



# Chippewa Ottawa Resource Authority

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MEMO TO: All Interested Parties

FROM: Beverly Carrick, Interim Executive Director *Beverly Carrick*

DATE: February 8, 2024

SUBJECT: Revised CORA Fishing Regulations

Please find attached the revised CORA Fishing Regulations as of January 25, 2024.

Since the CORA Fishing Regulations were approved at the December 14, 2023 CORA meeting, a few revisions were made along with some clean-up of the document to such things as spacing throughout the document which moved some content to different pages.

Revisions to the Regulations approved at the January 25, 2024 CORA meeting are (change in bold text):

- 1) Page 24, Section XIII(a)(2)(i) Lake Huron Statistical District MH-1, excluding the Bay Mills Tribal Zone and that portion of Grid 606 east of a line of longitude at -83.909 degrees, and Grid 607, is open year-round, subject to spawning closure.

Section XIII(a)(2)(ii) In the Southern Lake Huron Trap Net Zone, walleye may be harvested only with impoundment nets from October 1 through November 5 and from November 30 through December 31. (Map 15.)

- 2) Page 24, Section XIII(b) Possession of more than 15 (fifteen) walleye per vessel per day is prohibited in MM-6 and MM-7.
- 3) Page 33, Section XXII(b)(2) Subsistence fishers who engage in fishing activity in Lake Michigan grid 306 (Little Bay de Noc) from March 1 to May 14 shall submit catch reports by 5:00 p.m. each Monday following the week in which harvest took place. The reporting week shall be Monday through Sunday. In all other respects, the provisions of this sub. (b) apply to these fishers.

Attachment

**CHIPPEWA OTTAWA RESOURCE AUTHORITY**  
**COMMERCIAL, SUBSISTENCE, AND RECREATIONAL**  
**FISHING REGULATIONS**

**FOR THE 1836 TREATY CEDED WATERS**  
**OF LAKES SUPERIOR, HURON, AND MICHIGAN**

**Adopted December 14, 2023**  
**Revised January 25, 2024**

**CHIPPEWA OTTAWA RESOURCE AUTHORITY  
COMMERCIAL, SUBSISTENCE, AND RECREATIONAL FISHING  
REGULATIONS FOR THE 1836 TREATY CEDED WATERS  
OF LAKES SUPERIOR, HURON, AND MICHIGAN**

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**CHIPPEWA OTTAWA RESOURCE AUTHORITY  
COMMERCIAL, SUBSISTENCE, AND RECREATIONAL FISHING  
REGULATIONS FOR THE 1836 TREATY CEDED WATERS  
OF LAKES SUPERIOR, HURON, AND MICHIGAN**

**PART ONE: GENERAL MATTERS**

**SECTION I. PURPOSE.**

These Regulations are adopted to govern the commercial, subsistence, and recreational fishing activities of citizens of the Bay Mills Indian Community, the Grand Traverse Band of Ottawa and Chippewa Indians, the Little River Band of Ottawa Indians, the Little Traverse Bay Bands of Odawa Indians, and the Sault Ste. Marie Tribe of Chippewa Indians in exercising the Great Lakes fishing rights reserved by the Tribes in the Treaty of March 28, 1836. These Regulations are intended to ensure conservation of the fishery resource for future generations of the Tribes and to ensure safe fishing practices.

**SECTION II. SCOPE AND APPLICATION.**

These Regulations apply to the commercial, subsistence, and recreational fishing activities of all enrolled citizens of the Tribes in the 1836 Treaty waters and are in compliance with and implement the 2023 Great Lakes Fishing Decree and the Management Plan.

**SECTION III. DEFINITIONS.**

The following terms have the meanings indicated:

- (a) “1836 Treaty waters” means all waters of Lake Huron, Lake Michigan, Lake Superior, and connecting waters, which are within the area ceded in Article First of the Treaty of March 28, 1836, 7 Stat. 491.
- (b) “2023 Great Lakes Fishing Decree” means the Decree entered in *United States v. Michigan*, W.D. Mich. Case No. 2:73 CV 26 on August 24, 2023, including any future modifications made by the Court.
- (c) “Abandoned nets” means:
  - (1) Nets which are not marked and cannot be identified and are tagged by an enforcement officer as such; or
  - (2) Nets which have not been utilized or tended by the fisher for 14 days.
- (d) “Active fishing boat” means a boat (vessel) which is used for fishing at least once in any 14-day period (weather permitting) and which is observed at an access site either unloading fish or leaving the site to engage in fishing.

- (e) “Bag limit” means a limit on possession of a species per operation (vessel) per day.
- (f) “Break wall” means a man-made barrier that breaks the force of waves, as found outside a harbor.
- (g) “BSD” means Biological Services Division, which is the biological staff of CORA.
- (h) “Charter fishing” means fishing from a vessel carrying a passenger or passengers for hire who are engaged in recreational fishing.
- (i) “Commercial fishing” means a fishing activity engaged in for the purpose of sale of fish or parts of fish.
- (j) “CORA” means the Chippewa Ottawa Resource Authority, an organization formed by the Tribes which has been delegated certain management and regulatory authority, including the authority to promulgate these Regulations.
- (k) “Degrees” refers to lines of latitude or longitude, as applicable, which describe zones and restricted areas defined in these Regulations and comprise Appendix D of the 2023 Great Lakes Fishing Decree and Appendix 2 of these Regulations.
- (l) “Director” means the Director of the BSD.
- (m) “Dressed weight” means the total weight in pounds of fish after removal of the entrails, only.
- (n) “Electronic reporting system” means an electronic platform that allows for direct paperless entry of harvest and purchase data by licensed fishers and wholesalers and includes data validation, records of changes made to entered data, and automated transmission capabilities.
- (o) “Enforcement Officer” means:
  - (1) Any conservation officer or game warden of a Tribe;
  - (2) Any conservation officer of the Michigan Department of Natural Resources;
  - (3) Any enforcement agent of the Bureau of Indian Affairs or the United States Fish and Wildlife Service authorized to enforce the provisions of Title 25, Code of Federal Regulations, Part 249;
  - (4) Any person authorized by a Tribe’s law to enforce these Regulations, including enforcement officers of the Great Lakes Indian Fish and Wildlife Commission if authorized by law of a Tribe; or
  - (5) Any other person authorized by CORA to enforce these Regulations.

- (p) “Fishing” or “fishing activity” means fishing for, catching, or taking any species of fish, or attempting to fish for, catch, or take any species of fish from 1836 Treaty waters, including all related activities which occur in or on the water or ice, until such time as the vessel or vehicle is moored, tied up, or grounded, or the vehicle used in ice fishing is parked on the land.
- (q) “Gill net” means a wall of webbing held vertically in the water by weights and floats, and designed to capture fish by means of entanglement.
- (r) “GLRC” means the Great Lakes Resources Committee, the committee of CORA charged with promulgating these Regulations and making other management decisions concerning Tribal fishing in the 1836 Treaty waters.
- (s) “Grid” means a geographical unit based on ten (10) minutes of latitude by ten (10) minutes of longitude and commonly used by Tribal, State, provincial, and federal governments for reporting fishery statistics. For the purpose of these Regulations, the area of a grid shall include only those portions of a grid that are within the boundaries of the State of Michigan and the 1836 Treaty waters.
- (t) “Harvest Limit” means a limitation on the annual harvest of lake trout, lake whitefish, or other species established during the term of the 2023 Great Lakes Fishing Decree.
- (u) “HRG” means a harvest regulation guideline that represents a sustainable level of harvest for a given species and area in a single calendar year to guide regulations and adaptive management actions by CORA.
- (v) “Impoundment net” means a net designed to capture fish by deflection and to retain them in a live condition until removed (e.g., trap, pound, fyke, or hoop nets).
- (w) “Large mesh gill net” means a gill net having a diagonal stretch mesh measurement of four and one-half (4.5) inches or greater.
- (x) “Licensed Fisher” means a Tribal Citizen of one of the 1836 Treaty Tribes who is licensed by a Tribe to fish by commercial, subsistence, or recreational means.
- (y) “Management Plan” means the Management Plan for the 1836 Treaty Great Lakes Waters attached to the 2023 Great Lakes Fishing Decree as Appendix B, including any future changes adopted in accordance with the Management Plan and the 2023 Great Lakes Fishing Decree.
- (z) “Maps” means the attached maps of 1836 Treaty waters which depict various types of zones, management units, refuges, and other areas defined in these Regulations and comprise Appendix C of the 2023 Great Lakes Fishing Decree and Appendix 1 of these Regulations.

- (aa) “Mile” means statute mile.
- (bb) “Pier” means a permanent man-made structure built for use by the public extending from land out over the water.
- (cc) “Recreational fishing” means fishing activity conducted in accordance with Section XVII of these Regulations.
- (dd) “Regulations,” “these Regulations,” or “Tribal Code” means the provisions of this document, including any subsequent modifications or amendments and, for jurisdiction and enforcement purposes, any Tribal regulations adopted in accordance with Section XXV and any order of the Director issued under Section XXVI.
- (ee) “Retail Outlet” means an individual or entity, other than a State- or Tribally-licensed wholesaler, that purchases fish to be sold to the final consumer. Retail sale shall not include an individual sale by a commercial fisher to the final consumer.
- (ff) “Round weight” means the total weight in pounds of fish prior to any form of processing, dressing, or eviscerating, and includes the weight of the head, entrails, and skin.
- (gg) “Seine” means a net which has weights on one edge and floats on the opposite edge, hangs vertically in the water, and is used to enclose fish when its ends are pulled together and are drawn to shore or to a vessel.
- (hh) “Small mesh gill net” means a gill net having a diagonal stretch mesh measurement of two and one-half (2.5) through three (3.0) inches; provided that a gill net used to harvest smelt shall have a diagonal stretch measurement of one (1.0) through one and one-half (1.5) inches.
- (ii) “Stretch Mesh” means the distance between the extreme angles of any single mesh, between and inside the knots, when the mesh is pulled taut by hand.
- (jj) “Subsistence fishing” means an 1836 Treaty fishing activity solely to provide fish for personal or family consumption and not for sale or commercial exchange, but does not include recreational fishing.
- (kk) “Trap net” means an impoundment net consisting of a lead, heart, tunnel, and pot or crib, the webbing of which is held on the lake bottom by leads and upright in the water by floats and held in place by anchors.
- (ll) “Tribes” (or individually, “Tribe”) means the five (5) Tribes who are members of CORA: the Bay Mills Indian Community (“Bay Mills”), Grand Traverse Band of Ottawa and Chippewa Indians (“Grand Traverse”), Little River Band of Ottawa Indians (“Little River”), Little Traverse Bay Bands of Odawa Indians (“Little Traverse”), and Sault Ste. Marie Tribe of Chippewa Indians (“Sault Tribe”).

(mm)“Unattended nets” means nets which have been tagged by an enforcement officer as such for at least four (4) days, except when fishing through the ice, which the fisher refuses to tend upon reasonable notice from an enforcement officer, or nets which contain decayed fish.

## **PART TWO: ZONES**

### **SECTION IV. COMMERCIAL FISHING ZONES.**

Subject to the provisions of these Regulations, including closures and restrictions, the following waters are open to Tribal commercial fishing by citizens of one or more of the Tribes:

- (a) The Tribal Zones described in Section V.
- (b) The Inter-Tribal Zones described in Section VI.
- (c) The Trap Net Zone described in Section VII.

### **SECTION V. TRIBAL ZONES.**

- (a) General Provisions. Tribal zones are established as provided in this Section. Except as may otherwise be provided in the 2023 Great Lakes Fishing Decree or the Management Plan, and subject to these Regulations, each Tribe, within all or any portion of its Tribal zone, may prohibit commercial fishing or subsistence fishing by fishers from other Tribes, or allow commercial or subsistence fishing by citizens of other Tribes by issuance of permits to such fishers. Permits may impose restrictions on commercial fishing in the Tribe’s Tribal zone by fishers from other Tribes that are in addition to or more restrictive than those contained in these Regulations. The following fishing activities are prohibited in Tribal zones:
  - (1) Fishing in the Tribal zone of a Tribe when such activity has been prohibited by that Tribe.
  - (2) Fishing in the Tribal zone of a Tribe without a permit from that Tribe when such permit is required.
  - (3) Fishing in the Tribal zone of a Tribe in violation of any permit condition or regulation imposed by that Tribe.
- (b) Bay de Noc Zone. (Map 9.)
  - (1) Description: Lake Michigan Grids 306, 308, 309, 406 through 408, and 506 through 508.
  - (2) Regulations: Subject to the other provisions of these Regulations, this zone is open to fishers from Little Traverse and Sault Tribe, with the following regulations:

- (i) Tribal fishing is prohibited south of the line extending from the mouth of the Escanaba River in Delta County on the line of latitude at 45.7757 degrees and west of the line at the shipping channel at longitude -87.025 degrees.
  - (ii) A fifteen (15) pound daily bag limit per license for walleye applies only between January 1 and May 14. The remainder of the year walleye may be retained provided they are harvested in compliance with these regulations, including the depth restrictions of sub.(iii), below.
  - (iii) Large mesh gill net must be set on the bottom in water fifty 50 feet deep or deeper; except that in October and November, the minimum depth is 30 feet.
  - (iv) Fishing with small mesh gill net is prohibited.
  - (v) Little Traverse Specific Regulations:
    - (a) No more than 12,000 feet of large mesh gill net may be licensed, with no more than 6,000 feet per license, and no more than three (3) licenses issued.
  - (vi) Sault Tribe Specific Regulations:
    - (a) No more than four (4) commercial licenses shall be permitted to fish in this zone.
    - (b) Each trap net license is limited to no more than fifteen (15) trap nets.
    - (c) Retention of walleye in trap nets is prohibited.
    - (d) No more than two (2) large mesh gill net licenses may be issued, and each is limited to no more than 6,000 feet of net.
    - (e) A licensed fisher shall not simultaneously fish both trap net and large mesh gill net at any time.
- (c) Little Traverse Tribal Zone. (Map 10.)
- (1) Description: Lake Michigan grids 517 through 519, the southeast quarter (SE $\frac{1}{4}$ ) of grid 314, and the south half (S $\frac{1}{2}$ ) of grid 415.
  - (2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:
    - (i) Commercial Trap Net Fishing: Trap net fishing is prohibited in grid 519. The remainder of the zone is open year-round to trap net fishing.

- (ii) Commercial Large Mesh Gill Net Fishing:
  - (a) Within the area of grid 518 that is east of a line of longitude at -85.05 degrees and all of grid 519:
    - (1) Closed Season: May 2-September 30.
    - (2) Open Season: October 1-May 1. No more than two licensed LTBB fishers with no more than 6,000 feet of net each.

- (iii) Commercial Small Mesh Gill Net Fishing:
  - (a) Within the area of grid 518 east of a line of longitude at -85.05 degrees and all of grid 519, commercial fishing with small mesh gill nets is prohibited.
  - (b) Commercial fishing with small mesh gill nets in the remainder of the zone is allowed year-round.

(d) Little Traverse Salmon Zone. (Map 11.)

(1) Description: In Lake Michigan, within one (1) mile from shore from Seven Mile Point in grid 518 north to McGulpin Point in grid 320, from August 1 through October 15.

(2) Regulations:

- (i) Except for grid 518, the waters described in sub. (1), above, shall be part of the Little Traverse Zone only during the salmon season from August 1 through October 15. At all other times, these waters shall be part of the Northern Lake Michigan Inter-Tribal Fishing Zone.
- (ii) Nets may be fished at the surface in this fishery from September 10 through October 15. At all other times during the salmon season in this fishery, nets shall be set at least eight (8) feet below the surface.

(e) Grand Traverse Tribal Zone. (Map 12.)

(1) Description: Lake Michigan grids 615, 616, 712 through 716, 812 through 816, 911 through 916, 1011, and the south half (S½) of grid 614.

(2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:

- (i) Trap Net Operations. This zone is open to trap net operations year-round except for grids 915 and 916. Lake trout bag limits for trap net operations are set forth in Section X(a).

(ii) Large Mesh Gill Net Operations:

- (a) Grids 615, 616, 715, 716, the south half (S½) of grid 614, and the northern portion of grids 815 and 816 extending one (1) mile south from their northern boundary to a line of latitude at 44.9855 degrees shall be open year-round to large mesh gill net fishing.
- (b) Grids 712 and 713 shall be open to large mesh gill net fishing from the day after Labor Day through June 30.
- (c) Grid 714 shall be open to large mesh gill net fishing from the day after Labor Day through April 30.
- (d) Grid 812 shall be open to large mesh gill net fishing from the day after Labor Day through the Friday before Memorial Day, subject to a spawning closure from October 15 through November 29.
- (e) Grids 813 and 814 shall be open to large mesh gill net fishing from the day after Labor Day through April 30, subject to a spawning closure from October 15 through November 29, and subject to the issuance of a permit for this activity by the Grand Traverse for a period of three (3) years from the date of entry of the Great Lakes Fishing Decree. Thereafter, permits shall continue to be required from May 1 through the Friday before Memorial Day only.
- (f) Areas Requiring Permit For Large Mesh Gill Net. In addition to the open season set forth in subs. (ii)(a)-(e), above, large mesh gill net fishing is allowed in the following areas only with a permit issued by Grand Traverse, and is subject to the following conditions:
  - (1) Within the area of grid 815 that is south of a line of latitude at 44.9855 degrees and north of a line of latitude at 44.901 degrees, large mesh gill nets may be set from the day after Labor Day through the Friday before Memorial Day, and the aggregate amount of gill net effort under permit shall not exceed 4,500 feet per day, whether large mesh or small mesh net size.
  - (2) Within the area of grid 816 that is south of a line of latitude at 44.9855 degrees, large mesh gill nets may be set from the day after Labor Day through the Friday before Memorial Day, and the aggregate amount of gill net effort under permit shall not exceed 4,500 feet per day, whether large mesh or small mesh net size.
  - (3) In grid 714, permits are required from May 1 through the Friday before Memorial Day. During this period, no more than 20% of the Tribal lake trout harvest limit for management unit MM-5 may be harvested during

that period, and no more than 10% of the Tribal lake trout harvest limit for management unit MM-5 may be harvested from May 16 through the Friday before Memorial Day.

(4) In grids 813 and 814, permits are required from May 1 through the Friday before Memorial Day. Collectively in these grids, from May 1 through the Friday before Memorial Day, no more than 20% of the Tribal lake trout harvest limit for management unit MM-5 may be harvested during that period, and no more than 10% of the Tribal lake trout harvest limit for management unit MM-5 may be harvested from May 16 through the Friday before Memorial Day.

(g) Permit Copies. Grand Traverse shall provide to the State copies of permits issued under subs. (ii)(e) and (f), above, in advance of their effective date. For permits issued on the same day of fishing, notification that a permit was issued shall be provided to MDNR prior to fishing, with a copy of the permit to be provided within twenty-four (24) hours of issuance. For purposes of this sub. (ii)(g), notice of permit issuance and copies of permits shall be submitted via email to the MDNR Tribal Coordination Unit Manager.

(iii) Small Mesh Gill Net Operations:

(a) Grids 615, 616, 712 through 716, the south half (S1/2) of grid 614, and the northern portion of grids 815 and 816 extending one (1) mile south from their northern boundary to a line of latitude at 44.9855 degrees shall be open year-round to small mesh gill net fishing.

(b) Grid 812 shall be open to small mesh gill net fishing from the day after Labor Day through the Friday before Memorial Day.

(c) Areas Requiring Permit For Small Mesh Gill Net. In addition to the open season set forth in subs. (iii)(a) and (b), above, small mesh gill net fishing is allowed in the following areas only with a permit issued by Grand Traverse, and is subject to the following conditions:

(1) Within the area of grid 815 that is south of a line of latitude of 44.9855 degrees and north of a line of latitude at 44.901 degrees, small mesh gill nets may be set from the day after Labor Day through the Friday before Memorial Day. During the period that this area is open to small mesh gill net fishing, permits are required and aggregate gill net effort shall not exceed 4,500 feet per day, whether it be large mesh or small mesh.

(2) Within the area of grid 816 that is south of a line of latitude at 44.9855 degrees, small mesh gill nets may be set from the day after Labor Day through the Friday before Memorial Day. During the period that this area is open to small mesh gill net fishing, permits are required and

aggregate gill net effort shall not exceed 4,500 feet per day, whether it be large mesh or small mesh.

(3) Grids 813-814 shall be open to small mesh gill net fishing from the day after Labor Day through the Friday before Memorial Day. Permits for small mesh gill net fishing shall be required in grids 813-814 for a period of three (3) years from the date of entry of the Great Lakes Fishing Decree. Upon expiration of that three-year period, permits shall no longer be required for small mesh gill net fishing in grids 813-814.

(4) Permit Copies. Grand Traverse shall provide to the State copies of permits issued under sub. (iii)(c), above, in advance of their effective date. For permits issued on the same day of fishing, notification that a permit was issued shall be provided to MDNR prior to fishing, with a copy of the permit to be provided within twenty-four (24) hours of issuance. For purposes of this sub. (iii)(c)(4), notice of permit issuance and copies of permits shall be submitted via email to the MDNR Tribal Coordination Unit manager.

(d) Bloater Chub Fishing. The Grand Traverse Zone is open to small mesh gill net fishing year-round for bloater chubs, except for grids 915, 916, and the portion of grid 815 south of a line of latitude at 44.901 degrees.

(e) Lake Trout Seasonal Closure. In grids 812 through 814, from October 15 through November 29, lake trout shall not be targeted for harvest using small mesh gill nets and retention of lake trout caught with small mesh gill net is prohibited.

(iv) Salmon. Regulations governing salmon fishing within the Grand Traverse Tribal Zone are set forth in Section XII(b).

(f) Little River Tribal Zone. (Map 14.)

(1) Description: Lake Michigan grids 1107 through 1111, 1207 through 1211, 1306 through 1310, 1406 through 1410, and 1506 through 1510.

(2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:

(i) Trap Net Operations. Trap net fishing is allowed throughout this zone.

(ii) Small Mesh Gill Net Operations. Commercial fishing with small mesh gill nets is limited to operations targeting bloater chubs with no more than two (2) vessels per fishing season, and each operation is limited to no more than 24,000 feet of net in the water at any one time. Nets may only be set in water deeper than 240 feet.

- (iii) Large Mesh Gill Net Operations. Commercial fishing with large mesh gill nets is subject to the following:
  - (a) Possession Limits for Walleye and Salmon. There shall be a fifteen (15) fish daily bag limit per vessel for walleye, and a fifteen (15) fish daily bag limit per vessel for salmon.
  - (b) Number Limit. No more than two (2) large mesh gill net operations may be authorized by the Little River Band, and no more than 6,000 feet of large mesh gill net may be set by each operation. Both operations shall be operated pursuant to the limitations and purposes set forth in Section IV.A.1.f of the 2023 Great Lakes Fishing Decree.
  - (c) GPS Coordinates required. Each fishing operation shall provide to Little River Band the GPS coordinates for all nets set as soon as setting occurs, and shall immediately notify Little River Band of any change in net location, whether by resetting a net, or by the movement of the net by wind or water action. The operator shall take due care to be accurate as to the GPS coordinates, recognizing that the net location will be shared with the public to promote public safety.
  - (d) Seasonal limit. Large mesh gill net vessels shall not operate:
    - (1) Grids 1210 and 1211 from July 15 through Labor Day; and
    - (2) Grids 1309, 1310, 1409 and 1410 from July 1 through Labor Day.
- (g) Bay Mills Tribal Zone. (Map 15.)
  - (1) Description: Those portions of Lake Huron grids 505 and 506 which lie South of a line of latitude at 45.598 degrees, and that portion of grid 606 that lies west of a line of longitude at -83.909 degrees.
  - (2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:
    - (i) Any fishing shall be conducted under a permit issued by Bay Mills.
    - (ii) In the area of grid 506 which is south of a line of latitude at 45.55 degrees, any permitted fisher is limited to:
      - (a) From the last Saturday in April through June 30, large mesh gill nets and trap nets may only be set in depths of 50 feet or less.

(b) From July 1 through Labor Day, this area is limited to fishing with small mesh gill nets and small mesh trap nets.

(h) Sault Tribe Tribal Zone. (Map 16.)

(1) Description: Those portions of Lake Huron within one (1) mile from shore and delineated by the following landmarks:

- (i) St. Martin's Bay zone - Rabbit Back Point north and east to Brulee Point, but including all of grid 202.
- (ii) Cordwood Point zone - the area within one (1) mile from shore within grids 404 and 504.

(2) Regulations: Subject to other provisions of these Regulations, the following regulations apply in this zone:

- (i) The waters described in sub. (1), above, shall be the Sault Tribe Tribal Zone only during the salmon seasons set forth in Section XII(d)(2). At all other times, these waters shall be part of the Northern Lake Huron Inter-Tribal Fishing Zone.

**SECTION VI. INTERTRIBAL ZONES**

(a) Northern Lake Michigan Inter-Tribal Fishing Zone. (Map 8.)

(1) Description: Lake Michigan grids 115 through 118, 211 through 220, 310 through 320, 409 through 419, 509 through 516, 613, and the north half (N $\frac{1}{2}$ ) of 614, except for the southeast quarter (SE $\frac{1}{4}$ ) of grid 314 and the south half (S $\frac{1}{2}$ ) of grid 415.

(2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:

- (i) This zone is open to fishers from all Tribes.

(b) Lake Michigan Northern Development Zone. (Map 12.)

(1) Description: Lake Michigan grids 610 through 612, 709 through 711, 808 through 811, 908 through 910, and 1008 through 1010.

(2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:

- (i) Grids 711, 811, 910, and 1010 shall be open to Grand Traverse trap net operations targeting whitefish; provided that the aggregate net effort shall not exceed twelve (12) nets in the water at any one time.

- (ii) Except as provided in sub. (i), above, Tribal commercial fishing in this zone shall be open to fishers from all Tribes, but is limited to a permit fishery targeting bloater chubs.
  - (iii) Tribal commercial fishing for all other species is prohibited.
- (c) Lake Michigan Southern Development Zone. (Map 14.)
  - (1) Description: All 1836 Treaty waters of Lake Michigan south of the northern boundary of the 1600 tier of grids.
  - (2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:
    - (i) This zone is open to fishers from all Tribes.
    - (ii) Trap Net Operations. One (1) Tribal trap net operation, not to exceed twelve (12) nets in the water at any one time, may be authorized by Little River; provided that retention of lake trout is prohibited.
    - (iii) Small Mesh Gill Net Operations. One (1) Tribal operation targeting bloater chubs, not exceeding 24,000 feet of net may be authorized by Little River.
    - (iv) Large Mesh Gill Net Operation. Commercial fishing with large mesh gill nets is prohibited in this zone, unless the operation is permitted by Little River under Section V(f)(iii)(a), above, with no more than 4,000 feet of large mesh gill net in the water at any one time, and which will be considered part of the 6,000 feet per vessel limit set forth therein.
    - (v) This zone shall be managed and regulated in the same manner as the Little River Tribal Zone in accordance with Section V(a).
- (d) Northern Lake Huron Inter-Tribal Fishing Zone. (Map 15.)
  - (1) Description: Lake Huron grids 202, 207 through 209, 301 through 309, 401 through 410, 504, and those portions of grids 505 and 506 which lie north of a line of latitude at 45.598 degrees, and grids 507 and 508.
  - (2) Regulations: Subject to the other provisions of these Regulations, the following regulations shall apply in this zone:
    - (i) This zone is open to fishers from all Tribes.
- (e) Lake Superior Inter-Tribal Fishing Zone. (Map 17.)
  - (1) Description: All 1836 Treaty Waters of Lake Superior.

- (2) Regulations: This zone is open to fishers from all Tribes subject to the provisions of these Regulations.

## SECTION VII. TRAP NET ZONE.

(a) Southern Lake Huron Trap Net Zone. (Map 15.)

- (1) Description: Lake Huron grids 509 through 512, 606 (only that portion east of a line of longitude at -83.909 degrees) through 611, 709, and those portions of grids 612, 613, 710, 711, and 810 which are north of a line from the mouth of the Thunder Bay River in a straight line northeast through the northeast corner of grid 711 to the international border.
- (2) Regulations: Subject to the other provisions of these Regulations, the following regulations apply in this zone:
- (i) Gear. Except as provided in sub. (v), below, Tribal commercial fishing by any method other than trap nets shall be prohibited.
  - (ii) Eligible Fishers. Trap net fishing in this zone shall be open only to Bay Mills and Sault Tribe trap net fishers by permit. The permits shall be allocated equally between Bay Mills and Sault Tribe. If a Tribe has insufficient fishers interested in the permits allocated to it, the excess permits shall be made available for issuance by the other Tribe.
  - (iii) Operation Limit. A total of four (4) trap net operations shall be authorized for this zone. Trap net fishing by fishers from Bay Mills and Sault Tribe who have not been authorized by their Tribe to fish in this zone is prohibited.
  - (iv) Net Limit. Each trap net operation may set no more than twelve (12) trap nets at any one time within the zone.
  - (v) Bloater Chub Fishing. Fishing for bloater chubs with small mesh gill nets or small mesh trap nets shall be authorized only by permit issued by CORA. Such permits shall be available to fishers from any Tribe.
  - (vi) Walleye and Perch Harvest. From October 1 through November 5 and from November 30 through December 31, walleye and yellow perch may be harvested in trap nets in this zone.
  - (vii) Daily Lake Trout Bag Limit. A Tribal fisher who is authorized to fish in this Zone may simultaneously fish with trap nets in other grids of Lake Huron open to trap net fishing, provided that the daily bag limit for lake trout in that fisher's trap nets shall not exceed 200 pounds.

- (3) Disputed Zone Fishing Opportunity. Bay Mills and Sault Tribe may authorize the Tribal fishers permitted to fish with trap nets in this zone to obtain permits from the State to fish with trap nets in those waters within the State of Michigan south of the southern boundary of this zone and north of a line from the tip of North Point on Thunder Bay in a straight line northeast parallel to the southern boundary of this zone to the international border. The aggregate net effort allowed by all such permits shall not exceed sixteen (16) nets.

## SECTION VIII. CLOSED OR LIMITED FISHING ZONES.

Except as otherwise provided in this Section, Tribal commercial fishing is prohibited in the following areas:

- (a) Break Walls or Piers. Any area within one hundred (100) yards of any break wall or pier; provided, that this prohibition shall not apply to salmon fishing authorized by these Regulations.
- (b) Harbor/Bay Closures.
  - (1) Lake Superior. (Map 22.)
    - (i) *Munising Bay* is closed to commercial fishing with the western boundary of the closed area being a line of longitude at -86.6886 degrees and the northeastern boundary of the closed area being a line of latitude at 46.473 degrees. From November 1 through December 31, the northeastern boundary is a straight line between Sand Point and the East Channel Lighthouse in grid 1634.
    - (ii) *Au Train Bay* in Lake Superior from April 1 through May 15 south of a line of latitude at 46.455 degrees.
  - (2) Lake Michigan.
    - (i) *Little Bay de Noc*. Those portions of Lake Michigan grid 306 that lie within 1836 Treaty waters. (Map 9.)
    - (ii) *St. James Bay*. In Lake Michigan grid 315, no commercial fishing may occur west of a line of longitude at -85.51 degrees. (Map 24.)
    - (iii) *Grand Traverse Bay*. Lake Michigan grids 915 and 916. (Map 12.)
  - (3) Lake Huron.
    - (i) *Hammond Bay*. Near the Hammond Bay harbor of refuge, no commercial fishing is allowed south of a line of latitude at 45.598 degrees and west of a line of longitude at -84.1575 degrees. (Map 25.)

- (ii) *Rogers City*. Near the harbor of Rogers City, no commercial fishing is allowed south of a line of latitude at 45.4345 degrees and west of a line of longitude at -83.7597 degrees. (Map 26.)

(c) Navigation.

- (1) The *St. Mary's River*, east of a line extending from Point Aux Pins, Ontario, to Brush Point, Michigan, downstream to the Detour - Drummond Island ferry docks, including all of Potagannissing Bay from Hay Point (Drummond Island) west to Cherry Island and north to the international boundary. (Map 20.)
- (2) Those portions of *Lake Huron grids 303 and 304* described as follows: The Les Cheneaux channels, or entrances thereto, or waters adjacent thereto within a line drawn as follows: beginning at the southernmost point of land on the westerly side of McKay Bay; then southerly in a straight line to the northernmost point of Boot Island; then along the eastern shore of Boot Island to its southernmost point; then along the south shoreline of Boot Island to a western point; then westerly in a straight line to the southern point of Government Island; then along the shoreline of Government Island to the point at which the distance between said island and LaSalle Island is the least, then westerly in a straight line to LaSalle Island; then along the eastern and southern shoreline of LaSalle Island to the point at which the distance between said island and Little LaSalle Island is the least; then westerly in a straight line to Little LaSalle Island; then westerly along the southern shoreline of Little LaSalle Island to its westernmost point; then westerly in a straight line to the eastern shore of Marquette Island; then along the southwestern shore of Marquette Island to Coats Point; then northwesterly to the southernmost part of Brulee Point, except that trap net fishing targeting whitefish shall be allowed in that portion of Lake Huron grid 303 within the area encompassed by a line from Coats Point on Marquette Island along the western shore of said island to Cube Point; then due west to the shore of the Brulee Peninsula; then southeasterly along said shore to the southern tip of Brulee Point; then southeasterly to Coats Point on Marquette Island. (Map 21.)

(d) Reefs. (Map 23.)

- (1) The *portions of Lake Superior grids 1334, 1335, 1434, and 1435* known as “Big Reef” are closed to commercial fishing, specifically the area that is east of a line of longitude at -86.55 degrees, and south of a line of latitude at 46.93 degrees, and west of a line of longitude at -86.37 degrees, and north of a line of latitude at 46.7 degrees.
- (2) The *portions of Lake Superior grids 1130, 1131, 1230, and 1231* known as “Stannard Rock” are closed to commercial fishing, specifically the area that is east of a line of longitude at -87.28 degrees, south of a line of latitude at 47.27 degrees, west of a line of longitude at -87.11 degrees, and north of a line of latitude at 47.13 degrees.

(e) Stream Mouths. Any area within three-tenths (0.3) mile radius of the mouth of the following streams; provided, that this prohibition shall not apply to salmon fishing authorized by these Regulations:

(1) Lake Superior.

- (i) Marquette County: Chocolay River;
- (ii) Alger County: Au Train River, Anna River, Mosquito River, Seven Mile Creek, Miner's River, Rock River and Hurricane River;
- (iii) Luce County: Blind Sucker River, Big Two Hearted River, and Little Two Hearted River; and
- (iv) Chippewa County: Tahquamenon River and Pendills Creek.

(2) Lake Huron.

- (i) Mackinac County: Nunns Creek, Pine River, and Carp River;
- (ii) Cheboygan County: Cheboygan River;
- (iii) Presque Isle County: Ocqueoc River, and Swan River; and
- (iv) Alpena County: Thunder Bay River.

(3) Lake Michigan.

- (i) Delta County: Escanaba River, Days River, Tacoosh River, Rapid River, Whitefish River, Ogontz River, and Sturgeon River;
- (ii) Schoolcraft County: Thompson Creek, Manistique River, and Milakokia River;
- (iii) Mackinac County: Millecoquins River, Black River, Paquin Creek, Cut River, and Brevort River;
- (iv) Emmet County: Carp Lake River and Bear River;
- (v) Charlevoix County: Pine River;
- (vi) Antrim County: Elk River;
- (vii) Grand Traverse County: Boardman River;
- (viii) Leelanau County: Leland River;

- (ix) Benzie County: Platte River and Betsie River;
  - (x) Manistee County: Arcadia Lake Outlet, Portage Lake Outlet, and Manistee River;
  - (xi) Mason County: Pere Marquette River;
  - (xii) Oceana County: Pentwater Lake Outlet, Silver Creek, and Stoney Creek;
  - (xiii) Muskegon County: White River and Muskegon River; and
  - (xiv) Ottawa County: Grand River.
- (f) Lake Trout Refuges.

(1) Description: The following areas shall be lake trout refuges:

- (i) In Lake Huron, grids 307 through 309, from October 1 through November 29. (Map 8.)
- (ii) In Lake Michigan, two (2) locations (Map 14):
  - (a) Grids 413, 414, 513, 514, 515, 516, and 613; the south half (S<sup>1/2</sup>) of grids 313, 314, and 415; the north half (N<sup>1/2</sup>) of grid 614; and the northwest quarter (NW<sup>1/4</sup>) of grid 517.
  - (b) Grids 1606, 1607, 1706, 1707, 1806, 1807, 1906, and 1907.

(2) Gill Net Fishing Prohibited. Commercial and subsistence fishing with gill nets is prohibited in any refuge.

(3) No Retention with Trap Net. Commercial fishing with trap nets is allowed in any refuge, but retention of lake trout is prohibited.

(4) Lake Trout Retention Prohibited for any Fisher. Retention of lake trout caught by commercial, subsistence, or recreational fishers in any lake trout refuge is prohibited.

### **PART THREE: GEAR**

#### **SECTION IX. GEAR RESTRICTIONS.**

(a) Authorized Gear. The following are the only types of gear which shall be authorized for commercial fishing activity:

- (1) Large mesh gill nets;

- (2) Small mesh gill nets;
  - (3) Impoundment nets;
  - (4) Seines; and
  - (5) Hooks.
- (b) Large and Small Trap Net Mesh Size. Trap nets shall have a four and one-half (4.5) inch (stretch) minimum pot mesh size, except:
- (1) Small mesh trap nets having a two and one-half (2.5) to three (3.0) inch (stretch) pot mesh size may be used for fishing for yellow perch, bloater chubs, or other appropriate species as authorized by GLRC.
  - (2) Small mesh trap nets having a one (1.0) to one and one-half (1.5) inch (stretch) pot mesh size may be used solely for fishing smelt.
- (c) Net Marking. All nets shall be clearly marked at each end with a buoy on the surface, showing the license number of the owner and marked in the following manner:
- (1) Gill Nets.
    - (i) All gill nets set in depths greater than fifteen (15) feet shall have a staff buoy at each end with at least four (4) feet exposed above the surface of the water with a single fluorescent orange flag no less than 16" x 16" bearing the license number of the fisher and affixed to the top of the staff.
    - (ii) Ice poles, a minimum of four (4) feet in length painted red or orange on the top and bearing the license number of the fisher, may be used in all 1836 Treaty waters when ice floes are present.
    - (iii) A gill net or portion of a gill net set in waters greater than fifteen (15) feet and within five (5) feet of the surface of the water shall be marked as required in sub. (i), above, and in addition, shall have either:
      - (a) An additional float, fluorescent orange in color, not less than one (1) gallon in size spaced every six hundred (600) feet or less along the length of the net that is within five (5) feet from the surface in water greater than fifteen (15) feet; or
      - (b) Standard commercially available fluorescent orange floats at least one and one-half (1.5) inches by four inches in size along the cork line not less than every twelve (12) feet in water greater than fifteen (15) feet and within five (5) feet from the surface.

- (iv) Any gill net or portion of a gill net set in water less than fifteen (15) feet deep shall have: a fluorescent orange float not less than one (1) gallon in size, or a red or orange PVC float that is at least six (6) inches by fourteen (14) inches in size, on each end that is in water less than fifteen (15) feet deep. The floats at the ends of each net or gang of nets shall bear the license number of the fisher. In addition, each such net shall also have either:
  - (a) An additional float of the size described above spaced every three hundred (300) feet or less along the length of the net that is in water less than fifteen (15) feet; or
  - (b) Standard commercially available fluorescent orange floats at least one and one-half (1.5) inches by four (4) inches in size along the corkline not less than every twelve (12) feet in water less than fifteen (15) feet.

(2) Trap Nets.

- (i) All trap nets must be marked with a staff buoy on the pot with at least four (4) feet exposed above the surface of the water with double fluorescent orange flags no less than 16" x 16" in size bearing the license number of the fisher and affixed to the top of the staff.
  - (ii) A staff, buoy, or other marking at least one (1) gallon in size shall be used to mark the lead end and the king anchor.
  - (iii) Ice poles, painted red or orange on the top, not less than four (4) feet in length and bearing the license number of the fisher, may be used in 1836 Treaty Waters when ice floes are present.
- (d) Large Mesh Gill Net Size Limits. No Tribal commercial fisher shall use large mesh gill nets with mesh greater than five and one-half (5.5) inches stretch measurement at any time in any 1836 Treaty waters except as follows:
- (1) When fishing for salmon under these Regulations; or
  - (2) When authorized by the Technical Fisheries Committee for species other than whitefish or lake trout.
- (e) Use of Unauthorized Equipment or Method. The use of any gear, mesh size, or method of capturing fish for commercial purposes not authorized by subs. (a) through (d), above, is prohibited.
- (f) Stream Egress Assured. Tribal commercial fishing gear shall not be set in a manner which completely blocks or entirely prevents the free passage of fish into and out of streams that flow into 1836 Treaty waters.

(g) Seasonal Lake Trout and Whitefish Closure.

- (1) All commercial fishing with impoundment nets and large mesh gill nets shall be prohibited during the period of November 6 through November 29 to protect spawning lake trout and whitefish. During this period, fishing for or retention of whitefish or lake trout caught in any gear, including subsistence nets, is prohibited.
- (2) Trap nets may remain in the water during this period, provided that the tunnel is tightly tied shut and the pot is collapsed by removing the float pipes and tying down all four corners of the pot.

(h) Unattended Nets. No Tribal fisher shall have unattended nets in 1836 Treaty waters. Unattended and abandoned nets may be seized by an enforcement officer and forfeited; provided, that if the nets have been reported to the appropriate Tribe as vandalized or lost prior to seizure, the fisher shall be provided a reasonable opportunity to retrieve the nets.

(i) Floating Lines. Floating buoy or staff lines on the surface of the water shall not exceed 15' (fifteen feet) in length; provided fishers may request from their Tribe an exemption from this requirement for nets located in areas of strong current.

**PART FOUR: SPECIES**

**SECTION X. LAKE TROUT.**

Subject to the other provisions of these Regulations, lake trout fishing is authorized as provided in this Section.

(a) Retention of Lake Trout by Tribal Fishers Using Trap Nets.

- (1) The daily bag limit for lake trout caught by trap nets shall be established by GLRC in those areas where and at times when large mesh gill nets are also allowed.
- (2) The daily bag limit for lake trout caught by trap nets in those areas and at times when large mesh gill net fishing is not allowed, is 200 pounds per vessel per day.

(b) Minimum Size.

- (1) Size. No lake trout under seventeen (17) inches long shall be retained by a Tribal trap net fisher. All live lake trout less than 17 inches caught by Tribal gill net fishers shall be released.
- (2) Possession Limit. No more than fifteen (15) pounds round weight per vessel per day of undersized lake trout shall be retained by Tribal gill net fishers. Undersized lake trout shall not be offered for sale.

- (c) Processing Prior to Landing. Except as provided in sub. (d) below, no processing of lake trout, other than dressing, may occur prior to landing a fish on shore. Any removal of heads or tails, or parts of heads or tails, prior to landing on shore shall be considered a violation of this Section; provided that any such removal required for biological sampling is allowed.
- (d) Fillet Limit. Fillets may be landed for personal or family consumption; provided that such fillets shall not exceed ten (10) pounds per vessel per day for all species combined.

**SECTION XI. WHITEFISH.**

Subject to the other provisions of these Regulations, whitefish fishing is authorized as provided in this Section.

- (a) Minimum Size.
  - (1) Whitefish less than seventeen (17) inches long shall be returned to the water immediately if alive.
  - (2) No undersized whitefish shall be offered for sale.
- (b) Possession Limit. Possession of more than fifteen (15) pounds round weight of undersized whitefish is prohibited.
- (c) Processing Prior to Landing. Except as provided in sub (d) below, no processing of whitefish, other than dressing, may occur prior to landing a fish on shore. Any removal of heads or tails, or parts of heads or tails, prior to landing on shore shall be considered a violation of this Section; provided, that such removal required for biological sampling is allowed.
- (d) Fillet Limit. Fillets may be landed for personal or family consumption, provided that the amount of fillets shall not exceed ten (10) pounds per vessel per day for all species combined.

**SECTION XII. SALMON.**

Subject to the other provisions of these Regulations, salmon fishing is authorized as provided in this Section.

- (a) Little Traverse Salmon Fishery. A permit salmon fishery in Lake Michigan for Little Traverse fishers is authorized subject to the following restrictions:
  - (1) Salmon fishing by Little Traverse fishers shall be allowed within one (1) mile from shore from Seven Mile Point in grid 518 north to McGulpin Point in grid 320, from August 1 through October 15.

- (2) Nets may be fished at the surface in this fishery from September 10 through October 15. At all other times during the salmon season in this salmon fishery, nets shall be set at least eight (8) feet below the surface.
- (b) Grand Traverse Salmon Fishery. A salmon fishery in Lake Michigan for Grand Traverse fishers is authorized subject to the limitations of this subsection:
- (1) Salmon fishing shall be allowed from August 1 through October 30 in those portions of grids 715 and 815 within the boundaries of a line from the tip of Omena Point to buoy N"2" off Omena Point then to buoy C"1" off Stony (Suttons) Point, then due west to the intersection with the Leelanau Peninsula.
- (c) Little River Salmon Fishery. Salmon fishing in Lake Michigan for the Liver River Band large mesh gill net program shall be limited to a fifteen (15) fish daily bag limit per vessel for salmon.
- (d) Lake Huron Salmon Fishery. A salmon fishery in Lake Huron is authorized subject to Section V(h) and the limitations of this subsection:
- (1) Fishing for salmon by Sault Tribe commercial fishers is limited to the Sault Tribe Tribal Zone described in Section V(h)(1).
- (2) Salmon fishing shall be allowed from August 1 through October 15 in the St. Martin's Bay zone and in the Cordwood Point zone.
- (3) Nets may be fished at the surface at any time during the specified salmon seasons in the areas described in subs. (1) and (2), above.
- (e) Salmon Harvest Otherwise Prohibited. Except as provided in subs. (a), (b), and (c), above, commercial fishing for salmon is prohibited, except for incidental harvest allowed in sub. (e), below.
- (f) Possession Limit Outside Salmon Zones. Retention of more than two hundred (200) pounds round weight per vessel per day of salmon caught as incidental catch in gill nets outside the salmon fishing zones described in subs. (a), (b), and (c) is prohibited.
- (g) Trap Net Retention Prohibited. Retention of salmon caught in trap nets is prohibited. All salmon caught in trap nets must be returned to the water whether dead or alive.
- (h) Ingress and Egress Protected. Salmon nets shall be set in a manner that permits reasonable ingress and egress by shoreline residents.

### **SECTION XIII.      WALLEYE.**

Subject to the other provisions of these Regulations, walleye fishing is authorized as provided in this Section.

- (a) Commercial Walleye Fishing Areas. Tribal commercial fishing for walleye is allowed in the following locations:
- (1) Lake Michigan.
    - (i) Statistical Districts MM-2, MM-3, MM-4, and MM-5 are open year-round, subject to spawning closure.
    - (ii) The Bay de Noc Zone, subject to those regulations in Section V(b).
    - (iii) The Little River Band Zone, subject to those regulations in Section V(f).
  - (2) Lake Huron.
    - (i) Lake Huron Statistical District MH-1, excluding the Bay Mills Tribal Zone and that portion of Grid 606 east of a line of longitude at -83.909 degrees, and Grid 607, is open year-round, subject to spawning closure.
    - (ii) In the Southern Lake Huron Trap Net Zone, walleye may be harvested only with impoundment nets from October 1 through November 5 and from November 30 through December 31. (Map 15.)
  - (3) Lake Superior Statistical Districts MI-5, MI-6, MI-7, and MI-8.
- (b) Possession Limit for Lake Michigan Districts MM-6 and MM-7. Possession of more than fifteen (15) walleye per vessel per day is prohibited in MM-6 and MM-7.
- (c) Possession Limit for Closed Season. During seasons closed to walleye fishing, possession of more than fifteen (15) pounds round weight of walleye per vessel per day is prohibited.
- (d) Spawning Closure. The following closures shall apply to Tribal commercial fishing in those waters in which commercial walleye fishing is allowed:
- (1) In the Lower Peninsula waters of lakes Michigan and Huron, no more than fifteen (15) pounds round weight of walleye may be retained per license per day from March 15 through the Friday before the last Saturday in April.
  - (2) In the Upper Peninsula waters of lakes Michigan, Huron, and Superior, no more than fifteen (15) pounds round weight of walleye may be retained per license per day from March 15 through May 14.
  - (3) The location from which the fishing vessel is launched and the fish are landed will delineate the closure dates applicable to a Tribal fisher.

- (e) Possession of Undersized Walleye. Walleye less than fifteen (15) inches in total length caught in impoundment nets shall be returned to the water dead or alive. Possession of more than fifteen (15) pounds round weight of walleye less than fifteen (15) inches in total length captured in gill nets is prohibited. No undersized walleye shall be offered for sale.
- (f) Retention of Walleye in Trap Net Zone in Closed Season. Retention of walleye caught in the Southern Lake Huron Trap Net Zone is prohibited from January 1 through September 30. During that time, all walleye caught in the trap net zone shall be returned to the water dead or alive.
- (g) Processing Prior to Landing. Except as provided in sub. (h) below, no processing of walleye, other than dressing, may occur prior to landing fish on shore. Any removal of heads or tails, or parts of heads or tails, prior to landing on shore shall be considered a violation of this Section; provided that any such removal required for biological sampling is allowed.
- (h) Fillet Limit. Fillets may be landed for personal or family consumption; provided that such fillets shall not exceed ten (10) pounds per vessel per day for all species combined.

#### **SECTION XIV. YELLOW PERCH.**

Subject to the other provisions of these Regulations, yellow perch fishing is authorized as provided in this Section.

- (a) Yellow Perch Fishing Areas. Tribal commercial fishing for yellow perch is allowed in the following locations:
  - (1) Lake Michigan Statistical Districts MM-2, MM-3, MM-4, and MM-5, except for the grids identified in subs. (i) and (ii), below:
    - (i) That portion of grid 315 at the mouth of Beaver Island Harbor that is west of a line of longitude at -85.5 degrees, is closed to yellow perch fishing and retention of this species is prohibited. (Map 24.)
    - (ii) From January 1 through June 15, those waters of Northport Bay in grid 715 west of a line from the tip of Northport Point to the R"2" buoy (located at 45.1291, -85.5536 degrees) and north of a line from the R"2" buoy due west to shore. (Map 13.)
  - (2) Lake Huron.
    - (i) Lake Huron Statistical District MH-1.
    - (ii) In Lake Huron Statistical District MH-2, yellow perch may be harvested only with impoundment nets from October 1 through November 5 and from November 30 through December 31.

- (3) Lake Superior Statistical Districts MI-5, MI-6, MI-7, and MI-8.
- (b) Possession Limit in MM-1, MM-6, MM-7. Yellow perch may not be targeted in Lake Michigan Statistical Districts MM-1, MM-6, and MM-7 and retention of yellow perch in those Districts is prohibited.
- (c) Spawning Closure. The following closures shall apply to Tribal commercial fishing in those waters in which commercial yellow perch fishing is allowed:
- (1) In Lakes Huron and Superior from April 1 through May 15 no more than fifteen (15) pounds round weight of yellow perch may be retained per license per day.
- (2) In Lake Michigan from May 1 through June 15 no more than fifteen (15) pounds round weight of yellow perch may be retained per license per day.
- (d) Possession of Undersized Perch. Yellow perch less than eight (8) inches in total length caught in impoundment nets shall be returned to the water dead or alive. Possession of more than fifteen (15) pounds round weight of yellow perch less than eight (8) inches in total length captured in gill nets is prohibited. No undersized yellow perch shall be offered for sale.
- (e) Retention of Perch in Trap Net Zone in Closed Season. Except as provided in sub. (a)(2), above, retention of yellow perch caught in the trap net zone identified in Section VII is prohibited.
- (f) Processing Prior to Landing. Except as provided in sub. (g) below, no processing of yellow perch, other than dressing, may occur prior to landing fish on shore. Any removal of heads or tails, or parts of heads or tails, prior to landing on shore shall be considered a violation of this Section; provided that any such removal required for biological sampling is allowed.
- (g) Fillet Limit. Fillets may be landed for personal or family consumption; provided, that such fillets shall not exceed ten (10) pounds per vessel for all species combined.

## **SECTION XV. OTHER SPECIES.**

Subject to the other provisions of these Regulations, the commercial harvest of any other species is authorized unless specifically prohibited in Section XVI.

- (a) Lake Herring (cisco). Commercial fishing for lake herring is subject to the following restrictions:
- (1) Fishing for lake herring is allowed from December 15 through November 15.

(2) In order to protect lake herring spawning stocks, from November 15 through December 15, possession of more than four hundred (400) pounds round weight of lake herring is prohibited.

(b) Smelt. Commercial and subsistence fishing for smelt is subject to the following restrictions:

(1) Fishing for smelt is limited to the period of March 1 through May 31; and

(2) Possession of any species other than smelt by a commercial fisher is prohibited when fishing with:

- (i) Small mesh gill net with a diagonal stretch measurement of one (1.0) through one and one-half (1.5) inches; or
- (ii) Trap net having a one (1.0) to one and one-half (1.5) inch (stretch) pot mesh size.

## **SECTION XVI. PROHIBITED SPECIES.**

(a) No Commercial Sale. The following fish species shall not be targeted for harvest or offered for sale or exchange when taken as bycatch during commercial fishing activities: muskellunge (except in Lake Michigan), splake, brown trout, brook trout, rainbow (steelhead) trout, Atlantic salmon, largemouth and smallmouth bass, and northern pike. Retention of such species when taken as bycatch during commercial trap net fishing is prohibited. Retention of more than twenty-five (25) pounds round weight per vessel per day of such species as bycatch during commercial gill net fishing is prohibited.

(b) No Possession Authorized. The following fish species shall not be targeted for harvest or offered for sale or exchange when taken as a bycatch during commercial fishing, and any catch shall immediately be returned to the water if alive or, if not alive, shall be turned in to the BSD, Tribal biological staff, or the nearest Michigan Department of Natural Resources field office and shall not be retained in possession: lake sturgeon, muskellunge (Lake Michigan only), and any fish species listed as threatened or endangered under the Federal Endangered Species Act.

## **PART FIVE: NON-COMMERCIAL FISHING**

### **SECTION XVII. RECREATIONAL FISHING.**

Tribal citizens may engage in recreational fishing in the 1836 Treaty waters subject to the bag limits, seasons, size limits, closed areas, and gear and method restrictions applicable to recreational fishers licensed by the State of Michigan. Tribal citizens engaged in recreational fishing must have a Tribal citizenship identification card in their possession, but no further license is required.

**SECTION XVIII. TRIBAL CHARTER BOAT OPERATIONS.**

- (a) Any Tribe which authorizes or conducts a charter boat operation shall adopt safety inspection standards for its charter operations substantially similar to those that exist under current State law for vessels carrying passengers for hire.
- (b) Customers of Tribal charter operations who are not citizens of one of the Tribes shall be subject to applicable State law including, but not limited to, licensing requirements, rod limits, size and bag limits, daily possession limits, and seasons.
- (c) Any Tribal charter boat operation shall report its charter boat harvest, including the number and weight of species caught by recreational fishers, and areas fished, to the State in accordance with provisions applicable to State-licensed charter boat operations.

**SECTION XIX. SUBSISTENCE FISHING.**

- (a) Authorized Gear. The following are authorized gear for Tribal subsistence fishing activity: impoundment gear, hooks, spears, bow and arrow, artificial lights, seines, dip nets, and a single large mesh or small mesh gill net as regulated in this Section.
- (b) Net Marking. Each gang of gill nets or impoundment nets used in subsistence fishing activity shall be marked at each end with an orange float equivalent to at least a one (1) gallon jug in size bearing the license number of the subsistence fisher.
- (c) Licensure; Permit for Use of Net. Tribal fishers who engage in subsistence fishing shall obtain a subsistence fishing license issued by their Tribe, and shall abide by all provisions of these Regulations and applicable Tribal regulations governing subsistence fishing. In addition, no Tribal citizen shall engage in subsistence fishing with gill nets or impoundment nets without a Tribal permit which shall be limited both in duration and in the area where the fishing may occur; any such permits for subsistence fishing with nets within a Tribal Zone shall be issued by that zone's Tribe. The Tribal citizen shall abide by the limitations contained in the permit.
- (d) Possession Limit. Subsistence fishers shall be limited to one hundred (100) pounds round weight per calendar day aggregate catch of all species in possession.
- (e) Maximum Number of Fishers in Single Vessel. No more than two (2) subsistence fishers may fish from a single vessel at the same time.
- (f) Sale and Barter Prohibited. Subsistence fishers shall not sell or otherwise exchange for value any subsistence catch.
- (g) Gill Net Length Limits. Subsistence gill netting is limited to one (1) net of three hundred (300) feet or less per vessel per day; provided that this amount is doubled when two (2) subsistence fishers are fishing from a single vessel at the same time. However, in the St. Mary's River as described in Section VIII(c)(1) and in Little Bay de Noc (grid 306), a

single gill net shall not exceed one hundred (100) feet in length. The tying together of single gill nets to form a gang of nets is prohibited.

(h) Area Closures. Subsistence fishing is authorized in all 1836 Treaty waters, except:

(1) Subsistence fishing with gill nets is prohibited in all lake trout refuges, and retention of lake trout taken with any gear in lake trout refuges is prohibited.

(2) Subsistence fishing gear shall not be set in a manner which completely blocks or entirely prevents the free passage of fish into and out of streams that flow into 1836 Treaty waters.

(3) There shall be no subsistence fishing with nets:

(i) Within one hundred (100) yards of any break wall or pier;

(ii) Within a three-tenths (0.3) mile radius of the mouth of the streams listed in Section VIII(e); or

(iii) In any Tribal zone where fishing with all types of nets has been closed.

(i) Spawning Closure for Lake Trout and Whitefish Applicable. Subsistence fishing with large mesh gill nets and impoundment nets is prohibited during the period from November 6 through November 29.

(j) Little Bay de Noc, Lake Michigan (grid 306):

(1) Subsistence fishers shall not use gill nets or possess walleye March 1 through May 14 north of an east-west line drawn from Saunders Point to Hunters Point.

(2) Subsistence gill nets shall not exceed one hundred (100) feet in length.

(3) Each subsistence fisher must obtain a permit prior to fishing and is limited to no more than ten (10) permits per 30-day period. Permits are valid for a 24-hour period that begins and ends at sunset.

(4) For each permitted period, subsistence fishers are limited to twenty (20) fish in possession, regardless of species.

(k) Big Bay de Noc, Lake Michigan:

(1) Subsistence fishers shall not use gill nets or possess walleye March 1 through May 14 in the waters of grids 308 and 309 north of a line from St. Vitals Point to the northernmost tip of Garden Bluff.

- (l) Possession Prohibited. Lake sturgeon, muskellunge (in Lake Michigan), and any species of fish listed as threatened or endangered under the Federal Endangered Species Act shall not be targeted by subsistence fishers for harvest, and any catch of such fish shall be returned to the water alive or, if not alive, shall be turned into the BSD or Tribal biological staff and shall not be retained in possession.
- (m) Harvest Reporting Required. All subsistence fishers who engage in any fishing activity under this Section shall file catch reports as provided in Section XXII(b).
- (n) Specific Restrictions. No subsistence fisher shall set a gill net within fifty (50) feet of another gill net. In the City of Sault Ste. Marie's Kids Fishing Pond at Rotary Park Island, all fishing activity shall be in accordance with those regulations imposed by the City of Sault Ste. Marie and the State of Michigan.

## **PART SIX: LICENSES AND INFORMATION**

### **SECTION XX. LICENSE AND REGISTRATION DEFINITIONS AND RESTRICTIONS.**

- (a) Commercial License. A commercial fishing captain license entitles the holder to operate a fishing boat and to participate fully in all commercial fishing activities, including the capture and sale of all species pursuant to these Regulations. It further entitles the holder to employ helpers in such activities, provided that a person holding a commercial fishing captain license shall not purchase, barter, trade, or sell subsistence caught fish. Fees for such licenses may be set by individual Tribes. The license shall be valid during the calendar year for which it is issued.
- (b) Helper License. A commercial fishing helper license entitles the holder to assist the holder of a commercial fishing captain license in commercial fishing activities, provided that a person holding a commercial fishing helper license shall not purchase, barter, trade, or sell subsistence caught fish. Fees for such licenses may be set by individual Tribes. The license shall be valid during the calendar year for which it is issued.
- (c) Subsistence License. A subsistence fishing license entitles the holder to engage in fishing activities for subsistence purposes. Subsistence caught fish may not be purchased, sold, or commercially exchanged. Fees for such licenses may be set by individual Tribes. The license shall be valid during the calendar year for which it is issued.
- (d) Vessel Registration. A commercial fishing vessel registration is necessary in order for any vessel to be utilized for commercial fishing. Anyone with a valid commercial fishing captain license may operate a properly registered commercial fishing vessel. Fees for such licenses may be set by individual Tribes.
- (e) Tribal Identification Sufficient for Recreational Fishing. A citizen of a Tribe who engages in recreational fishing shall not be required to have in his or her possession a fishing license but must have Tribal identification in his or her possession at all times.

- (f) Commercial Fishing with Unlicensed Individual Prohibited. No holder of a commercial fishing captain license, commercial fishing helper license, or commercial fishing vessel registration shall fish as an employee of or for shares with a person not licensed to exercise treaty fishing rights. This prohibition shall be liberally interpreted to prohibit a licensee from exercising treaty fishing rights for the benefit of non-Indians.
- (g) Dual Licensure Prohibited. Except as provided in Section VII(a)(3), no Tribe shall issue a commercial fishing captain license or a commercial fishing vessel registration to a person who also holds a license or permit of any kind issued by the State of Michigan for commercial fishing.

## SECTION XXI. LICENSE REGULATIONS.

- (a) Minimum Age for Fishing License. No citizen of a Tribe sixteen (16) years of age or older may engage in fishing activity within 1836 Treaty waters without having in his or her possession at all times a commercial fishing captain license countersigned under 25 C.F.R. Part 249, a commercial fishing helper license countersigned under 25 C.F.R. Part 249, or a subsistence license issued in accordance with these regulations, or, if engaged in recreational fishing, a Tribal identification.
- (b) License Required to Assist. No citizen of a Tribe may allow a person who does not possess a valid fishing license as required by sub. (a), above, to aid or assist him or her while engaged in any fishing activity authorized by this Code.
- (c) Examination of License, Permit, or Identification. The license, permit or identification required by subs. (a) and (b) of this Section shall be shown to any Enforcement Officer who makes a request to examine it.
- (d) Registration of Boat, Snowmobile, Off Road Vehicle. Each boat which is used by a citizen of the Tribes for fishing activity shall have affixed to it in a clearly visible manner the number of the commercial fishing vessel registration issued by a Tribe. Each snowmobile or off road vehicle which is used by a citizen of a Tribe for fishing activity shall have affixed to it in a clearly visible manner a valid Tribal or State of Michigan snowmobile or off road vehicle registration.
- (e) Licensed Captain Required On Board. Each boat which is used by a citizen of a Tribe for commercial fishing activity must have on board at all times at least one person with a valid commercial fishing captain license.
- (f) Restrictions on Presence of Non-Citizens on Board. No citizen of a Tribe may allow any person who does not possess a valid fishing license as required by sub. (a), above, to be on board a commercial fishing vessel while it is operating on 1836 Treaty waters; provided, however, that such person's presence may be authorized by the citizen's Tribe through the issuance of a written permit. Issuance of such authorization shall not be considered a permit to engage or assist in fishing activity. Such permit shall identify by name and

address the authorized individual, specify the commercial fishing vessel upon which the individual may be a passenger and the purpose for his presence, and identify the dates for which such authorization is valid.

**SECTION XXII. HARVEST REPORTING AND SAMPLING.**

(a) Harvest Reporting by Each Commercial Fishing Captain Required. Each person to whom a commercial fishing captain license has been issued shall submit a complete and accurate report documenting their individual fish harvest, and other required information for each reporting period, as described in this Section. The licensee who is in charge of the fishing vessel may file a single report listing the names and license numbers of all licensed fishers who worked on the vessel at any time during the reporting period, as well as the information required in sub. (2), below.

(1) Manner of Reporting. Reports shall be entered on an electronic reporting system developed and operated by CORA for that purpose. Entry of data may be done by the commercial fishing captain, with the assistance of his/her Tribe's natural resources department staff, if requested to do so.

(2) Report Contents. For each day of fishing, the report shall include, at a minimum:

- (i) The type and amount of gear used, such as total length of gill net lifted, or number of impoundment nets lifted;
- (ii) Mesh size of nets as appropriate;
- (iii) The location of fishing by grid number;
- (iv) The total pounds of each species landed, whether sold or retained for personal use;
- (v) Whether the fish were sold round or dressed;
- (vi) The fisher's license number;
- (vii) The date of the activity;
- (viii) Name of person entering the data; and
- (ix) Any other information as required.

(3) Frequency of Reporting. A commercial catch report must be submitted twice monthly, no later than 11:59 p.m. Eastern Time on the second (2nd) and fourth (4th) Wednesdays of each month, unless more frequently required, containing the information described in sub. (2), above, for all fishing activities conducted from the previous reporting date through the Tuesday preceding each subsequent reporting date (Wednesday).

- (4) No Fishing Report. The holder of a commercial fishing captain license who does not fish during a reporting period shall file a report of “no fishing.”
- (5) Confidentiality. Catch reports filed by individual Tribal fishers are confidential and protected from disclosure. CORA shall not divulge the name of any reporting fisher or release a catch report except as required by an order from the appropriate Tribal court.
- (6) Penalties for Not Reporting. Any licensee who has failed to file the required harvest report as specified in sub. (a), above, shall be subject to the following sanctions:
  - (i) Failure to file a harvest report shall constitute a civil violation punished by a fine of not less than:
    - (a) \$100.00 for a commercial licensee.
    - (b) \$50.00 for a subsistence licensee issued under Section XX(c).
  - (ii) Payment of the fine shall not relieve the licensee of the requirement to file the harvest report. Failure to submit the report at the time of sentencing shall cause immediate suspension of the license by the Tribal Court, which shall remain in effect until such time as the licensee files the harvest report.
- (b) Subsistence Reporting Requirements. Each person to whom a subsistence fishing license has been issued shall submit to his or her Tribe for each calendar month not later than the tenth (10th) day of the following month, catch reports documenting harvest. Any Tribe may elect to utilize CORA’s electronic reporting system for submission of subsistence harvest reports.
  - (1) Manner of Reporting. Subsistence harvest reports shall be filed with the recipient designated by the Tribe that has issued the license. A Tribe may designate the BSD as the recipient of its catch reports.
  - (2) Frequency of Reporting; Little Bay de Noc. Subsistence fishers who engage in fishing activity in Lake Michigan grid 306 (Little Bay de Noc) from March 1 to May 14 shall submit catch reports by 5:00 p.m. each Monday following the week in which harvest took place. The reporting week shall be Monday through Sunday. In all other respects, the provisions of this sub. (b) apply to these fishers.
  - (3) Report Contents. The subsistence harvest report shall be submitted on forms developed for that purpose by the BSD, and each report shall include, for each day of fishing activity:
    - (i) The type and amount of gear used;
    - (ii) The location of fishing activity by grid number;

- (iii) The total pounds round weight of each species landed;
  - (iv) The fisher's license number and, if nets were used, the fisher's permit number;
  - (v) The date of the activity; and
  - (vi) Any other information required.
- (4) No Fishing Report. The holder of a subsistence fishing license who does not fish during a month shall file a report of "no fishing."
- (5) Confidentiality. Catch reports filed by individual Tribal fishers are confidential and protected from disclosure. CORA shall not divulge the name of any reporting fisher or release a catch report except as required by an order from the appropriate Tribal court.
- (6) Penalties for Noncompliance. A subsistence fisher who fails to file the required harvest report shall be subject to the following sanctions:
- (i) Issuance of a citation for civil violation of this provision with a fine not less than \$50; and
  - (ii) Suspension or termination of any permit for engaging in subsistence fishing at a location for which a permit in addition to the subsistence license is required.
  - (iii) A fine not less than \$25.00 may be imposed for a subsistence fisher limited to use of hook and line fishing gear.
- (c) Sale Receipts for Retail Outlet Purchases. Each Tribally-licensed commercial fisher shall issue a bill of sale to any retail outlet purchasing fish from such fisher. The bill of sale shall be on a form developed by CORA for that purpose which shall contain the name of the Tribal fisher; the number and pounds, by species, of fish sold; the date of sale; and the signature of the fisher. A copy of each bill of sale shall be submitted by commercial fishers to their respective Tribe on the same dates that commercial harvest data is transmitted; provided that the data can be entered into CORA's electronic reporting system, mailed via U.S. Postal Service, or delivered in person.
- (d) Provision of Information to Wholesaler. Tribally-licensed commercial fishers selling fish to any State- or Tribally-licensed fish wholesaler shall furnish the wholesaler with the name of the seller, the seller's address and license number, and the date of the sale.
- (e) Tribally-Licensed Fish Wholesaler Reports. Any Tribally-licensed fish wholesaler shall furnish reports of all purchases of fish to the electronic reporting system owned and operated by CORA, indicating the name of the seller; the date; the seller's license number; the number and pounds of each species sold; and the price paid for each species. Tribally-licensed wholesale fish dealers shall require identification from each seller of fish. A

Tribally-licensed wholesale fish dealer shall purchase fish only from a State- or Tribally-licensed commercial fisher, or other legal source of fish. Data for fish purchases shall be submitted not less than twice monthly, no later than 11:59 p.m. Eastern Time on the second (2nd) and fourth (4th) Wednesdays of each month. Each submission shall include all purchases of fish made from the previous reporting period through the Tuesday preceding each reporting date.

(f) Tribally-Licensed Charter Boat Operator Reports. Any Tribally-licensed Charter Boat operation must utilize the electronic reporting system owned and operated by CORA to report data from each trip, as specified in this subsection.

(1) Reporting Frequency. Data for trips shall be submitted not less than twice monthly, no later than 11:59 p.m. Eastern Time on the second (2nd) and fourth (4th) Wednesdays of each month, and shall include all trips taken from the previous reporting date through the Tuesday preceding each reporting date.

(2) Report Contents. Each report of a Tribally-licensed Charter Boat operation shall include for each trip:

- (i) Number of anglers aboard;
- (ii) Hours fished;
- (iii) Location of fishing by Lake Trout Management Unit and primary grid fished; and
- (iv) Number of fish of each species harvested and released.

(g) Sampling. Any catch shall be subject to reasonable biological sampling by Tribal biologists or the BSD to obtain information required for conservation and management purposes. If such sampling impairs or destroys the market value of the sampled fish, a reasonable value for the loss shall be paid to the fisher.

### **SECTION XXIII. ASSESSMENT FISHING.**

Notwithstanding the other provisions of these Regulations, assessment fishing may be conducted by Tribal commercial fishers under permit from the Tribes/CORA or the State of Michigan. Such assessment fishing by commercial fishers shall be limited by the following, except as may be otherwise approved by the State and the Tribes:

- (a) Tribal commercial fishers shall not conduct assessment fisheries in areas otherwise closed to Tribal commercial fishing under Section VIII.
- (b) If an assessment conducted by commercial fishers will (1) harvest a species in an area where commercial fishing for that species is prohibited by these Regulations, (2) utilize commercial gear in an area where or during a time when the commercial use of such gear

is otherwise prohibited by these Regulations, or (3) utilize gear not authorized for commercial use, the following conditions apply:

- (1) Assessments conducted by a Tribal commercial fisher shall be limited in duration to no more than three years. Assessments may be extended beyond three years with the agreement of the United States, the Tribes, and the State.
- (2) If the assessment meets the criteria contained in sub. (a) or (b), above, and utilizes gill net, that assessment shall be limited to a single operation using no more than 6,000 feet of large mesh gill net, small mesh gill net, or graded mesh gill net.

## **PART SEVEN: ACCESS**

### **SECTION XXIV. USE OF ACCESS SITES.**

- (a) Sites Subject to this Section. Fishers issued licenses or permits under these Regulations, including subsistence fishers, are authorized to use:
  - (1) Access sites which are subject to permits issued by agencies of the State of Michigan and the United States to the Chippewa Ottawa Resource Authority (CORA), as well as such sites as CORA may acquire; and
  - (2) Publicly owned access sites, including those used for putting boats into and pulling boats out of the water, for docking facilities, and for parking of vehicles.
- (b) Access Site Minimum Restrictions on Use. The following regulations apply to the use of any access site subject to this Section XXIV:
  - (1) All vehicles shall be parked in the designated parking areas only.
  - (2) Equipment, with the exception of boat trailers, shall not be left on site overnight.
  - (3) Sites shall be maintained in a neat and orderly fashion with all garbage and refuse disposed of properly.
  - (4) Littering is prohibited.
  - (5) Cleaning of fish or fish disposal is prohibited.
  - (6) Maintenance of equipment on site is prohibited.
  - (7) Damage to trees, signs, and improvements is prohibited.
  - (8) Overnight camping and overnight housing are prohibited.

- (9) Only active fishing boats may be moored at an access site from April 1 to December 31 of each year; provided that such requirement shall not apply during the closed season for whitefish.
- (10) Unless specified otherwise in the access site permit, no boat shall be left on the beach of the access site.
- (c) Access Site Use Restrictions. Any fisher utilizing an access site for which a permit is issued must comply with the restrictions or requirements, if any, set forth in the applicable permit.
- (d) Penalties. Violations of this Section are subject to the jurisdiction and enforcement provisions of Section XXVII and, in addition, may result in revocation or denial of permission to use access sites and an order of restitution for any damage caused.

## **PART EIGHT: REGULATION AND ENFORCEMENT**

### **SECTION XXV. TRIBAL REGULATIONS.**

- (a) Each of the Tribes may promulgate regulations necessary to implement those portions of the Management Plan or 2023 Great Lakes Fishing Decree which apply to that particular Tribe only, or which affect it in ways that are not reflected in the Tribal Code.
- (b) Each of the Tribes may promulgate additional and different regulations governing its citizens which are more restrictive than the provisions of the Tribal Code, provided that the regulations comply with the Management Plan and 2023 Great Lakes Fishing Decree and do not involve matters that require uniformity among the Tribes.
- (c) The violation of any Tribal regulation adopted as provided in this Section is prohibited.

### **SECTION XXVI. ORDERS OF THE DIRECTOR.**

- (a) The Director of the Biological Services Division shall issue emergency orders closing, curtailing, or otherwise restricting fishing activity by Tribal fishers when substantial harm to the resource is imminent and the need for immediate action is evident. Such an emergency order, unless rescinded by the Director, shall remain in effect until forty-five (45) days from the date of issuance or until GLRC has acted upon the matter, whichever shall first occur.
- (b) The Director shall have the authority to close fishing by citizens of any Tribe, or to implement other regulations authorized by or consistent with the 2023 Great Lakes Fishing Decree, Management Plan, and these Regulations necessary to prevent that Tribe or its fishers from violating the provisions of the 2023 Great Lakes Fishing Decree, Management Plan, these Regulations, or decisions of GLRC or the Director made in accordance with the Management Plan.

- (c) The violation of any order of the Director issued in accordance with this Section is prohibited.

**SECTION XXVII. JURISDICTION AND ENFORCEMENT.**

- (a) Jurisdiction. Jurisdiction to enforce these Regulations upon citizens of each Tribe is vested exclusively in the Tribal court of that Tribe.
- (b) Civil Violations. Except for the provisions of Section XXVIII, these Regulations are civil in nature. Violations may be punished by suspension or revocation of the fishing license or permit of the violator, assessment of a monetary penalty, forfeitures as set forth in subs. (c), (d), and (e), below, without the necessity of a separate forfeiture action, and any other penalty provided for by the civil or criminal code of the Tribe for violations within its jurisdiction.
- (c) Major Civil Violations. Violations of the regulations listed below shall be major violations and shall be punished by license or permit suspension for not less than thirty (30) days, a fine of not less than \$250.00, forfeiture of the catch, and such additional penalties as the Tribal court may order:
  - (1) Commercial fishing for species listed in Section XVI;
  - (2) Commercial fishing for a fish species during the closed season for that species in the area of the fishing activity;
  - (3) Commercial fishing in an area closed to that activity as specified in Section VIII;
  - (4) Fishing with gear prohibited in lake trout refuges, or with gear prohibited during closed seasons, or with gear which is prohibited by subsequent amendment of these Regulations or by an emergency order of the Director; and
  - (5) Engaging in commercial fishing activity without first having obtained a valid commercial fishing captain license or commercial fishing helper license, as required by these Regulations.
- (d) Seizure of Fish and Fish Parts. All fish, eggs, or parts of fish taken, possessed, sold, purchased, offered for sale or purchase, or transported, delivered, received, carried, shipped, exported, or imported contrary to these Regulations shall be subject to seizure and shall be forfeited to the appropriate Tribal court.
- (e) Seizure of Equipment and Vehicles. All traps, nets and other equipment, vessels, snowmobiles, vehicles, and other means of transportation used to aid in the taking, possessing, selling, purchasing, offering for sale or purchase, transporting, delivery, receiving, carrying, shipping, exporting, or importing any fish, eggs, or parts of fish in violation of these Regulations shall be subject to seizure and may be forfeited by the appropriate Tribal court.

- (f) Prosecution. The Tribes shall review and may prosecute all alleged violations of these Regulations referred to them by enforcement officers.
- (g) Enforcement Actions Authorized. Any enforcement officer may:
  - (1) Detain for inspection and inspect any package, crate, box, or other container, including its contents and all accompanying documents or tags, at reasonable times.
  - (2) Arrest without warrant any person committing in his or her presence or view a violation of Section XXVIII.
  - (3) Execute any process for enforcement of the provisions of these Regulations.
  - (4) Search any place reasonably related to fishing activity, with or without a warrant, as authorized by State law.
  - (5) Seize, with or without warrant, any article which may be subject to forfeiture under subs. (c), (d), and (e), above, or which may be required as evidence of a violation of these Regulations, if the violation occurs in his or her presence; provided, however, that any such articles seized shall be delivered within forty-eight (48) hours of the time of seizure into the custody of the Tribal court of the Tribe which has licensed or permitted the fisher who has violated these Regulations.

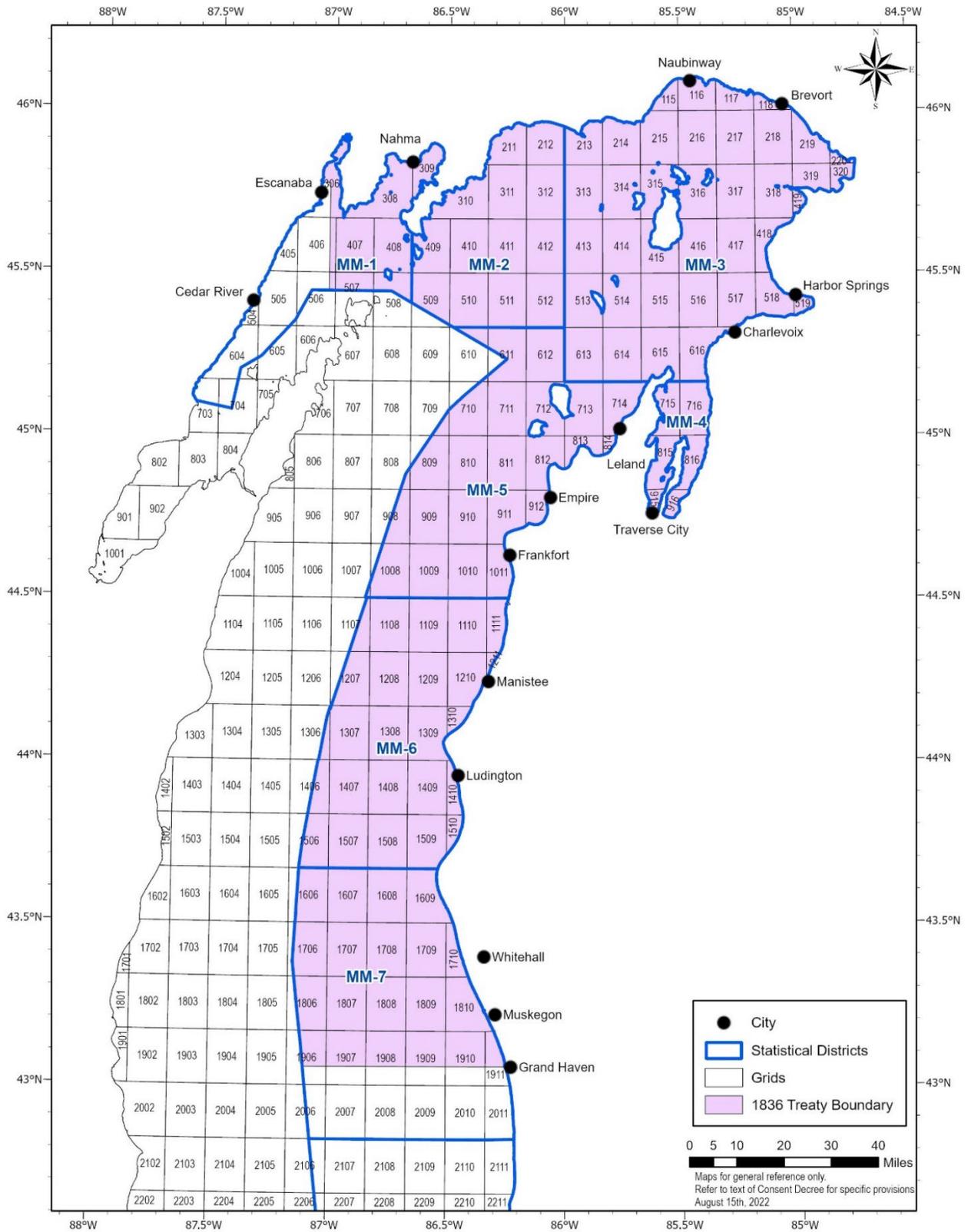
**SECTION XXVIII. CRIMINAL PROVISIONS.**

- (a) It shall be a criminal offense for any person to commit any of the following acts:
  - (1) Assault, resist, oppose, impede, intimidate, bribe, attempt to bribe, or interfere with an enforcement officer engaged in enforcing these Regulations.
  - (2) Violate any license or permit suspension or revocation ordered by a Tribal court under Section XXVII.
  - (3) Commit any contempt in the presence of the Tribal court.
  - (4) Violate any court order.
  - (5) Damage or steal nets or equipment belonging to another fisher, or steal from another fisher's nets.
- (b) Criminal offenses shall be punishable by a fine not to exceed \$5,000.00 or imprisonment not to exceed one year, or both. In addition, the forfeiture provisions of Section XXVII(d) and Section XXVII(e) shall apply to those convicted of criminal offenses.

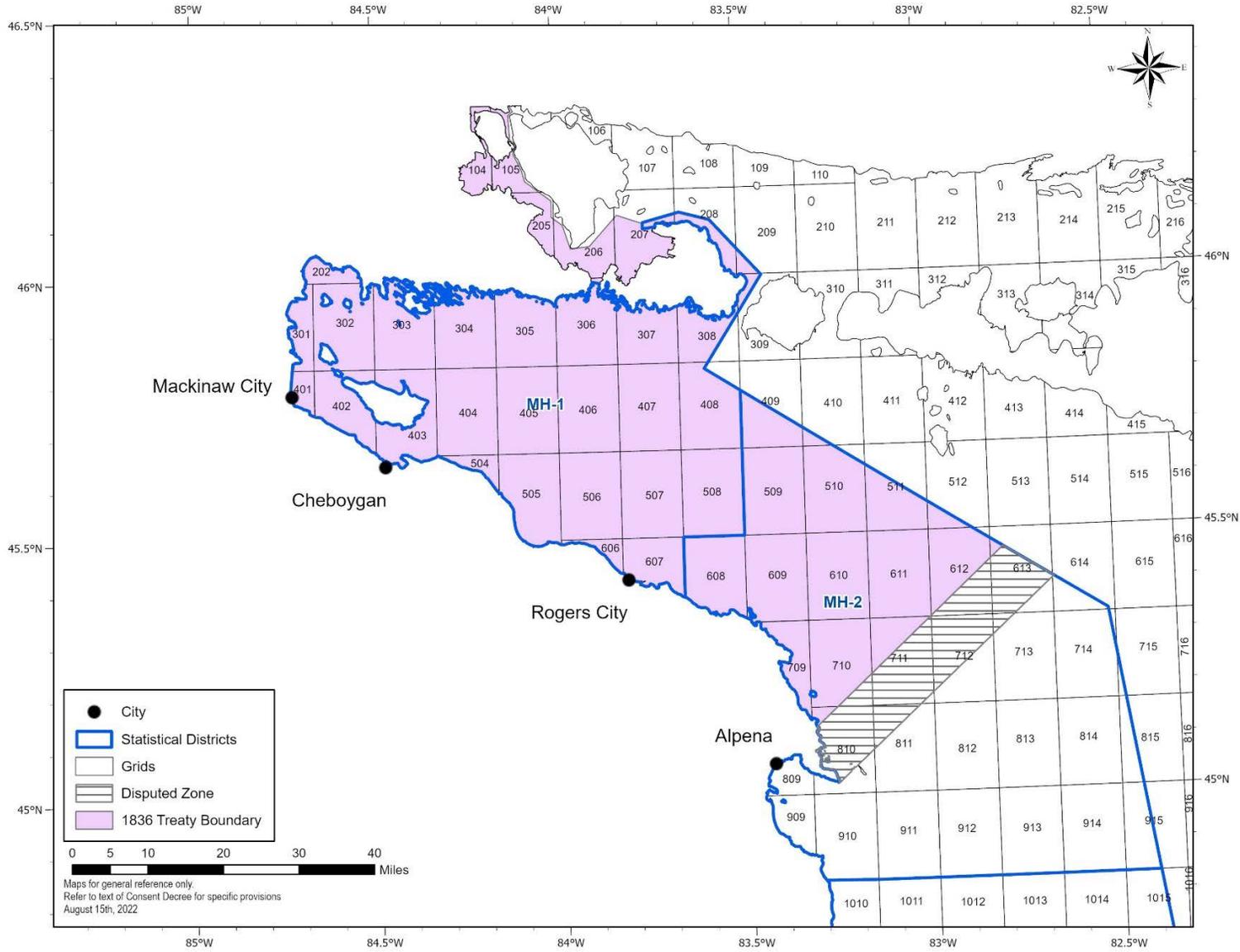
## **APPENDIX 1**

*Maps Depicting the Grids, Management Units, Statistical Districts, Zones, and Various Other Areas Described in the Consent Decree*

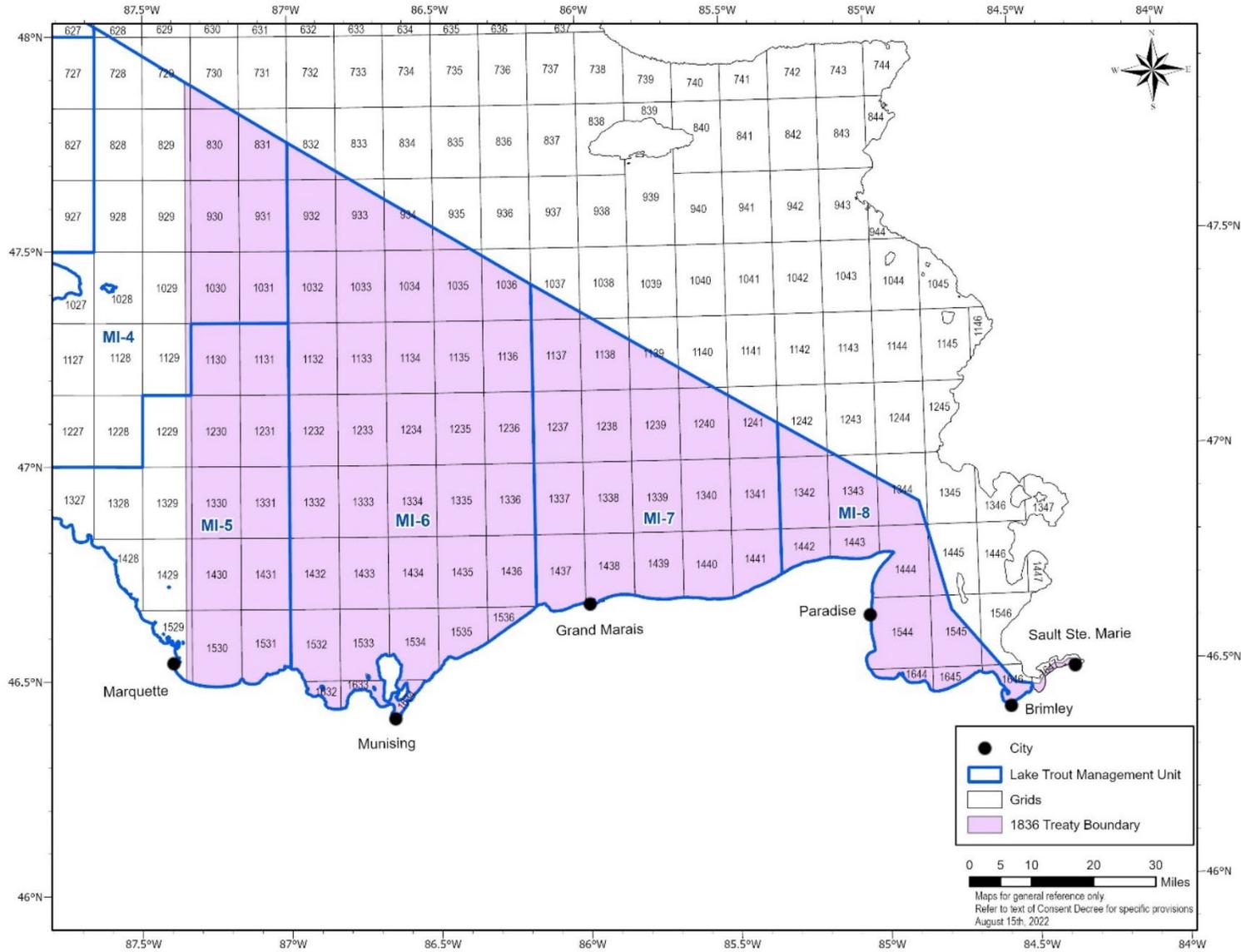
Maps for general reference only; refer to text of Consent Decree for specific provisions.



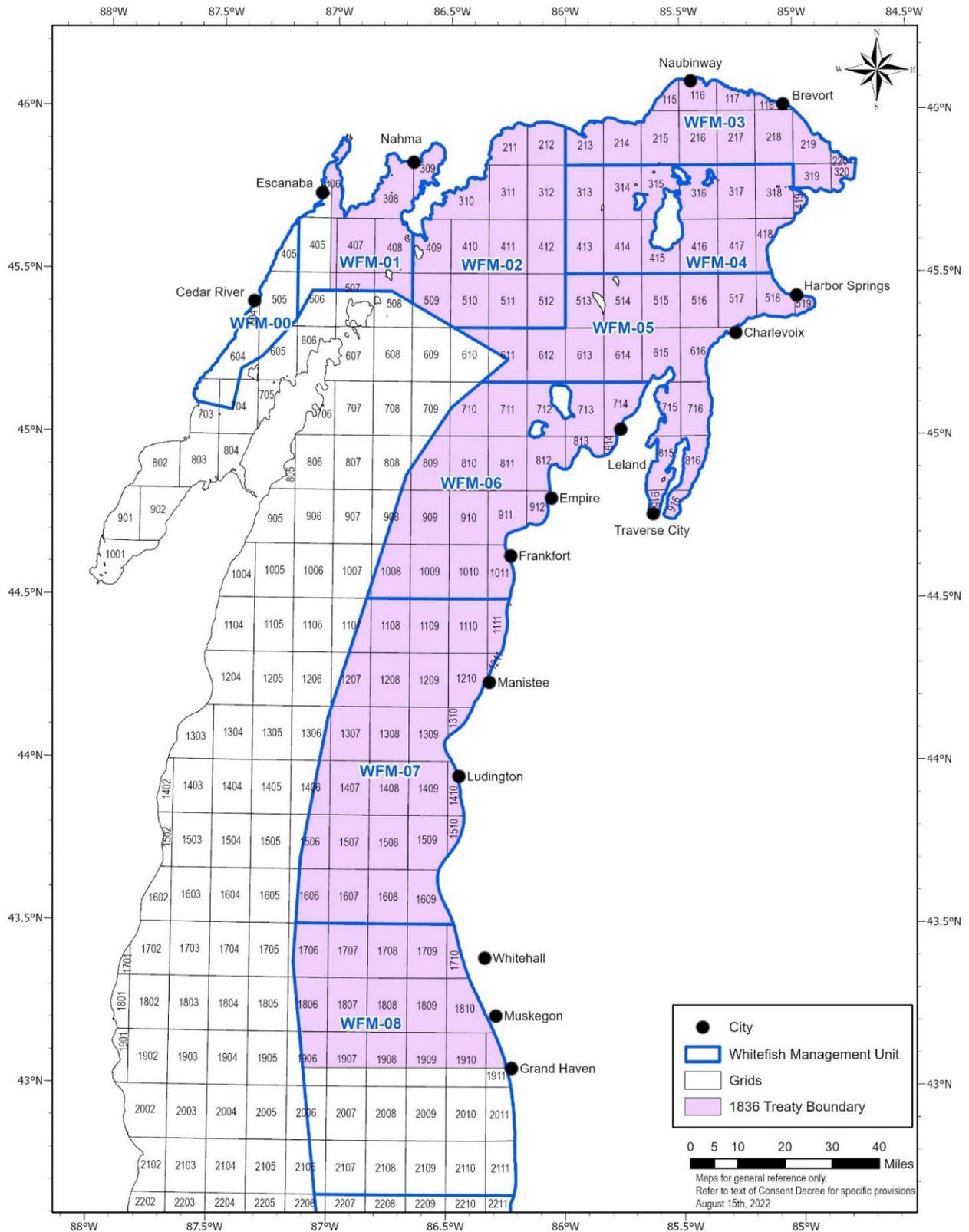
Map 1. Lake Michigan Grids and Statistical Districts.



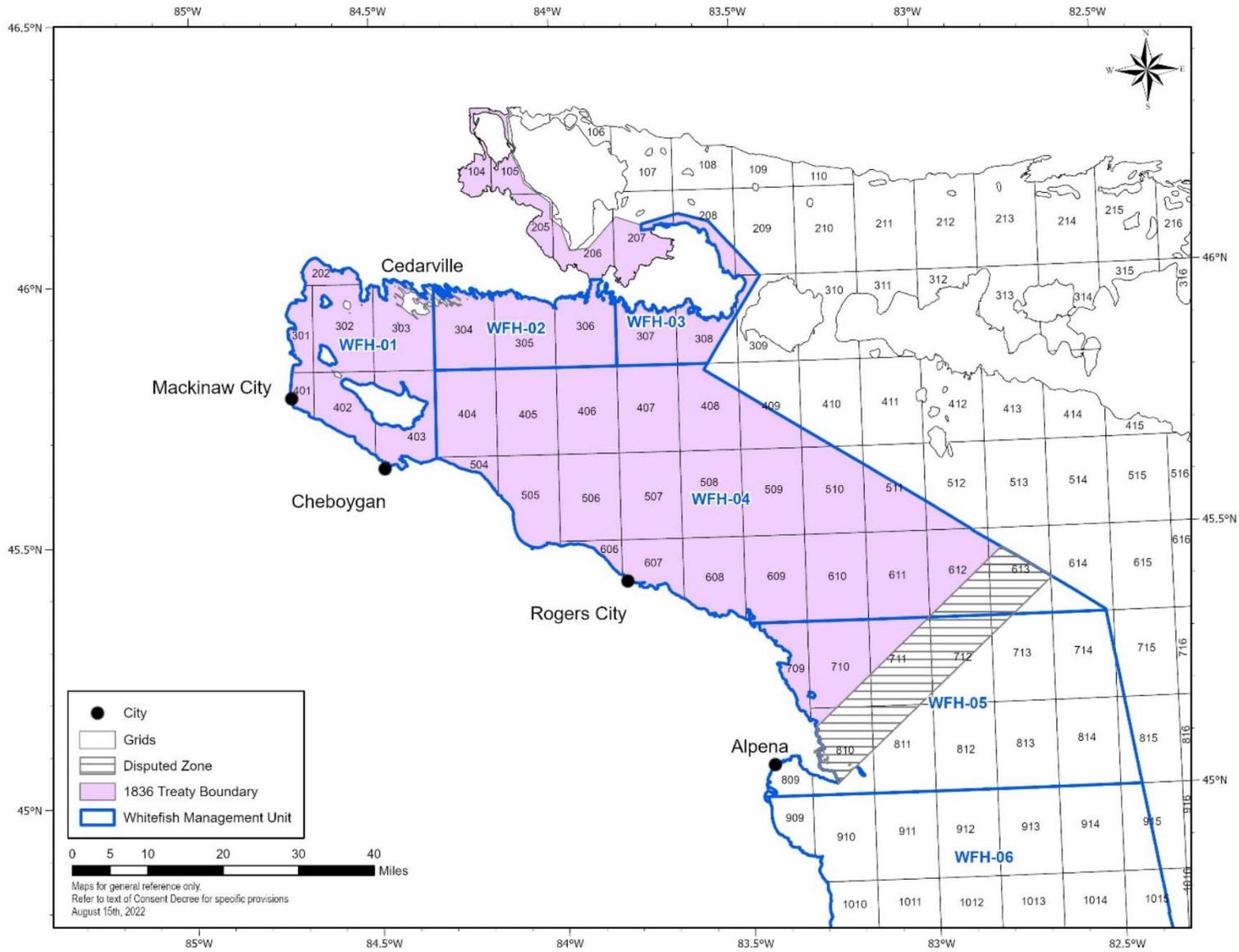
Map 2. Lake Huron Grids and Statistical Districts.



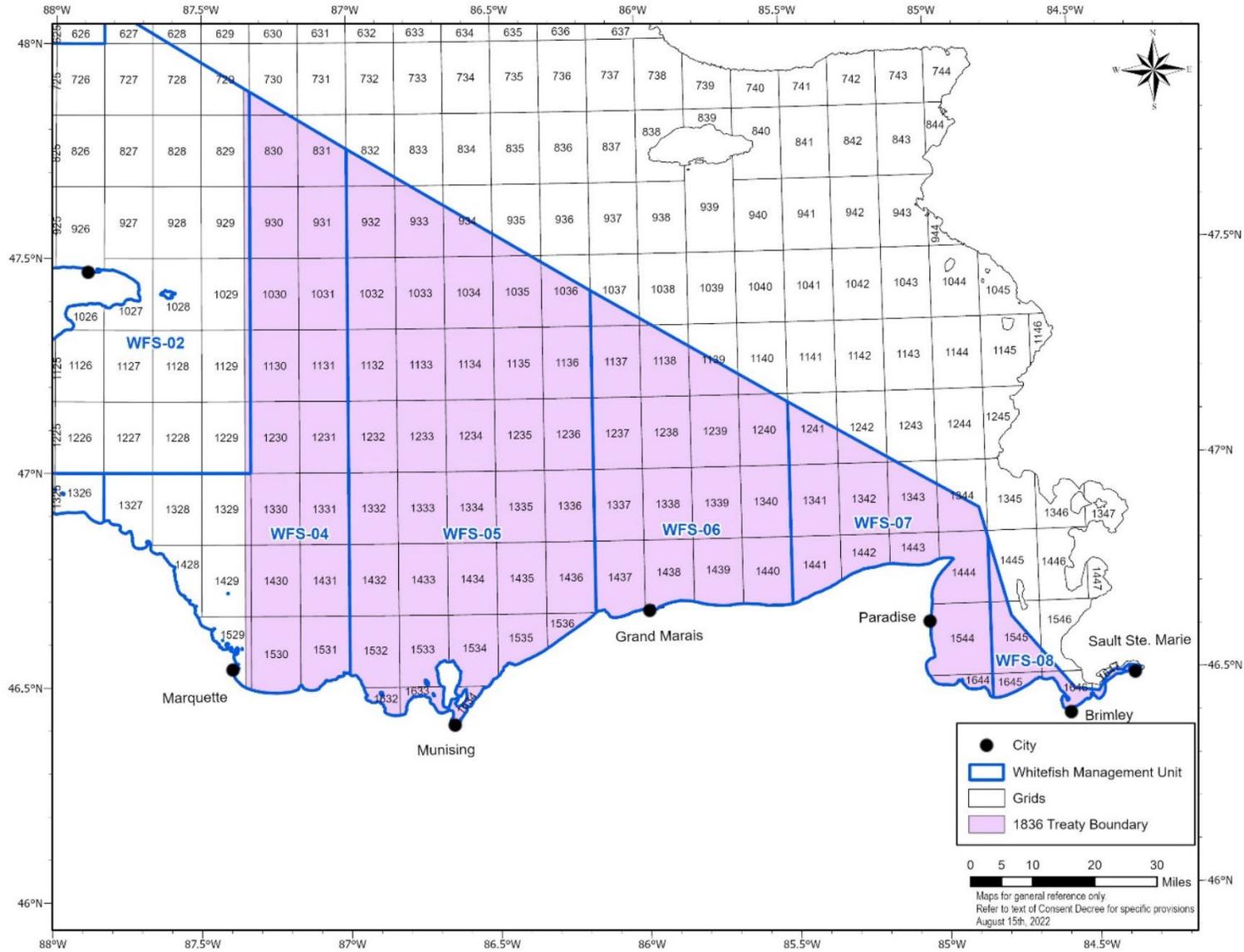
Map 3. Lake Superior Grids and Lake Trout Management Units.



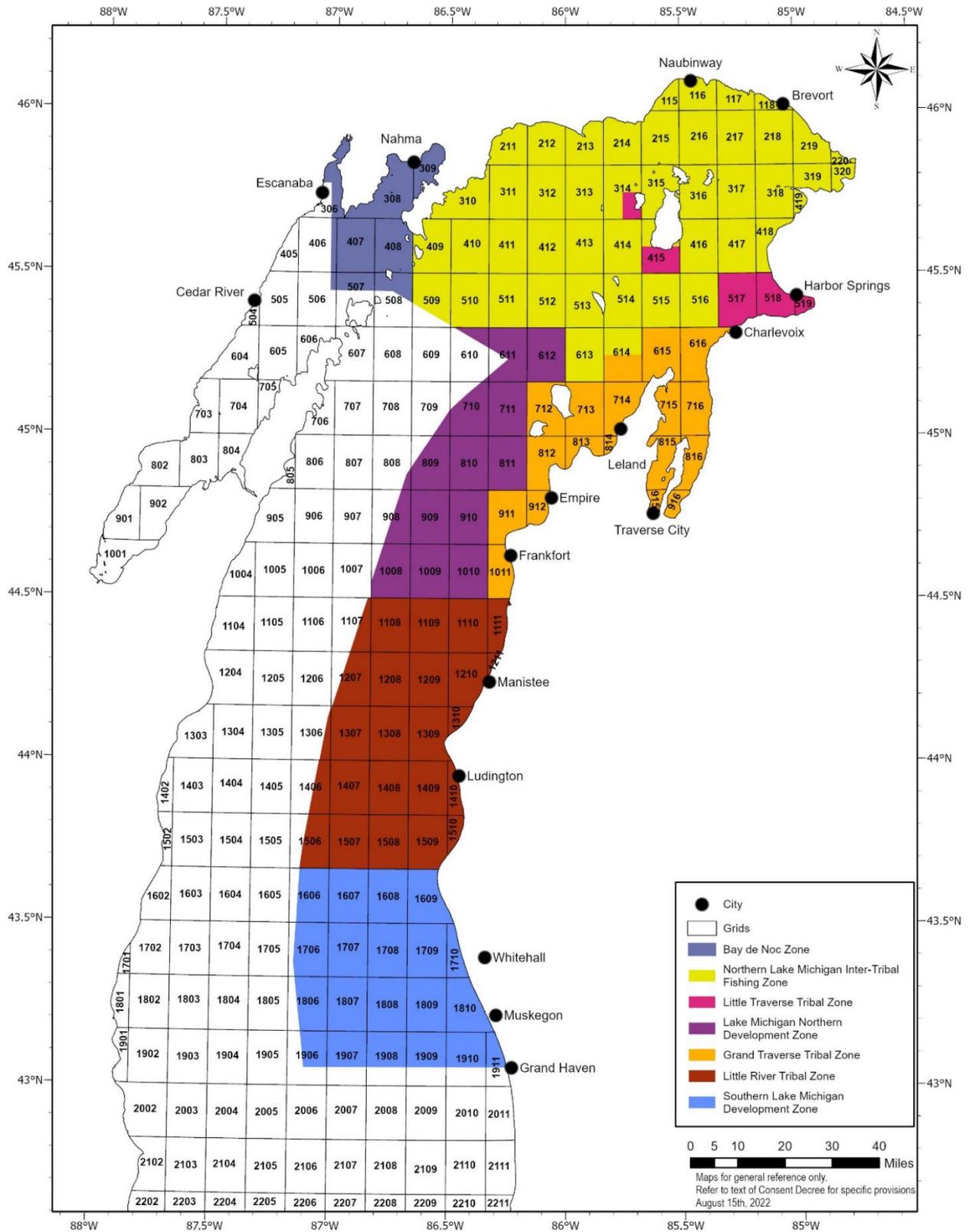
Map 4. Lake Michigan Lake Whitefish Management Units.



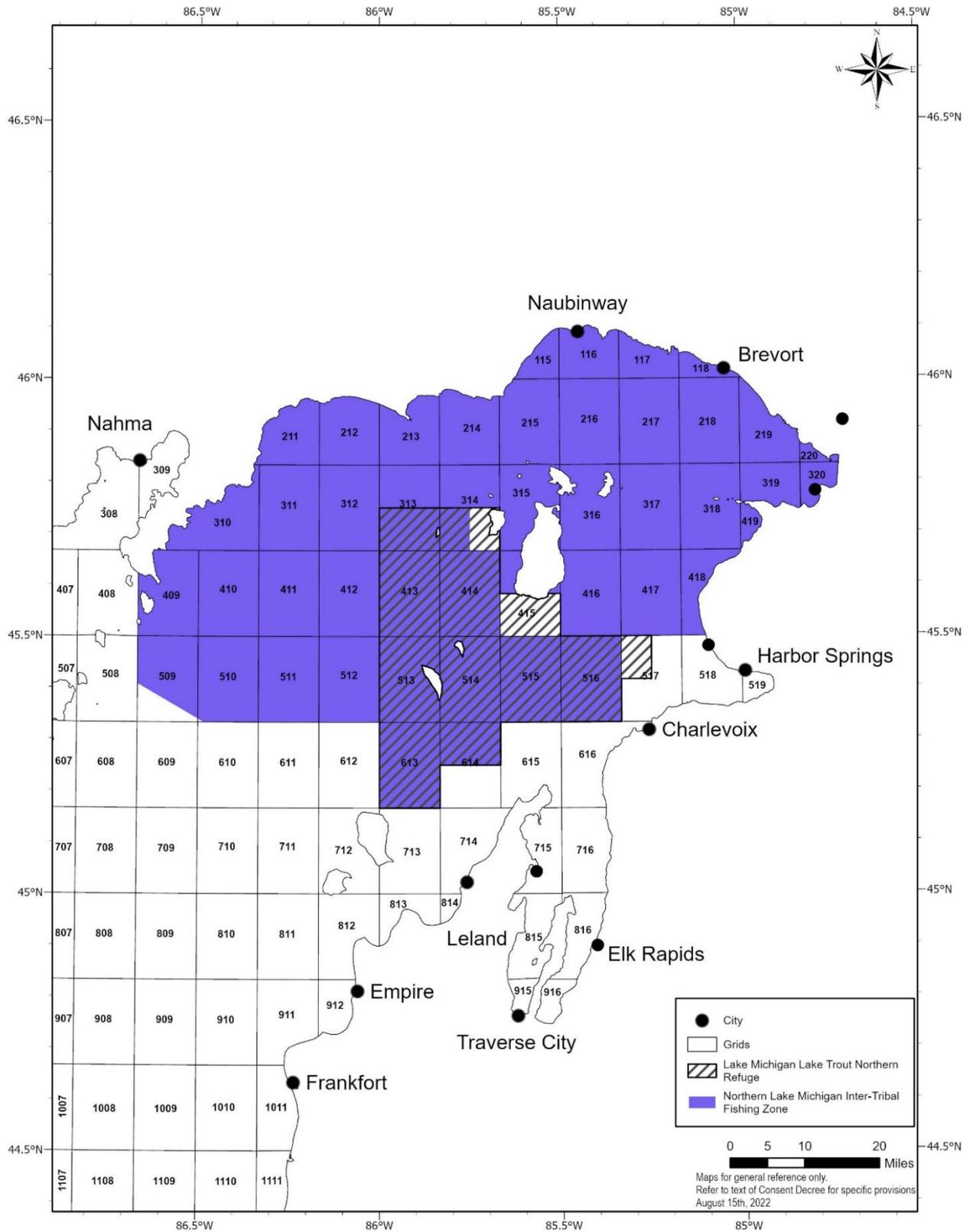
Map 5. Lake Huron Lake Whitefish Management Units.



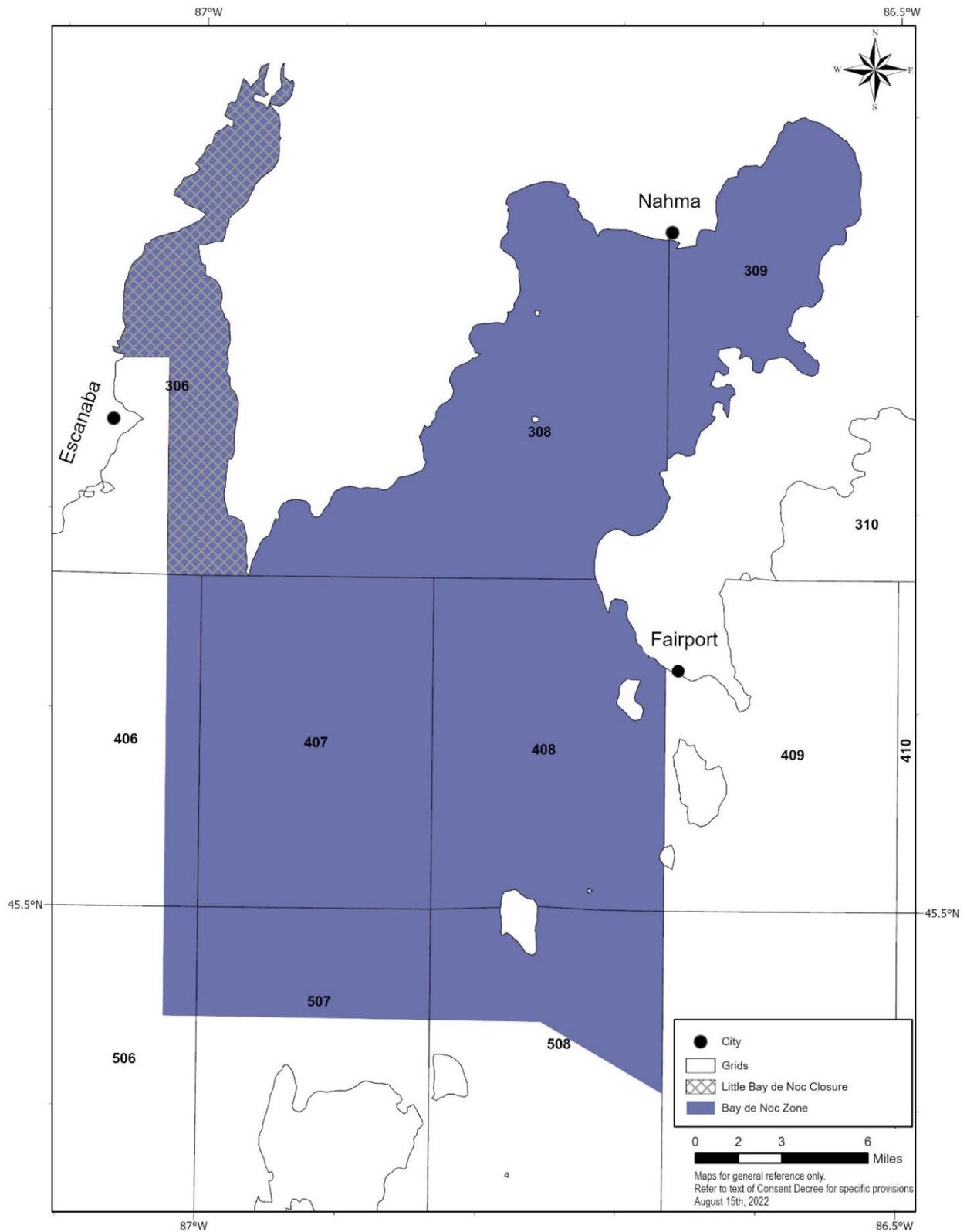
Map 6. Lake Superior Lake Whitefish Management Units.



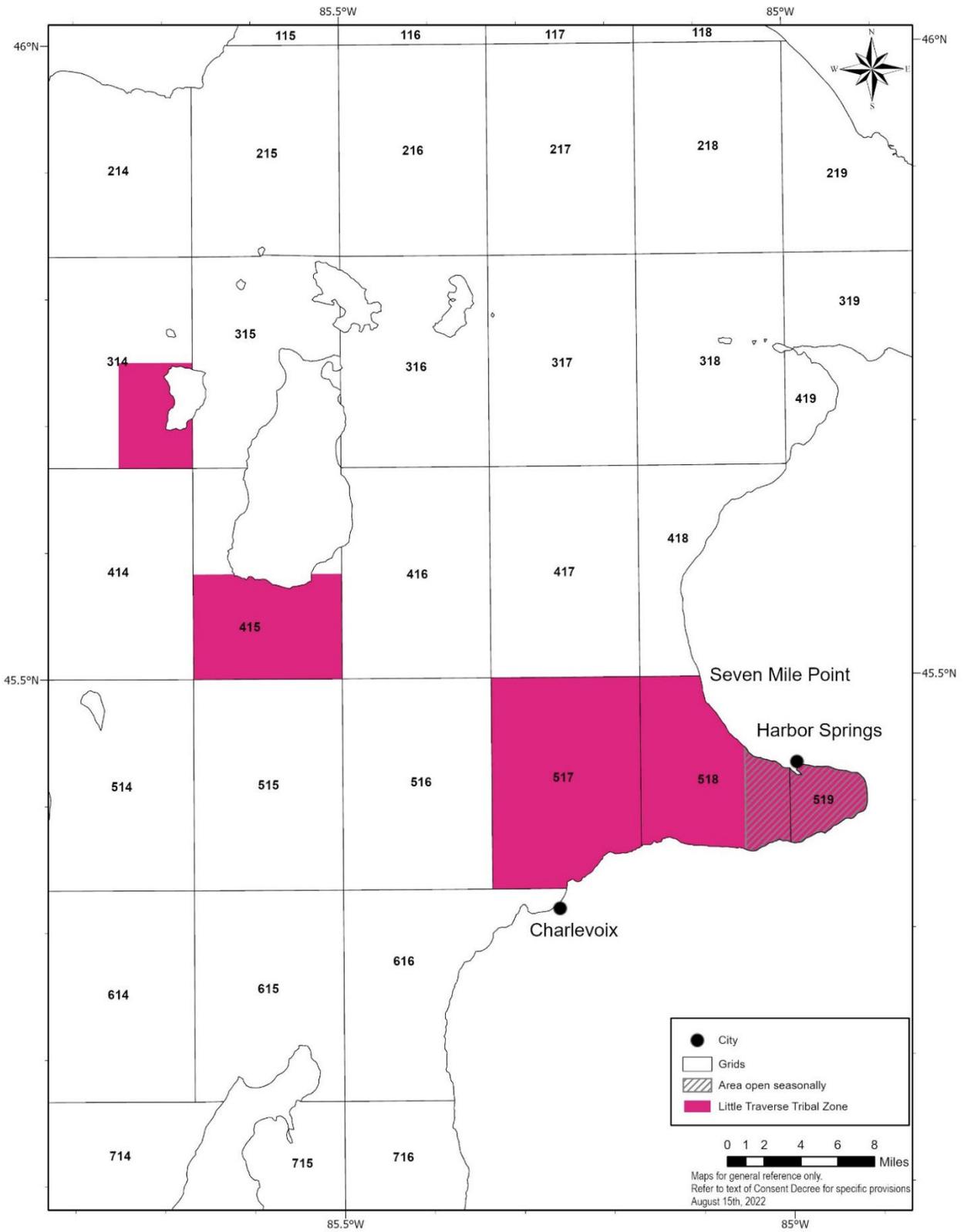
Map 7. Lake Michigan Tribal Fishing Zones.



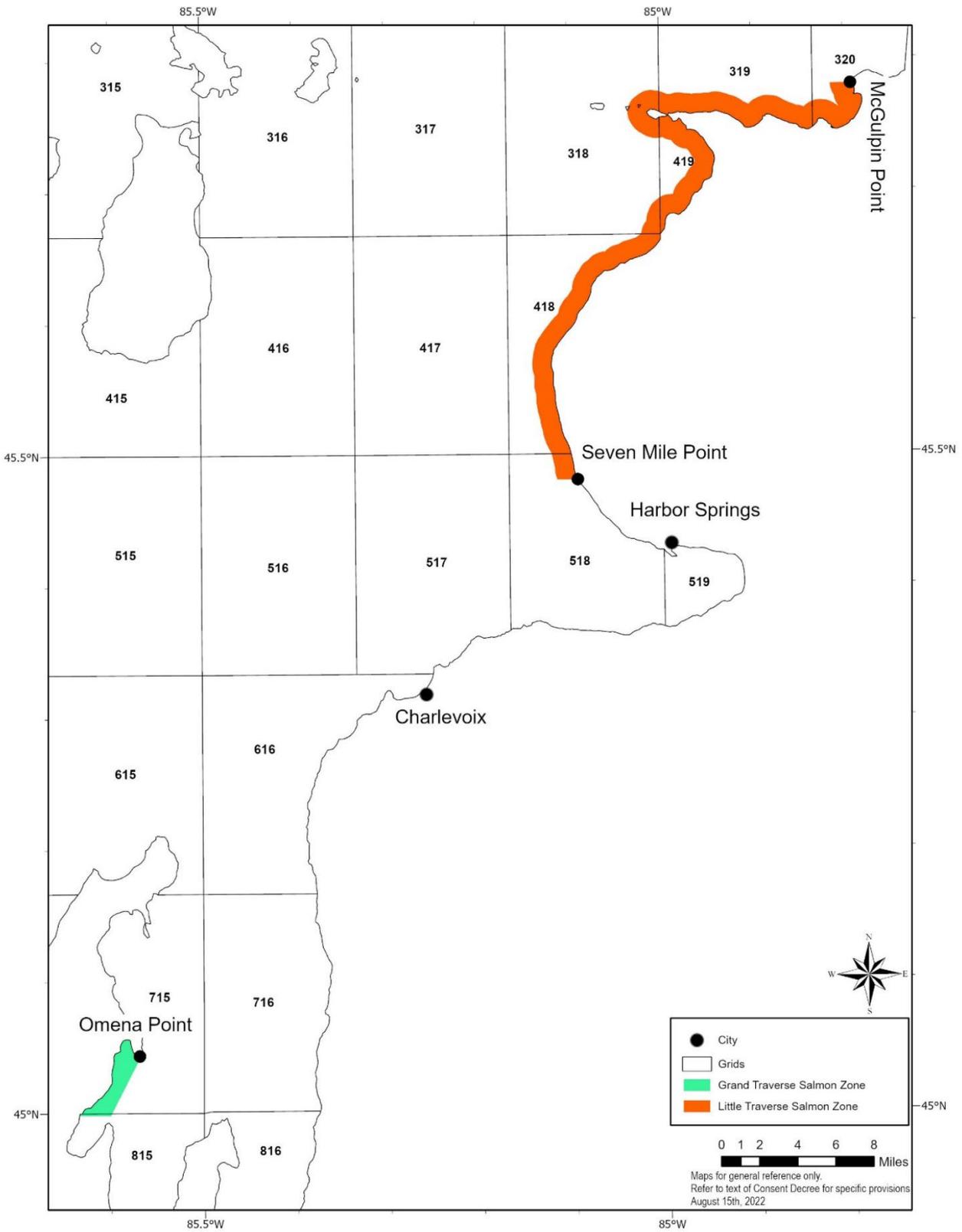
Map 8. Northern Lake Michigan Inter-Tribal Fishing Zone.



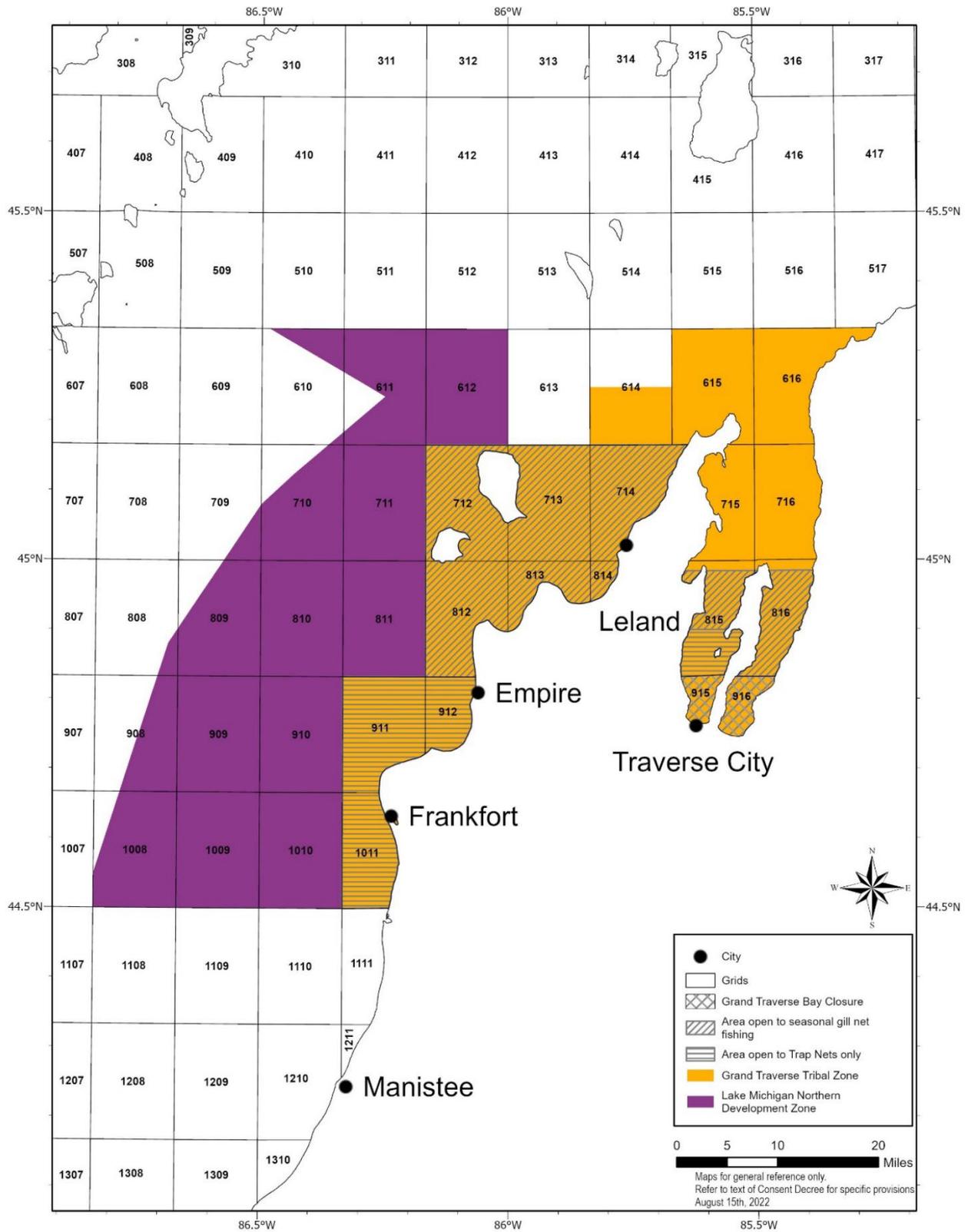
Map 9. Bay de Noc Zone.



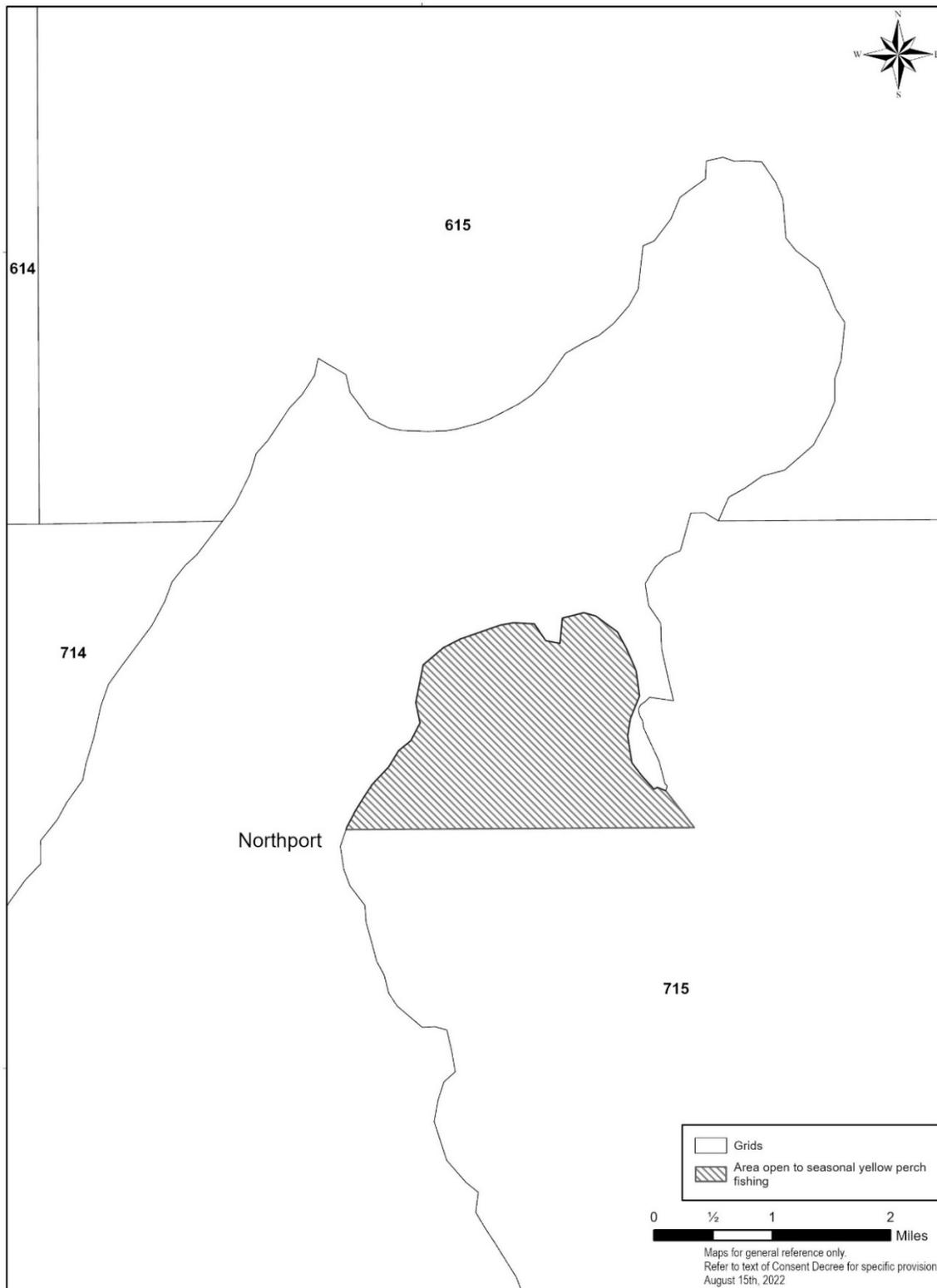
Map 10. Little Traverse Tribal Zone.



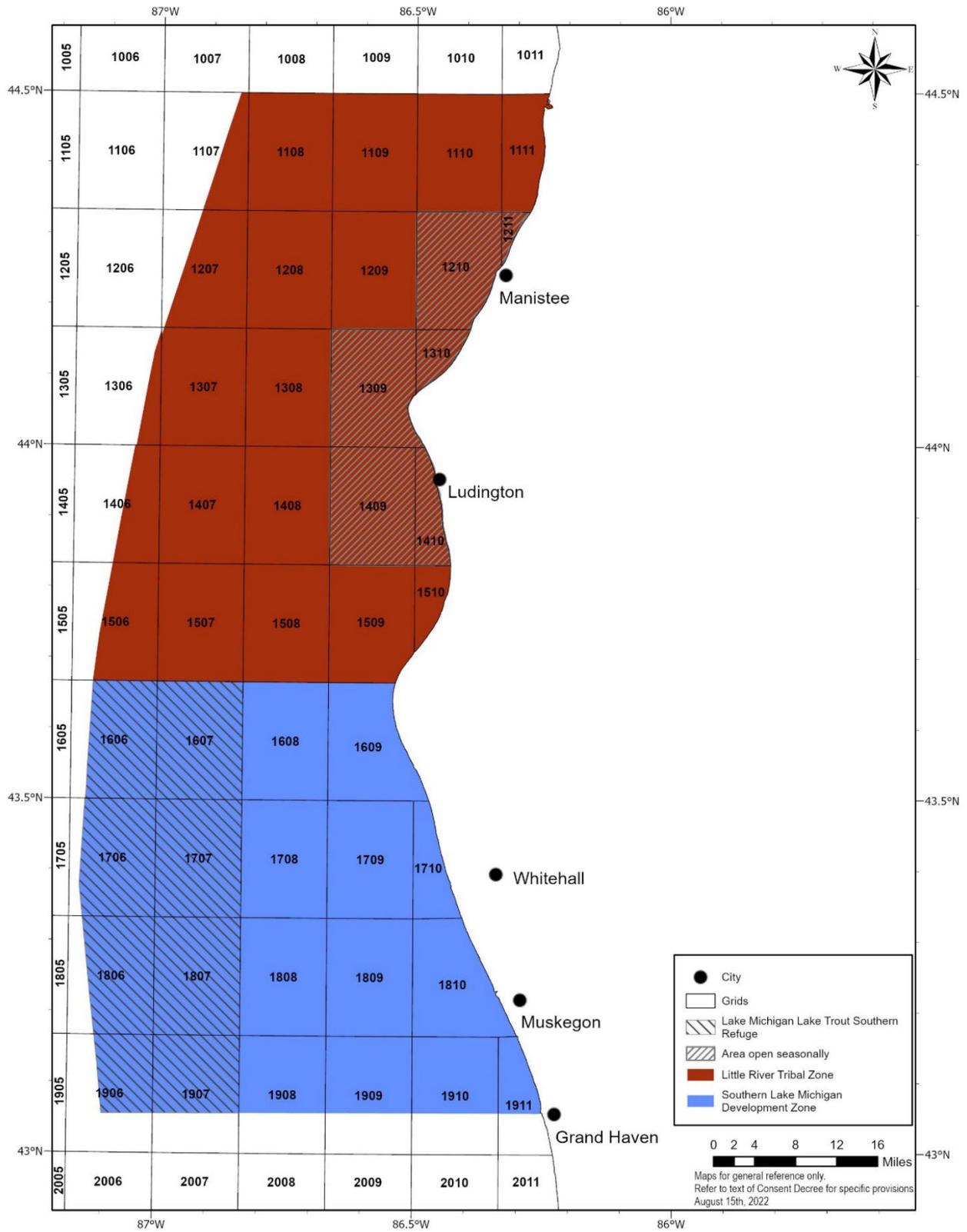
Map 11. Little Traverse and Grand Traverse Salmon Zones.



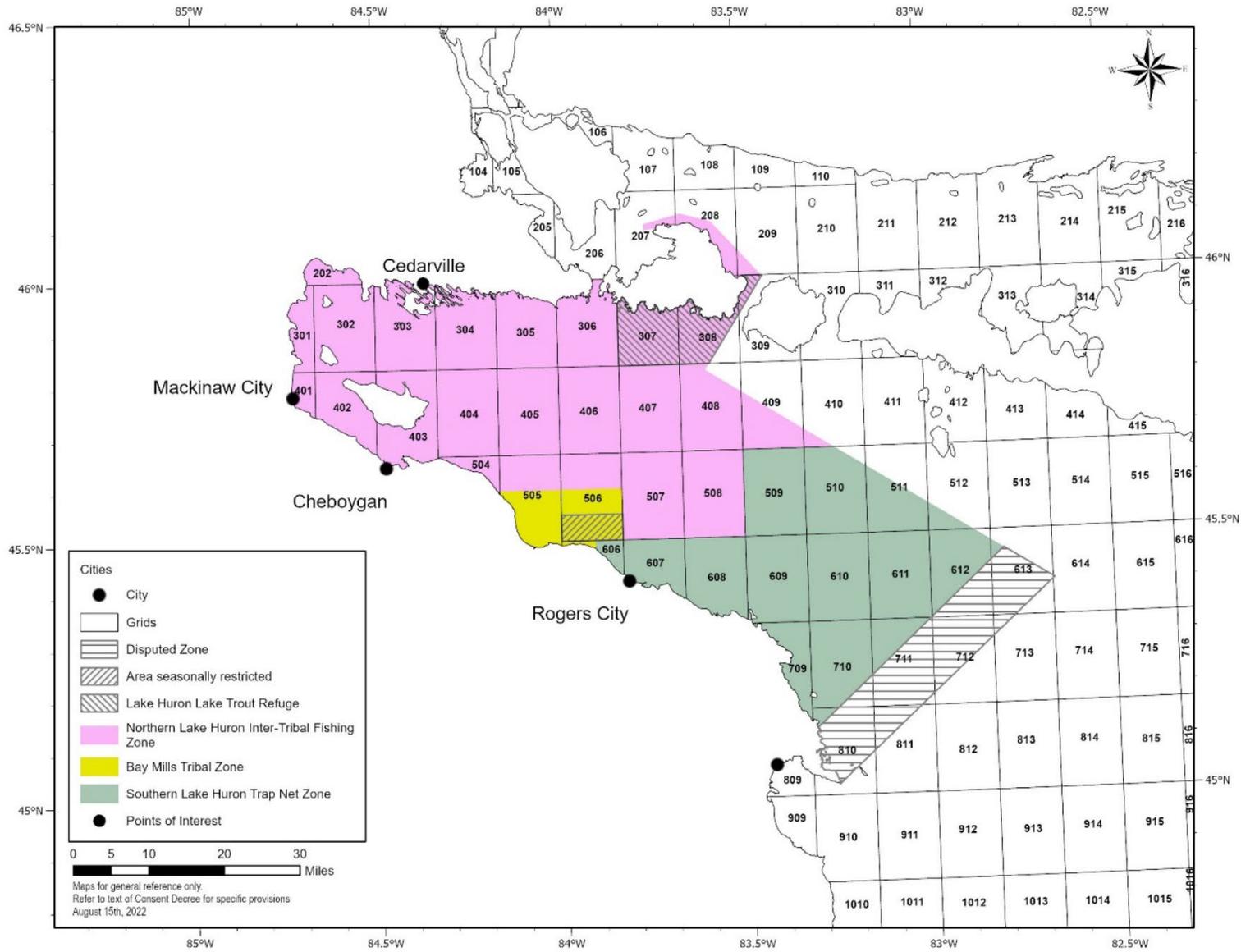
Map 12. Lake Michigan Northern Development Zone and Grand Traverse Tribal Zone.



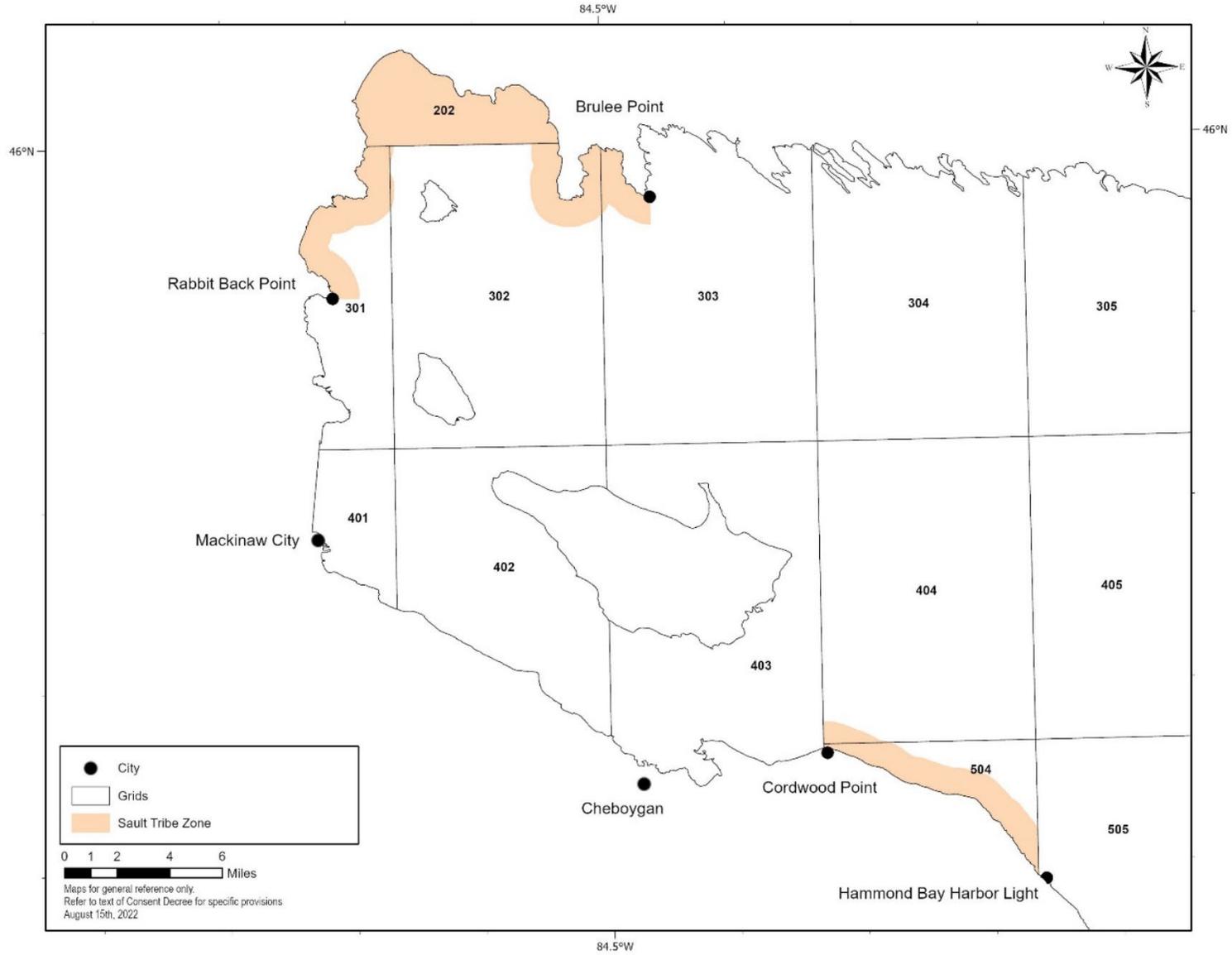
Map 13. Northport Bay Yellow Perch Closure.



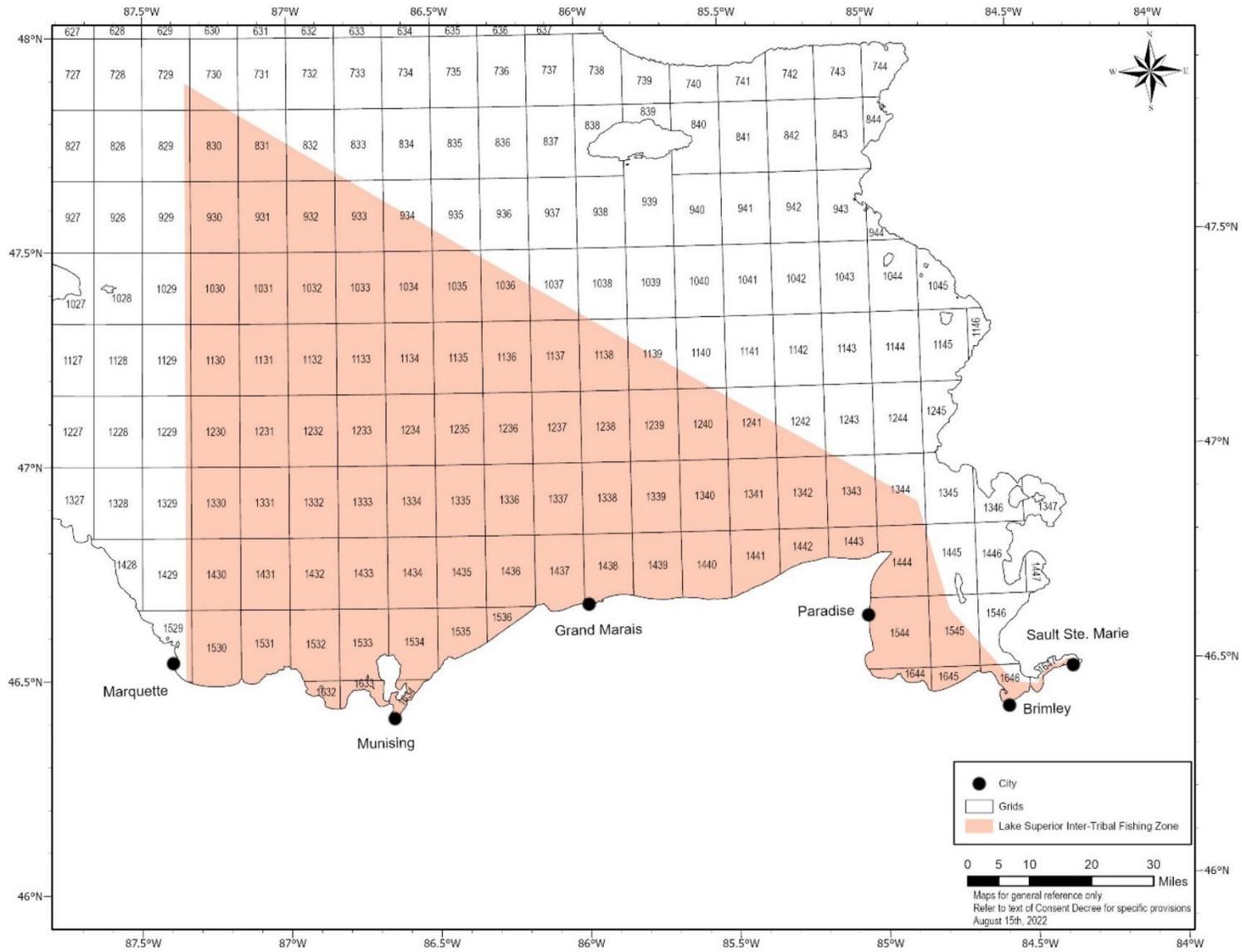
Map 14. Little River Tribal Zone and Southern Lake Michigan Development Zone.



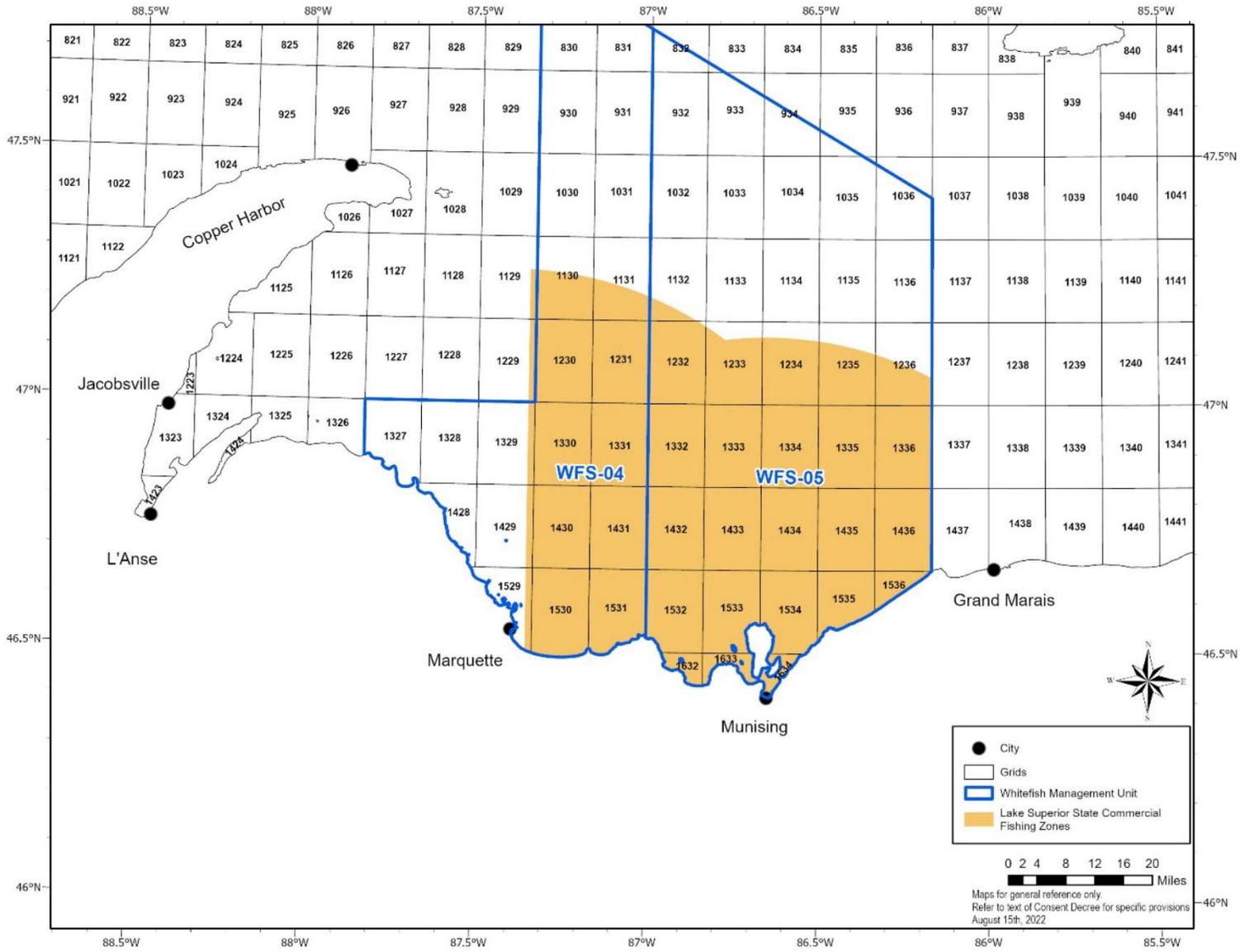
Map 15. Lake Huron Fishing Zones.



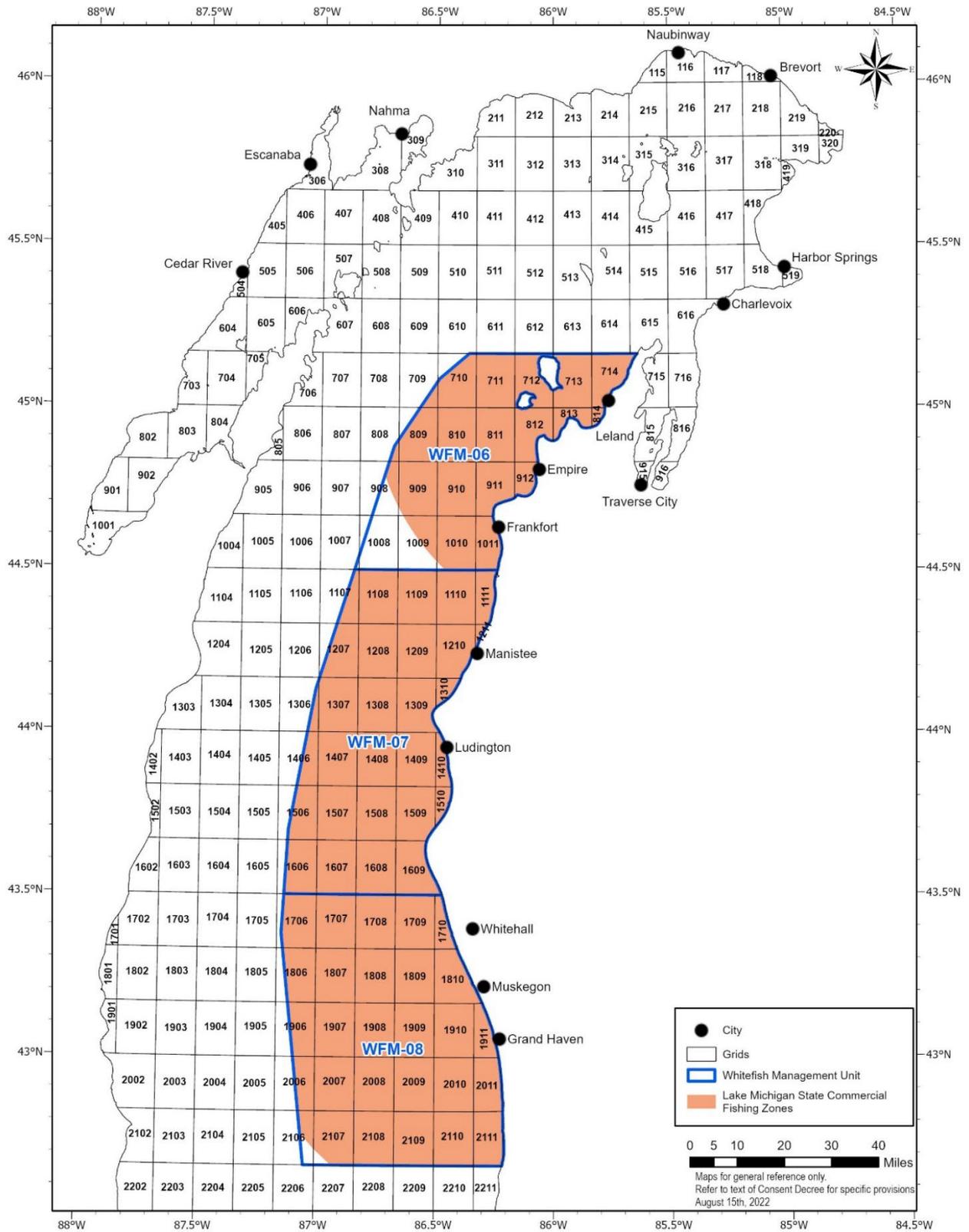
Map 16. Sault Tribe Tribal Zone.



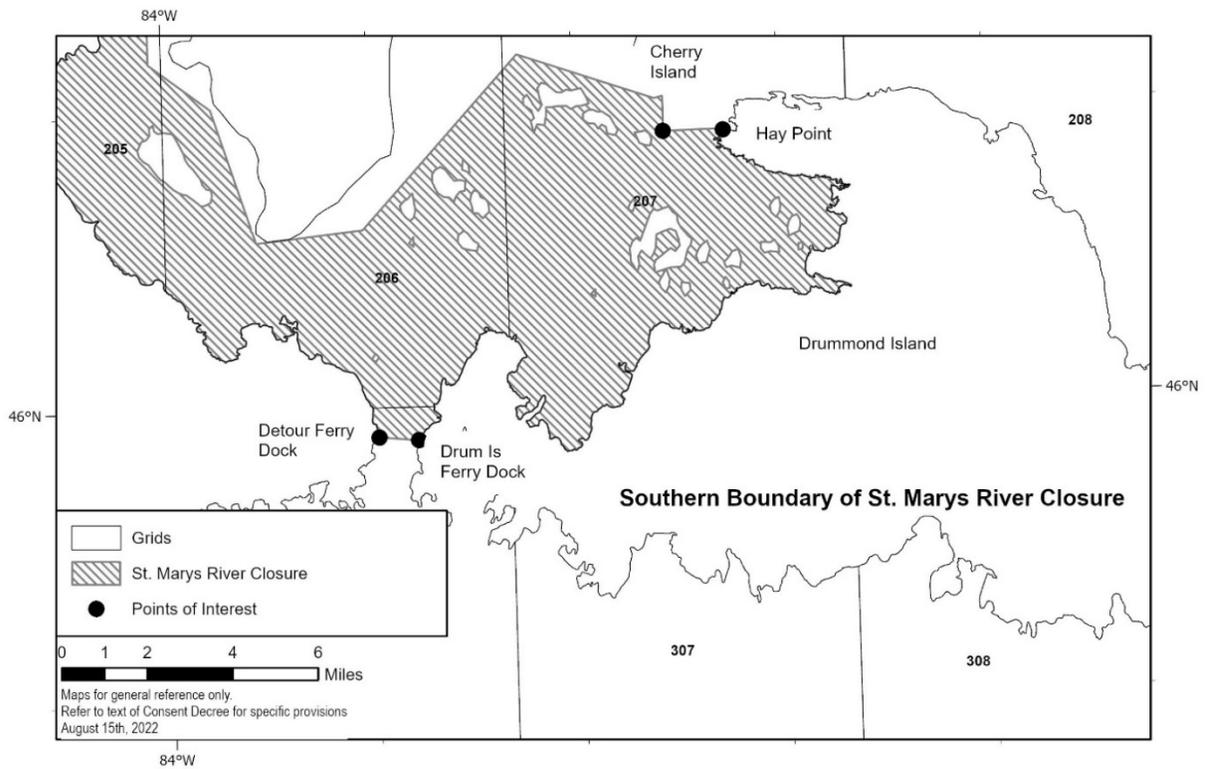
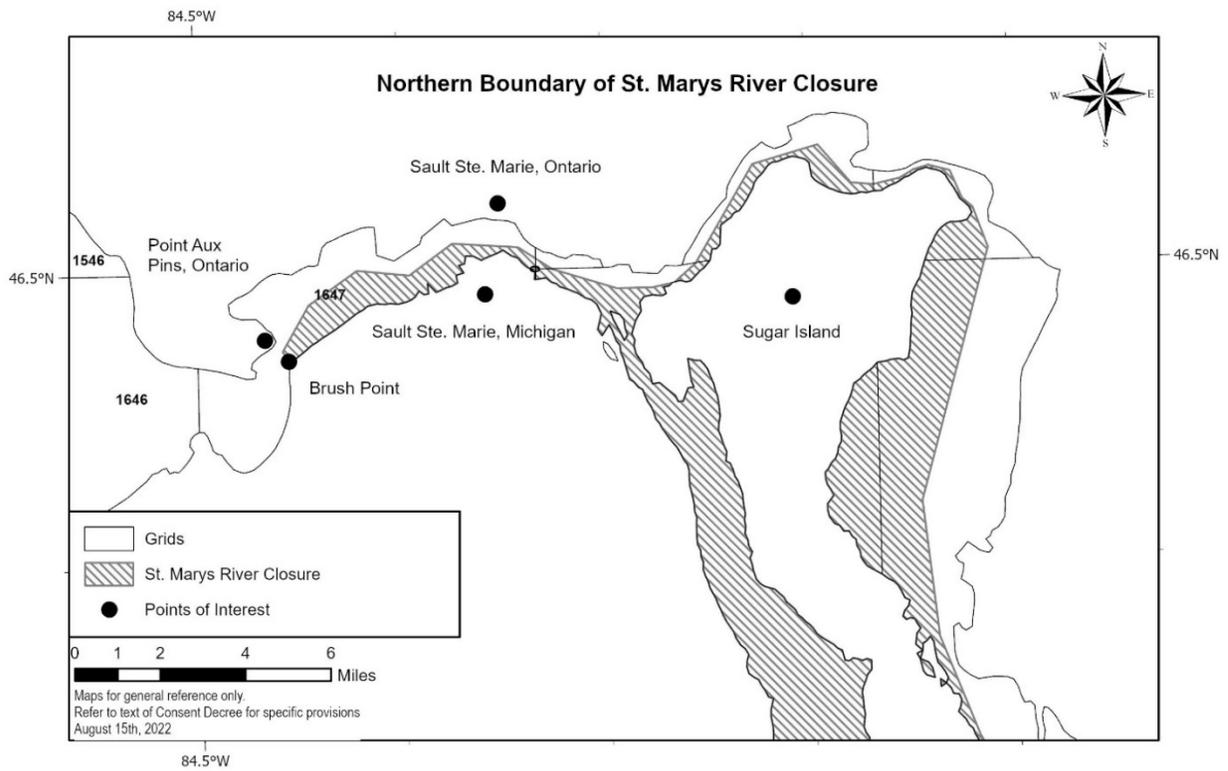
Map 17. Lake Superior Inter-Tribal Fishing Zone.



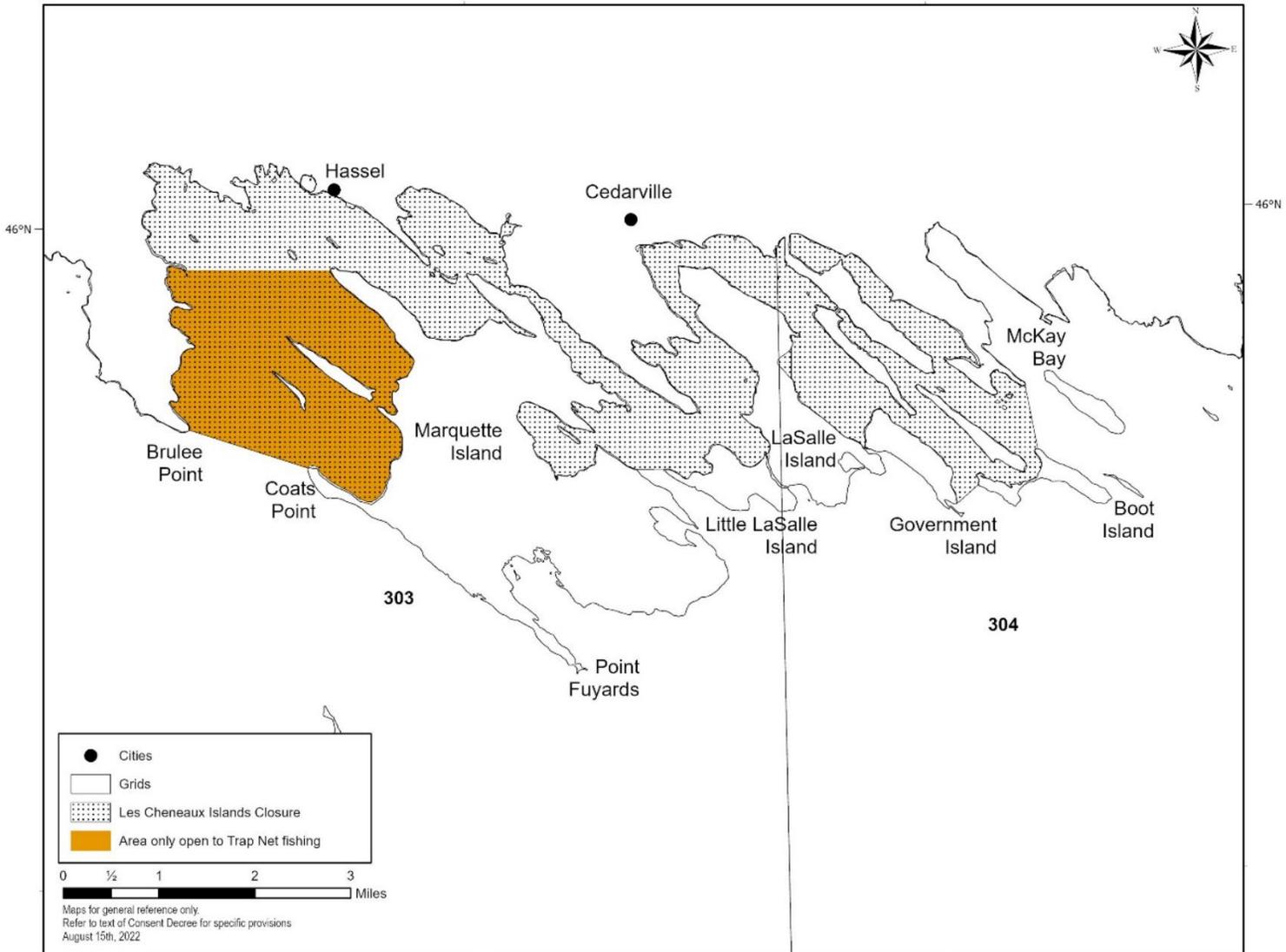
Map 18. Lake Superior State Commercial Fishing Zones.



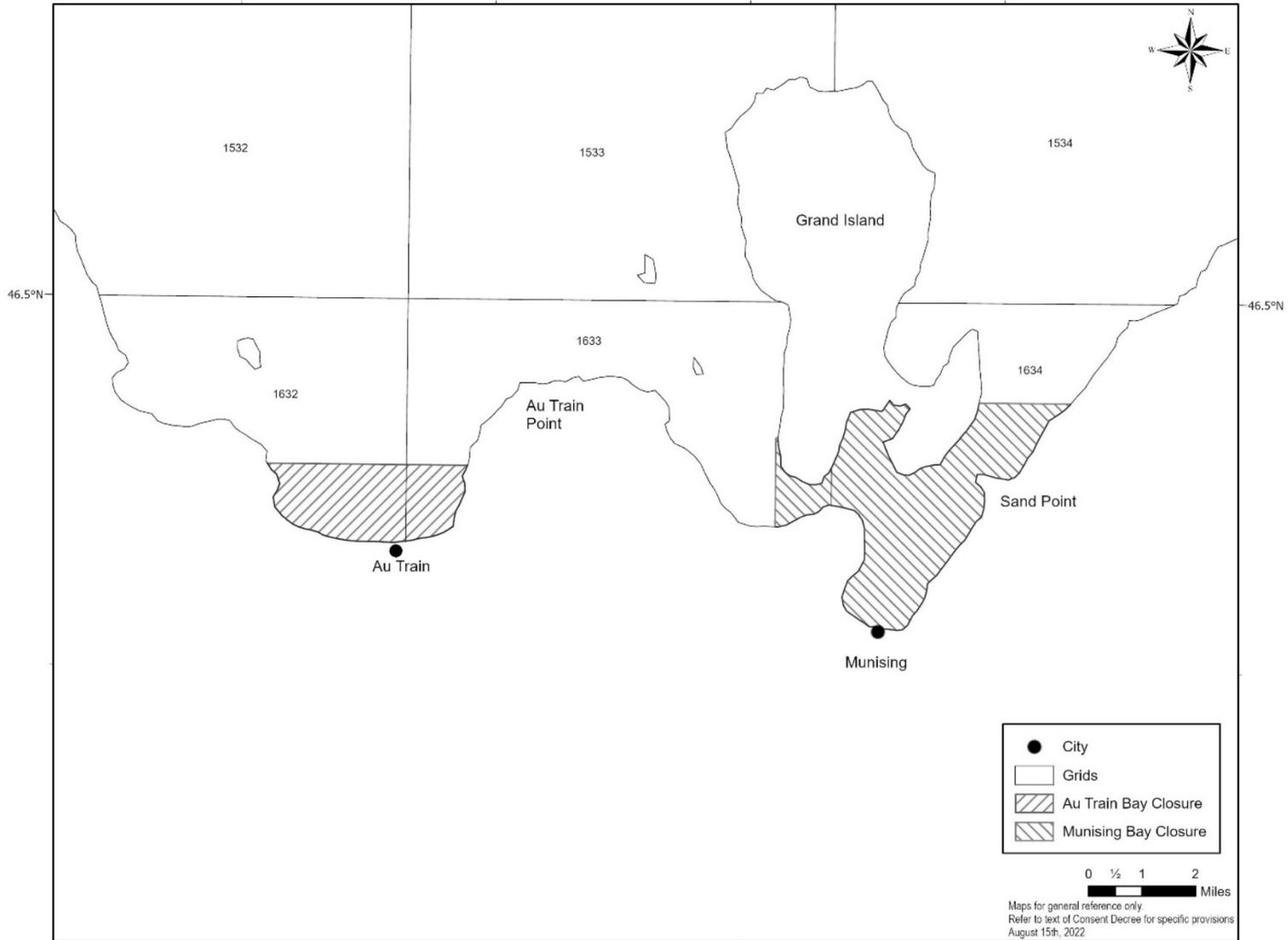
Map 19. Lake Michigan State Commercial Fishing Zones.



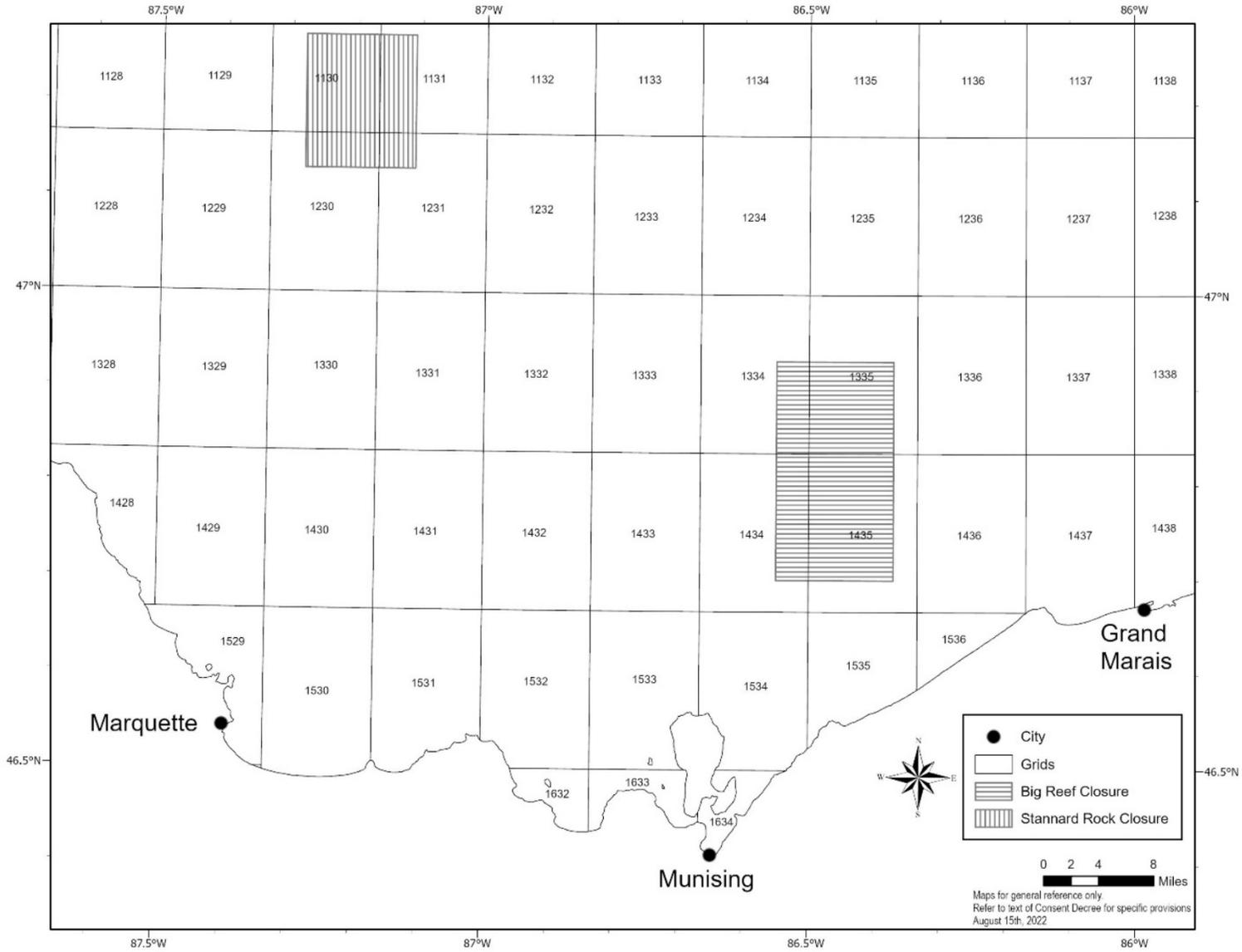
Map 20. St. Marys River Closure.



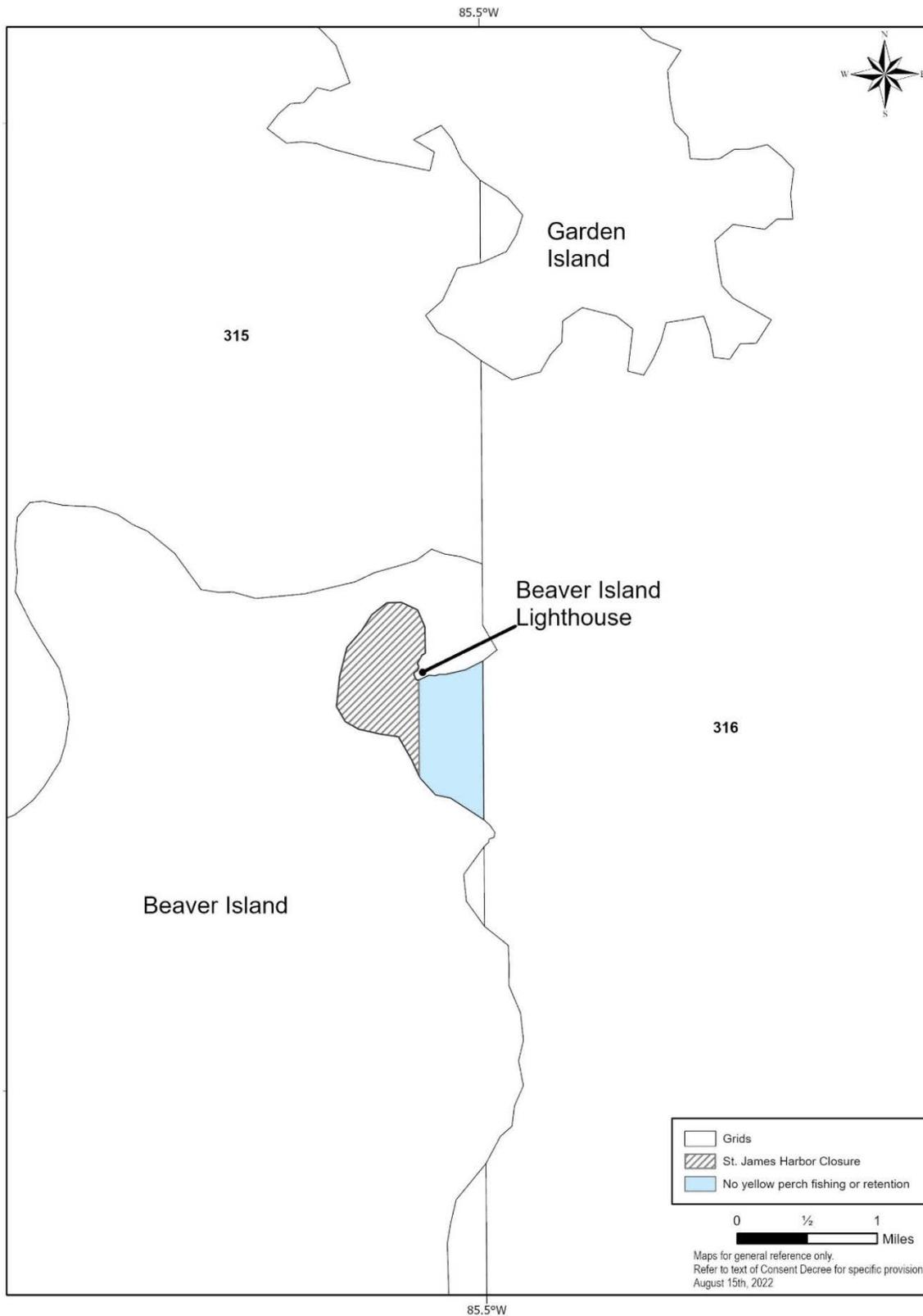
Map 21. Les Cheneaux Islands Closure.



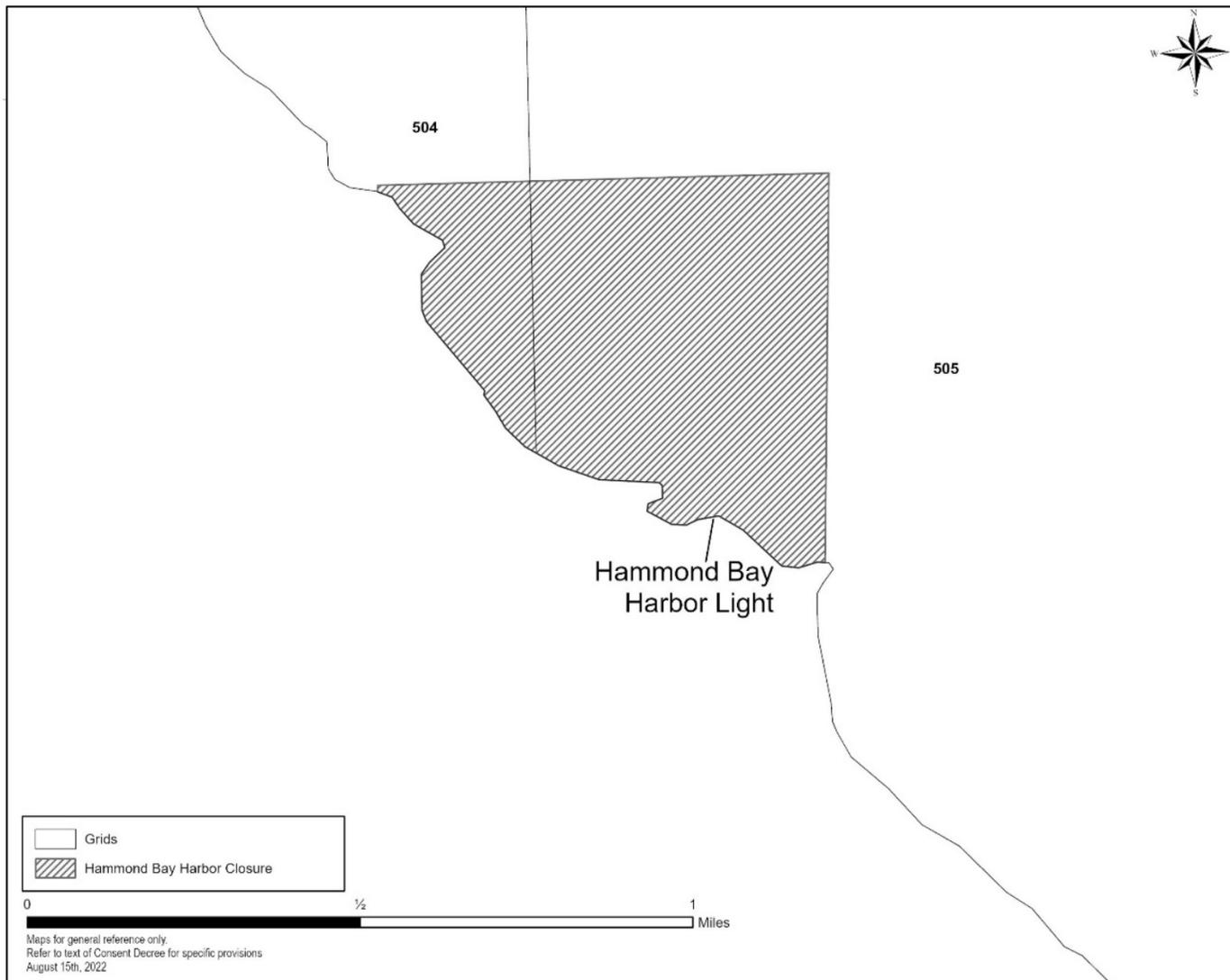
Map 22. Au Train and Munising Bay Closures.



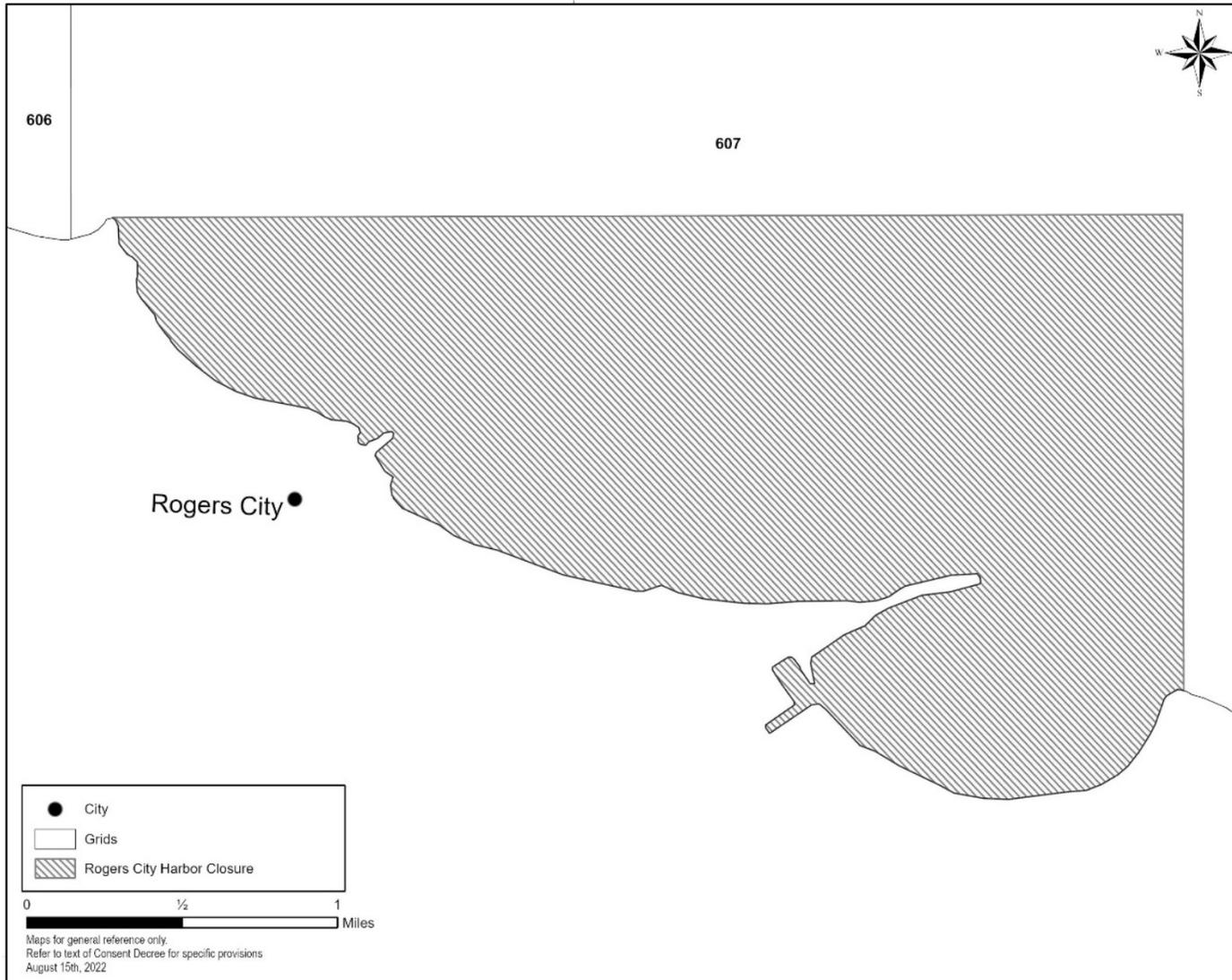
Map 23. Big Reef and Stannard Rock Closures.



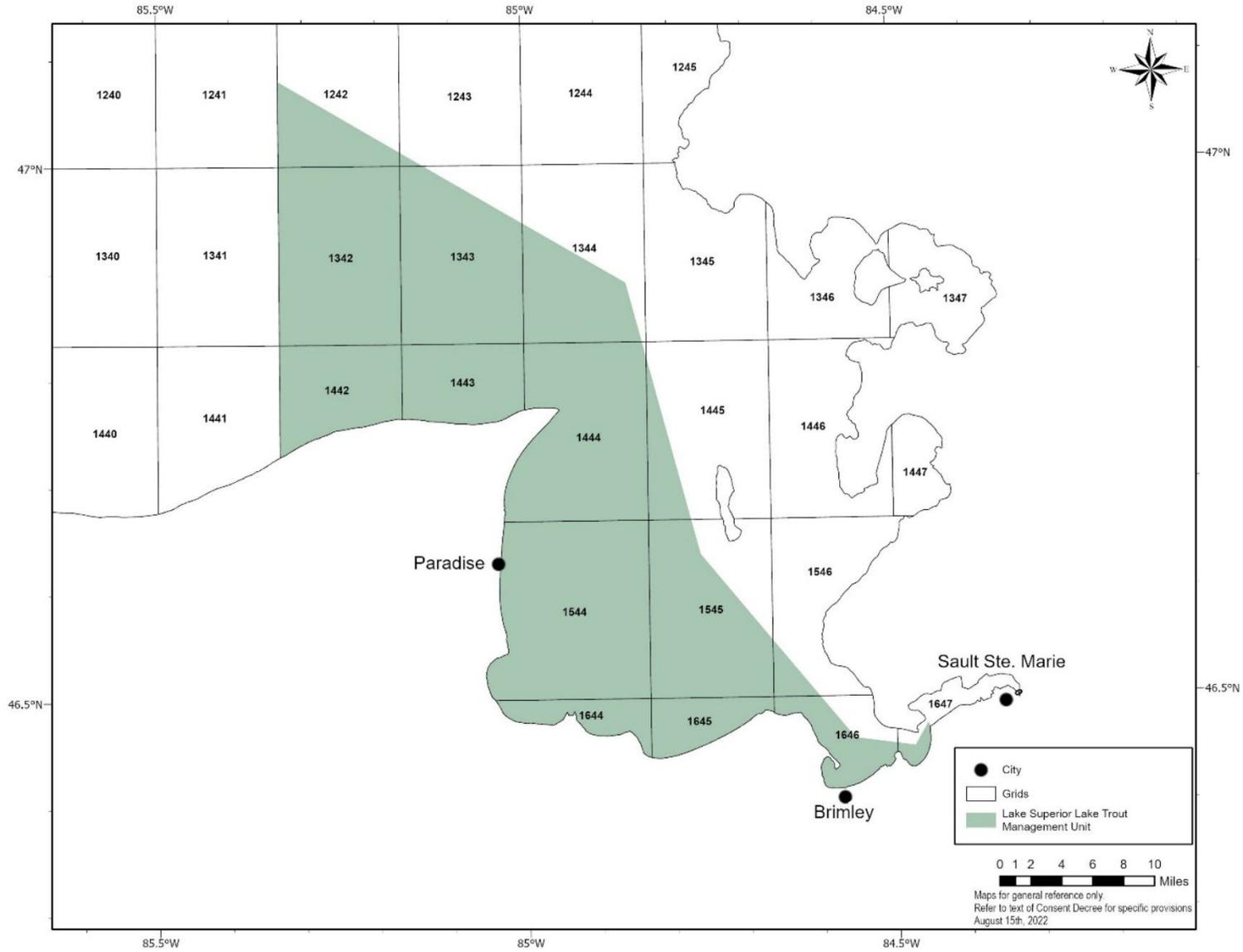
Map 24. St. James Harbor Closure.



Map 25. Hammond Bay Harbor Closure.



Map 26. Rogers City Harbor Closure.



Map 27. Lake Superior Lake Trout Management Unit MI-8.

**APPENDIX 2**

*GPS Coordinates*

## **Appendix 2: GPS Coordinates for boundaries described in the Decree**

### **Little Traverse Tribal Zone (Section IV.A.1.c.i. – Map 10)**

- The western border of the southeast quarter of Grid 314 is a line of longitude at -85.75 degrees.
- The northern border of the southeast quarter of Grid 314 is a line of latitude at 45.75 degrees.
- The northern border of the south half of Grid 415 is a line of latitude at 45.583 degrees.

### **Little Traverse Tribal Salmon Zone (Section IV.A.1.c.ii.(b)(i) – Map 11)**

- Seven Mile Point is located at 45.4787 degrees latitude and -85.0913 degrees longitude.
- McGulpin Point is located at 45.7801 degrees latitude and -84.793 degrees longitude.

### **Grand Traverse Tribal Zone (Section IV.A.1.e.i. – Map 12)**

- The northern border of the south half of Grid 614 is a line of latitude at 45.25 degrees.

### **Grand Traverse Tribal Salmon Zone (Section IV.A.1.e.ii.(d) – Map 11)**

- The tip of Omena Point is located at 45.0412 degrees latitude and -85.5696 degrees longitude.
- The N“2” buoy is located at 45.0393 degrees latitude and -85.5711 degrees longitude.
- The C“1” buoy is located at 44.9982 degrees latitude and -85.6001 degrees longitude.

### **Southern Lake Michigan Development Zone (Section IV.A.1.g.i. – Map 14)**

- The southern boundary of 1836 Treaty Waters is a line of latitude extending west from the north bank of the Grand River at 43.0586 degrees.

### **Sault Tribe Tribal Zone (Section IV.A.2.c.i.(a) – Map 16)**

- Rabbit Back Point is located at 45.916 degrees latitude and -84.7134 degrees longitude.
- Brulee Point is located at 45.9693 degrees latitude and -84.4621 degrees longitude.

### **Southern Lake Huron Trap Net Zone (Section IV.A.2.d.i. – Map 15)**

- The southeastern border of this zone is a line extending from a point on shore in Grid 810 located at 45.1294 degrees latitude and -83.3193 degrees longitude due northeast to a point at

the Michigan-Ontario border located at 45.4637 degrees latitude and -82.7982 degrees longitude.

Lake Huron Disputed Zone (Section IV.A.2.d.iii. – Map 15)

- The southeastern border of this zone is a line extending from the tip of North Point on Thunder Bay located at 45.0201 degrees latitude and -83.2646 degrees longitude due northeast to a point at the Michigan-Ontario border located at 45.4029 degrees latitude and -82.6624 degrees longitude.

St. Marys River Closure (Section IV.C.1. – Map 20)

- Point Aux Pins, Ontario is located at 46.4773 degrees latitude and -84.4614 degrees longitude.
- Brush Point is located at 46.4703 degrees latitude and -84.4552 degrees longitude.
- Hay Point is located at 46.0947 degrees latitude and -83.7234 degrees longitude.
- Cherry Island is located at 46.0914 degrees latitude and -83.7555 degrees longitude.
- Drummond Island Ferry Dock is located at 45.9923 degrees latitude and -83.8974 degrees longitude.
- DeTour Ferry Dock is located at 45.9887 degrees latitude and -83.8795 degrees longitude.

Les Cheneaux Islands (Section IV.C.4. – Map 21)

Beginning at the southernmost point of land on the westerly side of McKay Bay (45.9733 degrees latitude, -84.28 degrees longitude); then southerly to the northernmost point of Boot Island (45.9639 degrees latitude, -84.278 degrees longitude); then along the eastern shore of Boot Island to its southernmost point; then along the south shoreline of Boot Island to a western point (45.9586 degrees latitude, -84.2908 degrees longitude); then westerly in a straight line to a south point of Government Island (45.9557 degrees latitude, -84.2953 degrees longitude); then along the shoreline of Government Island to the point at which the distance between said island and LaSalle Island is the least (45.9644 degrees latitude, -84.315 degrees longitude), then westerly in a straight line to LaSalle Island (45.9644 degrees latitude, -84.3153 degrees longitude); then along the eastern and southern shoreline of LaSalle Island to the point at which the distance between said island and Little LaSalle Island is the least (45.9623 degrees latitude, -84.3362 degrees longitude); then westerly in a straight line to Little LaSalle Island (45.9623 degrees latitude, -84.3364 degrees longitude); then westerly along the southern shoreline of Little LaSalle Island to its westernmost point (45.9620 degrees latitude, -84.35905 degrees longitude); then westerly in a straight line to the eastern shore of Marquette Island (45.962 degrees latitude, -84.3656 degrees longitude); then along the southwestern shore of Marquette Island to Coats Point (45.9631 degrees latitude, -84.4359 degrees longitude); then northwesterly to the southernmost part of Brulee Point (45.9693 degrees latitude, -84.462 degrees longitude), except

that Trap Net fishing targeting whitefish shall be permitted in that portion of Lake Huron Grid 303 within the area encompassed by a line from Coats Point (45.9631 degrees latitude, -84.4359 degrees longitude) on Marquette Island along the western shore of said island to Cube Point (45.9932 degrees latitude, -84.4303 degrees longitude); then due west to the shore of the Brulee Peninsula (45.9932 degrees latitude, -84.4619 degrees longitude); then southeasterly along said shore to the southern tip of Brulee Point (45.9693 degrees latitude, -84.462 degrees longitude); then southeasterly to Coats Point (45.9631 degrees latitude, -84.4359 degrees longitude) on Marquette Island.

Lake Michigan Lake Trout Northern Refuge (Section VII.D.1.b.i. – Map 8)

- The northern border of the southern half of Grids 313 and 314 is a line of latitude at 45.75 degrees.
- The northern border of the southern half of Grid 415 is a line of latitude at 45.583 degrees.
- The southern border of the north half of Grid 614 is a line of latitude at 45.25 degrees.
- The southern boundary of the northwest quarter of Grid 517 is a line of latitude at 45.4167 degrees.
- The eastern boundary of the northwest quarter of Grid 517 is a line of longitude at -85.25 degrees.