



# KALISPEL TRIBE OF INDIANS

## HUNTING AND FISHING CODES



### SECTION 12

All inquiries can be directed towards the Kalispel  
Natural Resource Department  
(509) 445-1147

### WATERFOWL HUNTING SEASONS AND BAG LIMITS

Waterfowl bag limits and hunting seasons on the Kalispel Indian Reservation are determined annually to concur with limits and seasons set forth through the U.S. Fish and Wildlife Service (USFWS) Migratory Bird Program.

The final USFWS rules for seasons and bag limits are generally announced in late September on an annual basis.





## 12-1 TITLE

This section shall be known as the Kalispel Tribe of Indians hunting and fishing code.

## 12-2 DEFINITIONS

For purposes of this section, the following words and phrases shall have the designated meanings:

1. "Tribe" shall mean the Kalispel Indian Tribe.
2. "Tribal Court" shall mean the Kalispel Tribal court.
3. "Tribal Business Committee" shall mean the Kalispel Tribal Business Committee.
4. "Reservation" shall mean the Kalispel Indian Reservation.
5. "Regulations" shall mean any rule, resolution, declaration, order or ordinance promulgated by the Kalispel Natural Resource Department, as approved by the Kalispel Tribal Business Committee.
6. "Tribal Member" shall mean enrolled members of the Kalispel Indian Tribe.
7. "Member of a Reciprocating Tribe" shall mean any person who is an enrolled member of any other Indian Tribe which grants reciprocating hunting and fishing privileges to enrolled members of the Kalispel Indian Tribe and secures from the Kalispel Tribal Business Committee and has in his or her possession the same reciprocal status while hunting, trapping, or fishing upon the Reservation.
8. "Non-Member" shall mean any person not enrolled as a member of the Kalispel Indian Tribe or a member of a reciprocating tribe.
9. "Community Member" shall mean any Indian person 18 years of age and older living on the Reservation for longer than one year and supporting an Indian family.
10. "Natural Resource Department" shall mean the Kalispel Indian Tribe's Natural Resource Department.
11. "Animals, birds and fish" refers to the wild, undomesticated animals, birds and fish of the Reservation.
12. "Hunt, hunting, trap, and trapping" means an act which the purpose is to kill, injure, or in some manner exercise possession or control over wild animals and wild birds of the Reservation.
13. "Open Season" shall mean the designated time period specified in the hunting and fishing regulations when it shall be lawful to hunt, trap or fish on the Reservation.
14. "Closed Season" shall mean the designated time period specified in the hunting and fishing regulations when it shall be unlawful to hunt, trap or fish on the Reservation.



15. "Waste" shall mean any wanton or abusive misuse or nonuse of fish and game.

16. "Open area" shall mean the designated areas on the Reservation that are specified in the hunting and fishing regulations as being open for hunting, trapping and fishing.

17. "Closed area" shall mean the designated areas on the Reservation that are specified in the hunting and fishing regulations as being closed for hunting, trapping and fishing.

18. "Closed waters" shall mean any body of water, lake, pond, creek, stream, river or any portion thereof within the Reservation where fishing has been declared unlawful as outlined in the fishing regulations.

19. "Limit" shall mean the maximum number of animals, birds or fish that may be killed, caught, or in some other manner controlled or possessed by any person as outlined in the hunting and fishing regulations. Regulations shall include stipulations as to sex, size and species when appropriate.

20. "Enforcing Officer" shall mean the Kalispel Tribal Police, Fish and Game Enforcement Officer, or others deemed appropriate by the Kalispel Natural Resource Department whose duty will be to enforce the hunting and fishing regulations set by the Kalispel Natural Resource Department, as approved by the Kalispel Tribal Business Committee.

21. "Hunting and Fishing Regulations" shall mean any regulations set forth by the Kalispel Natural Resource Department, as approved by the Kalispel Tribal Business Committee, to regulate hunting and fishing activities on the Kalispel Indian Reservation. Hunting and Fishing Regulations will reflect the mandates set in the Hunting and Fishing codes.

## 12-3 JURISDICTION

The Tribe shall exercise its vested legal right to regulate any and all hunting, trapping, and fishing within the boundaries of the Reservation.

The Kalispel Tribe has a signed Memorandum of Agreement with the Washington State Department of Fish and Wildlife designating the Tribe's jurisdiction within inland waters of the Reservation.

## 12-4 REGULATORY POWERS AND DUTIES OF THE TRIBAL BUSINESS COMMITTEE AND NATURAL RESOURCE DEPARTMENT

The Natural Resource Department shall regulate hunting, trapping and fishing on the Reservation. Such regulations shall establish open and





closed seasons, open and closed waters, limits, equipment restriction, and any other necessary provisions adopted by the Tribal Business Committee.

The Natural Resource Department shall inform Tribal members, members of reciprocating Tribes and non-members of the hunting, trapping, and fishing regulations. Such notice shall be made in local newspapers and other publications, by posting in appropriate areas, announcement at Tribal Meetings, and by making copies of the regulation available to all persons.

The Natural Resource Department shall protect and preserve for future generations the animals, birds and fish of the Reservation by conducting periodic investigations of the status of such wildlife and by the promulgation of such regulations necessary to sustain this valuable Tribal resource.

### 12-4.1 ISSUANCE OF LICENSES

It shall be unlawful to hunt, trap or fish on the Reservation without a license. Such licenses shall be in the physical possession of the person while he or she is hunting, trapping or fishing.

The Natural Resource Department may issue a license to every person desiring to hunt, trap or fish on the Reservation in the following manner:

1. Tribal Members - The Natural Resource Department shall issue permits, licenses, or designate any Tribal identification as appropriate to allow the holder to hunt, trap or fish on the Reservation.
2. Members of Reciprocating Tribes - The Natural Resource Department shall issue permits, licenses, or designate any Tribal identification of a reciprocating Tribe as appropriate to allow the holder to hunt, trap or fish on the Reservation.
3. Non-Members - The Natural Resource Department shall issue permits or license to non-members upon payment of such fees as are prescribed in the hunting and fishing regulations.
4. Community Members - The Natural Resource Department shall issue permits, licenses, and identification exhibiting the fact that they are community members who reside on Reservation land as prescribed in the hunting and fishing regulations.

Licenses to Non-Members may be subjected to random drawings for available permits allocated under the hunting and fishing regulations.



Non-Members must have in their possession all appropriate state and federal licenses while trapping, hunting and fishing on Reservation lands.

### 12-4.2 LICENSE NON-TRANSFERABLE

Permits, licenses or any other identification deemed appropriate by the Natural Resource Department, as approved by the Kalispel Business Committee, for hunting, trapping, or fishing purposes shall be non-transferable. It shall be unlawful for any person to hunt, trap or fish in the Reservation by using a permit or license other than his own.

### 12 - 4.3 LICENSE REVOCABLE

1. Tribal members, Community members or a member of a reciprocating Tribe's permission to hunt, trap or fish on the Reservation may be revoked by the Natural Resource Department, upon approval from the Tribal Business Committee, upon showing of cause at a hearing before the Kalispel Tribal Court. Condition precedent to the legal effectiveness of such revocation shall be notice, to such a person, informing he or she of their right to appear before the Tribal court and showing cause to why their hunting, trapping and fishing permission should be revoked.
2. Permission of a non-member to hunt, trap or fish the Reservation may be revoked at any time by the Natural Resource Department, upon approval of the Tribal Business Committee. In such event, and in the absence of the due process provisions of 12-4.2(1.), the unused portion of the license fee, by reason of the revocation, shall be refunded to the non-member in direct proportion to the number of days left in the open season. At its option, the Natural Resource Department, upon approval by the Kalispel Tribal Business Committee, may employ the provisions of 12-4.2 (1.) to aid in the disposition of the action should the Tribal Court revoke their licenses, the non-member shall forfeit any unused portion of his or her license fee.

### 12-5 FISH AND GAME VIOLATIONS

1. Any person who shall be in violation of fish and game regulations adopted and promulgated by the Kalispel Tribal Business Committee, shall be deemed guilty of a regulatory violation and upon conviction thereof shall be ordered to pay a fine of not to exceed \$1,000.00, or less than \$100. All equipment used to illegally obtain such fish and game may be confiscated by the enforcing officer to be retained pending the judgement of the Tribal Court.



2. Any person who shall violate any rule or regulation adopted by the Kalispel Tribe's Natural Resource Department, as approved by the Kalispel Tribal Business Committee, for the protection or conservation of fish or game on the Reservation shall be deemed guilty of a regulatory violation. Upon conviction he/she shall be ordered to pay a fine of not less than \$100, and not to exceed \$1,000.00, and may, by order of the Court, lose all hunting and fishing rights for a period not to exceed two (2) years. All equipment used in the commission of such offenses shall be seized by the Tribal Enforcement Officer.

3. Any person who shall be in violation of fish and game regulations adopted and promulgated by the Kalispel Tribe's Natural Resource Department, as approved by the Kalispel Tribal Business Committee, may be prosecuted under the Federally mandated Lacey Act (Sections 3371-3378). The Tribal Court, therefore, has the option to defer cases involving fish and game violations to the Federal Court to prosecute such an offender under the Lacey Act provisions.

4. No hunting while under the influence of drugs and/or alcohol.

## 12-6 ENFORCEMENT OF REGULATIONS

Enforcement of hunting and fishing regulations as adopted by the Natural Resource Department, as approved by the Tribal Business Committee, shall be the duty of the Enforcing Officer. The Natural Resource Department, and others, will report any fish or game violations to the Enforcing Officer.

### 12-6.1 SEARCHING POWER OF ENFORCING OFFICERS

At its option, the Tribal Court may issue a warrant for the search of a suspected violator of the Kalispel Hunting and Fishing Regulations.

In the Absence of such a warrant, the enforcing officer may search any suspected violator of the hunting and fishing regulations in accordance with the provisions of 2-7.04 of the Kalispel Law and Order Code.

### 12-6.2 REQUEST TO SEE LICENSES

As provided in 12-4 of this code, it is unlawful to hunt, trap or fish without an appropriate license on the Reservation.

It is the duty of the enforcing officer to allow only licensed individuals to



hunt, trap or fish on the Reservation. Accordingly, the enforcing officer is empowered to request any person in the act of hunting, trapping or fishing to show his or her license. Any person hunting, trapping or fishing without an appropriate license in his or her physical possession shall be issued a citation.

### 12-6.3 ENTRY UPON PRIVATELY OWNED LANDS WITHIN THE RESERVATION.

The enforcing officer may enter privately owned lands on the Reservation in performance of his or her duties. Such entry shall not constitute trespass.

### 12-6.4 SEIZURE AND FORFEITURE

The enforcing officer shall seize animals, birds, or fish killed, injured or otherwise possessed or controlled by an unlicensed person on the Reservation.

The enforcing officer shall seize those animals, birds or fish killed, injured or otherwise possessed by a licensed individual in excess of the limit set forth in the hunting and fishing regulations.

In either case, such violators shall be issued a citation by the enforcing officer and such animals, birds or fish in possession shall be forfeited by the violator to the enforcing officer to be retained pending judgement of the Tribal court.

### 12-6.5 HUNTING HOURS AND ROAD CLOSURES

Hunting and discharge of firearms shall be restricted to the hours between dawn and dusk.

All secondary roadways are closed between the hours of dusk and dawn. Violation of this statute will constitute an act of criminal trespass and deemed prosecutable in the appropriate court.

### 12-6.6 WASTING OF GAME AND FISH

The enforcing officer shall issue a citation for those in violation of wasting fish and game.





## 12-6.7 FIREARMS VIOLATIONS

Firearm violations will be regulated under existing state, federal and tribal statutes. Discharging firearms from a vehicle is strictly prohibited.

## 12-7 PENALTIES

Should a defendant plead guilty or be found guilty, the Tribal Court may impose any or all of the following:

1. A fine not less than \$100 or more than \$1,000.00
2. Forfeiture of any equipment or gear seized by reason of use in an illegal activity.
3. Suspension or revocation of Tribal hunting and fishing license or permit.
4. Exclusion from Reservation as provided for non-members in Chapter 5 of the Kalispel Law and Order Code.
5. The court may defer prosecution of a violation pending federal action in accordance with provisions of title 16 Sections 3371-3378 of the federally mandated Lacey Act.
6. Penalize the offender in accordance with the provisions of Title USC 1165.

## FISHING ACCESS PERMITS

A fee will be charged to those interested in fishing Kalispel Tribal lands designated as a "Fishing Access Area."

A 50¢ dealer fee will be applicable to permits sold outside the Reservation.

## BOUNDARY DESCRIPTION OF FISHING ACCESS AREA

Starting at the confluence of the Pend Oreille River running West alongside the North and South banks of Calispell River to the railroad tracks. (See map)

## SPECIAL REGULATIONS

All persons wishing to fish the designated area must comply with the following regulations:

1. Must possess a current Kalispel Fishing Access Permit.



2. Must possess a valid Washington State fishing license.
3. Must adhere to all state fishing regulations.
4. Must respect the land (i.e. no littering, vandalism, etc.)
5. No motorized vehicles beyond posted access areas.
6. Must have in possession all appropriate licenses when fishing on the Kalispel Tribal Fishing Access Area.
7. All other areas are closed to fishing.

Under the age of 18 does not need an access permit, yet must be accompanied by a permitted adult or Tribal member. Any under aged fisher must adhere to their accompanied person bag limits. Only one bag limit per permitted person is allowed irregardless of the number of underage fishers.

The Kalispel Tribe has a signed Memorandum of Agreement with the Washington State Department of Fish and Wildlife designating the Tribe's jurisdiction within inland water on the Reservation.

Penalties for failing to adhere to the stated regulations will be punishable as prescribed in the Kalispel Tribe of Indians Hunting and Fishing codes.

Permits can be obtained from the Kalispel Natural Resource Department at the address below:

Kalispel Natural Resource Department

P.O. Box 39

Usk, WA 99180

Office hours: Monday - Thursday, 7 a.m. to 5 p.m.

and at:

Doubletree Feed and Seed Store, Hwy. 20, Cusick, Washington.

Open Tuesday - Saturday, 10 a.m. to 4 p.m.

Information regarding the fishing access permits can be obtained by calling the Kalispel Natural Resource Department at: (509) 445-1147



# WATERFOWL HUNTING REGULATIONS

## PERMITS

Permits will be issued to Non-Indians and Non-members, as outlined in the Hunting and Fishing Codes on an available basis.

Permitted hunters will not exceed 10 on any given day. Permits can be obtained from the Kalispel Tribal headquarters (Office hours are Monday through Thursday, 7 a.m. - 5 p.m.) or by writing at P.O. Box 39, Usk, Wa 99180.

## FEES

*See inside front cover for current fees.*

## SUCCESSFUL HUNTER HARVEST REPORT CARD

Each hunter, within 10 days after the close of hunting season, must fill out and return a Game Harvest Report Card to the Kalispel Natural Resource Department. Failure to do so will preclude any permit issuance in the future and/or receive a fine.

## SPECIAL REGULATIONS

Applicants must have in their possession a Federal Migratory Bird Stamp to hunt waterfowl on the Kalispel Indian Reservation.

Weapons to be used in the taking of waterfowl will include shotguns and archery equipment.

Steel shot shall be used in the waterfowl management unit.

Only waterfowl listed in the limit section may be hunted and harvested on the waterfowl management unit. All other game are excluded from harvest on the Kalispel Indian Reservation.



Emergency regulation changes may occur while the seasons in this pamphlet are in effect and will supersede information contained herein. Notification will be made to inform permittees of any changes.

Check stations will be implemented during Kalispel season dates outside of regular Washington State season dates. Appropriate bands and transport tickets will be issued at the check stations upon departure from the Waterfowl Management Unit.

Shooting hours will be from dawn to dusk.

## PROPERTY LAWS

### IT IS UNLAWFUL TO:

Remove, possess or damage printed materials or signs placed by authority of the Kalispel Natural Resource Department.

Place or leave litter on Reservation land.

Vandalize or misuse the property on the Kalispel Indian Reservation Land.

Start fires on Reservation lands.

## SEASONS

*See inside front cover for season dates.*

## SAFETY REGULATIONS

### IT IS UNLAWFUL TO:

Carry, transport, convey, possess or control in any motor vehicle, a rifle or shotgun containing shells or cartridges in either chamber or magazine.

Hunt while under the influence or intoxicating liquor or drugs.

Shoot towards or across roads, houses, or areas of human activity.

Hunt in an irresponsible manner.

Hunt outside of any waterfowl management units.



## DAILY DUCK LIMIT

*See inside front cover for daily duck limits.*

## DAILY GOOSE LIMIT

*See inside front cover for daily goose limits.*

## WATERFOWL MANAGEMENT UNIT (WMU)

### BOUNDARY DESCRIPTION

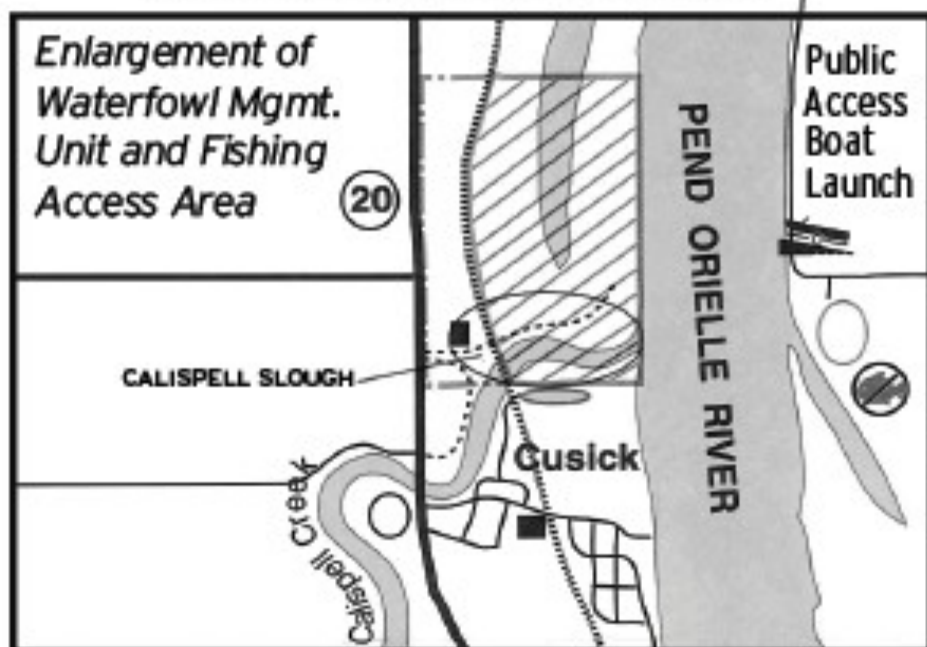
Beginning at the Northside of the confluence of Calispell River and the Pend Oreille River, North along the Pend Oreille River to the fence property line, West along the property fence to the railroad tracks to the pump house on the Calispell River, then East to the point of beginning. (See map)



# Kalispel

natural resources

## CALISPELL SLOUGH



Closed Waters



Open Waterfowl Mgmt. Unit and Fishing Access Area

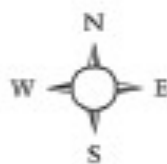
*All sloughs within the boundaries of the Kalispel reservation are closed waters, except Calispell Slough (see map). WDFW and Kalispel tribal licenses required to fish Calispell Slough.*

**FISHING PERMITS CAN BE PURCHASED AT THE TRIBAL OFFICE.**



P.O. Box 39 • N. 1981 Le Clerc Rd.  
Usk, WA 99180 • 509-445-1147

[kalispeltribe.com](http://kalispeltribe.com)



Wildlife Enhancement Area

PEND OREILLE RIVER

Public Access Boat Launch

Gibraltar Rock

Old Creek

KALISPEL INDIAN RESERVATION

Public Access Boat Launch

Pon Vlow Grounds

Tribal Headquarters

CUSICK

Calispell Creek

Le Clerc Road

USK