



2012 – 2013 Brunot area hunting and fishing season proclamation

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

OPEN AND CLOSED AREAS, PRIVATE PROPERTY, AND INDIAN LAND

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

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

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

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

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

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

LAND USE REGULATIONS

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

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

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

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

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

SEARCH AND RESCUE

The Colorado Outdoor Recreation Search and Rescue (CORSAR) card is a means to voluntarily participate in funding the cost of missions, training, and equipment for search and rescue efforts in Colorado. In the event that a card holder is lost or injured in the back country, the county Sheriff can be reimbursed for the costs of a search and rescue mission for that person. The CORSAR card costs \$3.00 for one year, or \$12.00 for five years. Two-thirds of the revenue go to the CORSAR fund, while one-third is retained by card vendors. The CORSAR card can be purchased from local outdoors and sporting goods stores.

GUIDING & OUTFITTING

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

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

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

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

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

Things to ask to be sure your guide/outfitter is legal:

- Do you have the appropriate Tribal/State/Federal Permits
- What are your permit and/or registration numbers?
- Will we be hunting on public lands at any time?
- Do you have a Bureau of Land Management or U.S. Forest Service Permit?

Indications of an illegal outfitter:

- The outfitter does not provide you with a written contract
- The outfitter counsels you not to talk to state or federal officers or asks you to say you're just friends or family hunting together.

Verify an outfitter as legal:

- Contact the SU Wildlife Division for information on Tribal guides and outfitters
- Contact the Colorado Department of Regulatory Agencies to verify a non-Southern Ute Tribal member guide or outfitter www.dors.state.co.us/outfitters
- Contact the Colorado Outfitters Association www.coloradooutfitters.org

If you suspect illegal guiding and outfitting contact the Southern Ute Wildlife Division immediately for assistance. Illegal guiding and outfitting is a serious offense and can have severe consequences for you and the guide/outfitter involved in the activity. The above information is provided to keep you safe and legal while hunting on and off the reservation.

INCORPORATION OF ADDITIONAL REGULATIONS BY REFERENCE

The following sections of the Southern Ute Indian Tribal Wildlife Conservation Code, as amended and published as of the date of adoption of this Proclamation, are adopted by the Southern Ute Indian Tribal Council and incorporated by reference into this Brunot Area Hunting and Fishing Proclamation. The purpose of the incorporation is to provide for the applicability of the incorporated sections to tribal member Brunot Area hunting and fishing notwithstanding any on-Reservation applicability limitation that may be expressed or implied in those sections. All tribal members who wish to hunt or fish in the Brunot Area must comply with the requirements set forth in the incorporated sections. The regulations contained in this Proclamation shall govern in the event of any conflict with the requirements contained in the incorporated sections.

Definitions, Organization, Regulations Article 1 (except for §13-1-106)

- Section 13-2-105: Denial, Suspension and Revocation of Permit Privileges
- Section 13-2-106: Administrative Appeal
- Section 13-2-107: Judicial Review
- Article 3: Offenses
- Article 4: Penalties and Procedures
- Article 5: Evidence and Additional Penalties

JURISDICTION AND LAW ENFORCEMENT

The Tribe and State of Colorado have a shared responsibility for establishing appropriate hunting and fishing regulations for the hunters and fishermen under their respective authorities in the Brunot Area, as well as for enforcing those regulations. It is the Tribe's intent to provide a law enforcement presence in the Brunot Area utilizing Southern Ute Tribal Rangers.

Tribal hunters and anglers are likely to encounter both Tribal and State law enforcement officers while in the Brunot Area, and should be prepared to show appropriate identification and permits, if requested by any law enforcement officer. In general, if a violation of a Tribal wildlife regulation has been committed by a Tribal-permitted hunter or angler, that hunter or angler shall be subject to Tribal citation and prosecution in Tribal Court.

Tribal hunters and anglers are required to carry with them their Tribal identification cards as proof of Tribal-enrolled status.

2012 LAKE CAPOTE RECREATION AREA SCHEDULE & FEES



398 HWY 151
Pagosa Springs, CO 81147
Phone #: (970) 883-2273

LAKE CAPOTE OPERATING SCHEDULE

Opening Day: April 12th, 2012

Initially, the Lake will operate on a 4 day a week schedule, Thursday through Sunday, until May 6th.

The 24/7, 7 days-a-week schedule begins Thursday, May 10th, 2012.

Gates will be open 24/7 until September 2nd.

September 6th through October 8th, Lake Capote will resume a Thursday through Sunday, 4 days-a-week schedule.

Closing Day: October 7th, 2012

Lake Capote is regularly stocked with rainbow trout, brown trout, largemouth bass and catfish.

Southern Ute Tribal Members receive free fishing & camping.

(Not including Derby permits & RV sites)

- **New Shade Structures & Docks**
- **Night Fishing when advertised**
- **Tribal Members receive 50% off RV sites**
- **More food items & fishing supplies available at Bait Shop**

2012 Lake Capote Permit Fees

(Fishing Bag Limit: 3 trout, 1 catfish, all fish 16" or larger and largemouth bass are catch and release only)

Adult Fishing: \$8
Youth Fishing: \$4
Derby Permit: \$13
Tent Site: \$13
RV Site (elec. & water): \$20
Day Use (1st ½ hour free): \$3

(Call for weekly RV discounts or for promotional offers to rent the entire campground for special events)

*** Night fishing will also be back this summer ***

BRUNOT AREA CONTACT INFORMATION

Emergency Numbers

Southern Ute Tribe Dispatch
(any time)
970-563-4401

Colorado State Patrol
(any time)
970-249-4392

Colorado Division of Wildlife
Any Service Center during regular hours.
See phone numbers listed below.

General Hunting/Fishing Information

Southern Ute Indian Tribe
Division of Wildlife Resource Management
116 Mouache Drive, Ignacio, CO 81137
970-563-0130

Colorado Division of Wildlife
Southwest Region Service Center
151 East 16th St., Durango, CO 81301
970-247-0855

Colorado Division of Wildlife
Montrose Service Center
300 W. New York Ave., Gunnison, CO 81230
970-641-7060

Colorado Division of Wildlife
Gunnison Service Center
2300 S. Townsend Ave., Montrose, CO 81401
970-252-6000

Federal Lands Offices

San Juan Public Lands Center (BLM/USFS)
15 Burnett Court, Durango, CO 81301
970-247-4874

San Luis Valley Public Lands Center (BLM/USFS)
1803 W. Hwy 160, Monte Vista, CO 81144
719-852-5941

Grand Mesa-Uncomp.-Gunnison Nat'l Forests
2250 Highway 50, Delta, CO 81416
970-874-6600

Gunnison Field Office (USFS)
216 N. Colorado, Gunnison, CO 81230
970-641-0471

Columbine Field Office (BLM/USFS)
29211 Hwy. 184, Dolores, CO 81323
970-884-2512

Dolores Public Lands Office (BLM/USFS)
367 Pearl St., Bayfield, CO 81222
970-882-7296

Del Norte Field Office (BLM/USFS)
13308 W. Hwy. 160, Del Norte, CO 81132
719-657-3321

Pagosa Field Office (BLM/USFS)
P.O. Box 310, Pagosa Springs, CO 81147
970-264-2268

Uncompahgre Field Office (USFS)
2465 South Townsend Ave., Montrose, CO 81401
970-240-5300