

2018-2019 BRUNOT AREA HUNTING AND FISHING SEASONS

Season Type	Permitting Start Date	Season Dates
Spring Turkey	March 19 th	March 31 st – May 20 th
Mule Deer Rocky Mtn. Elk Fall Turkey	August 13 th	August 25 th – November 18 th
Bighorn Sheep Mountain Goat Moose	August 13 th ***	August 25 th – October 7 th (Sheep) September 4 th – October 28 th (Goat) September 8 th – October 12 th (Moose)
Mountain Lion	September 24 th	November 1 st – April 28 th 2019
Upland Game Birds	August 13 th	September 1 st – December 31 st (Grouse, Ptarmigan, Pheasant and Chukar)
Waterfowl and Migratory Game Birds	August 13 th	Waterfowl season dates and bag limits will coincide with the Pacific and Central flyway season framework and the State of Colorado waterfowl hunting seasons.
Small Game	Anytime	Calendar Year
Fishing	Anytime	Calendar Year

*** Permitting for these rare game species takes place through a special application and drawing process each spring.

Updates for 2018/2019

Buck and Bull Mandatory Validation

- Buck deer and bull elk taken from the Brunot Area must be validated by Wildlife Division, or Wildlife Enforcement staff within 5 business days of harvest.

Moose Hunting

- Two moose permits will be issued in 2018.
- The moose unit boundary has been moved to the north and east and the unit itself has been subdivided into North and South units where one permit each will be issued.
- The wait period for a hunter previously harvesting a moose has been reduced to a 10-year wait before they may once again apply and/or accrue bonus points for the species.

Bow Fishing

- Bow fishing has been added to the legal methods of take for certain species and certain waters in the Brunot Area. Please see the regulations on Page 18 for further details.

Cutthroat Waters

- Four streams have been added to the list of Cutthroat Conservation Waters in the Brunot Area. Please see this list of waters on Page 17 for further details.

Lake Nighthorse Fishing

- Lake Nighthorse is expected to open for public fishing in April 2018. Fishing by Tribal Members will be allowed under Brunot Area permits and regulation, similar to other waters, such as Vallecito or Lemon Reservoirs.

SEASON FRAMEWORK

Hunting and fishing seasons are established annually by the Tribe for all game species found within the Brunot Area. The table found on the inside cover of this proclamation specifies the current seasons (i.e., the start and end dates for legal harvest), as well as the permitting start dates. Most seasons will be the same or very similar from year to year, however, dates of several seasons may vary slightly.

Those animal species *not* identified as having designated seasons, and those *not* protected by the Tribe from harvest for cultural or conservation reasons (see *Protected Fish & Wildlife*), may be harvested without a Tribe-issued hunting or fishing permit.

Cultural and Ceremonial Hunting

Those Tribal hunters wishing to hunt for cultural or ceremonial purposes within the Brunot Area and *outside of the regular, Tribal-approved seasons* must contact the SUI Division of Wildlife prior to hunting. Special authorization is required for any hunting outside of the established seasons, and at least two weeks advance notice of a cultural/ceremonial hunting need should be provided.

PERMITTING

All Tribal Members hunting or fishing within the Brunot Area must carry with them the appropriate permit(s) issued by *either* the Tribe or State of Colorado. Tribal Members who obtain *Tribal* permits are subject to the Tribal seasons and regulations set forth in this Proclamation, to be enforced by the Tribe. Those who obtain *State* hunting or fishing permits must hunt or fish in accordance with State seasons and regulations (see the Colorado Parks and Wildlife), which will be enforced by the State. It is unnecessary, but allowable, for a hunter or angler to be permitted by both entities.

On-Reservation hunting and fishing permits (i.e., within the exterior boundaries of the Southern Ute Indian Reservation) and off-Reservation hunting and fishing permits for the Brunot Area are separate and non-interchangeable. It is the responsibility of each hunter and angler to be properly permitted for the area hunted or fished, and to follow any and all applicable regulations for that area.

Permitting for Brunot Area hunting and fishing is managed entirely through the Tribe's Division of Wildlife office, located in the Annex Building on the tribal government campus near Ignacio, Colorado. Permits may be obtained in-person at this office or by mail for those Tribal Members living outside the Reservation area.

Brunot Area hunting and fishing permits are issued free-of-charge for the first issuance. A \$5 fee applies for replacement of lost or damaged permits.

2018-19 Permitting Start Dates

Brunot Area hunting and fishing permits are available to pick up at the Southern Ute Division of Wildlife office (or mail out) beginning on the start dates specified on the inside cover of this Proclamation through the end of the established season. *Note: Except for Fishing and Small Game, the permitting start dates do not correspond to the actual season start dates.*

For Rare Game (i.e., bighorn sheep, moose, mountain goat), successful applicants in a lottery process will be notified of their permit availability through the Division of Wildlife following permit drawings held each June.

Permit Eligibility

Only Southern Ute Tribal Members may obtain Brunot Area hunting and fishing permits from the Tribe and the following criteria must be met in order to obtain a valid permit:

- All applicants must present a Southern Ute Tribal identification card at the time of permit pick-up.
- For hunting, but not fishing, only applicants 12 years old or older may obtain a permit, and those under the age of 21 must present a hunter safety card.
- The applicant's hunting and fishing privileges must not be currently suspended or revoked through the Tribe's wildlife penalty-point system.
- Issued permits are not valid unless signed by the applicant.

Permit Transferability

The transfer of Brunot Area hunting and fishing permits is *strictly prohibited*, even to other Southern Ute Tribal Members or other Native Americans. Only the individual named on the Brunot Area permit is authorized to hunt or fish, per the terms of the permit. "Designated hunting" – the transfer of certain permit types between Tribal Members – is an option only for on-Reservation hunting (i.e., hunting within the exterior boundaries of the Southern Ute Reservation) and is *not allowed* within the Brunot Area.

Mail-Out Permits

Mail-out permit(s) will be provided at no-cost by the SUIT Division of Wildlife only to a non-local Tribal Member and only upon receipt of a signed letter of request from the Tribal Member. The letter must include the hunter's name, mailing address, date of birth, copies of the Southern Ute Tribal identification card and hunter safety education card (if applicable), and a list of the permit(s) desired. Permits will not be valid until signed by the applicant.

Permit Replacement

Lost or damaged Brunot Area permits may be obtained at the Southern Ute Division of Wildlife office for a \$5 per permit fee, regardless of permit type. Lost or damaged permits will be immediately voided, and notification of voided permits will be sent to tribal law enforcement.

Rare Game Permitting

Unlike other Brunot Area permitting, permitting for Rare Game (i.e., Rocky Mountain bighorn sheep, moose, and mountain goat) is handled through a permit application and drawing process. Availability of applications will be announced through local media in the Ignacio area, and applications will only be accepted during the month of

May. Random drawings from among the applicants will then determine the recipients of a very limited number of hunting permits. Notification of these individuals will occur during the month of *June*. Those who repeatedly apply but do not receive a permit will accrue bonus points, which will improve future chances of selection. For detailed information on the rules governing the Tribal Council-approved lottery process and bonus point system, please contact the Southern Ute Division of Wildlife office.

HUNTING REGULATIONS

Presented in this section are the 2018/19 Tribal-approved regulations pertaining to the harvest of Brunot Area *Big Game, Rare Game, Small Game, Upland Gamebirds, and Waterfowl*.

**Season Bag Limits for
Big Game, Rare Game, and Small Game**

<u>Hunt Type</u>	<u>Bag Limit (per hunter)</u>
Mule Deer	2 (1 buck and 1 doe)
Rocky Mtn. Elk	2 (1 bull and 1 cow)
Mountain Lion	1 (either sex)
Fall Turkey	1 (either sex)
Spring Turkey	1 (bearded gobbler)
Bighorn Sheep <i>(Two permits available for 2018)</i>	1 (either sex)
Mountain Goat <i>(Two permits available for 2018)</i>	1 (either sex)
Moose <i>(Two permits available for 2018)</i>	1 (either sex)
Small Game ¹	Unlimited

¹Small Game includes: bobcat, coyote, fox, all weasels (except river otter), ringtail, raccoon, prairie dog, beaver, muskrat, rabbit/hare, marmot, and tree squirrels.

Daily Bag Limits for Upland Gamebirds and Waterfowl

Upland Game Birds

Dusky Grouse, Ptarmigan, Pheasant, Chukar 3 of each per day

Waterfowl and Migratory Game Birds

Waterfowl and migratory game bird season dates and bag limits will coincide with the Pacific and Central flyway season framework and the State of Colorado waterfowl hunting seasons. Please obtain and read the Colorado Parks and Wildlife 2018 Waterfowl Hunting Brochure for more information. Waterfowl hunters are required to obtain a federal duck stamp before hunting waterfowl (available at any Post Office).

Legal Weapons

Legal weapons for harvesting **mule deer, elk, mountain lion, bighorn sheep, mountain goat, and moose** shall include:

- Any bow with at least 40 pounds of draw weight. Hunting arrows must include a broadhead with an outside cutting diameter of at least 7/8 inch with at least 2 blades. Each cutting edge must be within the same plane throughout the length of the cutting surface;
- Crossbows with a minimum draw weight of 125 lbs, and a minimum draw length of 14 inches from the front of the bow to the nocking point of the drawstring. A positive mechanical safety device is required. Bolts must be a minimum of 16 inches long, having a minimum broadhead width of 7/8 inch, and a minimum of 2 cutting blades. Cutting edges of broadheads must be in the same plane for the entire length of the cutting surface;
- Shotguns of 20 gauge or larger firing a single slug;
- Muzzleloading rifles with a single barrel of at least .40 caliber for deer, and .50 caliber for elk;
- .357 magnum or larger handguns with a barrel length of 6 inches or longer, using .357 magnum or larger caliber ammunition with soft nose or hollow point bullets;
- Center-fire rifles or center-fire handguns chambered for a center-fired cartridge, a minimum of .23 caliber. No fully automatic firearm may be used. All bullets must be soft nose or hollow pointed and not weigh more than 350 grains.

Legal weapons for **turkey** shall include:

- Shotguns except .410 gauge; bows and crossbows (i.e., as specified above for deer, elk, etc.); rifles and handguns, center-fired cartridges only; and muzzleloading rifles and handguns;

Legal weapons for **waterfowl** shall include:

- Any shotgun 10 gauge or smaller and not capable of holding more than 3 shotshells in the chamber and magazine combined. Shotshells must not contain lead pellets.

Legal weapons for **small game and upland gamebirds** shall include:

- Any rimfire or center-fire rifle or handgun, any shotgun, and any bow and arrow or crossbow.

Evidence of Sex

Evidence of sex for harvested **mule deer, elk, mountain lion, turkey, bighorn sheep, mountain goat, and moose** must remain naturally attached to carcasses while transporting animals from the field, while in camp, or until the animal is validated (if required). Evidence of sex will include the head and/or testicles or udder. For mountain lions, the reproductive organs of both male and female must be left attached for identification purposes. For wild turkey the beard must remain attached.

Carcass Tagging

The carcass of a harvested large game animal (i.e., mule deer, elk, mountain lion, turkey, bighorn sheep, mountain goat, or moose) ***must be tagged*** by the person who harvested the animal. The hunter must physically notch (cut) the Month and Day of harvest indicated on the permit ***and*** sign the permit in ink immediately after harvesting the animal. The hunter must then remove the permit face (i.e., the “tag”) from its backing and affix it to the carcass. All big game animals must be securely tagged with the carcass tag prior to transportation. If numerous trips are required to remove the carcass from the field, the tag should remain attached to the portion of the carcass that is first brought to camp or to a vehicle.

For antlered animals (i.e., buck deer, bull elk, bull moose) and horned animals (i.e., bighorn sheep and mountain goat), an optional antler/horn tag is also provided as a tear-off portion of the permit. The antler/horn tag should be used if the head and carcass are to be separated (e.g., if the head is going to a taxidermist and the carcass is going to a meat processor).

Deer & Elk Harvest Reporting

For 2018, Hunters are required to have buck deer and bull elk validated. Hunters should be prepared to describe generally *where* and *when* an animal was harvested. Validation must occur within five business days of harvest. The Division will work with hunters to arrange a time and place to meet to validate their animals. Doe deer and cow elk harvest still must be called into the Division, however a full validation isn't required. Failure to report the successful harvest of any mule deer or elk from the Brunot Area could subject the hunter to penalties under the Tribe's Wildlife Conservation Code.

Rare Game and Mountain Lion Harvest Validation

Hunters are *required* to have validated any **mountain lion, bighorn sheep, mountain goat, or moose** harvested from the Brunot Area. Validation is the physical inspection of the carcass by staff of the Tribal Division of Wildlife. Since Tribal staff is not available for weekend validations, animals must be brought in for validation during regular business hours (Monday - Friday, 7:00am -12:00pm, 1:00pm - 5:00pm).

For **mountain lion**, the carcass must be inspected within 48 hours of the harvest. The hunter must present the carcass with skin attached.

For **bighorn sheep** and **mountain goat**, the carcass must be inspected within five business days of the harvest. The hunter must present the carcass as well as the head (skull or cape) intact. The carcass may be quartered to be taken out of the field. If the harvested animal is a ram bighorn sheep, the Tribal Division of Wildlife will affix a permanent mark (plug) to the horn as proof of legal harvest.

For **moose**, the carcass must be inspected within five business days of the harvest. The hunter must present the head of the moose for inspection.

Mountain Lion Hunting

Mountain lion hunting in the Brunot Area is divided into four separate units, and each unit has an associated *harvest quota*. The mountain lion season is open either until the season end-date or until the unit quota is filled, whichever occurs first. If the quota for a unit is filled, the season will immediately close for that unit. A Brunot Area lion permit is valid for hunting in all units that have not reached the designated harvest quota. Please refer to the mountain lion unit map in this Proclamation for the location of each unit.

Lion hunters should be aware that Lion Unit 1 (L1) encompasses both the Southern Ute Indian Reservation *and* a portion of the Brunot Area. Even though L1 is a combination of Reservation and Brunot lands, lion hunting on the Reservation portion requires a reservation permit, while lion hunting in the Brunot portion requires a Brunot permit. The lion permits for both areas are *not* interchangeable.

The lion harvest quotas, by unit, are as follows:

<u>Lion Unit</u>	<u>Harvest Quota</u>
L1	7 lions or 4 females
L2	1 lion either sex
L3	2 lions either sex
L4	2 lions either sex

***** Important Mt. Lion Hunting Information *****

A mountain lion telephone information line is available for hunters to call to check on the status of the quotas in each unit. It is the hunter's responsibility to call the harvest quota information line IMMEDIATELY BEFORE hunting to check the status of harvest quotas and unit closures. Call (970) 563-0130 at any time for quota status.

It is unlawful to kill mountain lion kittens or female mountain lions accompanied by kittens. Kittens are defined as mountain lions exhibiting visible spotting of the fur. Female mountain lions accompanied by kittens are defined as female mountain lions that have kittens traveling with them or dependent on them.

Trained hunting dogs may be used to hunt mountain lions.

Upland game bird hunting

Hunting for Upland game birds is allowed within the Brunot Area. Upland Gamebirds includes *dusky (blue) grouse*, *ptarmigan*, *pheasant*, and *chukar partridge*. Columbian Sharp-tailed grouse and Gunnison Sage Grouse may occur within the Brunot Area also; however, populations of these birds are very low and hunting of these species is not allowed.

Trained hunting dogs may be used to hunt upland game birds.

Waterfowl and migratory game bird hunting

Hunting for Waterfowl and other migratory game birds is allowed within the Brunot Area. Waterfowl includes various species of *ducks*, *mergansers*, *coots*, *dark and light geese*, *snipe*, and *rails (Virginia and sora)*. Migratory game birds include doves (mourning, white winged and collared) and band-tailed pigeons. Because waterfowl and migratory game bird seasons and bag limits are set by the federal government, the Tribe does not currently have the ability to set its own season dates and bag limits for these species. Therefore Tribal Member hunters pursuing these species must abide by season dates and bag limits set by the State of Colorado.

The Brunot Area encompasses parts of both the Central and Pacific Flyways. Most of the Brunot Area is within the Pacific Flyway, while the Central Flyway portion is a much smaller area located east of the Continental Divide. Please note that, under Federal law, all waterfowl hunters are required to purchase and possess a Federal Duck Stamp. A Duck Stamp can normally be purchased for a small fee at a local Post Office.

Trapping of Small Game

Trapping of small game is a special harvest methodology that is highly regulated at the State level, and is similarly regulated by the Tribe within the Brunot Area. The purpose of the regulations is to minimize the potential impacts of trapping on non-target wildlife, especially rare, threatened, or endangered species. For the Brunot Area, the species of concern with trapping are the *Canada lynx* and *river otter*, both of which are the subject of major re-introduction efforts and are protected from take throughout the San Juan Mountains region.

Trapping is allowed year-round, per the established Small Game season, and a trapper must obtain a Small Game permit to engage in any trapping of wildlife in the Brunot Area. Wildlife that may be trapped are those species covered under the Brunot Area Small Game permit, including: bobcat, coyote, fox, all weasels (except river otter), ringtail, raccoon, prairie dog, beaver, muskrat, rabbit/hare, marmot, and tree squirrel.

All trappers must comply with the following tribal trapping regulations:

- **Trapper Notification & Reporting.** A trapper must provide at least two weeks advance notice to the Tribal Division of Wildlife of any planned Brunot Area trapping effort. The notice must include approximate location of traps, number and type(s) of traps to be used, and approximate timeframe for operating the traps. Within two weeks of completing the trapping, the trapper must have traps completely removed from the field and report to the Division the trapping results (i.e., identify all target and non-target species captured, animals retained or harvested, and all non-target mortalities).
- **Trap Attendance.** Any individual operating a trap within the Brunot Area is required to physically inspect the trap at least once every 24 hours. Note that this is not a "once daily" requirement; a trapper cannot inspect a trap on one morning and return in the afternoon the next day, as this would be in excess of 24 hours.
- **Trap Types Allowed.** Only *live traps* may be used for trapping in the Brunot Area, which includes any non-lethal cage, box, or Snead-design colony traps. All other methods of trapping are prohibited, including, but not limited to, all types of legholds, snares, and instant kill traps.
- **Bait Restrictions.** Visual lures, fresh meat baits, fish oil, and anise oil lures meant to attract felids are not permitted due to the risk of injury or mortality for Canada lynx.
- **Target and Non-Target Captures.** All captured target species must be killed on-site when the trap is checked. All captured non-target species that are un-injured must be released. Accidental mortality of non-target animals must be reported to the Wildlife Division, per the trapper reporting requirement.

Canada lynx and river otter that are captured but un-injured must be immediately released. Accidental capture of these species must be reported within 12 hours of discovery to the Tribal Wildlife Division.

- *Interference with Traps.* It is unlawful to interfere with, disturb, remove or otherwise molest any trap lawfully set by a trapper, or for a non-operator of a trap to remove any animal from said trap.

Other Hunting Requirements

- *Hunter Safety Requirements.* All hunters under the age of 21 years must have successfully completed a hunter safety education course prior to issuance of permits. Hunters under age 21 must be able to present their hunter safety education card when acquiring permits, and must carry the card with them while hunting. Both the Tribe and Colorado Parks and Wildlife offer hunter education classes, and should be contacted for more information.
- *Hunters Under Age 18.* Hunters under 18 years of age must be accompanied by an adult while hunting.
- *Daylight Fluorescent Orange or Pink.* For *non-archery hunters hunting mule deer, elk, or moose* within the Brunot Area, it is required that the hunter wear a head covering and an outer garment above the waistline of solid daylight fluorescent orange or pink color, totaling 500 square inches or more of clothing. Penalties include a \$50 fine and penalty points toward suspension of hunting/fishing privileges.
- *Loaded Firearm in Vehicle.* It is unlawful for any person, except those authorized by law, or by the Tribe's Department of Justice and Regulatory, Enforcement Division, or Wildlife Management Division, to carry or possess any firearm other than a pistol or revolver in or on any motor vehicle, unless such firearm is unloaded. For purposes of this section, a rifle or shotgun shall be considered unloaded if it is unloaded in the chamber; a muzzle-loader shall be considered unloaded if it is not primed, and, for such purpose "primed" means having a percussion cap on the nipple, a primer in the breech, or flint in the striker and powder in the flash pan; and a bow shall be considered unloaded if an arrow is not nocked on the string. Penalties include a \$300 fine and penalty points toward suspension of hunting/fishing privileges.
- *Shooting from Road.* It is unlawful for any person to shoot any type of firearm from or across or onto any maintained public road. "Road" shall mean the area extending 50 feet on either side of the center line of the roadway. Penalties include a \$250 fine and penalty points toward suspension of hunting/fishing privileges.
- *Shooting from a Motor Vehicle.* It is unlawful for any person to shoot any type of firearm from a motor vehicle to take wildlife. Penalties include a \$300 fine and penalty points toward suspension of hunting/fishing privileges.

FISHING REGULATIONS

Presented in this section are the Tribal-approved seasons and regulations pertaining to fishing within the Brunot Area for both 2018 and part of 2019. The fishing season is the calendar year, January 1st through December 31st. Except as noted under *Special Management Fisheries*, standard angling methods and daily bag limits apply to all Brunot Area fishing by Tribal anglers.

Important Note: Numerous creeks and rivers with sport fisheries *cross over* the Brunot Area boundary. It is important for anglers to remember that, upon leaving the Brunot Area, Brunot fishing permits are *no longer valid*; State permit requirements and regulations apply outside of the Brunot Area. When entering the Southern Ute Indian Reservation, reservation requirements apply.

Standard Angling Methods

Game fish may be taken by hook and line as well as by bow fishing in certain areas (see below). **Permitted tribal member fishermen are allowed two fishing rods per angler (through all seasons).** For bait fishing, one line may be used with up to two single baited hooks attached. For lure fishing, one line may be used with one artificial lure attached. Artificial lures may have up to two hooks (single, double, or treble) attached. For fly-fishing, one line may be used with up to two flies attached.

Bow Fishing

Legal equipment for bow fishing shall include:

- Recurve, compound or longbows
- Bows must have reels and arrows attached with fishing line
- Bows must be equipped with a safety slide keeping line in front of the arrow at all times
- Arrows must have barbed heads

Daily Bag and Possession Limits

The **Daily Bag Limit** is the maximum number of game fish you can take in one day. The **Possession Limit** is the number of fish you may have in your possession at any one time, including in your creel, ice chest, vehicle, camp, or home. The possession limit for all game fish is *no more than one daily bag limit* (single species or in aggregate), as indicated in the *Daily Bag Limits* table. Bag and Possession Limits do not apply to the “Unlimited Take” fisheries. The *Daily Bag Limits* for trout, bass, sunfish, crappie, walleye and saugeye are IN AGGREGATE, meaning that the limits for each group of fish consist of one species or a mix of the different species indicated.

“Unlimited Take” Fisheries

Species of fish with <u>no limits</u> on bag or possession when fishing in <u>ALL WATERS</u> of the Brunot Area	Northern Pike, Yellow Perch, Common Carp, Bullhead, and White Sucker
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Species of fish with no limits on bag or possession when fishing in Brunot Area rivers and creeks: Largemouth and Smallmouth Bass, Bluegill, Green Sunfish, Crappie, Channel Catfish, and Walleye

Daily Bag Limits

<u>Game Fish</u>	<u>Daily Bag Limit</u>
Trout * (Rainbow, Brown, Cutthroat, Splake, Golden, Lake, Brook over 8")	4
Brook Trout (under 8")	10
Kokanee Salmon	10
Channel Catfish	10
Bass* (Largemouth, Smallmouth, Spotted)	10
Bass McPhee Reservoir	5
Sunfish* (Bluegill and Green Sunfish)	10
Crappie* (White and Black)	20
Walleye and Saugeye *	5
Tiger Muskie	1 fish, 36" or longer

* Bag limits are IN AGGREGATE for the indicated group of fish

General Fishing Restrictions

- **Legal Fishing Hours / Duration.** Fishing may occur 24-hours a day, unless the daily bag or possession limit is met. Once the daily bag or possession limit is met, the angler must discontinue fishing.

- **Illegal Fishing Gear / Methods.** Use of the following gear or methods to catch fish is prohibited on all Brunot Area waters: all net types (excluding hand-held landing nets), trotlines, traps, explosives, poisons, guns, or any other gear or method not specified in the *Standard Angling Methods* section.
- **Chumming.** Chumming, or placing in the water any type of fish attractant for the purpose of catching fish, is prohibited in all Brunot waters. Chumming does not include the use of bait, lures, and flies as specified in the *Standard Angling Methods* section.
- **Snagging.** Snagging, or using hooked devices to snag fish in parts of their bodies other than the mouth, is only allowed for kokanee salmon in designated waters during certain times of the year. Standard daily bag / possession limits for kokanee and gear restrictions for lure fishing apply to snagging. See the *Spawning Waters* section for more information on kokanee snagging restrictions.
- **Bait.** Use of any live, dead, or parts of fish or amphibians as bait is prohibited in all Brunot Area waters. Non-fish and amphibian baits such as worms, insects, crayfish, vegetable matter, artificial salmon eggs, and PowerBait are permitted except in designated *Trophy Trout Waters* and *Cutthroat Conservation Waters*.
- **Planting Fish.** It is unlawful to release or move into any Brunot Area waters any fish from aquaria, ponds, bait buckets, or any other external fish source.
- **Fishing Pole Attendance.** Anglers must attend their fishing pole (be within 50 feet) at all times.
- **Minnows.** It is unlawful to take, possess, transport, or sell live minnows anywhere within the Brunot Area.

Special Management Fisheries

Special Management Fisheries are specific streams and lakes within the Brunot Area where closures and/or special harvest and tackle restrictions are in place to protect or enhance the local fish population. These locations include: *Trophy Trout Waters*, *Cutthroat Conservation Waters*, *Trophy Bass Waters*, and *Spawning Waters*. All anglers must comply with the special regulations in place for these designated waters.

A. Trophy Trout Waters. For the waters listed below, anglers may use *artificial flies and lures only*, with no bait fishing allowed. Unless otherwise noted, only *two trout 16 inches in length or longer* may be kept, per day.

- **Animas River.** From Lightner Creek to the south Brunot Area boundary located at Rivera Crossing Bridge.
- **Bear Creek.** From headwaters downstream to the Dolores River.
- **Dolores River.** From McPhee Dam downstream to the west Brunot Area boundary, near Lone Dome State Wildlife Area.
- **Emerald Lakes (Big & Little).** Located 10 mi northeast of Vallecito Res.
- **Lake Fork (of Gunnison River).** From High Bridge Gulch downstream to the north Brunot Area boundary.
- **Los Piños River.** From headwaters downstream to the Weminuche Wilderness boundary.
- **Piedra River.** **CATCH & RELEASE ONLY** from USFS Road 631 bridge downstream to the lower boundary of the Tres Piedra Ranch (1.5 miles above US160). *All trout must be returned to the water immediately.*
- **Rio Grande River.** From the lower boundary of River Hill Campground (near Rio Grande Reservoir) to the east Brunot Area boundary, just west of Creede, Colorado.
- **Vallecito Creek.** From headwaters downstream to the Weminuche Wilderness boundary.

B. Cutthroat Conservation Waters are streams and lakes within the Brunot Area that are managed to conserve pure-strain Colorado River and Rio Grande cutthroat trout. Anglers may fish these waters with *artificial flies and lures only*, but all fish *must be returned to the water immediately*. Cutthroat Conservation Waters include:

- **Big Bend Creek** (8 mi southwest of Durango Mtn. Resort)
- **Clear Creek** (6 mi northwest of Hermosa)
- **Cooper Lake** (10 mi southwest of Lake City)
- **Deep Creek** (6 mi west of Telluride)
- **Elk Creek** (10 mi west of Telluride)
- **Hermosa Creek, East Fork** (at Durango Mtn. Resort)
- **Hermosa Creek** (headwaters to confluence with East Hermosa Cr.)
- **Piedra River, East Fork** (15 mi northwest of Pagosa Springs)
- **Rio Lado** (10 mi southwest of Rico)

- *Sloan Lake* (10 mi northeast of Silverton)
- *Spring Creek* (8 mi west of Rico)

C. Trophy Bass Waters – Totten Reservoir. For Totten Reservoir, near Cortez, anglers may only keep smallmouth and largemouth bass that are 15 inches in length or longer. Anglers must also refrain from fishing along the north shore of the reservoir from March 1 through May 31 in order to protect nesting waterfowl.

-McPhee Reservoir. All bass (either smallmouth or largemouth) between the size of 10” and 15” must be immediately returned to the water. Bag limit for bass from McPhee Reservoir is 5 fish.

D. Spawning Waters are streams and lakes within the Brunot Area that are inhabited by spawning populations of *kokanee salmon* or *wild trout*. In order to conserve these important fisheries and ensure successful reproductive cycles, special seasonal fishing restrictions are necessary. The Brunot Area Spawning Waters and corresponding restrictions are listed below.

- *Florida River (above Lemon Reservoir).* Snagging of kokanee salmon is permitted above Lemon Reservoir from September 1 thru December 31.
- *Grimes Creek (upstream of Vallecito Res. water line).* Snagging of kokanee salmon is permitted above Vallecito Reservoir from November 15 through December 31. All kokanee salmon caught before November 15 must be returned to the water immediately.
- *Vallecito Creek (CR501 upstream to Weminuche W.).* Snagging of kokanee salmon is permitted above Vallecito Reservoir from November 15 through December 31. All kokanee salmon caught before November 15 must be returned to the water immediately.
- *Big Emerald Lake Inlet Creek (CLOSURE).* All fishing is prohibited in Lake Creek inlet for ½ mile above Big Emerald Lake from April 15 thru July 15.
- *Groundhog Reservoir Inlet Creeks (CLOSURE).* All fishing is prohibited in Nash Creek and Groundhog Creek inlets for ½ mile above Groundhog Reservoir from April 15 through July 15.

E. Bow Fishing Species /Waters. There are specific fish species and/or specific waters where bow fishing is legal within the Brunot Treaty Area. These species and waters are listed below:

- Carp and northern pike can be taken by bow fishing in *ALL WATERS* where they persist in the Brunot Area
- Kokanee salmon can be taken during snagging seasons during specified time periods corresponding to these waters:
 - Florida River above Lemon Reservoir Sept. 1 – Dec. 31
 - Grimes Crk upstream of Vallecito Reservoir Nov. 15 – Dec. 31
 - Vallecito Crk CR 501 up to wilderness bound Nov. 15 – Dec. 31

PROTECTED FISH & WILDLIFE

In order to ensure the long-term conservation of many rare and protected species that occur within the Brunot Area, the Tribe does not allow harvest of certain fish and wildlife by Brunot Area hunters and anglers. These include all species protected from take under the various Federal wildlife laws (e.g., Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act); those species protected under State of Colorado Title 33, and designated wildlife populations that are the subject of special research or re-introduction efforts. For the Brunot Area, the protected wildlife species most likely to be encountered by hunters include: **Canada lynx, river otter, Gunnison sage grouse, sharp-tailed grouse, all raptors** (eagles, hawks, falcons, owls), and **all songbirds**. The protected fish species most likely to be encountered by anglers include: **Colorado River and Rio Grande cutthroat trout** (designated pure populations), **roundtail chub, flannelmouth sucker, and bluehead sucker**. *None of these protected fish and wildlife species may be harvested by Tribal Brunot Area hunters or anglers.* For a complete list of protected species, please contact the Tribal Division of Wildlife.

In addition to the protected species identified above, the Tribe has also designated **black bear** as a protected, culturally sensitive species that shall *not* be subject to harvest by Brunot Area hunters under a Southern Ute Tribal-issued permit. Tribal hunters, however, retain the option of obtaining a State permit for harvesting black bear.

OPEN AND CLOSED AREAS, PRIVATE PROPERTY, AND INDIAN LAND

Open Areas for hunting and fishing shall generally include all public lands within the Brunot Area boundary, which consist of most Federal government and State of Colorado-owned lands (e.g., National Forest and Bureau of Land Management lands, State Wildlife Areas, State Parks, State school sections). Certain exceptions apply on some Federal and State-owned properties, or portions thereof; see *Closed Areas* below.

Closed Areas are those lands within the Brunot Area where hunting and/or fishing is not allowed by the Tribe for (1) public safety reasons, or (2) sensitive resource protection reasons. These areas include:

- all properties within the limits of any Brunot Area town or municipality;
- all properties or areas closed by local government (i.e., city or county) for public safety reasons;
- any place in close proximity to campgrounds, boat ramps, marinas, trailheads, occupied buildings, private residences, and any other facilities where hunting presents an undue risk to users, residents, and/or the facilities;
- any areas closed by Federal or State agencies to protect archaeological, wildlife, or other sensitive natural resource sites;

Note: Additional fishing-related closures are also specifically identified in the *Spawning Waters* section of the Brunot Area Fishing Regulations.

Private Property represents a substantial portion, approximately 25%, of the entire Brunot Area. Although permitted Brunot Area hunters and anglers are authorized to take game species on private property, *the hunter or angler must always obtain access permission from the land owner prior to entering private land*. It is always the hunter's or angler's responsibility to know where private land occurs, even if land boundaries are not clearly marked in the field. Hunters and anglers should carefully review maps provided by the Tribe, as well as those published by State and Federal lands agencies. Always seek knowledgeable help if in doubt about land status.

Indian Land within the Brunot Area is a small portion of the Ute Mountain Ute (UMU) reservation extending to south of Cortez, Colorado and west of Mesa Verde National Park. **For purposes of Brunot Area hunting by Southern Ute Tribal Members, UMU land should be considered private property and not huntable without the expressed permission of the UMU Tribe.**

LAND USE REGULATIONS

Virtually all of the public lands within the Brunot Area – whether federal, state, or locally controlled – are subject to a wide range of land use regulations, some of which are not exclusively directed to fish and game matters. Common examples include, but are not limited to, restrictions on: open fires, recreational shooting, overnight camping, wood cutting/collecting, boating, livestock use, and especially off-road vehicle use (e.g., 4x4 trucks, ATV's, motorcycles, mountain bikes, snowmobiles). One of the more significant land use regulations affecting hunters is a vehicle ban in certain areas. Within State Wildlife Areas, federal wilderness and research areas, and specially-designated portions of National Forest, vehicle access is commonly banned either seasonally or year-round. The purpose of those regulations includes public safety and the protection of natural resources from public over-use and abuse.

The Tribal Council recognizes that requiring compliance with nondiscriminatory federal, state, and local land use regulations in the Brunot Area as a matter of Tribal law may limit or interfere somewhat with the exercise of the Tribe's Brunot Agreement rights by tribal members, but the Tribal Council finds that requiring compliance with such regulations as a matter of Tribal law is an advisable exercise of Tribal sovereignty in the interest of comity and to:

- Avoid the applicability of such regulations to Brunot Area hunting and fishing from being determined in federal or state court;
- Avoid potential litigation with an uncertain result;
- Avoid potential intergovernmental conflicts.

Such regulations, therefore, shall apply to Tribal Member Brunot Area hunting and fishing as a matter of Tribal law. The Tribal Council reserves the right to create exceptions to the general applicability of such regulations to Tribal Member Brunot Area hunting and fishing.

It is the responsibility of Tribal Member Brunot Area hunters and anglers to know and understand the various land use regulations that are in place and enforced within the Brunot Area. Violations of the regulations are not only violations of Tribal law, but also may constitute violations of state and/or federal law, and, therefore may be prosecuted in Tribal, state, or federal court. In a state or federal prosecution for violation of such regulations, therefore, it may be an ineffective defense to assert that the Tribal Member was exercising Brunot Agreement rights, since those regulations are applicable as a matter of Tribal law. Hunters and anglers should contact the Tribe's Wildlife Management Division or other appropriate management agencies for more information on applicable land use regulations (e.g., U.S. Forest Service, U.S. Bureau of Land Management, Colorado State Parks, Colorado Parks and Wildlife, etc.).

GUIDING & OUTFITTING

A "guide" or "outfitter" is a person who accepts compensation for (1) guiding, leading, packing, protecting, supervising, instructing, or training persons in the take or attempted take of wildlife; or (2) providing facilities (e.g., tents, cabins, camp gear, food, or similar supplies, equipment, or accommodations), equipment or services for hunting activities, including but not limited to the transportation of individuals, equipment, supplies, or wildlife by means of vehicle, vessel, or pack animal.

The guiding and outfitting of a Tribal Member Brunot Area hunter requires special authorization of the guide/outfitter from either the Tribe OR State and Federal authorities, depending on (1) the SUIT member status of the guide, or (2) whether the hunter is hunting under authority of a Tribal or State hunting permit.

If a hunter with a Tribal Brunot hunting permit wants to utilize the service of a *Tribal Member* guide/outfitter, this guide/outfitter must first be permitted by the Tribe, per Tribal permitting requirements, and the guide/outfitter must comply with the Tribe's established guiding and outfitting rules and regulations. More information on these requirements and regulations is available through the Tribe's Division of Wildlife office.

If the hunter wants to utilize the service of a *non-SUIT member* guide/outfitter, OR if the hunter is hunting under the authority of a State hunting permit, the guide/outfitter must comply with all applicable State and Federal permitting requirements and regulations pertaining to guiding and outfitting. The Colorado Department of Regulatory Agencies (DORA) and/or the U.S. Forest Service should be contacted for more information.

The terms "hunting" and "fishing", as they relate to guiding and outfitting, are used interchangeably.