

2023 – 2024 Brunot Area Hunting & Fishing Proclamation

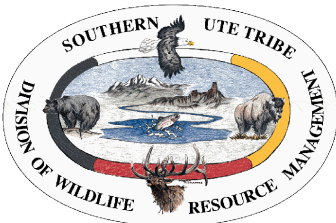
For Brunot Area Hunting & Fishing by Southern Ute Tribal Members



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Includes information on:

- *Season dates for Tribal Member Brunot Area hunting & fishing*
- *Hunting and fishing regulations and permitting requirements*
- *General maps of hunting and fishing areas*
- *Helpful tribal, state, and federal contact information*



Southern Ute Indian Tribe
Division of Wildlife Resource Management
P.O. Box 737 / 116 Memorial Drive
Ignacio, Colorado 81137
Phone: (970) 563-0130
<http://www.southernute-nsn.gov/WRMweb/>

2023-2024 BRUNOT AREA HUNTING AND FISHING SEASONS

Season Type	Permitting Start Date	Season Dates
Spring Turkey	March 13 th	March 25 th – May 28 th
Mule Deer Rocky Mtn. Elk Fall Turkey	August 14 th	August 26 th – November 26 th
Bighorn Sheep* Mountain Goat* Moose*	August 14 th	August 26 ^h – October 31 st (Sheep) September 2 nd – October 31 st (Goat) September 2 nd – October 31 st (Moose)
Mountain Lion	September 18 th	November 1 st , 2023 – April 21 st , 2024
Upland Game Birds	August 14 th	September 1 st – December 31 st (Grouse, Ptarmigan, Pheasant and Chukar)
Waterfowl and Migratory Game Birds	August 14 th	Waterfowl season dates and bag limits will coincide with the Pacific and Central flyway season framework and the State of Colorado waterfowl hunting seasons.
Small Game	Anytime	Calendar Year
Fishing	Anytime	Calendar Year

* Permitting for these rare game species takes place through a special application and drawing process each spring. For more information, see *Rare Game Permitting* on Page 5.

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What's New & Reminders for 2023/2024 Hunting and Fishing

Chronic Wasting Disease

Chronic wasting disease (CWD) was detected in a mule deer buck in the San Juan Basin in 2020. CWD is degenerative brain disease of deer and elk that takes time to progress but is always fatal to the infected animal. CWD is most prevalent in male mule deer greater than two years old. The prevalence of CWD in our mule deer herd is currently very low (less than 1%), however the Wildlife Division (Division) recommends having harvested adult male mule deer tested for CWD. There is no evidence that CWD can spread between infected animals and humans, however the Division does not recommend consuming meat of tested animals until tests results are obtained. Also, the Division does not recommend consuming meat from CWD positive animals. Testing is voluntary and will be free of charge for tribal members wishing to have their animals sampled. The Division will test any deer or elk that tribal members wish to have sampled.

Ute Hunting Access to Lone Mesa State Park

Lone Mesa State Park (LMSP), located 23 miles north of the Town of Dolores, is a closed-access park specially managed by the State of Colorado for limited deer and elk hunting. Negotiations between the Tribe and Colorado Parks & Wildlife led to a hunting opportunity for tribal members within the state park. The Tribe will permit interested enrolled Tribal Members on a limited-draw basis for deer and elk hunting in LMSP for 2023. Applications for limited park access permits will be accepted at the Wildlife office during the month of May. Please contact the Southern Ute Wildlife Division for more information or visit the Park website at <https://cpw.state.co.us/placestogo/parks/LoneMesa>.

Rare Game application and draw schedule Applications for rare game (Bighorn Sheep, Moose, Mountain Goat) will be accepted at the Wildlife office during the month of May. The draw and subsequent notification of winners for rare game permits will take place in June. Contact the Wildlife office for applications and any questions about this process.

Continued Buck and Bull Mandatory Validation In order to better support harvest management and protection of deer and elk resources, the mandatory buck and bull validation continues. Buck deer and bull elk taken from the Brunot Area must be validated by Wildlife Division or Wildlife Enforcement staff within five (5) business days of harvest.

INTRODUCTION TO BRUNOT AREA HUNTING & FISHING

In 1873, the confederated bands of Utes ceded a large portion of their 1868 reservation to the Federal government under a treaty commonly known as the “Brunot Agreement”. This ceded area – or “Brunot Area” – is approximately 3.7 million acres of the San Juan Mountain region within the State of Colorado. The Agreement represented a major loss to the reservation land base and was yet another blow to the Utes’ traditional hunting-and-gathering way of life.

Included within the 1873 Agreement was an important provision reserving for the Utes the right to “hunt upon said land so long as the game lasts and the Indians are at peace with the white people.” Despite the continued loss of lands, the corresponding reduction in the size of the Ute reservation, and the relocation of certain Ute bands outside of Colorado – this reserved right within the Brunot Area has remained undiminished to this day. Based on historical evidence and testimonials from Ute elders, this reserved right includes not only hunting but also fishing and gathering activities by which the Utes supported themselves in the region for centuries prior to the Agreement.

In 2008, the Southern Ute Indian Tribe entered a new agreement – this time with the State of Colorado – addressing the Tribe’s exercise of its long-held Brunot Area hunting and fishing rights. This agreement – or Memorandum of Understanding (MOU) – details how the Tribe and State approach Brunot Area hunting, fishing, and wildlife law enforcement, and expresses the intent of both governments to work cooperatively toward long-term conservation of wildlife within the Brunot Area. With the completion of the MOU, Tribal Members are once again able to exercise the Tribe’s long-held rights to hunt and fish within the Brunot Area, in accordance with regulations established by the Tribe.

This document is an annual proclamation, approved by the Southern Ute Tribal Council, and applies only to hunting and fishing by enrolled Southern Ute Tribal Members within the Brunot Area. For more information, please contact the Tribe’s Division of Wildlife Resource Management.

SEASON FRAMEWORK

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

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

Cultural and Ceremonial Hunting

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

PERMITTING

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

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

Permitting for Brunot Area hunting and fishing is managed entirely through the Tribe's Division of Wildlife office, located in the Annex Building on the tribal government campus near Ignacio, Colorado. Permits may be obtained in-person at this office or by mail for those Tribal Members living outside the Reservation area. Brunot Area hunting and fishing permits are issued free-of-charge for the first issuance. A \$5 fee applies for replacement of lost or damaged permits.

Permitting Start Dates

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

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

Permit Eligibility

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

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

Permit Transferability

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

Mail-Out Permits

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

Permit Replacement

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

Rare Game Permitting

Unlike other Brunot Area permitting, permitting for Rare Game (i.e., Rocky Mountain bighorn sheep, moose, and mountain goat) is handled through a permit application and drawing process. Availability of applications will be announced through local media in the Ignacio area, and applications will only be accepted during the month of May. Random drawings from among the applicants will then determine the recipients of a very limited number of hunting permits. Notification of these individuals will occur during the month of June. Those who repeatedly apply but do not receive a permit will accrue bonus points, which will improve future chances of selection.

For detailed information on the rules governing the Tribal Council-approved lottery process and bonus point system, please contact the Southern Ute Division of Wildlife office.

HUNTING REGULATIONS

Presented in this section are the 2023/24 Tribal Council-approved regulations pertaining to the harvest of Brunot Area *Big Game*, *Rare Game*, *Small Game*, *Upland Gamebirds*, and *Waterfowl*.

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

<u>Hunt Type</u>	<u>Bag Limit (per hunter)</u>
Mule Deer	2 (1 buck and 1 doe)
Rocky Mtn. Elk	2 (1 bull and 1 cow)
Mountain Lion	1 (either sex)
Fall Turkey	1 (either sex)
Spring Turkey	1 (bearded gobbler)
Bighorn Sheep (<i>Three permits available for 2023</i>)	1 (either sex)
Mountain Goat (<i>Two permits available for 2023</i>)	1 (either sex)
Moose (<i>Two permits available for 2023</i>)	1 (either sex)
Small Game ¹	Unlimited

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

Daily Bag Limits for Upland Gamebirds and Waterfowl

UPLAND GAMEBIRDS

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

WATERFOWL and MIGRATORY GAMEBIRDS

Waterfowl and migratory game bird season dates and bag limits will coincide with the Pacific and Central flyway season framework and the State of Colorado waterfowl hunting seasons. Please obtain and read the Colorado Parks and Wildlife 2023 Waterfowl Hunting Brochure for more information. Waterfowl hunters are required to obtain a federal duck stamp before hunting waterfowl (available at any Post Office).

Legal Weapons

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

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

*Legal weapons for **turkey** shall include:*

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

*Legal weapons for **waterfowl** shall include:*

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

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

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

Evidence of Sex

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

Carcass Tagging

The carcass of a harvested large game animal (i.e., mule deer, elk, mountain lion, turkey, bighorn sheep, mountain goat, or moose) must be tagged by the person who harvested the animal. The hunter must physically notch (cut) the Month and Day of harvest indicated on the permit and sign the permit in ink immediately after harvesting the animal. The hunter must then remove the permit face (i.e., the “tag”) from its backing and affix it to the carcass.

All big game animals must be securely tagged with the carcass tag prior to transportation. If numerous trips are required to remove the carcass from the field, the tag should remain attached to the portion of the carcass that is first brought to camp or to a vehicle.

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

Deer & Elk Harvest Reporting

For 2023, hunters are still required to have buck deer and bull elk validated. Hunters should be prepared to describe generally *where* and when an animal was harvested. Validation must occur within five business days of harvest. The Division will work with hunters to arrange a time and place to meet to validate their animals. Doe deer and cow elk harvests still must be called into the Division; however, a full validation isn't required. Failure to report the successful harvest of any mule deer or elk from the Brunot Area could subject the hunter to penalties under the Tribe's Wildlife Conservation Code.

Rare Game and Mountain Lion Harvest Validation

Hunters are *required* to have validated any **mountain lion, bighorn sheep, mountain goat, or moose** harvested from the Brunot Area. Validation is the physical inspection of the animal by staff of the Tribal Division of Wildlife staff are not available for weekend validations; therefore, animals must be validated during regular business hours (Monday - Friday, 8:00am -12:00pm, 1:00pm - 5:00pm).

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

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

Mountain Lion Hunting

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

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

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

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

(See map on pg. 24)

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

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

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

Trained hunting dogs may be used to hunt mountain lions.

Upland Gamebird Hunting

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

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

Waterfowl and Migratory Gamebird Hunting

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

The Brunot Area encompasses parts of both the Central and Pacific Flyways. Most of the Brunot Area is within the Pacific Flyway, while the Central Flyway portion is a much smaller area located east of the Continental Divide

Please note that, under Federal law, all waterfowl hunters are required to purchase and possess a Federal Duck Stamp. A Duck Stamp can be purchased at a local Post Office.

Trapping of Small Game

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

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

All trappers must comply with the following tribal trapping regulations:

- *Trapper Notification & Reporting.* A trapper must provide at least two weeks advance notice to the Tribal Division of Wildlife of any planned Brunot Area trapping effort. The notice must include approximate location of traps, number and type(s) of traps to be used, and approximate timeframe for operating the traps. Within two weeks of completing the trapping, the trapper must have traps completely removed from the field and report to the Division the trapping results (i.e., identify all target and non-target species captured, animals retained or harvested, and all non-target mortalities).
- *Trap Attendance.* Any individual operating a trap within the Brunot Area is required to physically inspect the trap at least once every 24 hours. Note that this is not a “once daily” requirement; a trapper cannot inspect a trap on one morning and return in the afternoon the next day, as this would be in excess of 24 hours.
- *Trap Types Allowed.* Only *live traps* may be used for trapping in the Brunot Area, which includes any non-lethal cage, box, or Sneed-design colony traps.

All other methods of trapping are prohibited, including, but not limited to, all types of legholds, snares, and instant kill traps.

- *Bait Restrictions.* Visual lures, fresh meat baits, fish oil, and anise oil lures meant to attract felids are not permitted due to the risk of injury or mortality for Canada lynx.
- *Target and Non-Target Captures.* All captured target species must be killed on-site when the trap is checked. All captured non-target species that are un-injured must be released. Accidental mortality of non-target animals must be reported to the Wildlife Division, per the trapper reporting requirement.

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

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

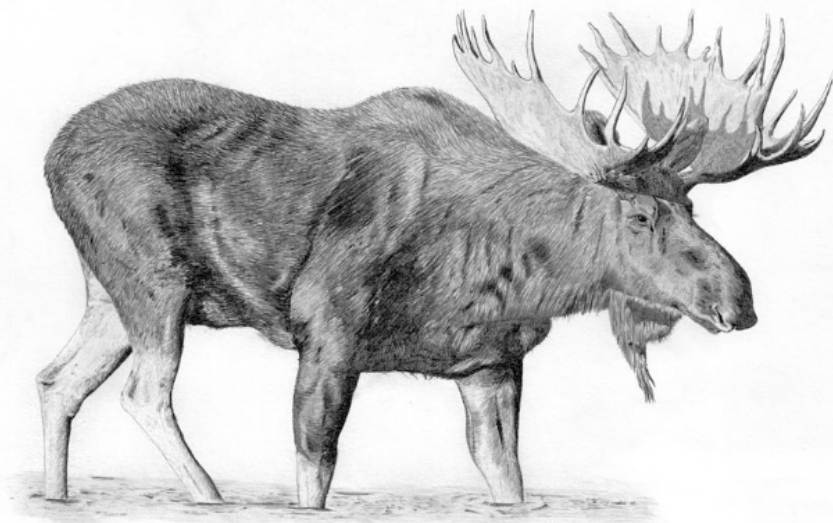
Other Hunting Requirements

- *Hunter Safety Requirements.* All hunters under the age of 21 years must have successfully completed a hunter safety education course prior to issuance of permits. Hunters under age 21 must be able to present their hunter safety education card when acquiring permits and must carry the card with them while hunting. Both the Tribe and Colorado Parks and Wildlife offer hunter education classes and should be contacted for more information.
- *Hunters Under Age 18.* Hunters under 18 years of age must be accompanied by an adult while hunting.
- *Daylight Fluorescent Orange or Pink.* For non-archery hunters hunting mule deer, elk, or moose within the Brunot Area, it is required that the hunter wear a head covering and an outer garment above the waistline of solid daylight fluorescent orange or pink color, totaling 500 square inches or more of clothing. Penalties include a \$50 fine and penalty points toward suspension of hunting/fishing privileges.
- *Loaded Firearm in Vehicle.* It is unlawful for any person, except those authorized by law, or by the Tribe's Department of Justice and Regulatory, Enforcement Division, or Wildlife Management Division, to carry or possess any firearm other than a pistol or revolver in or on any motor vehicle, unless such firearm is unloaded. For purposes of this section, a rifle or shotgun shall

be considered unloaded if it is unloaded in the chamber; a muzzle-loader shall be considered unloaded if it is not primed, and, for such purpose "primed" means having a percussion cap on the nipple, a primer in the breech, or flint in the striker and powder in the flash pan; and a bow shall be considered unloaded if an arrow is not nocked on the string. Penalties include a \$300 fine and penalty points toward suspension of hunting/fishing privileges.

- *Shooting from Road.* It is unlawful for any person to shoot any type of firearm from or across or onto any maintained public road. "Road" shall mean the area extending 50 feet on either side of the center line of the roadway. Penalties include a \$250 fine and penalty points toward suspension of hunting/fishing privileges.

- *Shooting from a motor vehicle.* It is unlawful for any person to shoot any type of firearm from a motor vehicle to take wildlife. Penalties include a \$300 fine and penalty points toward suspension of hunting/fishing privileges.



FISHING REGULATIONS

Presented in this section are the Tribal-approved seasons and regulations pertaining to fishing within the Brunot Area for 2023. The fishing season is the calendar year, January 1st through December 31st. Except as noted under *Special Management Fisheries*, standard angling methods and daily bag limits apply to all Brunot Area fishing by Tribal anglers.

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

Standard Angling Methods

Game fish may be taken by hook and line, as well as by bowfishing (see *Bowfishing*). Fishermen are allowed up to two fishing rods at a time per angler. For bait fishing, one line may be used with up to two single baited hooks attached. For lure fishing, one line may be used with one artificial lure attached. Artificial lures may have up to two hooks (single, double, or treble) attached. For fly-fishing, one line may be used with up to two flies attached.

General Fishing Restrictions

- *Legal Fishing Hours / Duration.* Fishing may occur 24-hours a day, unless the daily bag or possession limit is met. Once the daily bag or possession limit is met, the angler must discontinue fishing.
- *Illegal Fishing Gear / Methods.* Use of the following gear or methods to catch fish is prohibited on all Brunot Area waters: all net types (excluding hand-held landing nets), trotlines, traps, explosives, poisons, guns, or any other gear or method not specified in the *Standard Angling Methods* section.
- *Chumming.* Chumming, or placing in the water any type of fish attractant for the purpose of catching fish, is prohibited in all Brunot waters. Chumming does not include the use of bait, lures, and flies as specified in the *Standard Angling Methods* section.
- *Bait.* Permitted baits are worms, insects, crayfish, vegetable matter, artificial salmon eggs, PowerBait, fish (dead only) and amphibians (live or dead), provided that fish and amphibian species used for bait must be non-native to the Brunot Area. Check with the Wildlife Division on native species prohibited from use as bait. Bait restrictions still apply in certain *Special Management Fisheries* identified herein.

- **Planting Fish.** It is unlawful to release or move into any Brunot Area waters any fish from aquaria, ponds, bait buckets, or any other external fish source.
- **Fishing Pole Attendance.** Anglers must attend their fishing pole (be within 50 feet) at all times.
- **Minnows.** It is unlawful to take, possess, transport, or sell live minnows anywhere within the Brunot Area.

Bowfishing

Bowfishing is allowed for northern pike and carp at all times in all Brunot Area waters. Bowfishing is also allowed for kokanee salmon concurrent with times and locations designated for salmon snagging. See *Salmon Snagging* for specific locations and timing.

Legal equipment for bow fishing shall include recurve, compound or longbows with reels and arrows attached with fishing line. Arrows must have barbed heads and be equipped with a safety slide keeping the line in front of the bow at all times.

Daily Bag and Possession Limits

The **Daily Bag Limit** is the maximum number of game fish you can take in one day. The **Possession Limit** is the number of fish you may have in your possession at any one time, including in your creel, ice chest, vehicle, camp, or home. The possession limit for all game fish is *no more than one daily bag limit* (single species or in aggregate), as indicated in the *Daily Bag and Possession Limits* table. Bag and Possession Limits do not apply to those species where “Unlimited” take is indicated.

Game Fish	Limit (All Water Types)
Trout* (Rainbow, Brown, Cutthroat, Splake, Golden, Lake, Brook over 8")	4
Brook Trout (under 8")	10
Kokanee Salmon	10
Northern Pike	Unlimited
Common Carp	Unlimited
Yellow Perch	Unlimited
Bullhead	Unlimited
White Sucker	Unlimited

Game Fish		Limit
	Lakes/Reservoirs	Rivers/Creeks
Channel Catfish	10	Unlimited
Bass (Largemouth, Smallmouth, Spotted)*	10	Unlimited
Sunfish (Bluegill, Green, Redear, Pumpkinseed)*	20	Unlimited
Crappie (White and Black)*	20	Unlimited
Walleye and Saugeye*	5	Unlimited
Tiger Muskie	1 fish, 36" or larger	Unlimited

* The Daily Bag and Possession Limits for trout, bass, sunfish, crappie, walleye and saugeye are IN AGGREGATE, meaning that the limits for each group of fish consist of one species or a mix of the different species indicated.

Special Management Fisheries

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

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

- *Animas River.* From Lightner Creek to the south Brunot Area boundary located at Rivera Crossing Bridge.
- *Bear Creek.* From headwaters downstream to the Dolores River.
- *Dolores River.* From McPhee Dam downstream to the west Brunot Area boundary, near Lone Dome State Wildlife Area.
- *Emerald Lakes (Big & Little).* Located 10 mi northeast of Vallecito Res.
- *Lake Fork (of Gunnison River).* From High Bridge Gulch downstream to the north Brunot Area boundary.
- *Los Piños River.* From headwaters downstream to the Weminuche Wilderness boundary.

- *Piedra River.* **CATCH & RELEASE ONLY** from USFS Road 631 bridge downstream to the lower boundary of the Tres Piedra Ranch (1.5 miles above US160). *All trout must be returned to the water immediately.*
- *Rio Grande River.* From the lower boundary of River Hill Campground (near Rio Grande Reservoir) to the east Brunot Area boundary, just west of Creede, Colorado.
- *Vallecito Creek.* From headwaters downstream to the Weminuche Wilderness boundary.

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

- *Big Bend Creek* (8 mi southwest of Durango Mtn. Resort)
- *Clear Creek* (6 mi northwest of Hermosa)
- *Cooper Lake* (10 mi southwest of Lake City)
- *Deep Creek* (6 mi west of Telluride)
- *Disappointment Creek* (4 mi north of Groundhog Res.)
- *Elk Creek* (10 mi west of Telluride)
- *Hermosa Creek, East Fork* (at Durango Mtn. Resort)
- *Hermosa Creek* (headwaters to confluence with East Hermosa Cr.)
- *Piedra River, East Fork* (15 mi northwest of Pagosa Springs)
- *Priest Gulch* (10 mi southwest of Rico)
- *Rio Lado* (10 mi southwest of Rico)
- *Slate Creek* (6 mi northeast of Rico)
- *Sloan Lake* (10 mi northeast of Silverton)
- *Spring Creek* (8 mi west of Rico)
- *Wildcat Creek* (5 mi south of Rico)

C. Trophy Bass Waters include two reservoirs where harvest is restricted to a smaller number of fish and/or specific size ranges in order to promote healthy reproductive bass populations.

- *McPhee Reservoir.* All bass (either smallmouth or largemouth) between the sizes of 10" and 15" must be immediately returned to the water. The Daily Bag and Possession Limit for bass from McPhee Reservoir is 5 fish.
- *Totten Reservoir.* Located near Cortez, anglers may only keep smallmouth and largemouth bass that are 15 inches in length or longer. Anglers must also refrain from fishing along the north shore of the

reservoir from March 1 through May 31 in order to protect nesting waterfowl.

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

- *Big Emerald Lake Inlet Creek (CLOSURE)*. All fishing is prohibited in Lake Creek inlet for ½ mile above Big Emerald Lake from April 15 thru July 15.
- *Grimes Creek (CLOSURE)*. All fishing is prohibited in Grimes Creek from September 1 thru November 14.
- *Groundhog Reservoir Inlet Creeks (CLOSURE)*. All fishing is prohibited in Nash Creek and Groundhog Creek inlets for ½ mile above Groundhog Reservoir from April 15 through July 15.

E. Salmon Snagging or using hooked devices to snag salmon in parts of their bodies other than the mouth, is only allowed for kokanee salmon in designated waters during certain times of the year. Standard daily bag / possession limits for kokanee and gear restrictions for lure fishing apply to snagging.

- *Florida River (above Lemon Reservoir)*. Snagging of kokanee salmon is permitted above Lemon Reservoir from September 1 thru December 31.
- *Grimes Creek (upstream of Vallecito Res. water line)*. Snagging of kokanee salmon is permitted above Vallecito Reservoir from November 15 through December 31. All kokanee salmon caught before November 15 must be returned to the water immediately.
- *Vallecito Creek (CR501 upstream to Weminuche W.)*. Snagging of kokanee salmon is permitted above Vallecito Reservoir from November 15 through December 31. All kokanee salmon caught before November 15 must be returned to the water immediately.

PROTECTED FISH & WILDLIFE

In order to ensure the long-term conservation of many rare and protected species that occur within the Brunot Area, the Tribe does not allow harvest of certain fish and wildlife by Brunot Area hunters and anglers. These include all species protected from take under the various Federal wildlife laws (e.g., Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act); those species protected under State of Colorado Title 33, and

designated wildlife populations that are the subject of special research or re-introduction efforts.

For the Brunot Area, the protected wildlife species most likely to be encountered by hunters include Canada **lynx**, **river otter**, **Gunnison sage grouse**, **sharp-tailed grouse**, **all raptors** (eagles, hawks, falcons, owls), and **all songbirds**. The protected fish species most likely to be encountered by anglers include **Colorado River and Rio Grande cutthroat trout** (designated pure populations), **roundtail chub**, **flannelmouth sucker**, and **bluehead sucker**.

None of these protected fish and wildlife species may be harvested by Tribal Brunot Area hunters or anglers. For a complete list of protected species, please contact the Tribal Division of Wildlife.

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

OPEN AND CLOSED AREAS, PRIVATE PROPERTY, AND INDIAN LAND

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

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

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

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

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

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

LAND USE REGULATIONS

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

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

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

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

create exceptions to the general applicability of such regulations to Tribal Member Brunot Area hunting and fishing.

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

GUIDING & OUTFITTING

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

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

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

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

Service should be contacted for more information. The terms “hunting” and “fishing”, as they relate to guiding and outfitting, are used interchangeably.

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 are serious offenses 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.

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

<i>Section 13-2-105</i>	Denial, Suspension and Revocation of Permit Privileges
<i>Section 13-2-106</i>	Administrative Appeal
<i>Section 13-2-107</i>	Judicial Review
<i>Article 3</i>	Offenses
<i>Article 4</i>	Penalties and Procedures
<i>Article 5</i>	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.

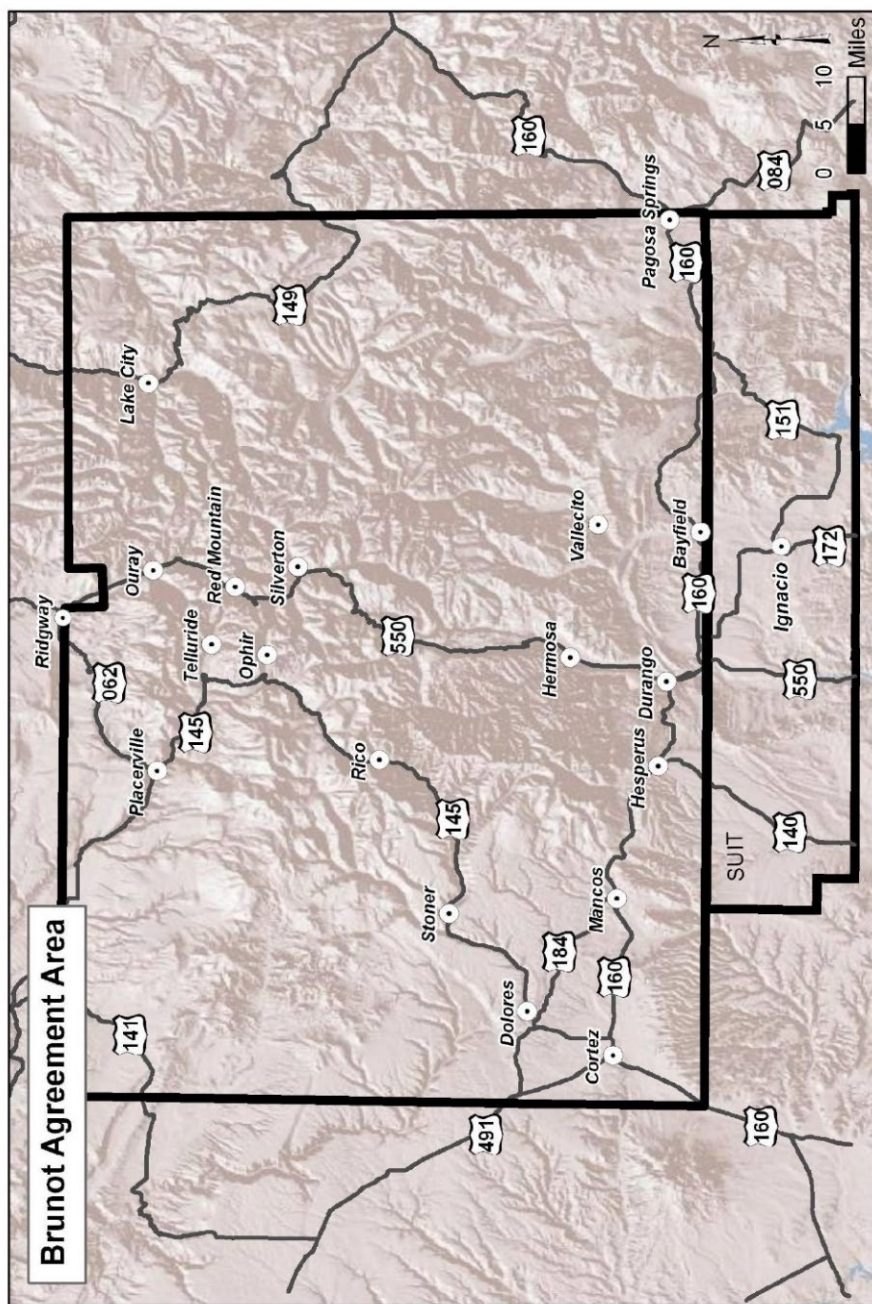
Tribal hunters and anglers are required to carry with them their Tribal identification cards as proof of Tribal-enrolled status.

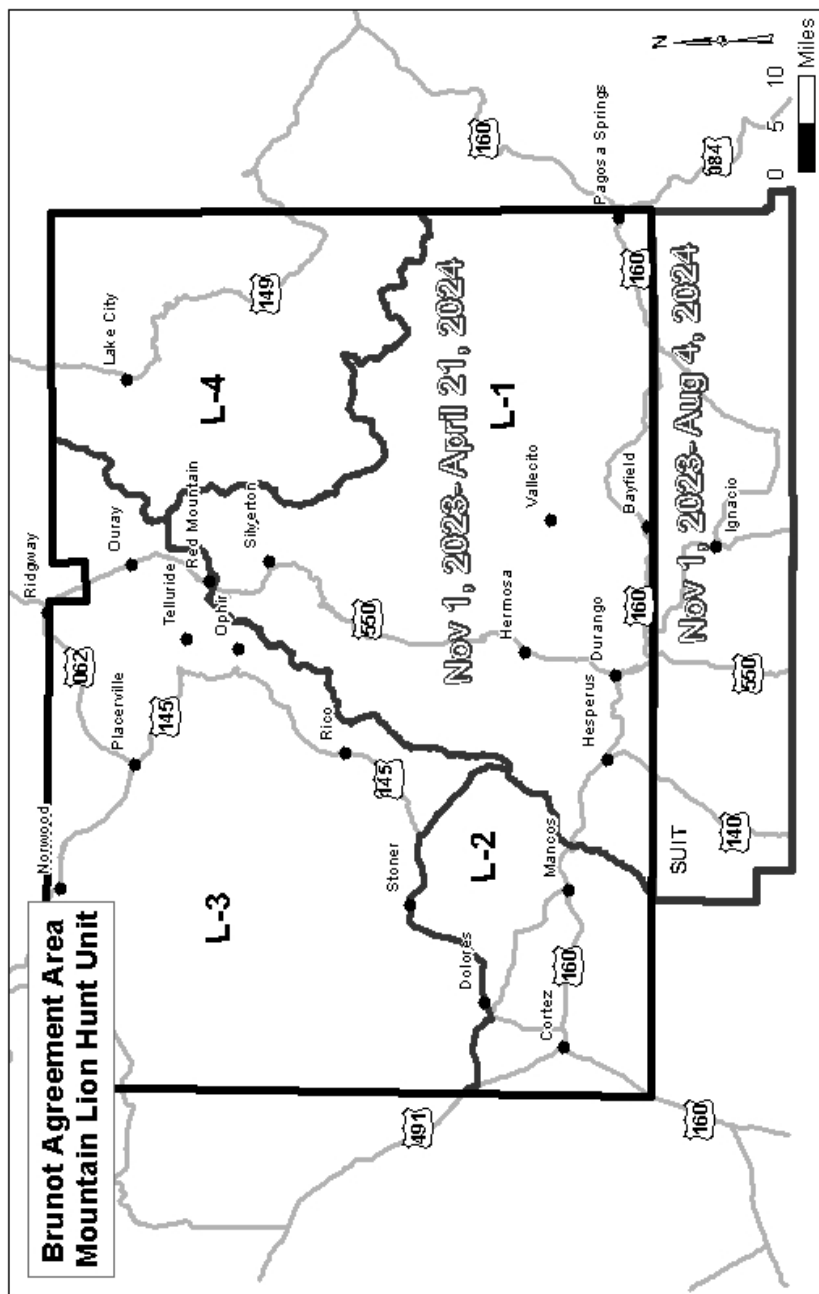
SEARCH AND RESCUE

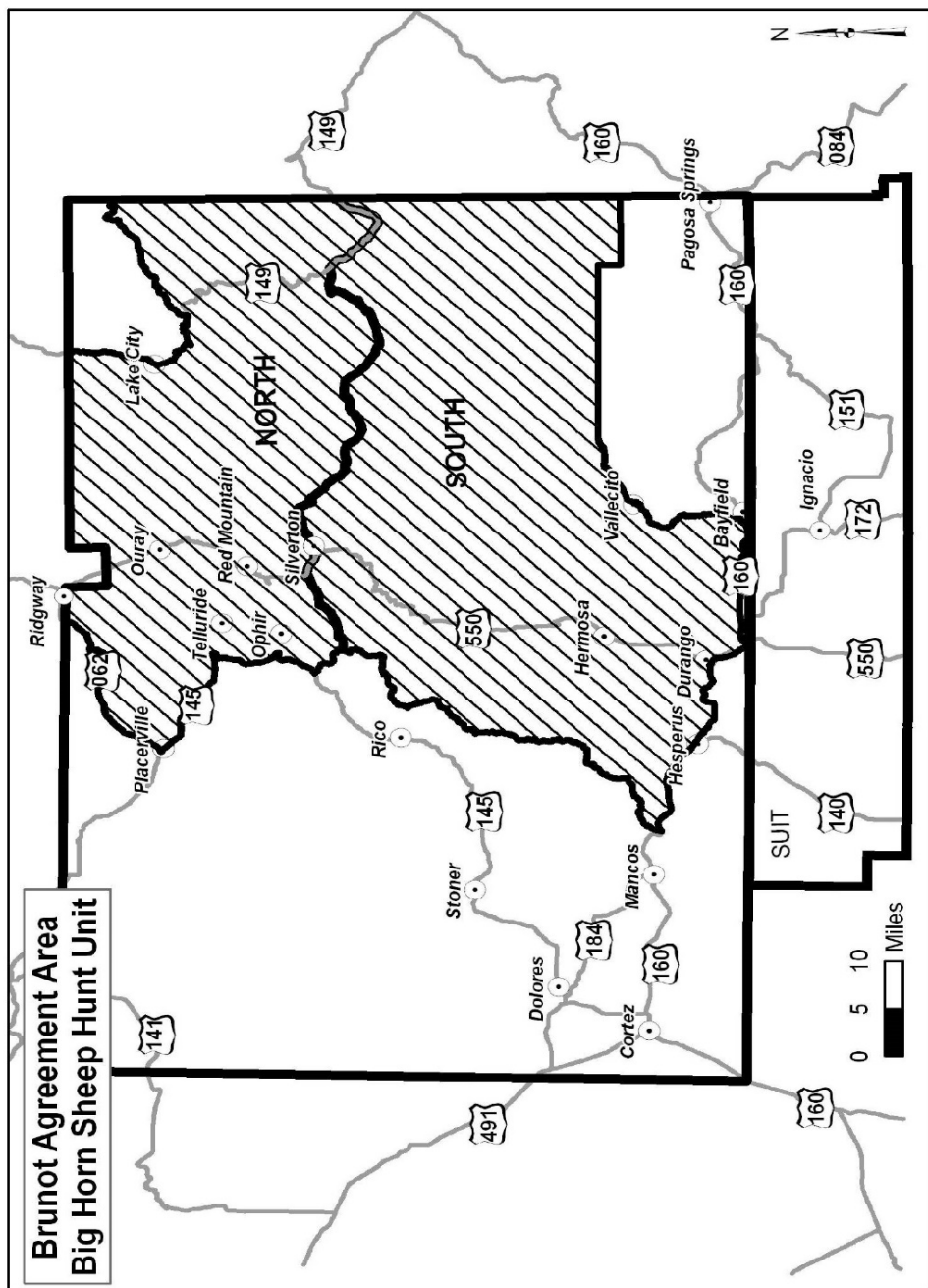
The Colorado Outdoor Recreation Search and Rescue (CORSAR) card is a means to voluntarily participate in funding the cost of missions, training, and equipment for search and rescue efforts in Colorado. If a card holder is lost or injured in the back country, the county Sheriff can be reimbursed for the 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.

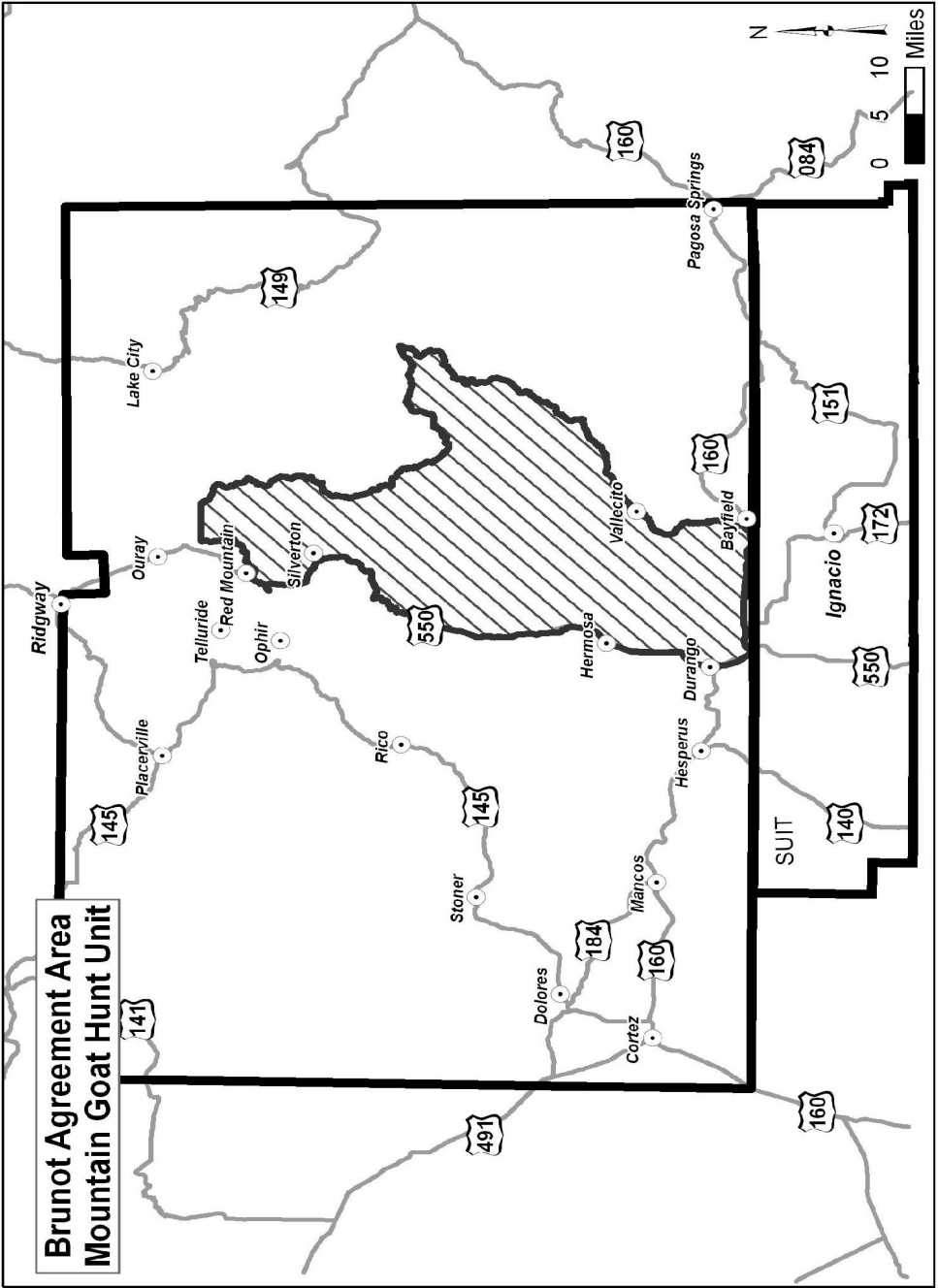
BRUNOT AREA MAPS

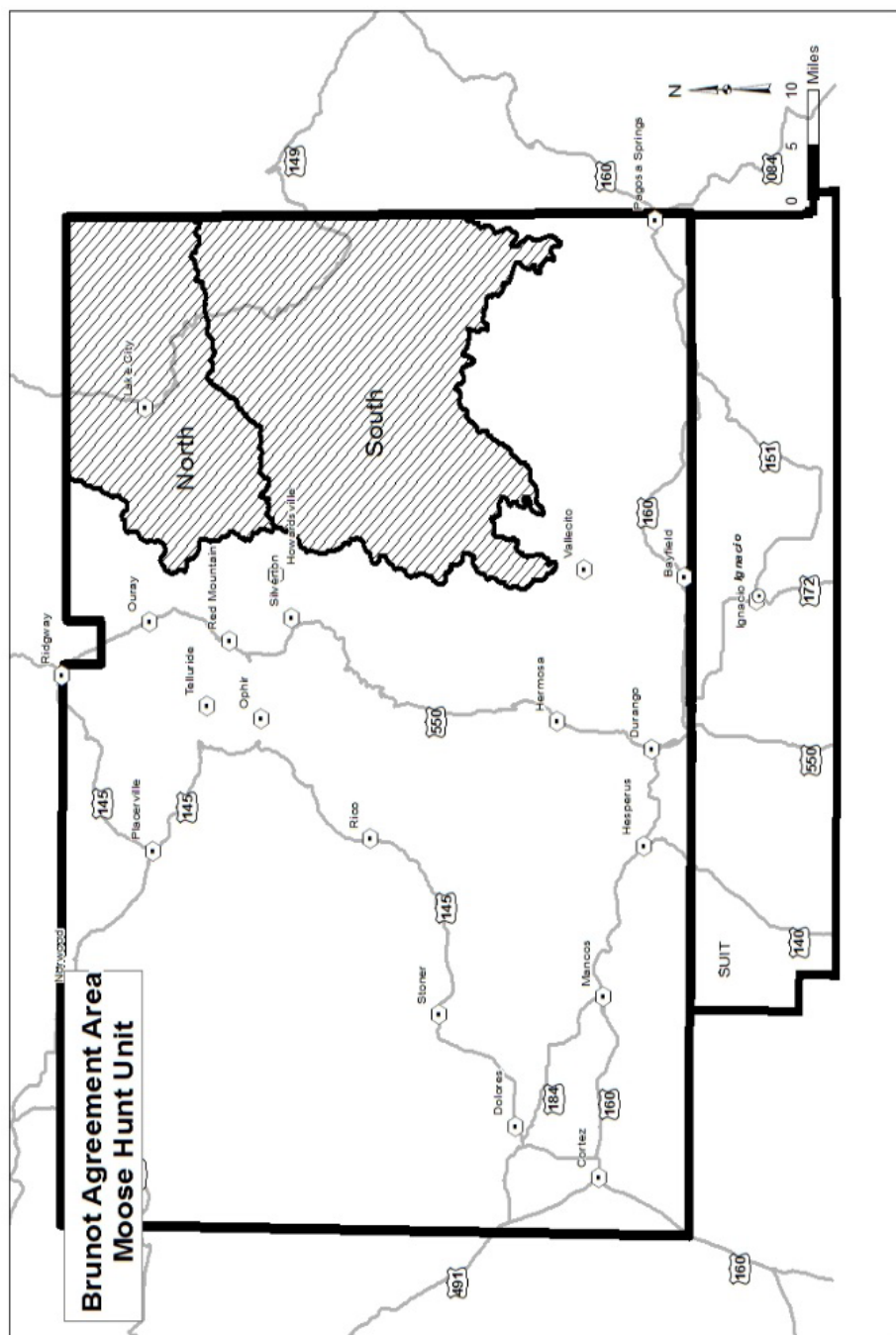
The Brunot Area maps provided on the following pages are for general reference purposes only. Detailed boundary descriptions for specific hunt units (i.e., *mountain lion*, *bighorn sheep*, *mountain goat*, and *moose*), as well as maps showing precise locations of *Special Management Fisheries*, are available to Tribal Members through the SUIT Division of Wildlife office in Ignacio.











BRUNOT AREA CONTACT INFORMATION

Emergencies

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

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

Colorado Parks and Wildlife
Any Service Center during *regular business hours*.
See phone numbers listed below.

General Hunting/Fishing Information

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

Colorado Parks and Wildlife
Southwest Region Service Center
151 East 16th St. Durango, CO 81301
(970) 247-0855

Colorado Parks and Wildlife
Gunnison Service Center
300 W. New York Ave. Gunnison, CO 81230
(970) 641-7060

Colorado Parks and Wildlife
Montrose Service Center
2300 S. Townsend Ave. Montrose, CO 81401
(970) 252-6000

Federal Lands Offices

San Juan Public Lands Center (USFS)
15 Burnett Court Durango, Colorado 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, Colorado 81416
(970) 874-6600

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

Columbine Field Office (USFS)
367 Pearl St. Bayfield, Colorado 81122
(970) 884-2512

Tres Rios Field Office (BLM)
29211 Hwy. 184, Dolores, Colorado 81323
(970) 882-7296

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

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

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