



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: “Approval of the 2022-2023 Tribal Small Game & Furbearer Hunting and Fishing Proclamations.”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes, also known as the Mandan, Hidatsa, and Arikara Nation (“Tribes” or “MHA Nation”), provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5 (d) of the Constitution provides that the Tribal Business Council has the power to regulate hunting and fishing on all lands within the jurisdiction of the Tribes; and

WHEREAS, The Tribal Fish & Wildlife Department has developed hunting and fishing proclamations for authorized hunting and fishing on the Fort Berthold Indian Reservation for 2022 and 2023 and has presented said proclamations to the Tribal Business Council for approval.

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby approves the following Fish & Wildlife Proclamations for 2022-2023;

1. 2022-2023 Small Game and Furbearer Proclamation; and
2. 2022-2023 Fishing Proclamation.



Fort Berthold Reservation
Mandan, Hidatsa and Arikara Tribes
Fish and Wildlife Division
P.O. Box 1402, New Town, ND 58763
Phone: (701) 627-4760 Fax: (701) 627-4743

2022-2023 SMALL GAME & FURBEARER PROCLAMATION

Pursuant to Chapter 18 of Title 9 of the Code of Law of the Three Affiliated Tribes (TAT) of the Fort Berthold Reservation, and the authority of the Three Affiliated Tribes Business Council: The Three Affiliated Tribes Fish & Wildlife Division hereby declares an open season in 2022 and 2023 on certain species of wildlife, as hereafter identified, to be taken with archery equipment and gun and for the harvest of certain furbearers.

Except as provided hereinafter or otherwise by law, no person shall hunt, trap, use a cable device (snare), kill, take, possess, or so attempt to hunt, trap, use a cable device, kill, take, or possess any small game, waterfowl, or furbearers or parts thereof.

This proclamation provides no authority for possession of live small game, waterfowl, or furbearers.

1. DEFINITIONS

In this Proclamation, the following definitions shall be used, unless the subject matter otherwise requires.

"Upland game" shall include sharp-tailed, sage and pinnated grouse (prairie chicken), Hungarian partridge, pheasants, ruffed grouse, and tree squirrels. **"Waterfowl"** shall include ducks, geese, swans, mergansers, and coots. **"Migratory game bird"** shall include ducks, geese, coots, mergansers, snipe, woodcock, cranes, swans, and doves. The Early September Canada Goose Season shall include those days proclaimed in August.

"Reservation" all lands within the exterior boundaries of the Fort Berthold Indian Reservation.

"Allotted-Land" is individually Indian-owned land held in trust by the United States.

"Fee Patent Land" is land within the exterior boundaries of the Fort Berthold Reservation, not held in trust or subject to restrictions or alienation and which is in private ownership.

"Member" is any person who is an enrolled member of the Three Affiliated Tribes.

"Non-Member" is any person who is not an enrolled member of the Three Affiliated Tribes.

"Non-Indian" is any person who is not an enrolled member of a federally recognized Indian tribe.

"Non-Resident" is any person who is not a resident of the Fort Berthold Indian Reservation.

"Non-Member Resident" is any person who is living within the boundaries of the Fort Berthold Indian Reservation but is not an enrolled member of the Three Affiliated Tribes.

"Non-Member Non-Resident" is any person who is not living within the boundaries of the Fort Berthold Indian Reservation and is not an enrolled member of the Three Affiliated Tribes.

"Daily bag limit" means the maximum number of the particular game referred to in single or aggregate for which a bag limit is prescribed and that one hunter, legally licensed by this tribe, may take or kill for that species during a single hunting day, within the boundaries of this reservation.

"Possession limit" means the maximum number of the particular game referred (except waterfowl and migratory game birds) that a hunter, legally licensed by the Three Affiliated Tribes Fish & Wildlife, may have in his/her actual possession during any phase of any single hunting trip, venture, or expedition of more than one day. The possession limit at one's personal permanent residence is unlimited. No more than a daily limit may be taken on any one day.

"Possession limit for waterfowl and migratory game birds" means the maximum number of migratory game birds of a single species or a combination of species permitted to be possessed by any one person

when lawfully taken in the United States in any one specified geographic area for which a possession limit is prescribed

“Body gripping trap” means a trap designed to allow the animal’s head, neck or torso to enter the trap opening and be held by compression of the jaws when sprung (example, Conibear).

“Cable device” means a noose used for restraining furbearers by the neck or body (example, snare).

“Colony trap” means an enclosure device designed to allow the capture of one or more furbearers in a single setting with one or more one-way entrances; cannot exceed twelve inches high or twelve inches wide or twelve inches in diameter by 36 inches long.

“Foothold trap” means a steel-jawed trap used for restraining furbearers by the foot (examples, longspring or coil spring trap).

“Protective covering” means a trap set covering of structural material (wire mesh, wood, plastic, metal) limiting access to the trap through an opening not to exceed eight inches high by eight inches wide.

“Sight-exposed bait” means any bait weighing in excess of one pound, composed of animal flesh, fur, hair, hide, entrails, or feathers placed in such a manner that it can be seen by a soaring hawk, owl, or eagle.

“Water set” means a trap or cable device which is set or staked in a manner to permit the trap, cable device or trapped animal to reach water.

2. GENERAL RULES AND REGULATIONS

2.1 ELIGIBILITY

2.1.1 Minimum age – There is no minimum age for hunting furbearers, but anyone under age 15 afield with firearms must be properly licensed and under direct supervision (must be able to have unaided verbal contact) of a parent, guardian, or adult authorized by their parent or guardian who meets the hunter education requirements and is properly licensed.

2.1.2 Hunter education requirement – Hunters born after December 31, 1961 must complete a certified tribal or state hunter education course and PRESENT the certification card earned to the license vendor in order to purchase a Fort Berthold hunting license. EXCEPTIONS: youth under age 12 if they have appropriate licenses and are accompanied by a parent or guardian, and Veterans of the United States Armed Forces that have been honorably discharged – persons applying for this exemption MUST present a copy of form DD214 to the TAT Fish & Wildlife office to be eligible.

2.2 HOURS OF HUNTING shall be prescribed by Central Daylight Time starting August 1, 2022 through November 5, 2022 and thereafter prescribed by Central Standard Time starting November 6, 2022.

Hours of hunting for all wildlife covered by this proclamation shall be from one-half hour before sunrise to sunset each day, unless otherwise prescribed by proclamation. Sandhill crane and goose hunting during the regular season shall be from one-half hour before sunrise to 2 p.m. each day. Additionally, shooting hours for geese shall be one-half (½) hour before sunrise to sunset on Saturdays and Wednesdays from September 24, 2022 through November 26, 2022 and on Saturdays, Sundays and Wednesdays from November 27, 2022 through the end of each goose season. Hours for hunting mink, muskrat, and weasel with firearms and archery equipment shall be from one-half hour before sunrise to one-half hour after sunset each day. Hours for hunting red and gray fox, bobcat, mountain lion, coyote, beaver, raccoon and badger with firearms, archery equipment, and dogs shall be from one-half hour before sunrise to one-half hour after sunset each day except for fox and coyote outlined in section 13.4. Beaver and raccoon may be taken at any hour of the day but only under the restrictions outlined in this proclamation. All trapping and cable device (snaring) seasons and raccoon and beaver hunting shall open at one-half hour before sunrise. Trapping or using a cable device is legal at any hour after the opening day.

3. TRAPS, FIREARMS, ARCHERY EQUIPMENT AND AMMUNITION.

3.1 Small Game: Only firearms, no smaller than .410 caliber nor larger than 10 gauge, loaded with shot and capable of holding no more than three shells, and legal archery equipment may be used except as otherwise specified. Pistols may not be used to take migratory game birds. A bow must be pulled, held, and released by hand. Any release aid may be used providing it is hand operated, the shooter supports the draw weight of the bow, and the release is not attached to any part of the bow other than at the bowstring. Telescopic sights, range finding devices, battery-powered or electronically lighted sights or other electronic devices attached to the bow, or the arrow, are not permitted. Handheld range finding devices and lighted nocks are legal. Arrows capable of causing damage or injury to the animal in excess of that inflicted by the cutting edges of the broadhead, are prohibited while hunting small game with a bow (e.g., explosive arrow points, arrows tipped with drugs or chemicals, and pneumatic or hydraulic shafts are illegal). Arrows must be at least 24 inches long and have at least 2 untrimmed feathers or not less than 5 trimmed feathers when shooting at birds in flight.

3.2 Crossbows are illegal, except if disabled or handicapped (i.e. Paraplegics and/or having lost the use of one or both arms) and having a permit from the TAT Fish & Wildlife Department Director may use such firearm or archery equipment during the small game season. When permitted, crossbows must: a) have a peak draw weight of at least 75 pounds, b) be equipped with a working safety to prevent accidental firing, c) have a stock at least 14 inches long, d) use arrows or bolts at least 14 inches in length, e) battery-powered and electronic-lighted sight pins and telescopic sights not exceeding a maximum power of eight by thirty-two millimeters may be attached to crossbows used for hunting, and f) crossbow hunters must comply with all other archery equipment regulations listed above.

3.3 Non-Toxic Shot: Possession or use of shot other than Federally approved non-toxic shot is prohibited while hunting ducks, geese, sandhill cranes, snipe, mergansers, and coots. Possession of "shot other than non-toxic shot" means in the gun, or in the pockets, or within reach while in the process of hunting ducks, geese, sandhill cranes, snipe, and coots.

3.4 Cable Devices (Snares) Restrictions:

- A metal or plastic tag must be attached to each cable device. This tag must display legibly the trapper's name, address, and telephone number.
- Written permission must be secured from the landowner prior to placing or setting cable devices on private land or Conservation PLOTS (Private Land Open To Sportsmen); the grantor may determine the length of time permission is granted.
- Use of relaxing cable devices is permitted. One stop must be affixed to each cable device on land to prevent the loop from opening to a diameter greater than 12 inches.
- Cable devices cannot be placed or set in the field prior to the opening date and cannot remain in the field after the closing date of the cable device season for the respective species.
- All cable devices must be affixed to an immovable object solidly attached to the ground. The use of drags is prohibited.
- Cable devices must be set so that the bottom of the loop is no greater than 12 inches from the ground; or when the ground is snow covered, no greater than 12 inches above the bottom of an adult's footprint in the snow beneath the cable device with the full body weight on the foot.
- Cable devices must be constructed of single-strand (1x19) or multi-strand (7x7) or (7x19) carbon or stainless steel cable of one-sixteenth inch diameter or larger.
- Cable devices must possess a lock or breakaway device that allows the cable loop to disassemble at no more than 350 pounds pull.

- Individuals that are self-assembling cable devices from components must assume liability and responsibility for ensuring that the devices, locks or parts break or disassemble at 350 pounds pull or less.
- All individuals who use cable devices must register at the TAT Fish & Wildlife Department's office prior to participating. Registration can be done in person or called in. Registration includes providing name, address, phone number. Registration is free of charge. A fine will be assessed if failure to register.

3.5 Trap set restrictions:

From September 1, 2022 through October 21, 2022:

Body gripping traps greater than eight inches inside jaw spread and all water sets must –

- Be in four inches or more of water; or
- Be used in an upland set and recessed at least ten inches in a plastic, wood, or metal cubby with a maximum eighty square inch opening.

From October 22, 2022 through January 1, 2023:

Body gripping traps greater than eight inches inside jaw spread must –

- Be in four inches or more of water; or
- Be used in an upland set and recessed at least ten inches in a plastic, wood, or metal cubby with a maximum eighty square inch opening

From January 2, 2023 through March 15, 2023:

- No restrictions on placement.

From March 16, 2023 through May 10, 2023:

Foothold and body-gripping traps placed in or on the water, but not used on float sets, must –

- Have a protective covering; or
- Foothold traps not being used on a float set must be submerged underwater; or
- Body gripping traps less than eight inches inside jaw spread must have no more than two inches of the trap above the water surface.

Foothold and body-gripping traps used on float sets must -

- have a protective covering May 1, 2023 through May 10, 2023

From May 11, 2023 through August 31, 2023:

- No restrictions on placement.

Written permission is required to trap or use a cable device on private land, including Conservation PLOTS (Private Land Open To Sportsmen); the grantor may determine the length of time permission is granted.

Any taken furbearer for which the season is closed or other protected species that is incidentally taken must be reported within twelve hours and turned over to the TAT Fish & Wildlife. A fine will be assessed if failure to report to TAT Fish & Wildlife.

All traps and cable devices (snares) are required to be checked at least every 24 hours.

3.6 Exposed Baits: It is illegal to place traps or cable devices (snares) within twenty-five feet of any sight-exposed bait.

- 4. AREAS CLOSED TO HUNTING** It shall be unlawful to hunt or pursue game in the following areas:
- 1) The buffalo pasture located in Unit #1 (Mandaree Area) known as Range Unit 904 in the Skunk Creek Bay Area—this unit is designated as a Wildlife Reserve Area and no hunting or trapping is allowed.

The MHA Tribal Ranch/Buffalo Project is NOT WITHIN the exterior boundaries of the Fort Berthold Indian Reservation – tribal licenses are not valid outside the boundaries of the reservation.

It is unlawful to hunt or discharge a firearm within 440 yards of any occupied buildings, schools, medical facilities or residence.

5. WANTON WASTE OF WATERFOWL, MIGRATORY GAME BIRDS, AND UPLAND GAME

No person shall kill, cripple, waste, destroy, spoil, or abandon the edible flesh of any migratory game bird or upland game without making a reasonable effort to retrieve the bird/animal, and retain it in his/her actual custody, at the place where taken and between that place and either (a) his/her personal permanent residence, (b) taxidermist or (c) a common carrier. Edible flesh means the breast meat of any game bird or the hind legs and lower back of a squirrel.

- 6. IDENTIFICATION** One fully feathered wing or the fully feathered head of all waterfowl, snipe, crane, dove, and woodcock; and one leg and foot, or the fully feathered head, or the fully feathered wing of pheasants, Hungarian partridge, and all grouse shall remain attached to such game during transportation or shipment until it reaches the hunter's legal residence or it is processed to be immediately consumed.

- 7. TRANSPORTATION AND STORAGE.** License holders must accompany their game, or parts thereof, (excluding hide) during transportation. Game may be shipped by common carrier in receipt of proper bill of lading. Except for legally gifted game, it is illegal to possess or transport another's game animal or parts thereof (excluding hides) without the license holder accompanying or as otherwise permitted.

No person shall leave or store any game birds at any place other than that person's legal residence unless each piece of game is tagged with the owner's signature and address, date taken, number and species of game, and license number of the person who harvested the game. The packaging of game birds away from a person's legal residence must be in a manner that the species and number of game birds in each package is easily determined.

Game may be gifted to another; however, nothing allows a person to exceed a daily limit. Any gifted game to be transported must be tagged with the harvester's signature and address, date taken, number, sex, and species of game, and license number of the person who harvested the game. Termination of possession can only be accomplished by: 1) Gifting of legally harvested game. 2) By consuming the game.

No one may possess in the field, transport, or ship at any one time, more than a possession limit of upland game. No one may possess, store, transport or ship at any one time, more than a possession limit of migratory game birds.

- 8. LICENSES OR SPECIAL PERMITS** shall be issued for each season in a manner and form prescribed by the Director and in accordance with law. By purchasing a TAT hunting and/or fishing license(s) you agree to abide by the Chapter 18 Codes. **Hunting licenses are valid in either paper or electronic format. Licenses must be endorsed with hunter's signature at the bottom where indicated.** All hunters must have their signed

license(s) on their person – a signed digital copy may be accepted. Licenses are nontransferable. No person may give away, barter or sell an issued license.

Federal Migratory Bird Hunting and Conservation Stamp, (hereafter, Federal Duck Stamp, or E-stamp): No person 16 years of age or older shall hunt, kill, or take any duck, goose, or merganser, without having in his\her possession a federal duck stamp, or physical or electronic proof of federal e-stamp verification for the season. The federal e-stamp is valid for a period of 45 days from the date of purchase and once the 45 days have elapsed, the hunter must have in their possession a physical stamp validated by his\her signature written across the face thereof in ink.

9. AIRCRAFT, MOTOR-DRIVEN VEHICLES, AND LIGHTS

It is illegal to locate, drive, concentrate, rally, raise, stir up, spot, or disturb game with all types of aircraft, manned or unmanned (including drones).

It is illegal to shoot with bow and arrow or firearm while in or on a motor-driven vehicle.

No person may carry a firearm with a cartridge in the chamber in or on a motor-driven vehicle while hunting. The entire cylinder of a revolver is considered the chamber, requiring the revolver to be completely unloaded. Handguns with removable magazines must have the magazine removed from the firearm if the magazine contains any loaded shells. It is illegal to carry any muzzleloading firearm in or on a motor-driven vehicle with a cap or primer in place or powder in the flash pan.

Use of artificial light, night vision, thermal vision, or infrared light for locating or hunting game is prohibited, except for beaver, raccoon, red fox, gray fox, and coyotes during the open night hunting season on the animal.

10. MOTOR-DRIVEN VEHICLES AND AIRCRAFT IN THE TAKING OF FURBEARERS. It is illegal to drive vehicles off established roads and trails during the deer gun season while attempting to take furbearers with firearms, archery equipment, and dogs. Aircraft may not be used to take coyotes, fox, or any other furbearer, without a special permit.

11. LIMITS. Unlimited numbers of any furbearer may be taken and possessed, unless otherwise specified. Limits on small game and waterfowl species are specified in the following sections.

12. SMALL GAME SEASONS

For detailed information on the limits and seasons for small game please refer to the table below:

SPECIES	SEASONS	DAILY BAG	POSSESSION LIMIT
Spring Wild Turkey	April 2, 2022—May 15, 2022	1	ONE BIRD PER TAG/SEASON
Crow (Fall)	Aug. 20, 2022 — Nov. 7, 2022	unlimited	unlimited
Dove	Sept. 1, 2022 — Nov. 29, 2022	15	45
Hungarian Partridge	Sept. 2, 2022 — Jan. 1, 2023	3	12
Sharp-tailed Grouse	Sept. 10, 2022 — Jan. 1, 2023	3	12
Tree Squirrel	Sept. 10, 2022 — Feb. 27, 2023	4	12
Snipe	Sept. 10, 2022 — Dec. 04, 2022	8	24
Sandhill Crane	Sept. 17, 2022 — Nov. 13, 2022	3	9
Woodcock	Sept. 24, 2022 — Nov. 7, 2022	3	9
Fall Wild Turkey	Oct. 1, 2022 — Jan. 1, 2023	1	ONE BIRD PER TAG/SEASON
Pheasant (cocks only)	October 8, 2022 — Jan. 1, 2023	3	12
Spring Crow	Mar. 11, 2023 — April 23, 2023	unlimited	unlimited
(2023) Spring Wild Turkey	April 1, 2023 — May 14, 2023	1	ONE BIRD PER TAG/SEASON

12.1 CROWS may be taken reservation-wide from August 20, 2022 through November 7, 2022

(Fall Season), and from March 11, 2023 through April 23, 2023 (Spring Season). There shall be no limit on the number of crows taken. In addition to the crow season, crows may be taken when committing or about to commit depredations as specified in federal law (50 CFR 21.43).

12.2 DOVES may be taken reservation-wide from September 1, 2022 through November 29, 2022. The daily limit shall be 15 and the possession limit 45. In addition to mourning doves, the bag limit includes Eurasian collared doves.

12.3 SHARP-TAILED GROUSE may be taken reservation-wide from September 10, 2022 through January 1, 2023. The daily bag limit shall be 3 and the possession limit 12.

12.4 HUNGARIAN PARTRIDGE may be taken reservation-wide from September 2, 2022 through January 1, 2023. The daily bag limit shall be 3 and the possession limit 12.

12.5 TREE SQUIRRELS may be taken reservation-wide from September 10, 2022 through February 27, 2023. Tree squirrels may be taken with shotguns, rimfire and muzzleloading firearms, or with bow and arrows legal for the taking of upland game. The daily bag limit shall be 4 and the possession limit 12.

12.6 SANDHILL CRANES may be taken from September 17, 2022 through November 13, 2022. The daily bag limit shall be 3 cranes and the possession limit 9 cranes.

To hunt sandhill cranes each hunter must possess a small game license (except those under 16 years of age), and a \$5.00 sandhill crane hunting permit available from the TAT Game and Fish Department's office.

Sandhill cranes may be taken from a floating craft, excluding a sinkbox, if such craft is beached, or fastened within or tied immediately alongside any type of fixed hunting blind, or from such craft resting at anchor.

12.7 SNIPE may be taken reservation-wide September 10, 2022 through December 4, 2022. The daily bag limit shall be 8 and the possession limit 24.

12.8 WOODCOCK may be taken reservation-wide September 24, 2022 through November 7, 2022. The daily bag limit shall be 3 and the possession limit 9.

12.9 PHEASANTS (Males) may be taken reservation-wide from October 8, 2022 through January 1, 2023, with the following restrictions:

Youth Pheasant Season legally licensed members and non-members 15 years of age or younger may hunt pheasant reservation wide on September 24 and 25, 2022. An adult, at least 18 years of age, must accompany the youth pheasant hunter into the field. Any adult accompanying the youth into the field may not carry a firearm and may not hunt any species of wildlife. Bag, possession limit, and hunting hours shall be the same as during the regular season.

The daily bag limit shall be 3 and the possession limit 12.

12.10 PINNATED GROUSE (Prairie Chicken) season will be closed in 2022.

12.11 RUFFED GROUSE season will be closed in 2022.

12.12 SAGE GROUSE season will be closed in 2022.

12.13 WILD TURKEYS may be taken from the South Segment [Unit 4 (Twin Buttes Area)], West Segments [Unit 1 (Mandaree/Four Bears Areas)], and the East Segments [Unit 3 (Parshall/White Shield Areas)] of the Fort Berthold Reservation from April 2, 2022 through May 15, 2022 (SPRING SEASON) and October 1, 2022 through January 1, 2022 (FALL SEASON). The 2023 Spring Turkey season shall run from April 1, 2023 through May 14, 2023. The Season Limit will be one tom (Male) wild turkey per permit per season. Shooting hours are from ½ hour before sunrise to sunset.

13. FURBEARERS SEASONS

SPECIES	SEASON	DAILY BAG
<u>Badger/Coyote/Fox</u>		
<i>Hunting, trapping, pursue with dogs:</i>	Year-round	Unlimited
<i>Cable Devices:</i>	Nov. 21, 2022 to March 15, 2023	Unlimited
<u>Beaver/Raccoon</u>		
<i>Hunting, trapping, underwater cable devices:</i>	Year-round	Unlimited
<i>Cable devices on land:</i>	Nov. 21, 2022 to March 15, 2023	Unlimited
<i>Cable devices on land within 50 ft of water:</i>	March 16, 2023 to May 10, 2023	Unlimited
<u>Prairie Dog</u>		
<i>Hunting:</i>	Year-round	Unlimited
<u>Mink/Muskrat</u>		
<i>Trapping:</i>	Oct. 22, 2022 to May 10, 2023	Unlimited
<i>Hunting & cable devices</i>	Nov. 21, 2022 to May 10, 2023	Unlimited
<u>Weasel</u>		
<i>Trapping:</i>	Oct. 22, 2022 to March 15, 2023	Unlimited
<i>Hunting & cable devices:</i>	Nov. 21, 2022 to March 15, 2023	Unlimited
<u>Bobcat</u>		
<i>Hunting/Trapping:</i>	Oct. 29, 2022 to March 15, 2023	2 cat/person/season
<i>Cable devices:</i>	Nov. 14, 2022 to March 15, 2023	2 cat/person/season
<u>Mountain Lion</u>		
<i>Hunting:</i>	Aug. 26, 2022 to March 31, 2023*	1 cat/person/season
<i>Pursue with dogs:</i>	Nov. 14, 2022 to March 31, 2023*	1 cat/person/season
<i>*Unless Quota of 10 is reached beforehand</i>		

13.1 BEAVER AND RACCOON may be taken with firearms, traps, pre-charged pneumatic air guns, underwater cable devices (snares), and archery equipment (including crossbows - if have a crossbow permit from TAT Fish & Wildlife Director) reservation-wide and year round. The season will officially close March 31 and reopen April 1 of each year. Cable devices may be used on land November 21, 2022 through May 10, 2023. From March 16, 2023 through May 10, 2023, cable devices must be within 50 feet of water, no greater than 4 inches off the ground and have a stop restricting loop size to 12 inches or less in diameter.

Beaver dams may be partially or completely dismantled when their presence causes property damage.

Raccoon may be pursued with dogs reservation-wide and year round.

Beaver and raccoon may be taken at any hour of the day, while hunting on foot, with the aid of artificial light, night vision, thermal vision, or infrared light with a power source of not more than 6 volts. The artificial light must produce a red, green or amber color, except when taking a raccoon treed or at bay.

13.2 WEASEL, MINK, AND MUSKRAT.

13.2.1 Weasel may be taken reservation-wide with traps from October 22, 2022 through March 15, 2023. Cable devices (snares) may be used reservation-wide from November 21, 2022 through March 15, 2023. Weasels may be hunted reservation-wide with rimfire cartridges of .22 caliber or smaller, muzzleloaders of .45 caliber or smaller, and archery equipment (including crossbows – if have a crossbow permit from TAT Fish & Wildlife Director) from November 21, 2022 through March 15, 2023.

13.2.2 Muskrat and Mink may be taken reservation-wide with traps from October 22, 2022 through May 10, 2023. From March 16, 2023 through May 10, 2023 colony traps must be under at least two inches of water and trapping on the outside of any muskrat house or structure of any size is prohibited; traps may be placed completely inside a muskrat house or structure of any size; except when used on float sets, foothold traps must be submerged under water at all times or have a protective covering; body-gripping traps used in a water set can have no more than two inches of the trap above water or a protective covering. From May 1, 2022 through May 10, 2022, float sets must have a protective covering. Cable devices (snares) may be used reservation wide from November 21, 2022 through May 10, 2023. From March 16, 2023 through May 10, 2023, using cable devices on the outside of any muskrat house or structure of any size is prohibited. Muskrat and mink may be hunted reservation-wide with rimfire cartridges of .22 caliber or smaller, muzzleloaders of .45 caliber or smaller, and with archery equipment from November 21, 2022 through May 10, 2023.

Muskrat huts may be opened for insertion of traps or cable devices (snares), however, the huts must be restored to their approximate original condition to prevent freeze-up.

13.3 BOBCATS may be harvested using firearms, **pre-charged pneumatic air guns**, archery equipment or traps, from October 29, 2022 through March 15, 2023. They can also be harvested with the use of a cable device (snare) from November 14, 2022 through March 15, 2023. **Hunters must contact a local game warden, biologist or the TAT Fish & Wildlife office to report their harvest within 12 hours and make arrangements to have the mountain lion tagged. The entire mountain lion, including the head, must be presented for inspection and tagging.** Legally taken animals will be returned to the hunter following analysis so that the pelt may be removed. The carcass shall be returned to the TAT Fish & Wildlife Department after the pelt has been removed by the hunter or taxidermist and the carcass shall remain the property of the TAT Fish & Wildlife Department. No person, taxidermist, or fur dealer shall possess or purchase an untagged bobcat. When any part of the animal is mounted, if the tag is removed from the pelt, the tag must be securely fastened to the back or bottom of the mount and remain there.

13.4 RED FOX, GRAY FOX, COYOTE AND BADGER

13.4.1 Day Hunting Season. Red Fox, gray fox, coyote and badger may be taken with firearms, **pre-charged pneumatic air guns**, archery equipment (including crossbows – if have a crossbow permit from TAT Fish & Wildlife Director), and dogs reservation-wide and year-round. Hunting hours are from one-half hour before sunrise to one-half hour after sunset each day. The season will officially close March 31 and reopen April 1 of each year.

13.4.2 Night Hunting Season. Red Fox, gray fox, and coyote may be taken with firearms and pre-charged pneumatic air guns at any hour during the night hunting season from November 21, 2022, through March 15, 2023. Beginning January 2, 2023, hunters can also use archery equipment (including crossbows– if have a crossbow permit from TAT Fish & Wildlife Director) for night hunting of red fox, gray fox, and coyotes. Any person who engages in the hunting of red fox, gray fox, or coyotes during the time from one-half hour after sunset to one-half hour before sunrise, must hunt exclusively on foot.

13.4.3 Trapping Season. Red fox, gray fox, coyote and badger may be taken with traps reservation-wide and year-round. The season will officially close March 31 and reopen April 1 of each year. Cable devices (snares) may only be used reservation-wide from November 21, 2022 through March 15, 2023.

13.5 MOUNTAIN LIONS may be hunted using firearms and archery equipment from August 26, 2022 through March 31, 2023. Pursuing with dogs is allowed only from November 14, 2022 through March 31, 2023. Any legal firearm or archery equipment currently allowed for furbearers is legal. The limit for mountain lions is one animal per hunter per season. Any mountain lion, other than kittens (kitten defined as a mountain lion with visible spots) or females accompanied by kittens, may be harvested during the season. Hunters must contact a local game warden, biologist or the TAT Fish & Wildlife office to report their harvest within 12 hours and make arrangements to have the mountain lion tagged. The entire mountain lion, including the head, must be presented for inspection and tagging. Legally taken animals will be returned to the hunter following analysis so that the pelt may be removed. The carcass shall be returned to the TAT Fish & Wildlife Department after the pelt has been removed by the hunter or taxidermist and the carcass shall remain the property of the TAT Fish & Wildlife Department. The use of traps or cable devices (snares) to take mountain lions is prohibited. A quota of 10 mountain lions will be allowed in this season.

Once this quota is reached, the season will be closed immediately. The TAT Fish & Wildlife Department will inform the public through press releases and/or public service announcements. Mountain lions taken at any time in protection of human life and the person killing or catching a mountain lion under these conditions must report the kill or catch within twelve hours and surrender the mountain lion to the Department and it will remain the property of the TAT Fish & Wildlife Department.

13.6 FISHER season closed in 2022-2023.

13.7 RIVER OTTER season closed in 2022-2023

13.8 PROTECTED FURBEARERS. The season for Canada lynx (*Lynx canadensis*), gray wolf (*Canis lupus*), swift fox (*Vulpes velox*), black bear (*Ursus americanus*), wolverine (*Gulo gulo*), American marten (*Martes americana*), and river otter (*Lontra canadensis*) shall remain closed.

13.9 CLOTHING REQUIREMENTS. All furbearer hunters are required to wear orange clothing while the Deer Gun season is in progress. Legal orange clothing is a head covering and outer garment above the waistline of solid daylight fluorescent orange color totaling at least 400 square inches.

14. WATERFOWL SEASONS

SPECIES	SEASONS	DAILY BAG	POSSESSION LIMIT
Canada Geese	Aug. 15, 2022—Sept. 15, 2022 (Early) Sept. 24, 2022 – Dec. 22, 2022	15 8	Three times the daily limit.
Light Geese	Sept. 24, 2022 – Dec. 31, 2022	50	Unlimited
Ducks	Sept. 24, 2022 – Dec. 04, 2022 Dec. 10, 2022 – Jan. 01, 2023	6	<i>*See Ducks and Mergansers restrictions below</i>
Mergansers	Sept. 24, 2022 – Dec. 04, 2022 Dec. 10, 2022 – Jan. 01, 2023	5	<i>*See Ducks and Mergansers restrictions below</i>
Coots	Sept. 24, 2022 – Dec. 04, 2022 Dec. 10, 2022 – Jan. 01, 2023	15	45
White-Fronted Geese	Sept. 24, 2022 – Dec. 04, 2022	3	Three times the daily limit.

14.1 GENERAL REQUIREMENTS: TAT members must have a Tribal Waterfowl Habitat License and a Federal Duck Stamp. Non-TAT members must have a Tribal Conservation Permit (if permanent residence is out of the state of North Dakota), a Tribal Waterfowl Habitat License, and a Federal Duck Stamp.

14.2 GEESE SPECIES INFORMATION: The season length and bag limit shall be separate for Canada geese, white-fronted geese and light geese. Canada geese include all Canada geese and any other geese except white-fronted geese and light geese. Light geese include snow geese (including blue geese) and Ross's geese.

14.3 DUCKS AND MERGANSER SPECIES/SEX RESTRICTIONS: Season Dates - September 24, 2022 through December 4, 2022. The daily bag limit shall be 6 ducks total. The daily limit may not include more than: 5 mallards of which only 2 may be female, 1 scaup, 3 wood duck, 1 pintail, 2 redhead, 2 canvasback. In addition to the daily bag limit of ducks listed above, an additional 2 bluewinged teal may be taken from September 24, 2022 through October 9, 2022. The daily limit for mergansers shall be 5 of which no more than 2 may be a hooded merganser. The daily limit for coots shall be 15. The possession limit for ducks, coots, and mergansers shall be three times the daily bag limit

14.4 FEDERAL REGULATIONS: Restrictions— No person shall take migratory game birds with the aid of baiting. An area is considered baited for 10 days after the removal of bait. It is not necessary for a hunter to need to know an area is baited to be in violation. Possession Limits—No person shall possess more than (1) one daily bag limit while in the field or while returning from the field to one's car, home, hunting camp, etc. One fully feathered wing must remain attached to all migratory game birds being transported between the field and their final destination.

14.5 BOATS: Ducks, Coots, Mergansers, and geese may be taken from a floating craft, excluding a sink box, if such is beached or fastened within or tied immediately alongside any type of fixed hunting blind or from a craft that is resting at anchor.

14.6 ELECTRONIC AND RECORDED CALLS. Possession or use of an electronic or recorded call is prohibited while hunting waterfowl.

14.7 YOUTH WATERFOWL HUNTING SEASON. Legally licensed hunters 15 years of age or younger may hunt ducks, coots, mergansers and geese reservation-wide on September 10 and 11, 2022. An adult, at least 18 years of age, must accompany the youth hunter into the field. The adult may not hunt ducks, geese, coots, or mergansers. Shooting hours for the Youth Waterfowl Hunting Season shall be one-half hour before sunrise to sunset. The daily bag limit, including species restrictions and all other regulations that apply to the regular duck and goose hunting seasons shall apply to this special season with the exception that bonus bluewinged teal are not available.

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15. LICENSE FEES

MEMBERS OF THE THREE AFFILIATED TRIBES:

One who is enrolled with the Three Affiliated Tribes

Small Game	\$10.00/person \$0.00/Seniors 55+
Turkey (Spring & Fall)	\$10.00/person \$0.00/Seniors 55+
Furbearer	\$10.00/person \$0.00/Seniors 55+
Waterfowl	\$10.00/person \$0.00/person 55+
Small Game/Furbearer Combo	\$18.00/person

SPOUSES OF ENROLLED MEMBERS:

One who is not an enrolled member of the Three Affiliated Tribes but is legally married to an enrolled member of the Three Affiliated Tribes.

All Non-TAT enrolled members who do not reside in North Dakota must obtain an annual conservation permit along with other licenses.

Conservation Permit	\$20.00/person/annual
Small Game	\$20.00/person
Turkey	\$25.00/person
Furbearer	\$20.00/person
Small Game/Furbearer Combo	\$35.00/person
Waterfowl	\$15.00/person
Small Game/Waterfowl Combo	\$28.00/person

NON-MEMBER RESIDENTS:

One who is living within the boundaries of the Fort Berthold Reservation but is not an enrolled member of the Three Affiliated Tribes

For the following fees, disabled veterans subtract \$10.00 from the regular price of all licenses except for the waterfowl habitat and furbearer permits.

Small Game/Upland Habitat	\$50.00/person
Turkey	\$50.00/person
Furbearer	\$50.00/person
Small Game/Furbearer Combo	\$90.00/person
Waterfowl Habitat <i>(Need to purchase Fed. Duck Stamp)</i>	\$30.00/person
Small Game/Waterfowl Combo	\$70.00/person
Sportsman Package <i>(Small Game/Upland Habitat, Furbearer, & Waterfowl)</i>	\$120.00/person

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NON-MEMBER NON-RESIDENTS:

One who is neither an enrolled member of the Three Affiliated Tribes nor lives within the boundaries of the Fort Berthold Indian Reservation

For the following fees, disabled veterans subtract \$10.00 from the regular price of all licenses except for the waterfowl habitat and furbearer permits.

All Non-TAT Enrolled members who do not reside in North Dakota must obtain an annual conservation permit along with other licenses.

Conservation Permit	\$20.00/person/annual
Small Game/Upland Habitat	\$100.00/person
Turkey	\$100.00/person
Furbearer	\$75.00/person
Small Game/Furbearer Combo	\$150.00/person
Waterfowl Habitat <i>(Need to purchase Fed. Duck Stamp)</i>	\$30.00/person
Small Game/Waterfowl Combo	\$120.00/person
Sportsman Package <i>(Small Game/Upland Habitat, Furbearer, Waterfowl and conservation permit)</i>	\$200.00/person

Revenue from the sale of licenses is used for conservation management programs.

Pursuant to Chapter 18-6-1 Tribal Proclamations Have Force of Law—Penalty: Any tribal proclamation issued at the request of the Natural Resources Board or the Director of the Tribal Fish & Wildlife Division shall have the force of law. Any persons violating a provision of such order or proclamation is guilty of a misdemeanor and shall be fined for not more than five hundred (\$500.00). In addition to any fine imposed in this chapter, the person shall be subject to forfeiture of his license, the privilege to hunt and fish for a period of one year, and confiscation of his vehicle, guns, boat, fishing equipment or anything used in connection with the violation.

PLEASE NOTIFY THE FORT BERTHOLD FISH & WILDLIFE DIVISION OF ANY VIOLATIONS.

CALL 627-4760 BETWEEN 8 AM AND 4:30 PM MONDAY THRU FRIDAY.

After hours please call that TAT Police Department 627-3617

NOTIFY THE TAT FISH & WILDLIFE DIVISION OF ANY VIOLATIONS

“All information is confidential.”



Fort Berthold Reservation
Mandan, Hidatsa and Arikara Tribes
Fish and Wildlife Division
P.O. Box 1402, New Town, ND 58763
Phone: (701) 627-4760 Fax: (701) 627-4743

2022-2023 FISHING PROCLAMATION

Effective April 1, 2022 through March 31, 2023

The Three Affiliated Tribes Tribal (TAT) Business Council, members of the Natural Resources Committee, in conjunction with the Fish & Wildlife Division, Natural Resources Department, will authorize the following:

ANY PERSONS OF A FEDERALLY RECOGNIZED TRIBE FISHING WITHIN THE EXTERIOR BOUNDARIES OF THE FORT BERTHOLD INDIAN RESERVATION AND NOT HAVING A TRIBAL FISHING LICENSE IN THEIR POSSESSION WHEN FISHING SHALL RECEIVE A CITATION.

A. RECREATIONAL FISHING

Recreational fishing is defined as those methods described hereafter as allowable activities during the fishing year of this proclamation with the possession of a valid fishing license.

THE SEASON SHALL BE OPEN TO THE TAKING OF FISH SPECIES FROM APRIL 1, 2022 TO MARCH 31, 2023. No individual shall take for the purpose of sale, barter, or trade any fish except as provided in Section B.

1. Species Definitions

Game fish are bluegill, burbot, channel catfish, chinook salmon, crappie (black and white), largemouth bass, muskellunge (pure and hybrid), northern pike, paddlefish, sauger, saugeye, smallmouth bass, sturgeon (pallid, shovelnose and lake), trout (brown, lake, rainbow and cutthroat), walleye, white bass, yellow perch and zander.

Nongame fish are all other species of fish, other than game fish, that inhabit and reproduce in the waters of Lake Sakakawea.

2. Bait & Lure

2.1 Definitions

- 2.1.1 **Legal live aquatic bait.** Legal live aquatic baitfish are leeches, native frog, salamander and crayfish species, and the following live baitfish species: fathead minnows, creek chubs, and brook sticklebacks. All other species of live aquatic bait are illegal.
- 2.1.2 **Legal dead aquatic bait.** Aquatic bait noted in section 2.1.1, and nongame fish, which have been frozen, salted, preserved, or cut into pieces (to include entrails) are legal bait.
- 2.1.3 **Legal terrestrial bait** All terrestrial bait (live or dead), including nightcrawlers and waxworms, are legal.
- 2.1.4 **Game Fish.** The use of game fish and parts thereof are illegal, except yellow perch eyes, and trout and salmon eggs.
- 2.1.5 **Manufactured and biodegradable bait.** Products manufactured as edible fishing bait and other inert biodegradable substances are legal bait.
- 2.1.6 **Lure.** A lure is defined as any man-made object comprised of metal, plastic, wood and other nonedible materials made or used to catch fish. A lure may not contain more than three hooks and the maximum distance between any hooks on a lure may not exceed 10 inches. A single hook may not include more than three points, barbed or otherwise. Spinners and other live bait rigs and

harnesses are considered a lure and are permissible. Hookless dodgers or attractors used ahead of a lure or bait, or attached to a downrigger ball are legal.

2.2 Bait Restrictions

2.2.1 No live aquatic organisms may be imported from out-of-state. This includes all fish, amphibians, aquatic insects and aquatic invertebrates.

2.2.2 It is illegal to possess or use as live aquatic bait any species other than those defined in Section 2.1.1. The possession of a live baitfish species while fishing in waters prohibiting their use is illegal.

3 Fish Daily and Possession Limits, Transportation and Size Restrictions

3.1 Means

- The storage limit at one's personal permanent residence is unlimited.
 - Wanton Waste – no individual shall waste, destroy, spoil or abandon the edible flesh (filets) of any game fish at the place where taken and between that place and his/her residence.
 - At no time may an individual transport more than a possession limit unless with written approval of the TAT Fish & Wildlife Director and in the manner as approved by the TATFW Director.
 - At no time may an individual store more than a possession limit away from their permanent residence unless with written approval of the TATFW Director.
 - Fish may be filleted for transport, unless size limits apply, under the following conditions:
 - Each individual portion of the meat removed from a fish is considered a fillet*,
 - Two fillets are counted as one fish,
 - The packaging of fish, away from one's personal permanent residence, must be done in a manner so that the fillets can be readily separated and counted, and
 - If fillets are frozen, they must be packaged so that the fillets are separated and thus can be easily counted without thawing.
- *Fish cheeks and pectoral girdles ('wings') are not considered as fillets and are legal to transport
- It is illegal to remove more than gills, entrails, and scales from fish species harvest in waters that are subject to a size limit while on the water or actively engaged in fishing.
 - Multiple fillets packaged together and frozen, would be illegal for transport, as they are not easily separated and counted.
 - Any fish (whole and/or fillets) may be given (gifted) to another individual but the fish must be counted in the donor's daily limit. Individuals who receive gifted fish may not exceed the possession limit while the fish are being transported.
 - Gifted fish, including packages of fish, must be accompanied with the following information from the individual gifting the fish: name, fishing license number, phone number, date, and species and number of fish gifted.
 - Except for legally gifted fish, it is illegal to possess or transport another individual's game fish or parts thereof without the license holder accompanying or as otherwise permitted.
 - Commercial processors, common carriers, and common storage areas may possess any individuals legally taken possession limit of fish. Each package must be labeled with the owner's name and address.

3.2 Daily Creel and Possession Limits

The **daily creel limit** is defined as the maximum number of legally taken fish (by species) that may be harvested or received from midnight to midnight. No individual may harvest or possess more than one day's limit of fish while on the water or the ice or actively engaging in any manner of fishing.

The **possession limit** is defined as the maximum number of legally taken fish (by species) or aquatic bait that an individual may have in their actual possession during any phase of any single fishing trip of more than one day.

The daily creel and possession limit for the reservation shall be:

SPECIES	DAILY CREEL	POSSESSION
Northern Pike	5	10
Walleye, Sauger, Saugeye or combination	5	10
Largemouth Bass, Smallmouth bass or combination	5	10
Salmon	5	10
Trout	3	6
Yellow Perch	20	40
Bluegill	10	20
White Bass	20	40
Crappie	10	20
Burbot	10	20
Muskellunge (pure hybrid)	1	1
Channel Catfish	No Limit	No Limit
Non-Game Fish (other than smelt and legal live baitfish)	No Limit	No Limit
Smelt	5 gallons	5 gallons
Legal Live Baitfish*	150	150
Leeches	150	150
Snapping Turtles**	1 annually	1 annually
Frogs	24	24
Salamanders	24	24
Crayfish	48	48

*Aggregate of all legal species

**Only one snapping turtle may be harvested between July 1 through Nov 15

3.2 Size Limits

3.2.1 Minimum Size Restrictions

- It shall be illegal to take muskellunge (pure or hybrid) less than 48 inches in total length.

4 Licenses & Permits

4.1 Fishing License

Tribal fishing licenses are required of TAT tribal members and tribal members of other federally recognized tribes 16 (sixteen) years of age and older fishing anywhere within the Fort Berthold Indian Reservation. A husband/wife fishing license shall be issued allowing a husband/wife only to fish for a reduced rate. The husband/wife license shall be only available to married couples who are both enrolled with the Three Affiliated Tribes. Such license shall be valid for the same period as other fishing licenses and each person shall receive a separate license and must have in each of their possession while fishing. The husband and wife may each possess a limit of fish.

4.2 Conservation Permits

Individuals required to obtain a conservation permit are non-tribal members that do not permanently reside in the state of North Dakota. Any person holding a tribal conservation permit or tribal fishing

license shall carry it on him/her while fishing. Upon the request or demand of the director, biologist, Game Warden, or Police Officer, he/she shall show the license or permit immediately to the aforementioned official. Licenses and Conservation Permits are valid for one year (April 1st – March 31st).

4.3 Boating License

All TAT tribal members who own boats powered by any motor and use them within the Fort Berthold Reservation Boundary must possess a valid Tribal Boat Registration. The certificate of number is nontransferable. All boats must have a Coast Guard approved life preserver for each occupant and those boats over 16 feet must in addition have an approved throwable life preserver. No Boat may be overloaded over the capacity of individuals. All boats operating between sunset and sunrise must display legal lights. For more information on boating regulations and safety, contact the Fish & Wildlife Division office at 627-4760.

4.4 Reckless Operation

Operating a vessel or manipulating water skis, a surfboard, or similar device in a manner that endangers the life, limb, or property of another person is reckless operation and is illegal. Examples of reckless operating are included but are not limited to below:

- Weaving through congested waterway traffic
- Operating so that you must swerve at the last possible moment in order to avoid collision
- Jumping the wake of another vessel within 100 feet of that vessel
- Operating in a manner that causes dangerous or damaging wake
- Boating in restricted area without regard for other boaters or persons, posted speed and wake restrictions, diver down flags.
- Operating within marked swimming area or near anyone swimming.
- Operating near dams and other hazardous waters.
- Operating such that you molest or annoy persons fishing.
- Chasing, harassing, or disturbing wildlife with your vessel.
- Operating in such a manner that is not reasonable or prudent
- Remember, as an owner of a vessel, you may be held responsible if you allow others to operate your vessel in a reckless manner.
- No person may operate a motorboat (includes personal watercraft) within 100 feet of a person fishing from a shoreline, a swimmer, or an occupied, anchored or nonmotorized vessel.
- No person may operate a motorboat or vessel while intoxicated or under the influence of alcohol or any narcotic drug, barbiturate or marijuana.

5 Schedule of Fees

ENROLLED TAT TRIBAL MEMBERS:

Individual	\$10.00
Husband/Wife	\$15.00
55 and older.....	\$0.00
Disabled Veteran.....	\$0.00
Boats under 16 ft. and canoe.....	\$10.00
Boats 16 ft. and over.....	\$15.00
Retail Bait vendor (member).....	\$50.00
Commercial Fishing.....	Inquire at office

NON-MEMBER FORT BERTHOLD RESERVATION RESIDENTS:

ND STATE LICENSE REQUIRED*

*Members of other federally recognized tribes..... \$20.00/person

NON-MEMBER NON-FORT BERTHOLD RESERVATION RESIDENTS:

ND STATE LICENSE REQUIRED* but all Non-TAT enrolled members who do not reside in North Dakota are required to purchase a Tribal Conservation Permit.

Conservation Permit.....\$20.00/person/annual

*Members of other federally recognized tribes.....\$20.00/person

6 Manner of Taking Fish

Legal equipment, restrictions, seasons, waterbodies, species and care of fish are defined as follows:

6.1 Hook and Line Fishing

6.1-1 Means and Equipment

No person shall lay, set, or use any drug, poison, lime, medicated bait, dynamite, or other injurious substance whatsoever. With the exceptions noted in Section 6.1-1.1 **legal hook and line equipment for each angler shall consist of not more than two poles, each equipped with one line, in the water at any one time.** Each line in the water may have zero, one or two lures attached (See section 2.1.6). The use of any free floating, anchored or remote-controlled device with an attached hook and line that is not held by an angler or secure to the boat, shore or ice with the use of a line is illegal. The use of any device to automatically hook or retrieve the fish is illegal. Ice fishing is defined as hook and line fishing which occurs while on the ice. Tip-ups are permissible for ice fishing and each tip-up is considered one pole. All holes greater than 10 inches in diameter made in the ice must be marked when the area is vacated as specified in Section 7. Any fishing pole which is unattended or not checked for a period exceeding one hour is deemed to be a set line and is illegal. At all times, fishing poles must be easily visible and within a maximum distance of 150 feet of the participating angler.

6.1-1.1 Exceptions

Four poles per angler:

- While ice fishing.
- Note: When fishing a water body where both open water and ice fishing occur at the same time, an angler is allowed a maximum of four poles of which no more than two poles can be used in open water.

6.1-2 Species Legally Taken

All species (game and nongame) can be harvested while hook and line fishing except the following: pallid sturgeon, shovelnose sturgeon, lake sturgeon, and paddlefish (these four species must be immediately released back into the water from which they were caught regardless of condition).

6.1-3 Care of Fish

Possession of any foul-hooked (snagged) fish is illegal. Any foul-hooked (snagged) fish must be returned immediately to the water regardless of condition. A foul-hooked (snagged) fish is defined as any fish hooked or caught in any area from behind the gill covers to the tail. For fish hooked by a lure with multiple hooks, the fish is not considered foul-hooked if at least one of the hooks is embedded from the gill covers forward.

Attempting to foul-hook (snag) any fish is always prohibited.

Landing a fish caught on hook and line equipment with aid of a gaff is legal except for sturgeon, paddlefish, muskellunge and species in waters in which there are size limits. No gaffed fish may be returned to the water.

High-grading or culling of fish is illegal. No fish may be returned to the water after being held on a stringer or confined by or in any type of holding structure, except in the case of permitted live-release fishing tournaments with written permission from the TAT Fish & Wildlife Director.

It is legal to return all other fish to the water at the site of capture if done no longer than the time needed to unhook, measure and/or photograph the fish immediately after being caught. Anglers must exercise reasonable care in limiting harm to the fish when being released. Fish, on which there is a size limit, if undersized or oversized, must be returned to the water immediately regardless of condition and must be handled carefully to avoid injury.

It is illegal to tag or mark any fish prior to release except with written approval from the TAT Fish & Wildlife Director.

7 Ice Fishing

7.1 Means and Equipment

Ice fishing is defined as hook and line fishing that occurs while on the ice. A maximum of four poles is legal for ice fishing. However, when fishing a water body where both open water and ice occur at the same time, an angler is allowed a maximum of four poles, of which no more than two poles can be used in open water.

Fishing poles must be easily visible and within a maximum distance of 150 feet of the participating angler.

Tip-ups are legal for ice fishing. Each tip-up is considered a single pole.

There is no restriction on the size of the hole in the ice while ice fishing. When a hole greater than 10 inches in diameter is left in the ice, the area in the immediate vicinity of the hole must be adequately marked with 1) a natural object, or 2) a brightly painted or colored wooden lath. Markers must be visible from a minimum of 150 feet. Markers must be in possession of the anglers as soon as a hole greater than 10 inches is made.

Fishing holes outside a fish house may be placed no closer than 10 feet from the house without consent of the fish house occupant or owner.

7.2 Fish Houses

Any unoccupied fish house must have displayed on its outside in readily distinguishable characters at least three inches high, the owner's name and address or the owner's name and telephone number. Any unoccupied fish house left on the ice without having this proper identification may be removed or destroyed by the TAT Fish & Wildlife Department. This includes darkhouses.

Any structure used as a fish house or darkhouse (to include campers) that is required to have the owner's name and address or telephone number inscribed on it, shall be constructed of material that will allow it to float and be readily removable from the ice at any time.

When in use, fish houses must be open for inspection at all times.

Fish houses may be placed no closer than 50 feet in any direction from another fish house, without consent of the other fish house occupant.

All unoccupied ice houses must be removed from all waters beginning midnight March 15 until ice-out.

It is illegal to leave fish houses on any federal refuge land, on any state-owned or managed land, or tribal land after March 15.

8 Archery, Spear, and Underwater Spear Fishing

8.1 Means and Equipment

Legal archery equipment for licensed anglers is any hand-drawn and released longbow, recurve bow, compound bow, or rubberband-assisted (sling) bow, to which an arrow is attached by a line and equipped with a harpoon-style or wire barbed point. Crossbows are illegal, except if disabled or handicapped (i.e. Paraplegics and/or having lost the use of one or both arms) and having a permit from the TAT Fish & Wildlife Department Director. The use of night vision equipment or electronically enhanced light gathering optics including all lights used for locating and/or shooting at fish is legal. Possession of a bow is counted as a hook and line fishing pole while archery fishing.

Legal spear equipment is any manually powered shaft with barbed points. The spear head shall not exceed 12 inches in width. Possession of a spear is counted as a hook and line fishing pole while spearfishing.

Legal equipment for underwater spear fishing is rubber band powered, or pneumatic powered spear guns only. All spear guns shall have the spear attached by a lanyard with maximum length of twenty feet. Underwater spears may be discharged only when the operator and equipment are entirely under the surface of the water. Underwater spearfishing is prohibited within 150 feet of any designated swimming area, water ski area, boat dock, spillway or individuals engaged in fishing. The Diver's Down Flag must be displayed on the water on a float or buoy during any underwater spear fishing. Underwater spearers must stay within 100 feet of the vertical position of their Diver's Down Flag. Individuals who underwater spearfish between sunset and sunrise must display a lighted Diver's Down Flag and must carry a hand-held light which must be visible from a distance of 150 feet. The hand-held light must be displayed when the diver is at the surface.

It is illegal to return fish to the water after being shot or speared.

8.2 Seasons for Legally Taking Fish

Archery fishing is legal from April 1 through March 31 of each fishing year.

Spear fishing is legal from May 1 through November 30 of each fishing year.

Underwater spear fishing is legal from May 1 through November 30 of each fishing year.

8.3 Species Legally Taken

Archery and spear fishing – game fish, as defined in Section 1 of this proclamation, may not be taken. All other species are legal.

Underwater spearfishing – all species except the following may be taken: smallmouth bass, muskellunge (pure & hybrid), paddlefish, pallid sturgeon, and shovelnose sturgeon.

9 Dark House Spear Fishing

9.1 Means and Equipment

Legal dark house spear equipment is any manually powered shaft with barbed points. The spear head shall not exceed 12 inches in width. Pneumatic or rubber powered spear guns shall not be legal while dark house spear fishing. There is no limit on the size of the ice hole while actively engaged in dark house spear fishing. All holes greater than 10 inches in diameter made in the ice must be marked by the spearer(s) when a dark house is moved, the area within the immediate vicinity of the hole must be adequately marked with 1) a natural object, or 2) a brightly painted or colored wooden lath – markers must be visible from a minimum of 150 feet. Markers must be in possession of spearers as soon as a hole greater than 10 inches in diameter is made. Possession of a spear is counted as a hook and line fishing pole while dark house spear fishing. Artificial and all bait defined in section 2.1 may be used as decoys. Any line used for a decoy will be considered a hook and line fishing pole. It is illegal to return fish to the water after being speared.

9.2 Seasons for Legally Taking Fish

Dark house spear fishing is legal from ice-up through March 15

9.3 Species Legally Taken

The only legal species for dark house spear fishing are northern pike and nongame species as listed in Section 1.

9.4 Other Regulations

Individuals who are required to possess a valid TAT fishing license to participate dark house spear fishing shall register at the TAT Fish & Wildlife Office prior to participating.

10 Taking of Legal Live Aquatic Bait

10.1 Seasons, Equipment and Restrictions

It is legal for fishing license holder to take legal live aquatic bait by hand, or by use of one dip net, or one trap which shall not exceed 12 inches in diameter and 30 inches in length with a throat or mouth opening not to exceed 1 ¼ inches. Possessing any other fish species taken in a trap, by hand, or dip net is illegal. It is legal to return fish to the water if done immediately after being caught.

11 Other Rules and Regulations

1. It is illegal to deposit or cause to be deposited any fish or parts thereof, upon the ice, in the water, or upon the shore of any water body.
2. It is illegal to introduce anything into waters of Lake Sakakawea for the purpose of attempting to attract fish (e.g. chumming, artificial light, acoustic equipment, etc.) that is not attached or applied to a lure as defined in Section 2.1.6. Decoys used while dark house spear fishing are excluded.
3. No individual or entity may conduct a fishing contest on the waters within the exterior boundaries of the Fort Berthold Indian Reservation without first receiving a permit issued by the TAT Fish & Wildlife Director. A completed application, along with the tournament sponsor rules and regulations, must be submitted to the Department at least 30 days prior to the pending contest.
4. Possession or transportation of any live fish, live fish eggs, live amphibians, or other live aquatic organisms, shall be illegal except for 1) licensed anglers transporting legal bait by legal means; 2) dealers of tropical fish species for the pet trade sold by a commercial outlet; or 3) individuals in possession of the appropriate license or permit issued by the TAT Fish & Wildlife Director.
5. While traveling to or from a boating site, no persons shall trespass on posted land unless he/she has obtained written permission from the landowner to do so. Any person violating this section will be prosecuted vigorously and may be required by the convicting court to pay for all damages resulting from such prosecution.
6. The deposit of litter, refuse, rubbish, bottles, cans, or any other waste materials on or in the vicinity of any game refuge, lake, river, public park, recreation area, or any area other than a garbage receptacle or dump is unlawful.
7. Stocking of any live fish, live amphibians, or other live aquatic organisms into any waters shall be illegal except with the appropriate license or permit issued by the TAT Fish & Wildlife Director.
8. All water must be drained from boats and other equipment, including bilges, live wells and motors before leaving or entering Fort Berthold Reservation.
9. All Aquatic vegetation must be removed from boats, personal watercrafts, trailers and associated equipment, such as fishing poles/lures, and bait buckets, before leaving or entering Fort Berthold.

B. Commercial Fishing

Commercial fishing consists of activities where a special permit or license is required by the TAT Fish & Wildlife Director rather than a regular fishing license. No person may harvest any fish or aquatic species for the purpose of sale except as provided in this section, and must possess a commercial fishing permit.

1. Species Legally Taken

Species of fish eligible for commercial fishing are:

1. Species of fish designated as "nongame fish" excluding legal live baitfish as stated in Section A.1.; and
2. Channel catfish in Lake Sakakawea and its tributaries.

2. Gears and Areas for Legally Taking Fish

Seines, hoop nets, and setlines shall be the only legal equipment used in commercial fishing, with the following limitations:

Lake Sakakawea and its tributaries south and east of the Four Bears Bridge to the southeastern boundary of the Reservation (with seines and hoop nets only), and the portion of the Little Missouri River, east of Lost Bridge (with set lines only).

2.2 Gear Restrictions

Seines – maximum length of 100 feet. Stretched mesh size shall not be less than 1 ½ inches square or more than 3 inches square.

Hoop nets – maximum hoop diameter of four feet. No more than five hoop nets may be possessed.

Set lines – no more than ten hooks per set line is allowed. No more than five set lines may be possessed. The entire set line, except for the ends used for anchoring, must be below the water line at all times. All set lines must be pulled and checked at least once every 48 hours.

2.3 Other

Tags must be attached to the equipment at all times indicating name of permit holder or permit holder's license number.

3. Season for Commercial Harvest

- The open season for commercial fishing shall be from May 15 through November 30.
- The season for harvest of clams (mussels) and turtles is closed.
- Contact the Fish & Wildlife Division before harvesting any aquatic species from the following areas:
 - 1) Wildlife Management Areas located on the Reservation.
 - 2) The State Special Fish Management Area (Parshall, ND Mine Pond).

Pursuant to Chapter 18-6-1 Tribal Proclamations Have Force of Law—Penalty: Any tribal proclamation issued at the request of the Natural Resources Board or the Director of the Tribal Fish & Wildlife Division shall have the force of law. Any persons violating a provision of such order or proclamation is guilty of a misdemeanor and shall be fined for not more than five hundred (\$500.00). In addition to any fine imposed in this chapter, the person shall be subject to forfeiture of his license, the privilege to hunt and fish for a period of one year, and confiscation of his vehicle, guns, boat, fishing equipment or anything used in connection with the violation.

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**PLEASE NOTIFY THE FORT BERTHOLD FISH & WILDLIFE DIVISION OF ANY VIOLATIONS.
CALL 627-4760 BETWEEN 8 AM AND 4:30 PM MONDAY THRU FRIDAY.
After hours please call that TAT Police Department 627-3617**

The Fish & Wildlife Division pays a reward to anyone providing information on a Fish & Wildlife violation that leads to a conviction of the violator.
Please call the number listed above.
Callers may remain anonymous.



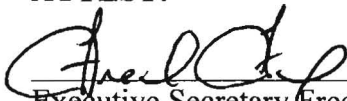
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of March, 2022, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.


Chairman [] Voting. [X] Not Voting.

Dated this 9th day of March, 2022.

ATTEST:



Executive Secretary Fred Fox
Tribal Business Council
Three Affiliated Tribes



Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes