

Attachment 1

**LAW & ORDER CODE OF
THE IOWA TRIBE OF KANSAS AND NEBRASKA**
Chapter 35
Conservation Code

Effective Date: February 11, 2026

1. INTRODUCTION3

2. DEFINITIONS.....3

3. ADMINISTRATION & SUPERVISION5

4. GENERAL REGULATIONS8

5. LICENSING & PERMITS13

6. HUNTING REGULATIONS.....17

7. FISHING REGULATIONS23

8. HARVESTING REGULATIONS27

9. GATHERING REGULATIONS28

10. OFFENSES29

11. PENALTIES & ENFORCEMENT30

1. INTRODUCTION

- 1.1. Title. This Ordinance shall be known as the Iowa Tribe of Kansas and Nebraska Fish & Wildlife Code (hereinafter “Code”).
- 1.2. Authority. This Code is enacted pursuant to Article V of the Constitution and Bylaws of the Iowa Tribe of Kansas and Nebraska (as amended September 28, 2013).
- 1.3. Purpose. It is the purpose of this Code to:
 - A. Regulate hunting, fishing, gathering, and trapping on lands of the Iowa Tribe of Kansas and Nebraska (hereinafter “Tribe”); and
 - B. Conserve, enforce, protect, and manage the flora and fauna on the Tribe’s lands.
- 1.4. Jurisdiction. This Code shall govern all persons who engage in hunting, fishing, gathering, and trapping activities on lands over which the Tribe exercises governmental power.

2. DEFINITIONS

- 2.1. For the purposes of this Code the following definitions shall apply:
 - A. **Authorized Activity** – hunting, fishing, harvesting, or gathering activities as permitted under this Code.
 - B. **Big Game** – includes but is not limited to wild turkeys, mule deer, whitetail deer, elk, antelope, and bison.
 - C. **Carcass** – the dead body or parts of any Fish or Wildlife lawfully killed under this Code.
 - D. **Citizen** – a person who is a duly enrolled member of the Tribe.
 - E. **Depredating Animal** – any animal that causes damage to livestock, poultry, crops, timber, or property.
 - F. **Drone** – any unmanned aircraft, aerial vehicle, or aircraft system that is operated or designed to operate in the air without a human pilot on board and includes components such as cameras, sensors, and remote control.
 - G. **Equipment** – any device, apparatus, tool, machine, weapon, accessory, vehicle, vessel, aircraft that is used, designed, or intended to be used to track, pursue, take, harvest, kill, capture, transport, store, or process Wildlife.
 - H. **Executive Committee** –the governing body of the Tribe.

- I. **Fauna** – all animal life, terrestrial and aquatic, native and non-native, including but not limited to mammals, birds, fish, reptiles, amphibians, insects, mollusks, crustaceans, and other invertebrates.
- J. **Fee Land** – means those lands within the exterior boundary of the Tribe’s reservation not held in trust or subject to reservations on alienation and which is in private ownership.
- K. **Fish** – any aquatic animal, including gill-breathing animals, invertebrates, and vertebrates, that are found within the Tribe’s waters and at any stage of life including, but not limited to, shell fish, mollusks, crustaceans, and any animal caught through conventional fishing or water trapping methods.
- L. **Flora** – all plant life, terrestrial and aquatic, native and non-native, including but not limited to trees, shrubs, grasses, herbs, ferns, mosses, algae, mushrooms, and other vegetation.
- M. **Furbearers** – any mammal commonly hunted for its fur, including but not limited to Mink, Muskrat, Beaver, Otter, Weasel, Marten, Fisher, Fox, Coyote, Bobcat, Badger, and Raccoon.
- N. **Game** – animals that are traditionally hunted or trapped for meat, fur, and/or sport.
- O. **General Council** – all enrolled Citizens of the Tribe who are at least 18 years of age.
- P. **Land Lessee** – A person who owns a valid lease to lands within the Tribe’s jurisdiction.
- Q. **Motor Vehicle** – any vehicle designed or intended for travel on off-road lands or highways, including but not limited to automobiles, trucks, motorcycles, all-terrain vehicles, and snowmobiles.
- R. **Non-Citizen** – a person who is not a Citizen of the Tribe.
- S. **Protected Species** – any species of Flora, Fauna, or other organism that: (1) the Tribe designates as protected due to its cultural significance, spiritual, ecological, biological, or other purpose; (2) this Code deems protected; (3) the Division Director deems worthy of protection based on biological data, habitat vulnerability, or population status; and (1) is listed as endangered, threatened, or of special concern under federal or state law or agreements which the Tribe is a party.
- T. **Species** – living organisms, including Flora and Fauna, capable of breeding and producing offspring, that share common characteristics which allow them to be scientifically classified according to their shared traits.
- U. **Trust Land** – Means land the U.S. Government holds legal title to for the benefit of

Indians.

- V. **Wildlife** – all wild animals, excluding Fish, found on lands or in waters under the jurisdiction of the Tribe including but not limited to mammals, furbearers, birds, animals with horns or antlers, animals with hooves, and Game animals.

3. ADMINISTRATION & SUPERVISION

3.1. Establishment of the Fish and Wildlife Division

- A. The Iowa Tribe of Kansas and Nebraska Fish and Wildlife Division (“Division”) is hereby established. The Division shall have the authority necessary and proper to enforce this Code.

3.2. Director of the Fish and Wildlife Division

- A. The Division shall have a Director who will have the following authority and powers:
1. Establish the dates for opening and closing seasons;
 2. Establish daily start and stop times for hunting, fishing, and gathering;
 3. Set bag limits;
 4. Set creel limits;
 5. Set size limits;
 6. Set fees;
 7. Oversee staff and operations within the Division;
 8. Develop and implement internal procedures and policies for Division operations;
 9. Ensure that staff and enforcement personnel receive proper training, certifications, and equipment;
 10. Work with law enforcement and Tribal attorneys in investigations and prosecution for Code violations;
 11. Coordinate gathering of biological data, studies, and surveys necessary to monitor Fish and Wildlife activity and populations;
 12. Develop programs related to activities under this Code; and
 13. Any other power and authority necessary to implement the provisions of this Code and carry out the purposes set forth herein.

- B. The Director shall be appointed by the Tribe's Executive Committee and serve at the discretion of the Executive Committee.

3.3. Recordkeeping & Annual Reporting

- A. The Division shall be responsible for maintenance of accurate and complete records related to the administration of this Code. Such records shall include, but not be limited to:
 - 1. Applications, approvals and denials;
 - 2. Copies of permits issued and accompanying documents;
 - 3. Harvest reports;
 - 4. Take reports;
 - 5. Division policies and amendments;
 - 6. Biological data and surveys;
 - 7. Accounting reports that include revenues from fees and expenditures; and
 - 8. Incident logs, Investigation Reports, Citations, Warnings, Arrests, and Documented Violations of this Code.
- B. The Division is authorized to maintain records in an electronic database provided that such database is secure in accordance with the Tribe's applicable data regulation code and policies, regularly backed up, and accessible for auditing.
- C. The Division shall maintain records in accordance with the Tribe's policy or its own policy.
- D. Records shall be made available to the public through the procedures set forth in the Tribe's Freedom of Information Act.
- E. Each year before the 31st day of January, the Division shall prepare and submit an Annual Fish and Wildlife Report to the Executive Committee. The Report shall also be made publicly available for review by the General Council. The Report shall contain:
 - 1. Statistics on applications received, approved, and denied;
 - 2. Updates on programs and projects;
 - 3. Results of data gathered and surveys taken including populations of Species within the Tribe's jurisdiction;

4. Issues with enforcing this Code;
5. Code enforcement incidents and statistics; and
6. Recommendations for amending this Code and/or recommendations on how to improve activities, enforcement, or conservation.

3.4. Creation of Special Account for the Collection of Fees, Forfeitures, and Fines

- A. The Executive Committee may establish a special account to deposit monies collected from application fees and other funds set aside for or allocated to the Division.
- B. Monies collected from fines, penalties, forfeitures, and/or civil recoveries arising from violations of this Code may be deposited into the special account.
- C. In appropriate cases that result in damage to Fish, Wildlife, waters, or lands under the Tribe's jurisdiction, or property of the Division, the Director shall request civil restitution. Any civil restitution collected by the Director on behalf of the Division may be deposited into the special account.

3.5. Expenditure of Funds from the Special Account

- A. The Director or the designated employee of the Division shall have the authority to expend funds from the special account to implement this Code and carry out the purposes set forth herein in accordance with the Tribe's procurement policy.

3.6. Intergovernmental Relations

- A. The Director shall represent the Tribe in Fish and Wildlife matters involving federal, state, and other tribal agencies.
- B. The Director may negotiate and enter into reciprocal and cooperative agreements with the federal, state, and other tribal agencies, subject to Executive Committee approval.
- C. The Director may coordinate and work with federal, state, and other tribal agencies in regards to legal compliance, funding, and co-management programs.

3.7. Conservation Officers

- A. The Division shall have at least one Conservation Officer who must be a commissioned and certified law enforcement officer under state law or the Tribe's law.
- B. Conservation Officers shall be empowered to enforce this Code and execute the following powers:
 1. undertake investigations;

2. issue citations or warnings;
 3. collect evidence;
 4. make arrests and conduct searches within the scope of the law;
 5. obtain and execute warrants;
 6. seize unlawfully taken or possessed Flora, Fauna, Division property, Equipment, or contraband; and
 7. make contact with individuals engaged in activities under this Code to address violations, offer education on best practices and adherence to the law, and ensure proper permitting.
- C. The authority of Conservation Officers shall extend to:
1. all lands and waters subject to the jurisdiction of the Tribe; and
 2. all persons, including Citizens and Non-Citizens of the Tribe, who are engaging in activities regulated by this Code on lands or waters under the Tribe's jurisdiction.
- D. The Tribe shall allocate sufficient funding for the Division to issue Conservation Officers uniforms, badges, and equipment necessary to perform their duties and protect themselves.

3.8. Development of Conservation Measures

- A. The Division shall use biological data gathered, surveys, and studies to create conservation measures and advise the Tribe's governing body on environmental legislation.
- B. The Division may, for scientific, conservation, or data purposes, harvest or permit the harvest of Protected Species in manners not authorized by this Code as long as those methods are reasonable, humane, sustainable, and acceptable in the scientific community.
- C. Nothing in this section shall authorize any person to harvest

4. GENERAL REGULATIONS

4.1. Open & Closed Seasons

- A. The Director shall set the dates for opening and closing hunting, fishing, and gathering seasons and make them publicly available.
- B. The Director shall have the authority to temporarily close an open season for

conservation, religious, ceremonial, scientific, or safety reasons.

4.2. Hours

- A. The Director shall determine the times of day when hunting, fishing, and gathering activities begin and end. The times shall be made publicly available.

4.3. Original Title to Fish and Wildlife

- A. The Tribe shall have original title to all Species of Fish and Wildlife within the Tribe's jurisdiction.
- B. The Tribe shall retain title to any Fish, Wildlife, Carcass, and parts thereof taken, killed, or possessed in violation of this Code.
- C. An individual who lawfully takes, kills, or possesses Fish or Wildlife shall acquire title to that Fish or Wildlife. However, any subsequent violation of this Code may result in forfeiture of title.
- D. Conservation Officers may seize Fish or Wildlife upon forfeiture of title.

4.4. Permission of Land Lessee(s)

- A. A Land Lessee may grant permission for individuals to hunt, fish, harvest, or gather on the Land Lessee's lands.
- B. Individuals who hunt, fish, harvest, or gather under this Section 4.4 are subject to the regulations of this Code.
- C. Permission of a Land Lessee must be written and signed by the lease holder on forms provided by the Division. The forms shall contain:
 - 1. name, phone number, address, of the Land Lessee;
 - 2. legal description or map of the leased lands;
 - 3. name, phone number, and address of the individual seeking permission;
 - 4. the Authorized Activity (hunting, fishing, or foraging);
 - 5. permitted dates and times; and
 - 6. a statement of non-transferability and revocability.
- D. A copy of the signed permission form must be filed with the Division prior to commencing an Authorized Activity.

- E. This Section 4.4 does not create a duty or liability of the Tribe or the Land Lessee for acts or omissions of the individuals who engage in Authorized Activity on the lands of the Land Lessee.

4.5. Age Restrictions

- A. The Director shall have the authority to set the minimum age of persons eligible to obtain a hunting license, the types of weapons that may be used for hunting by minors, and the circumstances under which minors are required to be accompanied by a duly licensed adult.

4.6. Carcass Tags & Harvest Report

- A. The Division shall make carcass tags available for purchase.
- B. Carcass tags may be purchased from an independent retailer, but they must contain at a minimum, the following fields:
 - 1. Name;
 - 2. Address;
 - 3. Hunting License Number;
 - 4. Date;
 - 5. Time; and
 - 6. Species Taken.
- C. Carcass tags must be affixed to all Game lawfully killed, trapped, or taken in accordance with Section 6.
- D. Immediately upon making a kill, a carcass tag must be completed and affixed to the carcass (leg or antler) before it is moved, butchered, or transported.
 - 1. If the carcass must be divided into parts to remove it from the field, a second carcass tag must be completed and placed on one of the pieces which shall remain on the field as the parts are removed. The part with the first carcass tag shall be removed first.
 - 2. The carcass, or pieces of the carcass, shall maintain evidence of the species and sex during transportation.
 - 3. Carcass tags must remain on the carcass at all times during transportation and may be removed after reaching the final destination of transport where it will be

processed.

- E. Within 72 hours of making a kill, a harvest report documenting all kills shall be filed with the Division. The Division shall make harvest reports available which must contain the same required information for carcass tags.

4.7. Gifting

- A. A person who lawfully kills, takes, traps, harvests, and/or gathers any Fish, Wildlife, plant, or timber in accordance with this Code may gift all or a portion of such Fish, Wildlife, plant, or timber to another person.
- B. The gift must be:
 - 1. gratuitous and not conditioned upon payment, barter, or any type of consideration;
 - 2. within the bag, creel, or killing/possession limits established by the Division; and
 - 3. for personal consumption or use only.
- C. A person who receives a gift under this Section 4.7 is prohibited from selling or using the gift for commercial purposes.
- D. All donors must file a written statement of donation with the Division that includes:
 - 1. The donor's name, address, phone number, and enrollment number;
 - 2. The recipient's name, address, and phone number;
 - 3. The date when the gift was given;
 - 4. The Species and approximate quantity given; and
 - 5. The hunting, fishing, or gathering license number.
- E. A gift must be tagged in accordance with Section 4.6 and remain tagged until it reaches the recipient's residence or place of storage. The donor shall give a copy of the written statement of donation to the recipient.

4.8. Depredating Animals

- A. The Division shall have the authority to determine whether an animal is a Depredating Animal and subject to hunting, trapping, or taking.
- B. A person may immediately and humanely kill, take, or destroy a Depredating Animal on the person's lands without a license or permit if it is necessary to protect the person's self, family, livestock, crops, pets, personal property, land, or timber.

- C. A person who kills, takes, or destroys a Depredating Animal must notify the Division within seventy-two (72) hours and provide the following information to the Division:
 - 1. Species;
 - 2. Date, time, and location of the killing or taking; and
 - 3. Description of the damage or threat posed by the animal.
- D. Upon receiving notice of the killing or taking of an animal alleged to be depredating, the Division shall investigate the incident and make a determination of whether the animal should be deemed a Depredating Animal.
 - 1. If the Divisions determines the animal is a Depredating Animal, then it may implement control measures to prevent further damage by related Species and provide technical assistance to the Citizen.
 - 2. If the Division determines the animal is not a Depredating Animal, then it may impose fines or penalties and seize the carcass.
- E. Any Depredating Animal killed or taken under this Section 4.8 may be forfeited to the Division or used and consumed by the person with approval by the Division. No Depredating Animal killed or taken shall be used for commercial purposes.

4.9. Accidental Killing or Injury of Fish and Wildlife

- A. Any person who accidentally kills or injures Fish or Wildlife within the jurisdiction of the Tribe shall report the incident to the Division within twenty-four (24) hours. The report shall include:
 - 1. The name, address, and contact information of the person involved;
 - 2. Date, time, location, and description of the incident; and
 - 3. Species involved.
- B. The Fish or Wildlife killed or injured remains the property of the Tribe, and the Division shall exercise its discretion on the disposition of the Fish or Wildlife killed or injured.
- C. An accidental killing or injury of a Protected Species may result in fines and penalties.
- D. Any person who kills or injures Wildlife while operating a motor vehicle shall report the incident to the Division or local police in accordance with Subsection (A) and not move or remove the carcass without the consent of the Division or police.

4.10. **Emergency Authority**

- A. The Director, upon consultation with the Executive Committee, may declare the existence of an emergency and take immediate action if it is necessary to:
 - 1. Protect the health, safety, or welfare of the Tribe, Fish, or Wildlife;
 - 2. Conserve or protect the Flora or Fauna within the waters or lands of the Tribe;
 - 3. Respond to an epidemic affecting the Flora or Fauna;
 - 4. Address a natural disaster or protect against an imminent natural disaster such as but not limited to droughts, floods, wildfires, and pollution; or
 - 5. Comply with law enforcement measures.
- B. After an emergency is declared, the Division shall publicly post information pertaining to the emergency such as the nature of the emergency, areas affected, Species affected, measures being taken, and duration of the emergency.
- C. The Director shall work with the Executive Committee to determine which emergency regulations should be adopted, including but not limited to:
 - 1. Closing or restricting open seasons;
 - 2. Decreasing bag, creel, or killing/possession limits;
 - 3. Restricting use of certain equipment, weapons, or devices;
 - 4. Restricting or prohibiting access to specific lands or waters; or
 - 5. Suspending licenses or permits issued.
- D. Emergency regulations shall be in effect as long as is necessary to address the emergency.

5. LICENSING & PERMITS

5.1. Generally

- A. No person shall engage in hunting, fishing, gathering, or harvesting activities under this Code without first obtaining a valid license or permit from the Division.
- B. All persons licensed or permitted to engage in activities under this Code shall carry their license(s) or permit(s) with them at all times and present it upon request by a Conservation Officer.

- C. All licenses and permits issued pursuant to this Section 5 are unique to the holder, non-transferable, and revocable at the discretion of the Director.

5.2. Hunting, Fishing, Harvesting, and Gathering Licenses for Citizens

- A. Any Citizen may obtain a hunting, fishing, harvesting, or gathering license from the Division upon submitting required information and paying associated fees.
 - 1. The Division shall determine which information is required and set the fees for each license.
 - 2. All Citizens must show proof that they successfully completed a tribal or state hunter safety course as a requirement to obtaining a hunting license.

5.3. Hunting, Fishing, Harvesting, and Gathering Licenses for Non-Citizens

- A. The Division shall have the discretion to determine whether hunting, fishing, harvesting, or gathering licenses shall be issued to non-Citizens, as well as the fees, duration, and conditions.

5.4. Special Permits

- A. The Division may issue a special permit to kill, take, trap, or possess any Flora or Fauna within the Tribe's jurisdiction for one or more of the following purposes:
 - 1. Neutralize depredating animals;
 - 2. Use for cultural or ceremonial activities;
 - 3. Conduct scientific studies;
 - 4. Use for education; or
 - 5. Conservation efforts.
- B. The Division may issue a special permit to kill, take, trap, or possession certain Species covered by this Code.
- C. Applications for a special permit must be made available by the Division and contain at least the following information:
 - 1. Applicant's name, address, and contact information;
 - 2. Purpose;
 - 3. Species and amount;

4. Location and date; and
 5. Method(s) to be used.
- D. Special permits may have terms and conditions with respect to limitations on the number of Species killed, taken, trapped, or possessed; reporting; geographical limits; methods; and duration or expiration.
- E. Special permits may waive restrictions under this Code.

5.5. Disabled & Senior Permits

- A. The Division may issue a senior permit to persons 55 years of age or older.
- B. The Division may issue a disabled permit to persons who have a physical or cognitive impairment that substantially limits one or more major life activities, including but not limited to walking, seeing, or hearing, or substantially limits their ability to hunt, fish, gather, or harvest under this Code.
1. Applicants for disabled permits must provide documentation of such impairment.
- C. A holder of a senior or disabled permit may designate one able-bodied person, under the age of 55, who holds a valid license to assist in hunting, fishing, gathering, or harvesting. A person may only serve as a designee for one holder of a senior or disabled permit.
- D. The Division may exercise its discretion to waive restrictions under this Code for holders of senior or disabled permits, including but not limited to shooting from a stationary vehicle.

5.6. On-Your-Own-Land Permits

- A. The Division may issue a permit to a Land owner, Land Lessee, or a Land Lessee's spouse or children, to hunt or fish on the Land Lessee's leased lands.
- B. To obtain a permit, the Land Lessee must have a valid lease to at least forty (40) contiguous acres of land within the Tribe's jurisdiction and submit the following information to the Division:
1. The Land Lessee's name, address, and contact information;
 2. A description and/or map of the leased lands;
 3. A copy of the land lease; and
 4. Activities that will be undertaken.

- C. A permit may grant the holder authority to engage in any or all hunting or fishing activities on the holder's leased lands subject to the provisions of this Code.

5.7. Dealer and Commercial Licenses

- A. The Division shall establish the requirements and process for applying for all licenses under this Section and provide standardized forms.
- B. No person or business entity may receive, ship, buy, sell, barter, or possess, or offer to do so, any bait Species without a valid commercial bait dealer's license.
 - 1. Bait dealer's licenses shall specify the bait type, amounts authorized to be possessed, source of the bait, and address of the person or business entity.
- C. No person or business entity may receive, ship, buy, sell, barter, or possess, or offer to do so, any Fish from waters within the Tribe's jurisdiction without a valid commercial fish dealer's license.
- D. No person or business entity may receive, ship, buy, sell, barter, or possess, or offer to do so, meat, antlers, horns, or other parts, excluding skins, fur, pelts, and hides, from Game Species within the Tribe's jurisdiction without a valid commercial game dealer's license.
- E. No person or business entity may receive, ship, buy, sell, barter, or possess, or offer to do so, live Furbearers, furs, pelts, hides, or skins from Furbearer Species within the Tribe's jurisdiction without a valid commercial furbearer dealer's license.
- F. No person or business entity may receive, ship, buy, sell, barter, or possess, or offer to do so, timber from trees within the Tribe's jurisdiction without a valid commercial timber dealer's license.
- G. All licenses issued under this Section shall be valid for no more than one (1) year and subject to renewal, suspension, or revocation at the discretion of the Director.

5.8. Approval, Denial, Suspension & Revocation of Permits

- A. The Division shall approve applications for licenses or permits that meet all the established requirements.
- B. The Division shall deny applications for licenses or permits that do not meet all of the established requirements.
- C. The Division shall deny an application, and suspend or revoke a license or permit if the applicant or holder:
 - 1. Committed 3 or more violations of this Code within the past five (5) years;

2. Has a felony wildlife conviction in any state, federal, or tribal jurisdiction;
 3. Misrepresented material facts on any application or form submitted to the Division;
 4. Engages in behavior that jeopardizes the life, health, or welfare of any person, Fish, or Wildlife while undertaking activities under this Code; or
 5. Is unable to apply for or hold a license or permit in any other state, federal, or tribal jurisdiction.
- D. The suspension and revocation of licenses and permits shall be in accordance with Section 11.

5.9. Appeals & Jurisdiction

- A. Any person whose application for a license or permit is denied, or whose license or permit has been suspended or revoked, may appeal the decision within thirty (30) days by filing a written notice of appeal with the Director that states the grounds for appeal.
- B. All appeals shall be heard by a three-member committee appointed by the Director.
 1. Committee members shall be familiar with this Code and have sufficient legal or law enforcement experience or training.
 2. The committee shall establish rules of evidence and procedure and hold a hearing within thirty (30) days of receiving the written appeal.
 3. The committee shall receive evidence and testimony and issue a written decision within ten (10) business days of the hearing.
- C. All decisions of the three-member committee shall be final and binding.

6. HUNTING REGULATIONS

6.1. General Regulations

- A. All persons engaged in hunting activities within the Tribe's jurisdiction must possess a valid hunting license issued by the Division.

6.2. Required Clothing

- A. All persons engaged in hunting activities must wear an article of clothing above the waist such as a vest that is highly visible and fluorescent colored (orange, yellow, or pink).

6.3. Prohibited Game

- A. It is unlawful for any person to hunt, take, trap, kill, injure, or possess a Protected Species.

6.4. Manual & Electronic Calling Devices

- A. A Hunter may use a manual calling device such as a mouth call, reed call, box call, or other non-electronic calling device for the lawful taking of Game animals in accordance with this Code.
- B. The use of electronic calling devices for the lawful taking of Big Game or Migratory Birds is prohibited unless a special permit is obtained by the Director.
 - 1. Electronic calling devices may be used pursuant to a special permit issued by the Director to hunt depredating animals.
- C. Using recorded sounds to attract, rally, or harass any Protected Species or non-protected Species of Wildlife is prohibited.
- D. Manual or electronic calling devices may be used for cultural, ceremonial, or religious purposes, provided that such use does not involve the taking or killing Wildlife and written notice is given to the Division. The written notice should contain the name of the person using the calling device, the date and time when it will be used, and for what purpose.

6.5. Drones

- A. It is unlawful for any person to use a Drone while engaged in hunting activities under this Code to:
 - 1. Hunt, locate, track, drive, or herd Wildlife;
 - 2. Harass, kill, or injure Wildlife; or
 - 3. Interfere with another person who is engaged in hunting activities under this Code.

6.6. Motor Vehicles

- A. A person engaged in hunting activities under this Code may use a Motor Vehicle to travel on designated roads and trails.
- B. A person engaged in hunting activities under this Code may travel on off-road areas unless such travel will cause extensive damage to the land, habitats of Fish and Wildlife, or wetlands.
- C. Traveling by Motor Vehicle in lands that have cultural or religious significance is prohibited.

- D. No person shall use a Motor Vehicle while engaged in hunting activities under this Code to chase, drive, herd, harass, kill, or injure Wildlife.
- E. Unless specified herein, hunting from a Motor Vehicle is prohibited.

6.7. Use of Dogs in Hunting

- A. Dogs may be used to hunt certain Game designated by the Division.
- B. All dogs must be of a breed customarily used in hunting and trained accordingly.
- C. All dogs must be up to date on vaccinations, in good health, and have a collar with a tag that displays the hunter's name and contact information.
- D. Dogs shall be controlled at all times during a hunt.
- E. Dogs shall not be used to harass Wildlife, access prohibited areas, or pursue Wildlife onto lands where the hunter lacks access.
- F. Dogs running at large, uncontrolled, or being used in violation of this Code may result in seizure by a Conservation Officer and removal from the field.

6.8. Killing & Possession Limits

- A. No person shall kill, take, or possess Game in excess of the limits established by the Division. The Division shall set the following limits:
 - 1. Bag Limit – the maximum number of Game animals that may be killed or taken by one person in a single day or a single hunt;
 - 2. Season Limit – the maximum number of Game animals that may be killed or taken by one person during an entire open season; and
 - 3. Possession Limit -the maximum number of Game animals that may be possessed by one person at any time, whether fresh, stored, frozen, or processed.
- B. In setting limits, the Division shall consider any biological data gathered, conservation goals, and populations of Species. Limits may vary for each Species of Game.

6.9. Antler & Horn Sheds

- A. Collection of naturally shed antlers or horns from lands under the jurisdiction of the Tribe is prohibited unless authorized by the Division.

6.10. Fair Chase

- A. All hunting activities must be carried out in accordance with the principle of Fair Chase,

meaning hunters shall pursue Game animals in a manner that is ethical, lawful, and provides the animal a reasonable opportunity of evasion.

6.11. Big Game

- A. A duly issued hunting license permits the holder to hunt Big Game animals which include deer, antelope, elk, wild turkey, and any other species designated as Big Game by the Division.
- B. Big Game animals taken or killed must be tagged and transported in accordance with Section 4.6.
- C. The following weapons and ammunition are permitted for hunting and killing Big Game:
 - 1. Rifles using centerfire cartridges of 0.23 caliber (5.8mm) or larger;
 - 2. Shotguns of 20 gauge or larger, using slugs or buckshot;
 - 3. Muzzleloaders discharging a single projectile of appropriate caliber;
 - 4. Handguns of 0.357 caliber (9mm) or larger that produce sufficient energy for humane killing;
 - 5. Archery equipment including longbows, recurves, compound bows, and crossbows meeting standards for hunting Big Game; and
 - 6. Arrows and bolts must be tipped with sharpened steel broadheads that are not less than seven-eighths inch (7/8") wide.
- D. The following methods are permissible when hunting Big Game:
 - 1. Hunting from tree stands, ground blinds, or natural cover;
 - 2. Using scent lures, cover scents, and non-bait attractants; and
 - 3. Using camouflage clothing in accordance with Section 6.1.
- E. The following methods are prohibited when hunting Big Game:
 - 1. Using fully automatic firearms, rimfire rifles, or shotguns with birdshot;
 - 2. Using explosives, poisons, or drugged projectiles; and
 - 3. Using artificial lights, spotlights, night vision, or thermal imaging;

6.12. Upland Game

- A. A duly issued hunting license permits the holder to hunt Upland Game which includes tree squirrel, rabbit, grouse, prairie chicken, pheasant, partridge, quail, and any Species designated as Upland Game by the Division.
- B. Upland Game taken or killed is not required to be individually tagged, but all hunters who take or kill Upland Game are required to comply with harvest reporting requirements in Section 4.6.
- C. Carcasses of Upland Game must remain in whole or substantially identifiable condition during transport and until the final destination where it will be stored, processed, or consumed.
- D. The following weapons and ammunition may be used to hunt and kill Upland Game:
 - 1. Shotguns larger than 0.410 gauge and shells with shot no larger than No. 2;
 - 2. Rifles or handguns chambered in rimfire or centerfire cartridges;
 - 3. Air rifles of 0.177 caliber or larger that produces sufficient energy for humane killing;
 - 4. Longbows, recurves, and compound bows with a minimum draw weight of twenty-five pounds (25 lbs);
 - 5. Crossbows; and
 - 6. Arrows and bolts must be tipped with sharpened steel broadheads or small game tips designed for humane harvest.
- E. Individuals holding a valid falconry permit issued by the Tribe, Kansas, or Nebraska may take Upland Game by means of falconry.
- F. The following methods are prohibited when hunting Upland Game:
 - 1. Using automatic firearms, shotguns larger than 10 gauge, or any firearm capable of holding more than three (3) shells or bullets in the magazine and chamber combined;
 - 2. Using explosives, poisons, traps, or nets;
 - 3. Baiting using grain, feed, or other attractants; and
 - 4. Using rifles or handguns that fire with centerfire ammunition larger than 0.23 caliber.

6.13. **Furbearers**

- A. A duly issued hunting license permits the holder to hunt Furbearers which include beaver, otter, mink, muskrat, weasel, marten, fisher, fox, coyote, bobcat, badger, raccoon, skunk, possum, and any Species designated as a Furbearer by the Division.
 - 1. A hunter who intends to take or possess a live Furbearer must obtain a commercial furbearer dealer's license.
- B. All carcasses of Furbearers must be tagged and transported in accordance with Section 4.6
- C. Any person coming into possession of a live Furbearer must be duly licensed under Section 5.7 and notify the Division within forty-eight (48) hours.
- D. Hunters of small Furbearers may use any of the permissible weapons for Upland Game.
- E. Hunters of medium to large Furbearers may use any of the permissible weapons for Big Game.
- F. Traps that do not cause an animal to suffer or experience prolonged pain may be used, but must be checked every twenty-four (24) hours.
- G. The following methods of hunting Furbearers are prohibited unless the animal is determined to be a depredating animal:
 - 1. Using fully automatic firearms;
 - 2. Using explosives, poisons, or drugged projectiles;
 - 3. Using live decoys or penned animals; or
 - 4. Using spotlights.

6.14. Migratory Birds

- A. A duly issued hunting license permits the holder to hunt Migratory Birds which includes all Species of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 – 712), such as but not limited to, waterfowl Species, shorebird Species, dove Species, and any Species designated as a Migratory Bird by the Division.
- B. All persons hunting Migratory Birds shall comply with the Migratory Bird Treaty Act, other applicable federal laws, and this Code. In cases of conflicts of law, the more restrictive standard shall apply.
- C. Carcasses of Migratory Birds shall be tagged in accordance with Section 4.6 and be transported in whole with fully feathered head and wings attached until the final destination is reached where it will be stored, processed, or consumed.

- D. Possession of live Migratory Birds is prohibited unless under a Special Permit.
- E. The following weapons and ammunitions may be used to hunt or kill Migratory Birds:
 - 1. Shotguns not larger than 10 gauge, capable of holding no more than three (3) shells in magazine and chamber combined;
 - 2. Federally approved non-toxic shot (steel, bismuth, or tungsten); and
 - 3. The archery weapons, arrows, and bolts permitted for Upland Game.
- F. The following methods are permissible when hunting Migratory Birds:
 - 1. Using fake decoys that do not have recorded calls;
 - 2. Using blinds and natural cover; and
 - 3. Shooting from boats that have no motor or the motor turned off and not moving.
- G. The following methods are prohibited when hunting Migratory Birds:
 - 1. Using rifles, handguns, or fully automatic firearms;
 - 2. Using live decoys, recorded calls, electronic sounds;
 - 3. Hunting in areas where grain, feed, or other attractants have been placed within the previous five (5) days; and
 - 4. Using explosives, poison, or traps.

7. FISHING REGULATIONS

7.1. General Regulations

- A. All persons fishing within the jurisdiction of the Tribe must possess a valid fishing license issued by the Division.
- B. Release of non-native or invasive Species into waters under the Tribe's jurisdiction is prohibited.
- C. Any Fish that is not intended to be kept must be caught or taken in a way that causes the least possible harm and immediately returned to the water from where it was caught or taken.
 - 1. Fish that are hooked or injured in a way that thwarts the survival of the Fish shall count toward the bag and possession limits.
- D. Any Fish lawfully taken or caught and retained for harvest shall be killed in an

immediate and humane manner that minimizes suffering. The Division may publish guidelines setting forth acceptable methods for specific Species of Fish.

7.2. Bag & Possession Limits

- A. No person shall catch, take, or possess Fish in excess of the limits establish by the Division. The Division shall set the following limits:
 - 1. Bag Limit – the maximum number of Fish that may be caught or taken by one person in a single day;
 - 2. Season Limit – the maximum number of Fish that may be caught or taken by one person during an entire open season; and
 - 3. Possession Limit -the maximum number of Fish that may be possessed by one person at any time, whether fresh, stored, frozen, or processed.
- B. In setting limits, the Division shall consider any biological data gathered, conservation goals, and populations of Species. Limits may vary for each Species of Fish
- C. Fish received as a gift do not count toward the recipient’s bag or seasonal limits.

7.3. Permitted Waters

- A. Fishing is authorized only in designated waters within the Tribe’s jurisdiction.

7.4. Use of Watercraft

- A. A person engaging in fishing activities under this Code may use a watercraft to access fishing areas. Watercraft includes any non-motorized boat, canoe, kayak, raft, barge, and boats powered by a motor excluding jet skis.
- B. When fishing from a watercraft that has a motor, the motor must be turned off and forward progress ceased before lines are deployed.
- C. All persons operating a motorized watercraft shall ensure the following items are on board at all times:
 - 1. U.S Coast Guard approved life jackets for every person on board the vessel;
 - 2. One (1) throwable flotation device for vessels sixteen feet (16’) or longer;
 - 3. Navigation lights for low light or nighttime operation;
 - 4. A sound-producing device such as a whistle or horn; and
 - 5. A fire extinguisher.

- D. All children under the age of thirteen (13) years old on board a watercraft must wear a U.S. Coast Guard approved life jacket at all times while on the vessel.
- E. Conservation officers are authorized to stop and inspect watercraft for safety equipment.

7.5. Permissible Methods of Taking

- A. The following equipment and methods are permitted when fishing:
 - 1. A hand-held rod and reel or pole, using natural or artificial bait;
 - 2. Hoop nets;
 - 3. Traps marked with the permit holder's name and address;
 - 4. Spearing and gigging; and
 - 5. Setlines marked with the permit holder's name and address that do not exceed the number of hooks established by the Division.

7.6. Prohibited Methods of Taking

- A. The following equipment and methods are prohibited when fishing:
 - 1. Gill nets or Seines;
 - 2. Using explosives, poisons, chemicals, or electricity;
 - 3. Using firearms; and
 - 4. Snagging or snaring.

7.7. Hook and Line Limitations

- A. No person shall fish with more than two (2) lines at once, and no line shall contain more than three (3) hooks.
- B. All lines must remain attended and under immediate control.

7.8. Bait & Other Fishing Aids

- A. Only bait approved by the Division may be used.
- B. Live fish as bait is prohibited unless authorized by the Division.
- C. Artificial lights may be used as an aid for seeing, not baiting.
- D. Landing nets, gaffs, and similar devices may be used as an aid in landing fish.

- E. Any shelter placed on ice must display the owner's name and address in letters at least two inches (2") high, be accessible when unoccupied, and be removed by the date establish by the Division.
- F. Fish finders, sonar, and underwater cameras may be used.

7.9. Transportation

- A. Fish transported from the site of capture must remain in a condition suitable for species identification until processed, stored, or consumed.
- B. It is unlawful to possess or transport fish in excess of bag or possession limits.

7.10. Bullfrogs

- A. Bullfrogs may be taken only under a valid Special Permit, using the following methods:
 - 1. Traps that do not cause the animal to suffer or experience pain;
 - 2. Hook and fishing line;
 - 3. Bow and arrow with barbed head and a line attached from arrow to bow;
 - 4. Gigging
 - 5. Hand capture; or
 - 6. Netting.

7.11. Turtles

- A. Turtles may be taken only under a valid Special Permit, using the following methods:
 - 1. Traps that do not cause the animal to suffer or experience pain;
 - 2. Hook and fishing line;
 - 3. Hand capture; or
 - 4. Netting.

7.12. Commercial Fishing

- A. Commercial fishing activities are prohibited unless the individual or entity holds a valid fishing license and a commercial fish dealer's license.
- B. The Division shall establish rules for commercial fishing that cover at the very least:
 - 1. Species eligible for commercial fishing;

2. Gear and equipment restrictions;
3. Quotas or harvest limits;
4. Reporting requirements; and
5. Record keeping.

8. HARVESTING REGULATIONS

8.1. Generally

- A. No person shall harvest, cut, or remove any timber from lands within the jurisdiction of the Tribe without a valid harvesting license or where expressly authorized by this Code.
- B. Harvesting shall be permitted only in areas designated by the Division and shall be conducted in accordance with best management practices to protect soil, water, habitat, and culturally significant resources.
- C. The Division shall establish harvesting limits and tree Species subject to harvesting.

8.2. Equipment

- A. Permissible equipment that may be used while harvesting timber include chainsaws, axes, handsaws, wedges, skidders, skid steers, trucks, and other devices customarily used for harvesting and transporting timber.
- B. Equipment must be maintained and in safe working condition.
- C. Safety equipment shall be used when operating a chainsaw such as a helmet, eye protection, gloves, and chaps to protect against possible kickback.

8.3. Harvesting on Your Own Land

- A. Citizens and other persons lawfully residing on the Tribe's land may harvest timber from trees located on their own lands without obtaining a permit from the Division.

8.4. Transportation and Possession of Timber

- A. No person shall transport timber from lands under the Tribe's jurisdiction without a valid harvesting license.
- B. During transport, the timber must remain in whole or in a condition that allows for Species and volume identification.
- C. The Division may require bills of lading, tags, or other transportation documents.

8.5. Commercial Timber Harvest

- A. No person or entity shall engage in the commercial harvest or sale of timber from lands under the jurisdiction of the Tribe without a valid commercial timber dealer's license and harvesting license.
- B. The Division shall establish the restrictions and rules for commercial timber harvesting.

8.6. Restrictions

- A. The following activities are prohibited:
 - 1. Cutting or disturbing any tree containing active nests, dens, or habitats of birds or mammals;
 - 2. Causing soil erosion, water degradation, or habitat loss through negligent equipment use;
 - 3. Abandoning cut timber, slash, debris, or plant material;
 - 4. Harvesting timber not marked or otherwise designated for harvest;
 - 5. Starting or causing a fire, whether intentionally or negligently, while harvesting timber; and
 - 6. Leaving litter or refuse on Tribal land during or after harvesting activities.

9. GATHERING REGULATIONS

9.1. Generally

- A. No person shall gather any Species of plants, including mushrooms, without a valid gathering license issued by the Division except as provided in Section 9.1.B.
- B. Citizens may gather plants on their own privately-owned or leased lands without a gathering license.
- C. The Division shall establish seasons for gathering, which plants may be gathered, and the quantity.
- D. No person may gather protected or culturally significant plants unless by special permit.

9.2. Morel Mushrooms

- A. Morel mushrooms are recognized as a sensitive and limited natural resource of cultural and ecological significance to the Tribe.

- B. Citizens of the Tribe and other persons lawfully residing on the Tribe's land may gather morel mushrooms on Tribal Trust Land and tribal-owned Fee Land.

9.3. Transportation and Possession

- A. Gathered plants must remain in whole or identifiable condition until consumed, stored, processed, or used.

9.4. Restrictions

- A. No person may gather plants using methods that cause large-scale soil or land destruction.
- B. Gathering plants for commercial purposes is prohibited.

10. OFFENSES

10.1. General Offenses

- A. It is unlawful for any person to violate any provision of this Code, proclamation or regulation issued by the Division, or any term or condition of a duly issued license or permit.
- B. Each act or omission that violates this Code or a Division proclamation or regulation shall constitute a separate offense.

10.2. Priority Offenses

- A. The following are prohibited and shall constitute separate priority offenses.

It is unlawful for any person to:

1. intentionally abandon or waste Fish, Wildlife, timber, or plants pursuant to this Code or otherwise;
2. kill, injure, trap, possess, transport, trade, sell, barter, or offer to do so, any endangered, threatened, or Protected Species except as expressly authorized under the law;
3. resist, evade, or fail to comply with any lawful order of a Conservation Officer;
4. interfere with or obstruct a Conservation Officer in the lawful performance of their duties;
5. impersonate or represent oneself as a Conservation Officer;
6. engage in hunting activities while impaired by alcohol drugs;

7. gather morel mushrooms on lands under the jurisdiction of the Tribe without a license; and
 8. transport, ship, sell, barter, or offer to do so, morel mushrooms gathered on lands under the jurisdiction of the Tribe.
- B. Violating 3 or more provisions of the Code in a single incident or within seventy-two (72) hours shall automatically constitute a priority offense.
- C. Failure to transport or properly care for a carcass, Fish, harvested timber, or plant material gathered within twenty-four (24) hours is prima facie evidence of waste

10.3. **Attempt Offenses**

- A. Any person who intentionally engages in an act or omission that constitutes a substantial step toward committing an offense under this Code shall be guilty of attempt.

11. PENALTIES & ENFORCEMENT

11.1. **Presumptive Evidence**

- A. The possession of Fish, Wildlife, timber, and plants shall be presumptive evidence that the person having such possession is engaged, or has been engaged, in hunting, fishing, harvesting, and gathering, respectively.

11.2. **Penalties for General Offenses**

- A. Any person who violates any provision of this Code, proclamation or regulation issued by the Division, or any term or condition of a duly issued license or permit shall be guilty of a general offense.
- B. Unless otherwise specified, general offenses shall be subject to one or more of the following penalties:
1. A fine not to exceed two-thousand five-hundred dollars (\$2,500) per offense;
 2. Restitution for the value of any Fish, Wildlife, timber, or plant unlawfully taken, destroyed, or wasted;
 3. Forfeiture of any profits gained in violation of this Code;
 4. Forfeiture of any Fish, Wildlife, timber, plant taken or possessed; and
 5. Suspension or revocation of a license or permit for up to five (5) years.
- C. Civil jurisdiction over all matters under this ordinance shall be with the Tribe's court

or other tribunal empowered by the Tribe to hear such cases arising under this Code.

11.3. Penalties for Priority Offenses

- A. Any person found guilty of a priority offense shall be subject to the following penalties:
 - 1. Fines not to exceed five-thousand dollars (\$5,000) per offense;
 - 2. Revocation of licenses and permits for not less than five (5) years; and
 - 3. Imprisonment for not more than one (1) year.

11.4. Penalties for Attempt

- A. Any person convicted of attempt shall be subject to penalties not to exceed one-half (1/2) of the maximum fine or suspension applicable to general offenses.

11.5. Forfeiture & Seizure

- A. Forfeiture and seizure are authorized, by court order or by Conservation Officers acting on probable cause, for any property, including watercraft, vehicles, drones, weapons, equipment, and any other item or device used in committing any offense.
- B. If the seized items are not owned by the offender, the Court may order a preliminary forfeiture, order that notice be given to the alleged owners of the seized property, and provide a hearing before ordering the permanent forfeiture of the seized items. At such hearing, the burden shall be on the alleged owners of the seized items to prove ownership and provide exonerating evidence or testimony showing they did not participate in, have knowledge of, or consent to the illegal use of the seized items.

11.6. Confiscation

- A. Each year the Division shall conduct a sale of all forfeited and seized items not appropriated use. Such sales shall be by auction. The auction shall be a week after notice is publicly published. All proceeds may go into the Division's special account.

11.7. Due Process Guarantee

- A. No penalty may be assessed under this Section, including forfeiture and seizure, unless the person accused of the violation is given notice and an opportunity for a hearing with respect to the violation.

11.8. Statute of Limitations

- A. Notwithstanding any other statute of limitations, all actions for damages and all prosecutions for violations of this Code, shall be commenced within five (5) years after

the date of the commission of the offense.

11.9. **Enforcement Authority**

A. Conservation Officers are authorized to:

1. Enforce all provisions of this Code and Division proclamations and regulations;
2. Inspect licenses, permits, tags, equipment, harvests, vehicles, and watercraft;
3. Seize Fish, Wildlife, timber, plants, equipment, weapons, vehicles, or any other property used unlawfully; and
4. Issue citations, make arrests, conduct searches, and conduct investigations.