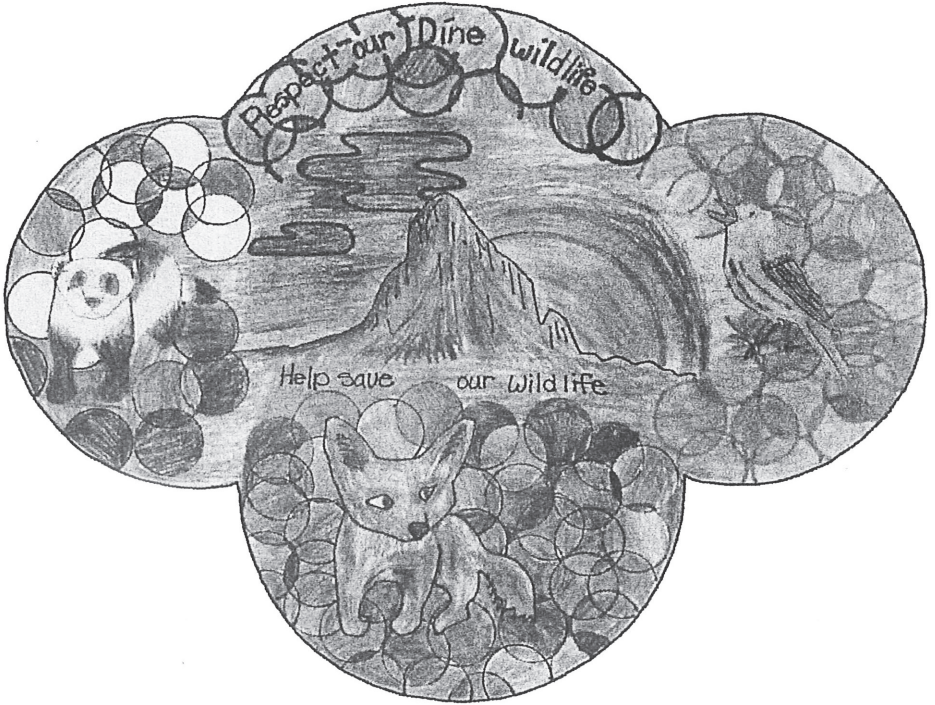


NAVAJO NATION

Hunting and Trapping Regulations



THE NAVAJO NATION DEPARTMENT OF FISH AND WILDLIFE

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NAVAJO NATION HUNTING AND TRAPPING REGULATIONS

Division of Natural Resources Department of Fish and Wildlife

GENERAL INFORMATION

All fish and wildlife are the property of the Navajo Nation as a whole. All game, fish, and other wildlife, or the parts thereof, are protected on the Navajo Nation and may not be taken, possessed, transported, or sold unless specifically permitted by these regulations. Hunting on the Navajo Nation is a privilege. The Navajo Nation reserves the right to refuse hunting privileges to anyone.

The Navajo Nation has jurisdiction over fishing, hunting and trapping activities within the Navajo Nation and authority for permitting such activities resides exclusively with the Navajo Nation and the Federal Government (CAU-46-73). State(s) (Arizona, New Mexico, or Utah) hunting, trapping or fishing permits, licenses and/or certificates are not required or valid within the Navajo Nation.

Navajo Nation fish and wildlife regulations and laws are enforced by Wildlife Conservation Officers, Tribal Rangers, Forestry Law Enforcement Officers, and the Navajo Department of Law Enforcement. Federal laws and regulations are enforced by Navajo Wildlife Conservation Officers and Special Agents of the U.S. Fish and Wildlife Service and the Bureau of Indian Affairs.

No lawful authority or permission is granted by the Navajo Nation to anyone to hunt, fish, trap, take, possess, transport, or sell any game, fish, other wildlife, or parts thereof, or pelts on the Navajo Nation contrary to these regulations. Violation of any portion of these regulations may subject the violator to loss of tribal permission to hunt, fish, or trap and subjects the violator to criminal penalties (17 N.N.C., Subchapter 21; 18 U.S.C., 1165; Lacey Act Amendments of 1981; 16 U.S.C., 3371-3378).

NAVAJO NATION HUNTING AND TRAPPING REGULATIONS

The Resources Committee of the Navajo Nation Council is authorized to establish regulations for hunting, trapping, and fishing activities as provided in 17 N.N.C., Section 512. Such regulations are provided as follows:

1.00 DEFINITIONS:

- 1.01 Acceptable Application:** An application for permits that has been completely and correctly filled out, including the signature of the applicant.
- 1.02 Aircraft:** Any contrivance used for flight in the air.
- 1.03 All-Terrain Vehicle:** Two, three, four, six-wheeled, or tracked vehicles intended for off highway use.
- 1.04 Authorized Holder of Permit:** The person to whom a valid permit has been issued.
- 1.05 Bag Limit:** The maximum number, in number or amount, of wildlife which may lawfully be taken by any one person, per day (i.e. fish) or per season (i.e. deer).
- 1.06 Big Game Animals:** The following animals are big game animals:
 - 1. American Black Bear (*Ursus americana*);
 - 2. Bighorn Sheep (*Ovis canadensis*); excludes domestic species of sheep;
 - 3. Elk (*Cervus canadensis*);

4. Javalina or Collared Peccary (*Pecari tajacu*);
5. Mountain Lion, Puma or Cougar (*Puma concolor*);
6. Mule Deer (*Odocoileus hemionus*);
7. Pronghorn (*Antilocapra americana*);
8. Wild Turkey (*Meleagris gallopavo*).

1.07 Closed Season: The time in which wildlife may not be lawfully taken.

1.08 Designated Shooting Range: An area set up for firearm or archery shooting that has been designated by the Department of Fish and Wildlife, the Navajo Department of Law Enforcement, any chapter government, or Conservation/Sportsman Association.

1.09 Firearms: Any loaded or unloaded pistol, revolver, rifle, shotgun, muzzleloader, or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.

1.10 Exotic Species: Those species which are not historically native to the Navajo Nation, either as breeding or migratory species, but rather were directly or indirectly introduced by human influence. These species are not addressed by these regulations.

1.11 Firearm Shell Capacity: The number of shells the firearm can hold in the magazine and chamber combined. For example, a shotgun that holds two (2) shells in the magazine and one (1) in the chamber has a three (3) shell capacity.

1.12 Furbearers: The following mammals are fur-bearing animals:

1. American Badger (*Taxidea taxus*);
2. American Beaver (*Castor canadensis*);
3. Bobcat (*Lynx rufus*);
4. Common Muskrat (*Ondatra zibethicus*);
5. All of the family Canidae (includes Coyote (*Canis latrans*), Gray Fox (*Urocyon cinereoargenteus*), and Red Fox (*Vulpes vulpes*); but excludes Mexican Wolf (*Canis lupus*) and Kit Fox (*Vulpes macrotis*);
6. All of the family Mephitidae (includes Striped Skunk (*Mephitis mephitis*) and Western Spotted Skunk (*Spilogale gracilis*);
7. All of the family Procyonidae (includes Northern Raccoon (*Procyon lotor*) and Ringtail (*Bassariscus astutus*);
8. All of the genus *Mustela* (Weasels); excluding the Black-footed Ferret (*Mustela nigripes*).

1.13 Game Birds: The following are game birds:

1. All of the family Columbidae (Doves and Wild Pigeons), except Band-tailed Pigeon (*Patagioenas fasciata*);
2. All of the family Phasianidae (Grouse, Pheasant and Chukar), except for Gunnison Sage-Grouse (*Centrocercus minimus*), Blue Grouse (*Dendragapus obscurus*) and Wild Turkey (*Meleagris gallopavo*);
3. All of the family Odontophoridae (Quail).

1.14 Guide: A Navajo tribal member, who for pay or other gain, aids or assists any person, in the taking of wildlife.

1.15 Motor Vehicles: Any motorized vehicle including all-terrain vehicles, off-road vehicles,

buses, tractors, snowmobiles, motorcycles, trucks, cars, and vans.

- 1.16 Navajo Nation:** The Navajo Reservation; proper, trust or allotted lands. Navajo Nation fish and wildlife regulations and permits are not valid on Tribal ranches, state, private, or other non-trust federal lands.
- 1.17 Navajo Spouse:** A Non-Navajo who is legally married to a Navajo Tribal Member.
- 1.18 Navajo Tribal Member:** A Navajo Indian who possesses a Navajo Tribal Census number.
- 1.19 Navajo Waters:** All waters that are within the Navajo Nation, or are owned, or controlled by the Navajo Nation.
- 1.20 Non-Game:** All native species not classified as game animals, game birds, and/or furbearers.
- 1.21 Non-Navajo:** A person that is not an enrolled member of the Navajo Nation.
- 1.22 Open Season:** The time during which wildlife may be lawfully taken.
- 1.23 Possession Limit:** The maximum limit, in number or amount, of wildlife which may be possessed, at any one time, by any one person.
- 1.24 Raptor:** A bird of prey belonging to the following groups:
1. All of the family Accipitridae (Hawks and Eagles);
 2. All of the Cathartidae (Vultures and Condor);
 3. All of the family Falconidae (Falcons);
 4. All of the family Laniidae (Shrikes);
 5. All of the family Tytonidae and Strigidae (Owls).
- 1.25 Residence:** Any structure, occupied or unoccupied, in which one resides, either permanently or temporarily.
- 1.26 Resources Committee of the Navajo Nation Council:** The standing committee of the Navajo Nation Council as defined by 2 N.N.C., Section 691 et seq., with oversight authority over the Division of Natural Resources.
- 1.27 Small Game Animals:** The following are small game animals:
1. All of the family Leporidae (Rabbits and Jackrabbits);
 2. All of the family Sciuridae (Squirrels, Chipmunks, and Prairie Dogs);
 3. Feral Dogs;
 4. Feral Cats;
 5. European Starlings and House Sparrows.
- 1.28 Take or Taking:** The hunting, capturing, killing in any manner, or the attempt to hunt, capture or kill in any manner any wildlife.
- 1.29 Trap:** A device used for capturing wildlife.
- 1.30 Trapping:** Taking wildlife using traps.
- 1.31 Valid Permit:** A permit that has been issued from the Department of Fish and Wildlife or its authorized vendors, and as which has been made out to the bearer, and has not been changed or otherwise tampered with, and has not expired or been revoked. A permit is not valid until it is signed by the authorized permittee.
- 1.32 Waterfowl:** Waterfowl includes:
1. Coots and Common Moorhens;
 2. All of the family Anatidae (Ducks and Geese), except Swans.

1.33 Wildlife: Any wild mammal, bird and the nest or egg thereof; reptile, amphibian, mollusk, crustacean, fish, or native plant existing in its natural state.

1.34 Wildlife Theft Prevention Fund (Operation Game Thief): Funds available for reward payments for information leading to the arrests or citations of individuals for violation of Navajo Nation wildlife laws or regulations.

2.00 GENERAL HUNTING REGULATIONS

2.01 Permits, Certificates, and Stamp Requirements: A Navajo Nation Hunting Permit is required and must be possessed to:

- A.** Carry a firearm or bow and arrow in the forest, woodland or rangeland of the Navajo Nation or lands it owns and/or controls.
- B.** Hunt, take, possess, or transport any species of wildlife on the Navajo Nation.
- C.** Permits shall not be transferred, loaned, or sold to another person. Permits must be validated by signature, by the holder immediately upon receipt.

2.02 Big Game Permits, Species, Seasons, and Requirements:

- A.** Antelope: Hunted during established antelope seasons. Valid antelope permit required.
- B.** Bear: Hunted during established bear seasons or by depredation permit. Valid bear permit required.
- C.** Bighorn Sheep: Hunted during established bighorn sheep seasons. Bighorn sheep permit required.
- D.** Elk: Hunted during established elk seasons. Valid elk permit required.
- E.** Mountain Lion: Hunting during established mountain lion seasons or by depredation permit. Mountain Lion Permit required.
- F.** Mule Deer: Hunted during established mule deer seasons. Valid mule deer permit required.
- G.** Wild Turkey: Hunted during established wild turkey seasons. Valid wild turkey permit required.
- H.** Seasons are closed for all species of wildlife that are not specifically permitted.
- I.** No one under the age of 12 may hunt big game.

2.03 Small Game Permits, Seasons, and Requirements:

- A.** Small Game Permits are required for persons 12 years of age and older to hunt all small game, game birds, and furbearers. Valid from January 1 thru December 31 of each calendar year. Persons under 12 years of age, having completed a Hunter Education Course, may hunt small game without a permit if accompanied by an adult (18 years of age or older) who has a valid Navajo Nation Small Game Permit in their possession.
- B.** Hunter Education Certificates are required for anyone born after January 1, 1970. **Certification Card must be in possession when hunting small game.**
- C.** Open Season, Year-Long on Small Game, Except:
 - 1.** Big Game Hunt units are closed to small game hunting during the big game hunting season, except for properly permitted hunters taking waterfowl, dove, chukar partridge, quail, and pigeons (excluding band-tailed pigeons). In addition, during big game hunts, the authorized holder of a big game permit may take

small game, game birds, and furbearers that are in season during the big game hunt they are authorized for, and in the unit authorized for, as long as their tag is unfilled and they are properly permitted for the small game or wildlife being hunted.

2.04 Game Bird and Waterfowl Seasons, and Requirements:

- A.** A Game Bird Validation on a small game permit is required to hunt any game birds or waterfowl. Waterfowl hunting also requires a valid Federal Migratory Bird Hunting and Conservation Stamp.
- B.** A Navajo Small Game Permit with Game Bird Validation is required for persons 12 years of age and older.
- C.** Waterfowl and dove hunters must also adhere to all Federal Regulations. See Annual Dove and Waterfowl Hunting Proclamation for seasons, bag limits and permitted species.
- D.** Game bird seasons and bag limits are set annually by the Resources Committee of the Navajo Nation Council and the U.S. Fish and Wildlife Service and made a part of these regulations. See the Navajo Nation Hunting and Trapping Proclamation.
- E.** Waterfowl and dove seasons are established in compliance with Federal Regulations.

2.05 Hunting Guide (Outfitter) Permit: A permit is required for any Navajo who aids or assists another in the taking of wildlife. Only Navajos are eligible for a hunting guide permit. It is a violation of Navajo Nation law for non-Navajos to guide, for pay or other gain on the Navajo Nation. Non-Navajo hunters using illegal guides, who make a kill, and subsequently remove the carcass from the Navajo Nation are in violation of both Navajo Nation and federal wildlife laws and will have their hunting privileges revoked. Non-Navajos accompanying big game hunters will be issued a citation for illegal guiding. The Navajo Nation Hunting and Trapping Proclamation will determine guide reporting requirements.

- A.** A person shall meet the following criteria to be eligible to be a guide:
 - 1.** No person under the age of 21 years old nor any non-Navajo shall be issued a Guide permit. If a hunt guide fails to comply with the regulations and laws, their guide permit will be revoked.
 - 2.** No person acting as a hunt guide shall carry a firearm or bow and arrow in the field, unless they possess a valid hunting permit.
 - 3.** Must possess a Hunter Education Certification card.
 - 4.** Must possess a First Aid Certification card.
 - 5.** Must have a vehicle, valid driver's license, and liability insurance.
 - 6.** Must have attended a guide workshop sponsored by the Department of Fish and Wildlife and/or the guides.
 - 7.** Must not have been convicted of a felony.
 - 8.** Must not have been convicted of any misdemeanor in any courts involving crimes of deceit, untruthfulness, and dishonesty, including but not limited to extortion, embezzlement, bribery, perjury, fraud, forgery, misrepresentation, false pretense, theft, conversion, or misuse of Navajo Nation funds and property, and crimes involving the welfare of children, child abuse, child neglect, aggravated assault, and aggravated battery within the last five (5) years.

9. Guides are required to use a written contract with their client(s).

- B. Hunters dissatisfied with guide services may file a written complaint to the Director of the Department of Fish and Wildlife within thirty (30) days of completion of the hunt. Complaint shall include: A copy of the contract signed by both parties, a detailed report of the complaint, and any other documents relevant to the complaint. The Director will notify the guide of the complaint and request a written response to the complaint within ten (10) days. The complaint and the response will be forwarded to the Office of Hearings and Appeals for resolution. If the guide fails to respond to the complaint, the guide is ineligible to receive a guide permit or a hunt permit until the complaint is resolved. The Department shall, based upon the ruling made by the Office of Hearings and Appeals, penalize the guide in the following manner: First (1st) Offense, loss of guide and hunt privileges for one (1) year; Second (2nd) Offense, loss of guide and hunt privileges for three (3) years; Third (3rd) Offense, loss of guide privileges for life.

2.06 Hunter Education Certificate: Required for those people born after January 1, 1970. Proof of Hunter Education Certification (card) must be in possession when taking game animals. One must be 10 years old in order to take the Navajo Nation Hunter Education Course.

2.07 Hunting Privileges: Any person, 12 years of age or older, Navajo or Non-Navajo may hunt on the Navajo Nation when properly permitted. Hunting privileges can be suspended or revoked for any violation or non-compliance with these regulations. The Navajo Nation reserves the right to deny these privileges to any ineligible person.

- A. Individuals issued a citation while taking big game or small game must satisfactorily complete a certified Hunter Education Course in order to restore hunting privileges for future big game hunts.
- B. Individuals convicted of the following wildlife law violations will have their hunting privileges revoked for a period of five (5) years: taking or possessing big game without a permit, taking big game out of season, wasting big game meat, littering, exceeding big game limit, using an illegal guide, possession or transportation without tagging, and possessing a weapon while spotlighting.
- C. Individuals who are ineligible to hunt in the states of Arizona, New Mexico, Utah and/or Colorado are also ineligible to hunt on the Navajo Nation until they are removed from the state ineligible list.
- D. Convicted felons are not eligible for any hunts.

2.08 Season, Fees, Permit Numbers, Bag and Possession Limits: For additional information, see the Navajo Nation Hunting and Trapping Proclamation available each May and the Spring Gobbler Proclamation available each January.

2.09 Transportation, Importation, Possession, and Donation of Wildlife:

- A. Transportation and possession of all game animals or birds must be accompanied by a valid permit and evidence of legality. Only the authorized permit holder may transport the game from the place where taken to a permanent residence or place where it is to be consumed or processed.
- B. A transportation tag must be secured if someone other than the permittee will be transporting the game, provided that the tag is validated by an authorized Fish and Wildlife or Resource Enforcement employee.

- C. The carcasses of wildlife or parts thereof lawfully taken outside of the Navajo Nation from another state or country may be imported into the Navajo Nation when accompanied by proper license, tag, or permit.
- D. Migratory bird parts may be imported or possessed only as permitted by Federal law.
- E. **Donation of Wildlife:** Donation of wildlife or parts thereof is permitted provided that all the following conditions are met:
 - 1. The person in possession has a written statement from the permitted taker indicating that he/she donated wildlife to the current holder by name. Required information shall include:
 - a. Name and address of permittee.
 - b. Permit number and permit class, if big game.
 - c. Date of donation.
 - d. Signature of donor.
 - e. Signature of donee.
 - 2. Donation certificate does not authorize transportation. See 2.09 (B).
- F. **Wildlife Parts:** Non-Navajos may not pick up, possess, or transport cast antlers, skulls, and/or any parts thereof from deer, elk, or bighorn sheep.
- G. **Sale of Wildlife Parts:** Only the hide, head, antlers, horns, hooves, claws of legally taken protected species and feathers from non-migratory game birds may be sold or bartered under the following conditions:
 - 1. Evidence that the wildlife parts were lawfully taken or donated as in Part 2.09 (E) and the same must be possessed and readily available for inspection upon request.
 - 2. Possess a valid big game, small game or donated wildlife permit.

2.10 Manner and Method of Lawful Taking

- A. Only the following weapons shall be permitted (exceptions are allowed for Fish and Wildlife and Resource Enforcement employees when performing their duties regarding animal damage and predator control activities):
 - 1. Only those firearms which allow emission of a full report of explosion with no contrivance to silence or muffle the report.
 - 2. Center fire rifles; .222 cal., or larger for deer and antelope; .243 cal., or larger for elk, bear, and lion.
 - 3. Semi-automatic firearms with a capacity of no more than five (5) shells. Fully automatic firearms are prohibited.
 - 4. Shotguns; ten (10) gauge and smaller with no more than a three (3) shell capacity for big and small game, wild turkey, waterfowl, and game birds. Shotgun plugs are required to mechanically limit the capacity to three (3) shells in guns with capacities greater than three (3) shells.
 - 5. Any rim-fire or center-fire firearm for small game and furbearers.
 - 6. Handguns; any caliber for small game.
 - 7. Handguns; .357 Magnum or larger using Magnum ammunition for big game, excluding turkeys.
 - 8. Bow and arrow; long bow or compound bow with a 40 lb., pull or greater for big

game. Cross bows are not permitted.

9. Bow and arrow; long bow or compound bow, any size for small game.
10. Muzzleloader for small game and big game. Only traditional and in-line single barrel muzzleloaders using round ball, conical, or sabot bullets, black powder, pyrodex or smokeless powder are permitted. Only telescopic sights, 4 power or lower, are permitted.

B. Only the Following Ammunition shall be Permitted:

1. Soft point lead bullets, copper, copper jacketed or full lead design for firearms permitted.
2. Muzzleloaders must use single, patched round ball, conical, or sabot bullets.
3. Arrow points with sharp broad-head larger than a hole 7/8" inch in diameter, non-explosive or non-poisonous for big and small game. Judo points are permitted for small game.
4. Only non-lead, federally approved shot, e.g., steel shot is allowed for waterfowl.

C. Shooting hours for all hunting is one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset.

D. Devices Permitted:

1. Electrical calls permitted for coyotes, bobcats, foxes, and wild dogs only.
2. Non-electrical call devices for all other species not listed in 2.10(D1).
3. Decoys are permitted for big game, waterfowl, furbearers, and turkey only.

E. Hunting Dogs Permitted:

1. Hunting dogs are permitted for bear, lion, waterfowl, game birds, rabbits, and furbearers only.
2. Special written authorization must be secured from the Director of the Department of Fish and Wildlife for using hunting dogs for other species not listed in 2:10(E1).

2.11 Hunting Violations Specifically Prohibited:

A. Unless otherwise permitted by 17 N.N.C., Section 500 et seq., of the Navajo Nation Code, this Regulation or the Navajo Nation Hunting and Trapping Proclamation, it is unlawful for a person to:

1. Take wildlife with the aid of any aircraft.
2. Shoot from, take, or attempt to take any wildlife from a motor vehicle. Exceptions may be made for disabled persons. Contact the Director of the Department of Fish and Wildlife. People traveling in the bed of a pick-up truck must secure firearms, bows, and arrows within a case.
3. Shoot from, along, or across a graded or paved road.
4. Take or attempt to take any wildlife with the aid of any artificial light.
5. Shoot within one-half (1/2) mile of any residence without the written permission of the owner or within one-half (1/2) mile of a designated campground or recreation area. On New Lands (Unit 16), no shooting is allowed within one (1) mile of the range unit housing clusters or within one-half (1/2) mile of any access road to a housing cluster.
6. Possess a firearm in the field when taking big game during any archery only hunts.

7. Abandon or permit to go to waste any edible portion of big game, small game, waterfowl, game bird, or game fish.
8. Take big game (except turkey, bighorn sheep, lion, and bear) with any center-fire firearm unless a minimum of 300 square inches of daylight fluorescent orange garments are worn as an outer garment by the hunter, their guide, and/or companions while in the field.
9. Litter hunting and fishing areas while taking wildlife.
10. Possess any alcoholic beverages while taking wildlife.
11. Take wildlife during the closed season.
12. Take wildlife for another person or use a permit issued to another person.
13. Take wildlife in excess of the bag and/or possession limit.
14. Possess or transport big game or parts thereof without a proper carcass tag attached.
15. Possess a firearm or bow and arrow when spotlighting.
16. Accompany a non-Navajo in the field while hunting or scouting, if that person is a non-Navajo and is not an immediate family member. An immediate family member is a spouse, mother, father, son, daughter, brother, or sister.
17. Damage property while taking wildlife.
18. Deny access or interfere with a lawful hunt.
19. On New Lands (Unit 16), no camping is allowed within one-half (1/2) mile of any natural or man-made watering hole.
20. Off-road vehicle travel is prohibited, except for retrieval of downed (killed) big game.

2.12 Forfeiture of Equipment: Upon conviction, any equipment used to violate big game regulations or laws may be forfeited to the Department of Fish and Wildlife. All confiscated items will be held for a minimum of six (6) months from the date of seizure and will be forfeited to the Department of Fish and Wildlife for their disposal.

2.13 Areas Prohibited from All Hunting:

A. Those areas as designated by the Resources Committee of the Navajo Nation Council.

2.14 Tagging Required: All big game taken must be securely tagged with the carcass tag provided by the Department of Fish and Wildlife after the big game animal is killed and prior to transporting the carcass. Deer, elk, bighorn sheep, and antelope must be tagged around the antler, horn or leg. Turkey must be tagged around the leg.

2.15 Hunt Reporting: All big game permit holders shall complete and submit to the Department of Fish and Wildlife the big game hunt survey form provided with each permit no later than the date established in the Navajo Nation Hunting and Trapping Proclamation. Failure to do so will cause the permittee to be ineligible for any big game hunts the following big game season. The ineligible hunter has the option of paying a penalty fee and applying for leftover permits.

2.16 Forfeiture of Wildlife: Any wildlife taken in violation of any Navajo Nation Hunting and Trapping Regulations or laws shall be seized and may be forfeited to the Navajo Nation.

2.17 Wildlife Check Stations: Are established to gather biological information and to

enforce wildlife laws. All hunters, fishermen, and trappers are required to stop at designated wildlife check stations. They must present all wildlife in possession, any necessary permits, and give information requested for wildlife management purposes.

2.18 Big Game Hunt Unit Boundaries Defined/Restrictions: As defined in the Navajo Nation Hunting and Trapping Proclamation. Big game hunters are restricted to specific hunt units during certain hunts.

2.19 Proof of Sex: The head or reproductive organs must remain attached to the animal until reaching hunter's place of consumption or a meat processing center.

2.20 Snow Mobiles and All-Terrain Vehicles (ATV): May not be utilized to take big game during any big game hunts. Special handicap permits may be obtained through the Director of the Department of Fish and Wildlife.

3.00 SPECIAL PERMITS

3.01 Bear, Beaver, Bison, Burros, Feral Horses, and Mountain Lion:

A. Special permits may be issued by the Director of the Department of Fish and Wildlife, to take bear, beaver, bison, burros, feral horses, and mountain lion. Permits may be made available only if it is determined by the Director that the animals are causing damage to Navajo livestock, crops, structures or other natural resources of the Navajo Nation.

1. The permits will be issued only for the specific animals causing the damage.

3.02 Biological Investigation and Scientific Collecting: Biological Investigation and Scientific Collecting Permits are required to take, pursue, or investigate wildlife for management or research purposes.

A. Application Procedures: Applicant must submit to the Director of the Department of Fish and Wildlife:

1. A letter explaining the purpose of the proposed work, including any association with institutions or agencies.

2. A completed application for a Biological Investigation and Scientific Collecting Permit.

3. A scope of work detailing the specifics of the study, including methods, duration, location (topographic map), number, species to be collected, and the proposed disposition of specimens, if applicable.

4. Resumes of all who will be participating in the work. A document verifying association with a federal or state natural resource agency may substitute for a resume. A minimum of a Bachelor's Degree in one of the life sciences or sufficient experience directly related to the proposed project is required of an applicant. In conducting Biological Investigations and Scientific Collecting, detailed knowledge of a particular species may not be required to conduct preliminary investigations and surveys. Should the study reveal the potential for the presence of a threatened or endangered species, any subsequent in-depth work must be conducted by individuals with specific knowledge of and experience with the species in question.

5. Applications to do work on threatened or endangered species must be accompanied by a copy of appropriate federal permits.

B. Permit Conditions:

1. Permits are issued in the name of an individual, the permittee. Permits are not issued to companies, agencies, institutions, governments, or other groups of people. Adherence to permit conditions and authorizations is the sole responsibility of the permittee. Sub-permittees may be identified under the permit, provided that they are under the direct supervision of the permittee.
2. Permits are only issued for work that is planned to take place. They are not issued for the purpose of securing a bid for a proposed project.
3. Any significant findings (e.g. threatened or endangered species) shall be reported in writing within thirty (30) days to the Department of Fish and Wildlife. No news releases or other public announcements shall be made concerning said significant findings without prior authorization by the Director of the Department of Fish and Wildlife.
4. Limits are generally placed on the number of species that will be permitted to be collected. These limits are recommended by Wildlife Biologists who base their decisions on the impacts that such collections will have on wildlife populations. The Director of the Department of Fish and Wildlife makes the final determination on collection limits, based on an applicants request and the recommendations made by the Wildlife Biologists. Scientific Collecting Permits generally require that voucher specimens be made and sent to the Department of Fish and Wildlife for its collection.
5. Other conditions may apply. On a case by case basis, applications are reviewed to consider how the project may or may not benefit the Navajo Nation and its wildlife populations and also to determine how the project may impact the environment.
6. Permits are issued for a specific length of time within a calendar year, encompassing the duration of the project. If a project continues into a new calendar year, then the permittee must apply for a new permit.
7. Reporting requirements are included in all Biological Investigation and Scientific Collecting Permits. The permittee must provide a copy of the compiled data prior to its inclusion in the final report. This is often provided in the form of field notes, transcribed field notes, species lists, and/or maps. The permittee is also required to submit a final written report of all activities associated with the permit. Final report deadlines are generally set within 30 days of expiration of the permit. Exceptions are generally allowed in situations where final report generation will be delayed as a result of lab work and other extenuating circumstances. Should the permittee request and be granted permission to publicize the information, then any such publications, in any and all forms, must also be provided to the Department of Fish and Wildlife.

C. Denial of a Permit: The issuance of a Biological Investigation and Scientific Collecting Permit is a privilege, not a right. These permits are issued at the sole discretion of the Director of the Department of Fish and Wildlife. Reasons for denial of a permit generally include, but are not limited to, lack of qualifications by an applicant, adverse impacts to wildlife populations, and any situation where it is deemed in the best interest of the Navajo Nation. An applicant has the right to administratively appeal a permit denial by filing an appeal with the Director of the Department of Fish and Wildlife within 30 days of a formal permit denial. If no

appeal is filed within 30 days, then the decision shall become final and not subject to further review. The Director shall render their decision within 15 days of said appeal. The decision of the Director shall be final and not subject to further review.

- D. Failure to comply with these procedures and conditions may result in delays in application processing and may result in permit revocation or denial of future permit applications.
- E. Fee: Biological Investigation and Scientific Collecting Permit processing fee is set at \$50.

3.03 Ceremonial Permits: Ceremonial permits are only available to Navajo Tribal members and other Native American Indians. Applicants are encouraged to apply at least 60 days in advance to ensure that all wildlife concerns and issues are addressed prior to issuance of the permit. To ensure timely issuance of a permit, the Director of the Department of Fish and Wildlife will accept applications 6 months prior to the date for which a permit is requested.

A. Application Procedures: Applicant must submit to the Director of the Department of Fish and Wildlife:

1. A letter explaining the purpose and need for the permit, include how the wildlife will be utilized, the number needed, where wildlife will be taken from, and how long the permit is needed.
2. A completed application for a Ceremonial Permit.
3. Applications to utilize threatened or endangered species for ceremonial purposes must be accompanied by a copy of a federal permit.

B. Permit Conditions:

1. Permits are issued in the name of an individual, the permittee. Permits are not issued to agencies, institutions, governments, clans, or other groups of people. Adherence to permit conditions and authorizations is the sole responsibility of the permittee.
2. Limits may be placed on the number of species that will be permitted to be collected. Areas may be designated where wildlife may or may not be collected, if it is deemed necessary in order to manage a particular species. These limits are recommended by Wildlife Biologists who base their decision on the impacts that are likely to occur on wildlife populations as a result of collecting the species and number requested. The Director of the Department of Fish and Wildlife makes the final determination on collection limits based upon an applicants request and the recommendations made by the Wildlife Biologists.
3. Permits are issued for a specific length of time. All permits expire on December 31st of the calendar year for which the permit is issued or at the ending date of the permit, whichever occurs sooner. Ceremonial collecting that occurs on an annual basis must be approved by a permit issued for each new calendar year.
4. Reporting Requirements: In the event that it is determined that collecting for ceremonial purposes may impact a wildlife population significantly, then a report will be required of all collecting activities. Report forms will be provided to the permittee. Report deadlines will be determined by the Director of the Department of Fish and Wildlife on a case by case basis depending on Departmental needs in order to properly manage wildlife resources.

- C. Denial of a Permit:** An applicant has the right to administratively appeal a permit denial by filing an appeal with the Director of the Department of Fish and Wildlife within 30 days of a formal permit denial. If no appeal is filed within 30 days, then the decision shall become final and not subject to further review. The Director shall render their decision within 5 days of said appeal. An applicant may appeal the decision of the Director to the Navajo Office of Hearing Appeals by filing an appeal within 30 days of receipt of the final decision issued by the Director. If an applicant fails to file an appeal within 30 days of the Director's decision, then the decision shall become final and not subject to further review.
- D.** Failure to comply with these procedures and conditions may result in delays in application processing, may result in permit revocation or denial of future permit applications.

3.04 Live Wildlife Permit: A permit issued by the Director of the Department of Fish and Wildlife is required to import or possess any live wildlife on Navajo Nation lands. Wild means those species normally found in a state of nature.

- A.** Importation, exportation, possession, and propagation of live wildlife is prohibited unless specifically permitted.

4.00 TRAPPING

4.01 Permit Requirements:

- A.** Seasons and bag limits are established by the Resources Committee of the Navajo Nation Council.
- B.** A Navajo Nation Small Game Permit is required to take furbearers and wild dogs with a firearm.
- C.** Commercial Trapping and Pelt Permits are required to trap, possess, purchase, sell, or transport furbearer pelts on the Navajo Nation.

4.02 Traps Permitted:

- A.** Steel traps with a jaw spread of no greater than 6 ¼" inches. A pan tension device must be used. Snares, conibear traps, and all other devices are prohibited.
- B.** Special traps may be permitted upon approval by the Director of the Department of Fish and Wildlife.

4.03 Species Permitted to be Taken: All furbearers, wild dogs, and feral cats may be taken during the commercial trapping season.

4.04 Identification of Traps: All traps must be identified with the name, address of owner or a registration number may be used in lieu of name and address, only if the registration mark or number is registered with the Department of Fish and Wildlife.

4.05 Trap Set Locations:

- A.** Trapping sets must be at least one-half (1/2) mile away from any residence or designated recreational area boundary unless permission is granted.
- B.** Traps must be set no less than 60 feet from any graded or paved road.
- C.** Traps will be set a minimum of 50 feet from any carcass (flesh, hide, fur, feathers of any animal that is visible from any angle).
- D.** Flagging is permitted if the flag material is not of any animal parts.

4.06 Baits:

- A. Any meat or fish bait used must comply with regulations 4.05, C.
- B. Lures or baits composed of legally taken small game or non-game fish are permitted.
- C. Live bait is prohibited.
- D. Sight bait is prohibited.

4.07 Trap Checking:

- A. All traps must be checked at least every 48 hours.
- B. Traps or the contents of traps belonging to another shall not be disturbed (Violators are subject to 17 N.N.C., Section 330; Theft).
- C. Any raptor (e.g., hawk, owl, eagle, or falcon) or other animal not authorized for trapping that might accidentally be caught shall be released immediately. Any dead or severely injured raptor or other animal should be immediately turned over to the Director of the Department of Fish and Wildlife.

4.08 Reports Required: All trappers shall submit any required information concerning the taking of wildlife to the Department of Fish and Wildlife upon request.

4.09 Special Tagging Requirements: All bobcats taken within the commercial trapping season must be presented to the Director or his authorized agent(s) for tagging with the required federal export tag within 30 days of taking, unless otherwise authorized by the Director of the Department of Fish and Wildlife. All bobcat pelts presented for tagging must be accompanied by a lower jaw and other necessary information as required.

5.00 INTERFERENCE WITH HUNTERS AND/OR TRAPPERS

5.01 It shall be considered a violation of these regulations to intentionally interfere with the lawful taking of wildlife by another person or to intentionally harass, drive, or disturb any game animal for the purpose of disrupting a lawful hunt. Moreover, anybody involved in this type of activity may be subject to prosecution consistent with applicable laws and regulations.

6.00 VENDORS OF NAVAJO HUNTING, FISHING, AND BOATING PERMITS

6.01 General Information: Any licensed establishment will be provided the opportunity to become vendors for the sale of Department of Fish and Wildlife permits provided that they meet all vendor requirements as determined by the Director of the Department of Fish and Wildlife.

6.02 Vendor Requirements:

- A. Bonding will be required by the prospective vendor at a rate established by the Resources Committee of the Navajo Nation Council.
- B. Permits may be issued by the Director of the Department of Fish and Wildlife, upon acceptance of a valid application.
- C. **The Cancellation of a Bond Form:** Shall be submitted to the Department of Fish and Wildlife in the event the vendor chooses to be released from vendorship. The Department of Fish and Wildlife will then audit all vendor records and receipts for permit booklets issued to insure the vendor has no outstanding debts. Favorable review will then result in release of vendor from further liabilities associated with vendorship.
- D. Permit sales will be reported monthly and are on a calendar year basis.

6.03 Vendor Commission: Vendors shall receive a \$1.00 commission for each permit sold.

7.00 WILDLIFE THEFT PREVENTION FUND: OPERATION GAME THIEF (OGT)

7.01 General Information; Authorized Expenditures:

- A.** There shall be a Wildlife Theft Prevention Fund which shall consist of:
 - 1. Money received from donations or fund raising.
 - 2. Money received as fines, forfeitures, and restitutions collected for violations of 17 N.N.C., Sections 500-512.
- B.** Funds from the Wildlife Theft Prevention Fund shall be expended only for the following purposes:
 - 1. The financing of reward payments to persons, other than enforcement officers, Department of Fish and Wildlife personnel, and members of their immediate families responsible for information leading to the arrest or citation of any person for unlawfully taking, wounding or killing, possessing, transporting, or selling wildlife. The Navajo Nation Department of Fish and Wildlife shall establish the schedule of rewards to be paid for information received and payment shall be made from funds available for this purpose.
 - 2. To finance the promotion of public recognition and awareness of the Wildlife Theft Prevention Program.
 - 3. To finance the investigations of the unlawful take or uses of wildlife through covert procedures.
- C. Funds from the Wildlife Theft Prevention Fund shall be expended in conformity with the regulations governing the Department of Fish and Wildlife Operation Game Theft (OGT) Program.**

7.02 Amount of Rewards:

- A.** A minimum of \$300 shall be paid from the Wildlife Theft Prevention Fund for information leading to the arrest or citation of a person(s) involved in the illegal taking of big game or endangered species on the Navajo Nation.
- B.** A minimum of \$100 shall be paid from the Wildlife Theft Prevention Fund for information leading to the arrest or citation of a person(s) involved in other wildlife violations on the Navajo Nation.

C. Operation Game Thief (OGT) Reward Schedule:

Antelope	\$300	Mule Deer.	\$600
Bald and Golden Eagles.	\$500	Raptors.	\$200
Bighorn Sheep	\$500	T&E Species*	\$300
Black Bear	\$400	Upland Game Birds.	\$200
Elk	\$800	Waterfowl.	\$100
Game Fish.	\$100	Wild Turkey	\$300
Mountain Lion.	\$300	Other Wildlife	\$100

* Threatened and Endangered Species.

7.03 Payment of Rewards:

- A.** Reward payments may be made only for information that has resulted in the arrest or citation of person(s) for violations of Navajo Nation wildlife laws and regulations.

- B. Reward payments shall be made only for violations affecting the wildlife resources of the Navajo Nation.
- C. Reward payments can only be initiated and paid by the Director of the Department of Fish and Wildlife.
- D. Reward payments may be paid in cash, check, or money order made on the Department's Wildlife Theft Prevention Fund Account.

7.04 Civil Liability; Illegal Taking or Possession of Wildlife:

A. The Department of Fish and Wildlife may bring a civil action against any person(s) unlawfully taking, wounding, killing, harassing, or unlawfully taking possession of any of the following wildlife, or parts thereof, and seek to recover the following sums of money as restitution:

- | | |
|------------------------------------|-------------------------------------|
| 1. Each Antelope \$600 | 7. Each Game Bird, Upland |
| 2. Each Bighorn Sheep. . . \$1,000 | Waterfowl \$200 |
| 3. Each Black Bear. \$500 | 8. Each Game Fish. \$100 |
| 4. Each Deer \$750 | 9. Each Mountain Lion. . . . \$600 |
| 5. Each Eagle. \$600 | 10. Each Raptor. \$400 |
| 6. Each Elk. \$600 | 11. Each Wild Turkey. \$600 |

B. All funds recovered shall be deposited into the Wildlife Theft Prevention Fund (Operation Game Theft).

8.00 BIG GAME HUNT UNITS

8.01 A description and map of the game unit boundaries will be included in the Navajo Nation Hunting and Trapping Proclamation, which is made available in May of each year. NAPI and NIIP lands are closed to all hunting unless specifically authorized by a hunting supplement approved by the Executive Director of the Division of Natural Resources.