 1000 road, then westerly to the 1530 road, then northerly along the 1530 road and the Old Summit Logging trail (road 1520) and 1500 road to Pole Corral; then northerly on the Military Trail (Bloody Basin) to the point of beginning.

Malay Gap. That portion of the San Carlos Reservation that is north and east of following boundaries; beginning at the Black River pump station, southeasterly on road 1560 to road 2000, then to road 2004, then to the Black River Weir station, then along the flow of the creek to Willow Creek to the eastern Reservation boundary near the Eagle Creek ranch, then northerly along the Reservation boundary to the Black River, then west along the Black River back to the point of beginning.

Dry Lake Trophy Elk Unit. That portion of the San Carlos Reservation that is south and west of the Malay Gap Subunit, and the area bounded by the following roads; beginning at Wooden Crossing, south along Lost Mule road (1540) to the 1500 Road, southwesterly on 1500 road to the 1200 road, then southeasterly to the 1000 road, then southeasterly on 1000 to 1600 road, then southeast on 1600 road to the 1700 road, then

southeast on 1700 road to the eastern Reservation boundary, then north on east Reservation boundary to Willow Creek, then up to the head waters of Willow Creek to road 2004, then to the 2000 road, north on the 2000 road to the 1560 road, northwest on 1560 road to Black River Pumping Station and west on the north Reservation boundary to the point of beginning.

Dry Lake Antlerless Elk. All the above listed in the Dry Lake Trophy Elk unit excluding R-100 hunting unit.

Hilltop Elk Hunt Unit. Western Reservation boundary beginning at road 950, along the 950 to road 900, then easterly to road 1100, then northerly to road 1200, then easterly to road 1500, then northerly to road 1504, then northerly to the Black River, then westerly along Reservation boundary to the point of beginning.

Unit 26-D. That portion of the San Carlos Reservation beginning at Coolidge Dam and going south along the western Reservation boundary; then easterly along the south Reservation boundary to the eastern Reservation boundary; north along the eastern Reservation boundary to the Gila River, then westerly to the point of beginning.

Unit D-East. The southern Reservation line at road 540 then northerly along road 540 to the Gila River, then easterly along the Gila River to the Reservation boundary line, then southerly along the boundary line to the point of beginning.

Unit D-West. Begin on the southern boundary of the Reservation at road 540, then northerly to the Gila River, then westerly to the Reservation boundary, then along the Reservation boundary to the point of beginning.

R100 Unit. Begin at the west R-100 boundary fence and the Reservation boundary, then northerly along the R-100 boundary fence to Nantac Rim, then easterly along the northerly R-100 boundary fence, then southerly along the eastern R-100 boundary fence, to the Reservation boundary, then westerly along the Reservation bound to the point of beginning.

Nine Mile Elk Unit. Begin at the southeast Reservation boundary at Rd. 1700, then westerly along the Reservation boundary to Hwy 70, then westerly on Hwy 70 to Rd 1000 junction, then north along Rd 1000 to Rd 1600 junction, then easterly on Rd 1600 to Rd 1700 junction, then easterly on Rd 1700 to the point of beginning.

Ash Flat Antelope hunt boundary. (pending)

Big Prairie Antelope hunt boundary (pending)

REG 004 – RESTRICTED AREAS

A. Unit D. Closed to all activities by nonmembers except as stated in other commission rules, regulations, or orders. Fishing along the south shore of San Carlos Lake is allowed with fishing permit.

B. R 100. Closed to all activities by non-members except as stated in other commission rules, regulations or orders.

C. No hunting is allowed in the farm fields along the San Carlos River and Road 500.

D. Access to the Gila River below Coolidge Dam through the San Carlos Apache Indian Reservation (Unit) by any non-member for the purpose of rating, kayaking, boating, or any other water navigational type of activity on the Gila River is prohibited. An exception to this rule will be Government officials conducting their official duties.

- E. The Ash Creek Drainage area in Unit D within the loop created by road 300 and 320 is closed to all non-members during the Desert Bighorn Sheep hunt with the exception of the hunter and any other individual authorized by the Commission.
- F. Closure of north end of Talkalai Lake – All boaters and fishermen (members and non-members) are restricted from the north end Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with buoy line from the east shore to the west shore of the lake.
- G. San Carlos river bald eagle breeding area-closed to all activities including: ATV's, wood cutting, vehicles, hikers, horseback riders, bicyclers, hunters and fishermen.

REG 005 – BLACK & SALT RIVER SPECIAL USE AREAS

- A. The Black River and Salt River are considered Special Use Areas. A Black River and Salt River Special use permit is required by non-members for fishing and camping on the Black River, and Bear Wallow Creek, by all person twelve (12) years of age or older. Children of the permit holder/s may accompany the permit holder without an additional permit/s.
- B. Non-Members going to the Black River or Salt River areas for any activities other than hunting must have in their possession the Black River Special Use permit. This permit allows access to the Special Use areas for camping, and fishing for the length of time specified on the permit.
- C. No family, group, or yearly permits are available for the Special Use areas.
- D. The Special Use also allows the person purchasing the permit, to fish in any other waters on the an Carlos Reservation, except R100 and Unit D waters.
- E. Rafting, kayaking, boating, and any other water navigational type of activity on the Black River and Salt River anywhere east of the Salt River canyon bridge is prohibited.
- F. Black & Salt River permits shall be valid only from the time of purchase to midnight of the last day the permit is purchased for.

REG 006 – WATERCRAFT

A. Procedural Requirements:

1. Any person, who is not a Member or a non-member spouse, who operates any watercraft on any of the waters on the Reservation, must have on his person, a San Carlos Apache Tribe boating permit. The boating permit may be an annual permit or a daily permit.
 - a) The use of float tubes does not required
2. A boating permit covers only the watercraft. The individuals operating the watercraft will also need a recreation permit or fishing permit.
3. Gasoline operate motors may be used only on the San Carlos Lake and Talkalai Lake. Gasoline operated motors are prohibited on all other lakes or ponds, except that law enforcement officers and Wildlife Management personnel while on authorized duty, or emergency watercraft operated

under emergency situations, may use any gasoline operated motors on any lake or pond on this Reservation.

4. The maximum horsepower for gasoline engines on Talkalai Lake is 15.
5. Any watercraft or vehicle sunk in any Reservation waters must be retrieved by the owner within 24 hours of the sinking incident. If the watercraft or vehicle is not retrieved by the owner within the required time, the Recreation & Wildlife department will have watercraft/vehicle removed and the expense to have it removed will be charged to the owner.
6. Personal Flotation devices:
 - a) All watercraft except sailboards shall carry U.S. Coast Guard approved personal flotation devices of the type and category prescribed by rules, regulations, or orders of the San Carlos Apache Recreation & Wildlife Commission. There shall be one such device in good and serviceable condition for each person on board and placed so as to be readily accessible for immediate use.
 - b) Any person being towed behind a watercraft shall wear a buoyant belt or personal flotation device while being towed, except for a performer engaged in a professional exhibition.
 - c) A child twelve (12) years old or less on board a watercraft shall wear U.S. Coast Guard approved Type I, Type II, or Type III personal flotation device whenever the watercraft is afloat.
7. All watercraft, unless exempted by the commission, carrying as fuel any volatile liquid having a flash point of one hundred ten degrees Fahrenheit or less shall have aboard a readily accessible U.S. Coast Guard approved fire extinguisher in a condition available for immediate and effective use.
8. All watercraft using gasoline as fuel, except outboard motors, shall attach to the carburetor or carburetors a U.S. Coast Guard approved backfire flame arrestor, suitably secured to the air intake with flame tight connections, or any attachment to the carburetor or the engine air induction system by means of which flames caused by engine backfire will be dispersed to the atmosphere outside the watercraft in such a manner that the flames will not endanger the watercraft, persons on board or nearby watercraft and structures. All attachments shall be of a metallic construction with flame tight connections and firmly secured to withstand vibration, shock and engine backfire.
9. All watercraft, except open boats, using as fuel any liquid of a volatile nature shall be provided with such means for properly and efficiently ventilating the bilge of the engine and fuel tank compartments so as to remove any explosive or flammable gases, subject to prescription of the U.S. Coast Guard.
10. No person shall operate watercraft in excess of the posted limit or at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event, speed shall be so controlled as may be necessary to avoid colliding with any person or other watercraft, swamping other watercraft or otherwise endangering the lives or property of other persons.
11. Water skiing/Parasailing/Jet-skiing
 - a) No watercraft, which has in tow a person, or persons on water skis, a surfboard, and parasailing or similar contrivance, shall be operated in or upon any waterway unless at least two persons, or operator and an observer shall occupy such watercraft.

- b) The operator shall observe other watercraft traffic, swimmers and hazards and shall not tow a person or persons on water skis, a surfboard or similar contrivance so close to other watercraft, swimmers or structures as to constitute a hazard to life or limb of any person.
- c) The observer shall continuously observe the person or persons being towed and shall display a flag immediately after the towed person or persons falls into the water and during the time preparatory to the skiing while the person or persons are still in the water. Such flag shall be a bright or brilliant orange or red color, measuring no less than twelve inches on each side, mounted on a handle and displayed as to be visible from every direction.
- d) No watercraft operator shall have in tow a person or persons on water skis, a surfboard or similar contrivance during the hours between sunset and sunrise.
- e) Open areas include that portion of the San Carlos Lake east of a north-south line which extends from a point south of Jackrabbit (at end of Road 516), south to the point of Catfish Bay Annex (at the end of Road 575). The north-south line will vary with water levels.

12. Overloading

- a) No watercraft shall be loaded and operated with passengers or cargo beyond its same carrying capacity or the limitations on the manufacturer's load capacity plate.
- b) All new watercraft twenty feet in length and under, designed to carry two or more persons and to be propelled by machinery or oars, offered for sale or manufactured in the State after January 1, 1971, shall have affixed permanently thereto a manufacturers load capacity plate in a location easily observed from the position designed or intended to be occupied by the operator. Canoes and sailboats shall be exempt for the provisions of this section.
- c) The load capacity plate shall be certified by a licensed manufacturer or by the U.S. Coast Guard.

13. Every motor-driven watercraft shall at all times be equipped with effective equipment, in good working order and in constant operation to prevent excessive or unusual noise.

14. A no wake zone will be observed 400 feet from all boat ramps.

REG 007 – ALL TERRAIN VEHICLES (ATV'S), WATERSPORTS

A. All Terrain Vehicles.

- 1. Only Tribal Members are allowed to use ATV's on the San Carlos Apache Reservation. Use of ATV's will be restricted only to areas legally used by motor vehicles. Exempt from this regulation are law enforcement, BIA & Tribal personnel performing official duties.
- 2. Non-members are strictly prohibited from ATV use regardless of registration. Exempt from this usage are law enforcement, BIA & Tribal personnel performing official duties.
- 3. Handicap person may use of ATV only for fishing. To move from vehicle, trailer, motor home, camp, etc. to water/boat.

B. Water sports.

1. Non-members. Non-member water sports are restricted to San Carlos Lake. A boating permit is required for each individual seeking to utilize the following:
 - a. Personal watercraft (jet skis).
 - b. Waterskiing.
 - c. Parasailing.

REG 008 – NON-MEMBER RECREATION

- A. A recreational permit is required for non-members and allows entry onto the Reservation for any recreational activities, other than hunting or fishing.
- B. A recreation permit allows a person or family to hike, picnic, and tour the Reservation. The permit can be applied to a family unit. Any camping shall be restricted to the amount of time allowed under the recreational permit.
- C. For the purposes of this regulation, a “family unit” consists of a husband, wife and their own children under the age of eighteen years of age. All other family members over eighteen years of age or under the age of eighteen years and married will need to obtain a recreation permit for himself or herself, or for his or her “family”. All family members under the age of eighteen must be accompanied by an adult at all times.
- D. The recreation permit does not allow any activities along the Black River or Salt River.
- E. Target practice and/or plinking with firearms are prohibited except in designated target ranges. This does not apply to members and non-member spouse.
- F. Recreation permits will be valid from midnight of the date of purchase to the following midnight.
- G. The longest period of time that a person or party may be camped in one site is 14 days. After 14 days only upon a valid recreational permit, the camp, including temporary shelters must then be removed or relocated at least one mile from the previous site. If no attempt to move has been made, the temporary shelter and all personal property therein shall be removed and stored at the owner’s expense for no longer than thirty (30) days, after which the property shall be confiscated and subject to forfeiture.
- H. No Waste. Non-members shall not commit, or offer to be committed, any waste upon the Reservation or any nuisance or other act or thing against public policy or which may disturb the quiet enjoyment of anyone camping in the surrounding area. Outside display, personal solicitation or outside sales by non-members without the express consent or other permit of the Tribe shall be prohibited.
- I. Paragliding is prohibited.

REG 009 – COMMERCIAL VIDEO OR FILMING OF WILDLIFE

- A. Commercial video or filming of any wildlife by a non-member or non-member business or any kind may not be made on the Reservation without the prior written consent from the Tribe. Applications for a commercial video or film permit may be obtained from the Tribe’s Planning Department. Filming of sensitive areas is prohibited and any film of such areas shall be confiscated.

- B. Fee for commercial filming shall be paid in advance.
- C. In the event that a commercial video or film permit is issued, the video or film must be further reviewed and approved by the Tribe prior to its release to any producer.

REG 010 – GUIDES AND OUTFITTERS

- A. Unless otherwise specified by other Commission Rule, Regulation or Order, only tribal members are allowed to guide or outfit hunters, fishermen, and recreational activities on the Reservation.
- B. All Tribal members guiding on the Reservation are required to have in their possession a valid tribal guide license. A guide and outfitter license may be issued by the SCRWD.
- C. The Tribal member annual guide license fee will be determined annually by the Commission.
- D. To be in compliance with Ordinance 76-1, Section 38A, all Tribal members wanting to guide any non-member for any activities on the Reservation are required to attend an educational guiding workshop at the Recreation & Wildlife headquarters. The cost of this workshop will be determined annually by the Recreation & Wildlife Commission. One (1) guide class and one (1) refresher course will be held on the third week of June of each year.
- E. Pursuant to Ordinance 76-1, Section 38B, all persons who obtain a guide license on the Reservation are required to provide the San Carlos Recreation & Wildlife Commission with a report of their guiding activities. All member guides are required to submit their reports within 30 days of the expiration of the guide license.
- F. All Tribal member guides with guide licenses must have a refresher course every three (3) years.
- G. The Recreation and Wildlife Commission reserves the right to suspend or revoke a guiding license for violations of 76-1 or other Commission Rule, Regulations or Orders.
- H. All tribal member guides must accompany their client/s at all times when out in the field on guide required hunts.

REG 011 – FISHING TOURNAMENTS

- A. The tournaments fees must be paid in advance. Tournaments fees are in addition to fishing license, recreation and boating permits.
- B. Tournaments application; report; insurance.
 - 1. A list of names (teams, sponsors and other participants) will be available for SCRWD Game Rangers at all times prior to the event.
 - 2. Permit holder must submit a report of the tournament results to the San Carlos SCRWD within ten (10) working days after the tournament is over, on a form provided by the SCRWD.
 - 3. Tournament sponsors shall carry general liability insurance coverage sufficient for the event and according to industry standards. Proof of liability insurance must be provided with the submission of the tournament application. Specific insurance requirements can be obtained at the San Carlos Apache Tribe's SCRWD office. In addition, tournament sponsors shall defend, fold harmless, and

indemnify the Tribe, its officers, employees and agents against any and all losses, cost, damages, claims, expenses, or other liability whatsoever, including but not limited to accident or injury to person or property, to the extent caused by the sponsor's negligence or intentional misconduct in the performance of the tournament.

- C. Facilities at San Carlos Lake are amenities and are not designed to handle large groups of people. Sponsors of any recreational event to San Carlos Lake with more than total of fifty (5) people will be required to provide chemical toilets; one chemical toilet for the first fifty (50) people and one chemical toilet for each additional fifty (50) people. Private RV toilets can be used to meet the minimum number required, provided that access is granted to all participants. Toilets shall not be emptied on the Reservation.
- D. Sponsors of any event with more than 50 people will be required to provide for the disposal of all refuse generated by participants of their event. Refuse must be removed from the tournament site and may not be disposed of on the Reservation except at refuse collection sites approved by the San Carlos Apache Tribe.
- E. It is the responsibility of all participants to become familiar with and to abide by Tribal laws and regulations (e.g. blocking camping or launching facilities, operating watercraft with excessive speed or wake, disorderly conduct and watercraft operation under the influence of any intoxicating substance) pertaining to activities held on the Reservation.
- F. All watercraft operating on the waters of the San Carlos Apache Indian Reservation must be in good working order to prevent the discharge of any hazardous materials into the waterways and must have the appropriate operable U.S. Coast Guard approved safety equipment on board.
- G. Violations of this Commission Regulation or any other Commission Rule or Order may result in citations and or the refusal of future permits.

REG 012 – HARASSMENT OF GAME ANIMALS

- A. It shall be unlawful for anyone to use an animal calling device two weeks prior to a Trophy Elk Hunt, and during the Trophy Elk hunting season, when the call is not a valid hunter with a valid hunting license to hunt Trophy Elk during that season, or is not a properly licensed guide for that Trophy Elk hunter.
- B. It shall be unlawful for anyone, with the exception for the licensed Trophy Elk hunter or his//her guide, to hunt, chase or otherwise track animals during a trophy elk hunt for the purpose of photographing and/or observing the animals being hunted during a Trophy Elk hunt season in the Trophy Elk hunting units.
- C. It shall be unlawful for anyone to force the animals in any manner to unnaturally drop their antlers.
- D. It shall be unlawful for anyone, with the exception of the valid licensed hunter and valid guide of the hunter, to possess any calling instrument around, or nearby any Trophy Elk hunt areas on this Reservation during the Trophy Elk hunting season.

REG 013 – CONSERVATION FUND

- A. Tribal Recreation & Wildlife Conservation Fund was established to Tribal Council Resolution No. OCT-05-183 for the purpose of funding conservation and management of fish and wildlife species on the Reservation. All funds received from the sales of the September Dry Lake, Hill Top, and Nine Miles Trophy Elk Hunts shall be deposited into the Conservation Fund.

- B. The Conservation Fund is to be used for game management projects for all wildlife species as prescribed by the Recreation & Wildlife Commission with consultation of the Recreation & Wildlife Director and Wildlife Biologist.
- C. The proceeds from one Nine Mile September Trophy Elk tag will be utilized by the recreation and wildlife law enforcement sub-division for the purchase of specialized equipment, rewards, overtime, supplies, information, evidence, and other needs as defined by the Recreation and Wildlife Commissioner with consultation of the Recreation & Wildlife Director and Law enforcement supervisors.
- D. Money from the Conservation Fund may also be utilized to cover expenses for the attendance at expositions and trade shows where the sale of Trophy Elk hunts that generate funding for the Conservation Fund, are promoted for sale. The funds may be used for transporting animals mounts, for rental of spaces, equipment and supplies, and for travel and per diem for individuals attending such expositions and trade shows.

REG 014 CONSERVATION FUND

The San Carlos Apache Tribal Recreation & Wildlife, Fish and Wildlife Conservation Stamp program has been established by authority of Ordinance 76-1, Section 8, subsection A, (2) and (3) for the purpose of generating revenue for the Conservation Fund. The Conservation Fund was created to put hunting generated revenues directly back into protecting, preserving and enhancing fish and wildlife population and habitats. Monies from the Fish and Wildlife Habitat Conservation Stamp program will be used for wildlife management and habitat improvements. The program is also designed as in educational and awareness program. Requirements are as follows:

- A. All NON-MEMBER HUNTERS, TRAPPERS, AND FISHERMAN will be required to purchase at least one Fish and Wildlife Habitat Conservation Stamp per year.
- B. All Tribal Members and non-member spouses will be required to purchase the Habitat Stamp.
- C. Only one Stamp is required per calendar year (Jan. 1 – Dec. 31) per hunting/trapping/fishing license holders.
- D. All hunter, trappers, and anglers must have the Stamp in his/her possession while in the field fishing, hunting or trapping.
- E. Conservation Stamps must be signed by the owner, across the face of the Stamp by the angler, hunter or trapper.
- F. The money from the sale of the Habitat Stamps shall go directly into the Conservation Fund.
- G. The SCRWD and its permit vendors shall be the only entities permitted to sell the Habitat Stamps.

REG 015 – ANTLER HARVEST

- A. Pursuant to Ordinance 76-1, Section 32, antlers may be harvested, possessed, transported or sold at specific dates established pursuant to an Order of the Commission and only as follows:
 - 1. The dates for harvesting shall fall generally within the month of April through January. Harvesting is banned during the months of February through March.

2. Only Tribal members are allowed to search for, possess, and transport or sell antler/s within the exterior boundaries of the San Carlos Apache Indian Reservation except as otherwise permitted by other Commission rules or regulation.
3. An Antler Harvest Permit must be obtained from the SCRWD prior to harvesting antlers.
4. Antler Harvest permits must be in the possession of the person who is harvesting antlers and who have antlers in their possession while in the field.
5. Only antlers that have been naturally shed from any deer or elk may be harvested, possessed, transported or sold by tribal members.
6. Any antler-bearing animal carcass or antlers/horns of wild ungulates attached to the skull found in the field by any person shall be reported to the SCRWD law enforcement officials.
7. If found in the field, neither the wild ungulates animal(s) nor skull(s) nor antler(s) nor horn(s) may be removed by any person. Anyone finding such parts should contact the SCWD, which will conduct a thorough investigation. All bull elk carcasses having a gross score of 400 inches or more on the Boone & Crockett Scale shall become the property of the Tribe. For all other animals, upon completion of the investigation, the skull(s), carcass, antler(s) or horn(s) may be returned to the finder at the discretion of the Investigator and Chief Ranger.
8. Pursuant to Wildlife and Recreation Code, Section 61, no person shall offer for sale or knowingly buy any antler(s) that have been obtained contrary to this or any other Commission Rule, Regulation or Order.
9. Non-member antler buyers must purchase an Antler Buyer Permit” to purchase antlers on the Reservation and may only purchase antlers at the San Carlos SCRWD office.
10. Any person who violates any provision of this Commission Regulation shall be punished in accordance to Ordinance 76-1, Section 61, A. Ordinance 76-1, Section 61, B., or Ordinance 76-1, Section 61 C.

REG 016 – CHECK POINTS & CHECK STATIONS

- A. All vehicles must stop at checkpoints or check stations manned by the San Carlos SCRWD personnel and may be subject to search and sampling as necessary.

REG 017 – CAMPING DURING ELK HUNTS (MALAY GAP AREA)

During the Malay Gap Elk hunts, no camping is allowed north of road 1900 from BS Gap Tank, to the east boundary Reservation line. No camping is permitted on any roads north of the 1900 road, except road number 2034 and along road 2000 to the Heartbreak Hotel campsite. Campsites must be within ¼ of mile from the road.

REG 018 – ACCESS BY STATE HUNTERS HUNTING ON PUBLIC LAND

Non-members may purchase a special “Pass Through” permit to travel through the Reservation to hunt on state lands. This permit only allows access through the 20 and 40 roads in Unit D. Non-Member hunters hunting with state licenses cannot camp under this permit within Reservation boundaries. Valid time for this permit is good only for the time the individual travels through the Reservation and to return.

REG 019 – DANGEROUS OR SERIOUSLY THREATENING ANIMAL

The San Carlos Wildlife and Recreation Code Ordinance 76-1, Chapter III, Section 24 provides authority to the Recreation & Wildlife Commissioners to issue permits to either destroy or capture live, any species of animals or birds which are seriously injured to agricultural or other interest of the Tribe, and if captured such animals or birds may be disposed of in such manner as the Commission may determine. However, there are times when the Commission may not be in session when permits are needed and, therefore, permits may not be available in a timely manner. Therefore, for the purposes and intent of Wildlife and Recreation Code, Chapter III, Section 23, the Commission hereby delegates to the San Carlos SCRWD the authority to destroy or capture, or have destroyed or captured any animal that is deemed to be a danger or threat to the general public or to private or public property, or that is seriously injured or sick. The delegated authority herein will be in the form of permit approved by the Commission and provided to the Director of the SCRWD. The procedure for utilizing the authority to destroy or remove an animal delegated by the Commission will be as follows:

- A. Reports of animals that are considered to be a danger to the public or to public or private property will be forwarded to the Director of the San Carlos SCRWD.
- B. The appropriate Recreation & Wildlife Personnel shall investigate the report/s and determine if the animal/s is/are a problem or is seriously injured or sick, and whether the animal/s should be destroyed or moved to another location.
- C. If it is established that the animal must be destroyed or moved, then a permit as provided by the Commission will be issued by the Director to the appropriate person or persons currently employed with the San Carlos SCRWD, who will then destroy or remove the animal.
- D. The permit shall state the species of the animal that needs to be destroyed or moved and shall include the final disposition of the animal. (i.e. Was animal destroyed or moved and if moved, where was it relocated to).
- E. The permit shall be validated by the Director's signature or a person designated by the Director to act in his place. When the permit is validated pursuant to the Commission Regulation, it shall be good for only the time required to dispose of the animal or thirty days from the date of issuance, whichever comes first.
- F. A completed copy of the permit shall be forwarded to the Commission and a report shall be presented to the Commission at the next Commission meeting after the animal is destroyed or moved. The original permit shall remain on file at the SCRWD.
- G. In the event of an emergency situation in which an animal that is dangerous, or a serious threat to the public or property, or is seriously injured or sick, and needs to be captured or destroyed immediately the animal may be taken at the discretion of the law enforcement personnel and/or biologist. If such an animal is taken in this manner a report shall be made and submitted to the Director. Upon receipt of the report, the Director shall follow the procedures for issuing a permit as stated above.

REG 020 – CLOSURE OF NORTH END OF TALKALAI LAKE

All boaters and fishermen (members and non-members) are restricted from the north end of Talkalai Lake from December 1, through June 30 of each year. The restricted area shall be clearly marked with a buoy line from the east shore to the west shore of the lake.

REG 021 – ROCK CLIMBING RESERVATIONS WIDE

It shall be unlawful for any non-member and non-member BIA or non-member Tribal employee to engage in any rock climbing activity on the Reservation except for Government employees who are training or are actually in the process of rescue operations, without written permission from the Reservation and Wildlife Commission or their designated person.

REG 022 – ANNUAL PERMITS AND LICENSES SALES

All permits sold or issued on an annual basis (i.e. guide license, hunting/fishing licenses, etc,) shall be put on sale or issued beginning on the 1st day of December of each year or as soon thereafter as is practicable, shall be valid only for the calendar year that it is sold.

REG 023 – THREATENED AND ENGANGERED SPEICES

A. In the event of delisting of species, the tribe will follow established feral and tribal protections, definitions, rules and regulations and laws to avoid the harassment, destruction, or take of species of environmental and cultural concerns.

REG 024 – TEMPORARY STRUCTURES

A. All temporary structures make for hunting purposes shall be taken down and removed after the end of the applicable permitted hunt season or recreational activity. Any temporary structure not taken down or otherwise removed shall be considered a trespass and a violation of these regulations, and may be confiscated.

REG 025 – FORESTRY ACTIVITIES

- A. Prescribed burns, thinning, slashing and logging sales shall not occur during trophy hunts in the month of September.
- B. Tribal Forestry and the Bureau of Indian Affairs shall coordinate with SCRWD in order to ensure that units scheduled for forestry activities remain separate from those designated for trophy hunts.
- C. Rehabilitation – Any disturbances to the land created by logging activities such as skid trails, roads, damages to habitat, etc. will need to be put back into its original for as much as possible.