

**FISH & WILDLIFE COMMISSION
2022-23 BISON HUNT
GENERAL INFORMATION**



Compiled by Nancy McAllaster for the FWC 11-30-22

2022-2023 TREATY BISON HUNT REGULATIONS AUTHORITIES & OVERVIEW

In its 1855 Treaty with the United States (12 Stat. 957), the Nez Perce Tribe (NPT) reserved, and the United States (US) secured among other guarantees, the right to hunt on open and unclaimed land outside the exterior boundary of the NP Reservation. This right includes the right to hunt bison/buffalo (*qoq'áalx*/buffalo) on land now managed by the Custer Gallatin National Forest adjacent to Yellowstone National Park (YNP), considered by Nez Perce to be "Buffalo Country". Pursuant to the Nez Perce Treaty of 1855 (12 Stat. 957) and the Nez Perce Tribe's sovereign authority, the Nez Perce Tribal Executive Committee (NPTEC/Executive Committee), in accordance with Article VIII, Section 2, Subsection (C) of the Revised Constitution and Bylaws of the NPT, the NPTEC has the power to promulgate and enforce ordinances governing the exercise of treaty rights on or off the NP Reservation.

After consultation with the Nez Perce Fish and Wildlife Commission (NPFWC/FWC/ the Commission), the NPTEC will authorize an annual ceremonial and subsistence season for hunting and harvesting of buffalo/bison on open and unclaimed lands adjoining YNP, near Gardiner, Montana (MT Bison Hunting District 385/North Yellowstone/ Gardiner) and West Yellowstone, Montana (MT Bison Hunting District 395/West Yellowstone). Per the Nez Perce Tribal Code (NPTC/TC) Sections (§)3-1-80 & 3-1-81, NPTEC will specify the number of bison that NP hunters may harvest. Subject to the authority of the NPTEC to reject or modify any action taken by the FWC. The hunting, trapping, and harvesting of all other species is prohibited on the Custer Gallatin National Forest in the state of Montana, unless otherwise promulgated by the Executive Committee. (NPTC can be found on the NP website.)

Nez Perce that harvest bison, elk, or other authorized animals (*Animals*) under a NP Treaty Bison Hunt Permit (*Permit*) must comply with all pertinent sections of the NP Tribal Code and the Nez Perce Tribe 2022-2023 Treaty Bison Hunt Regulations.

Concurrent Jurisdiction Nez Perce should note that the U.S. Forest Service (FS) and the State of Montana (MT) possess concurrent jurisdiction in North Yellowstone and West Yellowstone. Consequently, Nez Perce hunters exercising their treaty-reserved hunting rights can be cited by federal and state law enforcement officers for violating, to some extent, federal and state laws. Such laws include the U.S. FS prohibits **gut piles** on, or approximate to, open roads. U.S. FS also prohibits gut piles within 200 yards of any U.S. FS Road or trail that is wholly or partially within, or adjacent to and serving the U.S. FS Lands or property necessary for the protection and administration by the US FS. This includes the county road facing Beattie Gulch. § 36 CFR 261.50, Occupancy and Use Order #01-14-11-00-02 - Effective March 1 through December 1 (a copy will be available for hunters who hunt on these dates.)

SECTION 1: ORIENTATION REQUIREMENT

NPFWC is responsible for conducting all hunter orientations for the Treaty Bison Hunt seasons. Registration is not necessary.

First-time Permit Applicants must take Hunter Orientation from 5PM to 7PM, Thursday, January 13th. Other Orientation sessions are targeted toward seasoned bison hunters that have not had a citation in Buffalo Country in the past three years. Seasoned Bison hunters is scheduled as follows: 5PM-6PM on December 29th, Noon-1PM on January 5th & 5PM-6PM (they can also take orientation January 13th).

Everyone listed on a Permit as primary hunter, Designated Hunter or Designated Shooter must have attended at least one session of the Orientation session in the past three years either during the 2020-2021, 2021-22 or 2022-2023 bison seasons.

To qualify as a participant of Hunter Orientation you must sign-in (name & NP I.D.#) or if on the telephone conference call, you must identify yourself as present before and after the Orientation session. if your name did not get recorded on the Orientation list within the past three years you do not meet the Orientation qualification to have your name on a Permit (e.g., as Hunter, Assistant, or Designated Shooter).

SECTION 2: NEZ PERCE PERMIT

Nez Perce people who wish to participate in the Treaty Bison Hunt season must apply for and obtain a Permit from the NPFWC. Completed Permit Applications must be submitted to the FWC office. If applications are submitted less than five (5) days prior to the applicant's requested hunt start date, it may not be processed in a timely manner since applications are processed on a first-come, first-served basis. Hunters may only request one Permit either for Beattie Gulch or a General Permit for Gardiner (FS Section 385) or West Yellowstone (FS Section 395) with only one hunt date at a time not to exceed 7 days. Applications are processed by the NPFWC on a first-come, first-served basis. Incomplete Permit Applications will NOT be processed. If application changes are requested after it's submitted this will change the date the application was completed/received to the date the change was made (unless it's adding Assistants).

All Permitted hunters must have a copy of their Permit on their person or in their immediate vicinity during their hunt and while transporting animals harvested under their Permit. It's recommended that if the Permitted hunter does not accompany their harvested animal from Buffalo Country that they give a copy of their Permit to the transporter (for transporter's protection).

NPTFWC must deny an application if an applicant was convicted or found to have violated, within the last three (3) years, any provision of Title 3 of the NP Tribal Code or the NP Regulations in NP Tribal Court or convicted or found to have violated a hunting or fishing law or regulation in any other court of competent jurisdiction. Applications will be denied applicant failed to submit a Bison Harvest Report from the previous season to the Conservation Enforcement within the required timeframe.

Amending a Permit or An Application

Only the FWC can amend a Permit. Changes requested to an application (before a Permit is processed) **must be submitted in writing** (for backup & tracking purposes) to FWC staff either by email or in person. FWC will review and may approve such requests. Reasons for amending permits include, but is not limited to, the following: change hunt date, change location/area of hunt, adding/omitting Assistants or Designated Shooters or adding animals as a Designated Hunter

Requests to amend a Permit after a Permit is processed (assigned a # & sent to Conservation Enforcement), then a Harvest Report **must** be submitted indicating animals harvested and the requested changes in the "comment section" on the Report. The Harvest Report requesting changes should be submitted to the FWC staff by email or in person. FWC reviews and approve the amended Permit if feasible.

The total allocation of animal harvest per permit will not exceed original permit allocation. Harvest Reports are still required for amended Permits whether you harvest an animal or not.

SECTION 3: ASSISTANTS

Applicants are encouraged to identify and list Assistants on their application. Only enrolled Nez Perce may be listed on Permits as Assistants, and anyone listed on a Permit must meeting the Hunter Orientation qualifications.

Assistants cannot shoot an animal unless they do so under their own valid Permit, and they should stand back whenever the permit holder uses their firearm or bow. Assistants can help with the field dressing of animals under the guidance of the permit holder, as well as transporting animals harvested by the permit holder.

SECTION 4: DESIGNATED HUNTERS (DH)

A Designated Hunter can be requested by a NP citizen or organization that is either unable to or unwilling to hunt for themselves. (Designated Hunter is different than a Designated Shooter that is used to back up a Bow Hunter.)

When approved, the individual or group requesting a DH will NOT be issued a permit, INSTEAD the Permit is issued under the DH's name, and the DH's allocation of animals will include their own animals plus other approved animals they'll hunt for as a DH. FWC will determine the number of animals they feel the Permittee is able to properly care for in a timely manner and safely transport. *NPT assumes no responsibility for agreements or transactions between the applicant requesting a DH and the Permitted Designated Hunter.*

SECTION 5: GEAR TYPE

Hunters must indicate on their application whether they intend to hunt with a firearm or hunting bow. *You are allowed to have a legal unloaded firearm in Yellowstone National Park, but you are not allowed to fire them and must comply with YNP rules.*

A. Firearms

Tribal hunters that choose to hunt bison with a firearm he or she must hunt with a .30 caliber or higher centerfire rifle, as defined in § 3-1-1(d). He or she may also use a .35 caliber or higher pistol, as defined in NPTC § 3-1-1(w) once she or he has shot and fatally wounded a buffalo with a .30 caliber or higher centerfire rifle (or a bow hunter has) and the buffalo is on the ground but not yet dead. She or he may fire a pistol for the purpose of killing a buffalo and must be within fifteen (15) feet of the bison when firing. All hunters using a .30 caliber or higher centerfire rifle, or a .35 caliber or higher pistol must use 150 grain or heavier bullets and are prohibited from using .30 carbine and 7.62x39mm cartridges. *(Non-Leaded ammunition strongly recommended.)*

B. Archery Equipment

Permits for archery equipment use is available. Nez Perce with Tribal, state, or federal felony conviction who are prohibited from receiving or possessing firearms can apply for a NP Permit to hunt with a Bow instead of a firearm.

If a Nez Perce is issued a Permit that allows her or him to use archery equipment, he or she may use a crossbow, longbow, recurve bow, or compound bow with a minimum peak draw strength of 40 pounds at 28 inches or less draw length. Arrows must be at least 20 inches in overall length and tipped with unbarbed, sharp fixed, or expandable-blade type broadheads, with a minimum cutting surface of 7/8 inch when expanded.

Designated Shooter for Bow Hunter Bow Hunters must identify a Designated Shooter (DS) (not Designated Hunter) on their application to accompany their hunt as a backup shooter for safety purposes. Permits will be made out to the Bow Hunter and the DS must have their own permit with the same dates as the Bow Hunter's.

SECTION 6: ANIMAL HARVEST ALLOCATION

The total number of animals you can harvest will be listed on your Permit. The hunting, trapping, and harvesting of all other species is prohibited in Buffalo Country unless otherwise promulgated by the Nez Perce Tribe.

Permits will authorize up to four (4) animals unless otherwise approved for additional animals as indicated on your Permit as a Designated Hunter for an organization/event or individual(s).

The number of animals can be any combination of bison and elk but cannot exceed the number of animals approved on your permit. For example, if your Permit authorizes 4 animals you can harvest up to 4 bison & 0 elk, or 3 bison & 1 elk, or 2 bison & 2 elk etc. The number of animals harvested includes harvest of animals harvested in both areas if your hunt location was switched and amended on your permit. You cannot exceed the number of animals authorized on our Permit.

SECTION 7: AREAS OPEN

Hunting areas open are described as follows: Portions of the Custer Gallatin National Forest (NF) that are not otherwise closed to hunting. (See Areas in Buffalo Country Closed to Treaty Hunting.)

A. Beattie Gulch Permit

Pursuant to the inter-tribal Memorandum of Agreement (MOA) between the Nez Perce Tribe, Confederated Salish & Kootenai Tribes, Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes & Bands of the Yakama Nation (MOA Signatory Tribes), executed on October 24, 2017, Beattie Gulch is now restricted to 25 hunters at any one time, to be equitably distributed between each of the MOA Signatory Tribes. When hunting in Beattie Gulch hunters must follow the "Common Hunt Protocols" and "Common Safety Provisions and Regulations" found in the inter-tribal MOA.

Hunters with Beattie Gulch Permits must check-in with the NP Department of Fisheries Resources Management, Conservation Enforcement (Conservation Enforcement/Enforcement) and/or the tribal Law Enforcement Officer (LEO) Hunt Coordinator in Beattie Gulch. when they arrive in Buffalo Country (in-person or via phone 208-843-7143 or 877-790-3474). It's also recommended to check-in with Conservation Enforcement about 2 hours before sunrise on the day of your hunt or whenever time is suggested by the hunt coordinator.

In accordance with the inter-tribal MOA, the NPTFWC will be issuing six (6), seven (7)-day Permits for Beattie Gulch, Wednesday through Tuesday, for each week during the season. Hunters with a Beattie Gulch Permit are guaranteed access to Beattie Gulch and can also use their permit to hunt in the Gardiner area (also in FS Section 385) if they first notify the Conservation Enforcement.

B. General Permit (Non-Beattie Gulch Permit)

General Permits do not guarantee access to Beattie Gulch. Rather, Nez Perce hunters holding a General Permit may hunt outside of Beattie in either specifically in the Gardiner (FS Section 385) or West Yellowstone (FS Section 395) area as indicated your Permit. NPTFWC will issue an unlimited number of seven (7)-day General Permits, recommended hunt Wednesday through Tuesday for each week.

A General Permit for the Gardiner area can only hunt Beattie Gulch area if allocated a slot by a Tribal LEO Hunt Coordinator. It's important to keep in contact with both the Conservation Enforcement Officers and the Hunt Coordinator.

North Yellowstone/Gardiner/FS Section 385: The area of the Custer Gallatin NF referred to as Forest Service Section 385, North Yellowstone, Gardiner which is located near Gardiner, Montana and encompasses NF System land north of Yellowstone National Park, including the upper portions of the Hellroaring and Slough Creek drainages.

West Yellowstone/FS Section 395: The area referred to as West Yellowstone or FS section 395 located near West Yellowstone, Montana and encompasses NF System land west of Yellowstone National Park, including the Cabin Creek Recreation and Wildlife Management Area, the Monument Mountain Unit of the Lee Metcalf Wilderness, and the upper Gallatin River drainage south of the mouth of Taylor Fork.

SECTION 8: AREAS IN BUFFALO COUNTRY CLOSED TO TREATY HUNTING

Areas closed to the discharge of a firearm, a hunting bow, or any other dangerous weapon capable of taking human life, causing injury, or damaging property include, but not limited to, the following:

1. Areas within the city limits of Gardiner, Montana and West Yellowstone, Montana, including the area adjacent to Gardiner along the Jardine Road before its intersection with the Travertine Road; and
2. Private property (EVEN WITH LANDOWNER'S PERMISSION), including the railroad grade running north to south through Beattie Gulch; and
3. The "No Shooting Zone" in Beattie Gulch between the Yellowstone Trail and the Yellowstone River; and
4. The West Yellowstone Bald Eagle Sanctuary on Horse Butte; and
5. Any area within 150 yards of a residence, building, campsite, developed recreation site, or occupied area; and
6. Any area within 100 yards of a highway; and
7. Within the McConnell Recreation Area (5 acres); and
8. Within the "Clean Zone" just north of Beattie Gulch (18 acres).
9. The Eagle Creek on the Jardine Road.
10. The Beattie Creek trailhead.
11. The area between US highway 287 and the boundary of Yellowstone National Park between the Habgen Ranger Station and Bakers Hale Campground.
12. Across or on a National Forest System Road or a body of water adjacent thereto, or in any manner or place whereby any person or property is exposed to injury or damage as a result in such discharge.
13. Into or within any cave." §36 CFR 261.10 (d)
14. According to Montana State Hunting Regulations it is unlawful for anyone to hunt or attempt to hunt any game animals on, from or across any public highway or the shoulder, berm, barrow pit or right-of-way of any public highway used for vehicle travel. To protect public safety and minimize traffic obstruction, no bison hunting is allowed within 100 yards of US HWY 20, 89, 191 or 287. Firearm discharges are prohibited within 150 yards of a residence, building, campsite, developed recreation site, or occupied area or across a forest service road or body of water.

SECTION 9: SEASON LENGTH

The West Yellowstone (FS Section 395) area opened September 1, 2022. The North Yellowstone (Gardiner/FS Section 385), including Beattie Gulch opened December 14, 2022. The Treaty Bison Hunt season for either area is authorized seven (7) days a week from 1/2 hour before sunrise to 1/2 hour after sunset and will close at 1/2 hour after sunset on April 1, 2023, at which time all shooting will cease, unless closure is otherwise promulgated by the Nez Perce Tribe.

SECTION 10: HARVEST REPORT

If you received a Permit, you **MUST** submit a Harvest Report to the NP Conservation Enforcement within five (5) business days following the last date of the hunt listed on your Permit **WHETHER OR NOT you harvested an animal**.

If you don't submit a Harvest Report, you'll be denied a permit for the following bison season. Conservation Enforcement will share Harvest Reports received with the NPTFWC and the NP Department of Natural Resources, Wildlife Division.

Harvest Report forms can be submitted to the NP Conservation Enforcement in the following ways: 1) Handed report to an NP Enforcement officer before hunter leaves Buffalo Country. 2) Dropped off report at the Enforcement office in Sweetwater during regular business hours. 3) Place in the 24-hour a day drop box located on the outside of Enforcement Sweetwater office. 4) Email forms to Ira Wilson at the Enforcement office to iraw@nezperce.org. 4) Through US Mail to NPT Fisheries Conservation Enforcement, PO Box 365, Lapwai, ID 83540.

SECTION 11: ANIMAL WASTAGE

Tribal Code §3-1-19 Wasting Fish and Game A person commits the infraction of wasting fish and game if he permits any fish or game needlessly to go to waste after killing or wounding the same.

A. Bison The only remaining parts of a downed bison that a Permit holder and their Assistants may leave in the field are the spine, pelvic bone, entrails (gut pile), the rear legs from the hock down, and the front legs from the knee down. This means that all other meat and animal parts must be removed from the field. It is the Permit holder's responsibility to ensure that she or he has adequate tools, such as knives, saws, etc., to remove all required meat and animal parts from the field.

(In order to help Permit holders comply, the following is a non-exhaustive list of the type of meat and animal parts that hunters must remove from the field: meat from the hind quarters down to the hock; meat from the front quarters down to the knee; the backstraps (outer portion of the spine); the tenderloins (underneath the spine); meat from the neck (hump meat); meat from the ribs with flank; and the head, hide, and ribs, which must be cut off.)

B. Elk The only remaining parts of a downed elk that a Permit holder may leave in the field are the spine, pelvic bone, entrails (gut pile), the rear legs from the hock down, the front legs from the knee down, the head, and the hide. This means that all other meat and animal parts must be removed from the field. It is the Permit holder's responsibility to ensure that she or he has adequate tools, such as knives, saws, etc., to remove all required meat and animal parts from the field.

(In order to help Permit holders comply, the following is a non-exhaustive list of the type of meat and animal parts that hunters must remove from the field: meat from the hind quarters down to the hock; meat from the front quarters down to the knee; the backstraps (outer portion of the spine); the tenderloins (underneath the spine); meat from the ribs with flank; and ribs, which must be cut off.)

136 Code of Federal Regulations 261.50, Occupancy Use Order #01-14-11-00-02 is in effect from March through December 1. This is due to safety purposed because grizzly bears may be in the hunting areas.

C. Animals Sent to Processing Facilities

The meat from animals sent to processing facilities must be picked up in accordance with the processing facility's meat abandonment policy. We understand that things come up and you may not be able to pay to pick up your game within pickup date deadline. If this is the case, you must **immediately** contact a NP reservation church, NP event committee or the FWC to get approval to donate you animal(s) to them or us, which is better than getting a citation for game wastage and having the processing facility deciding the fate of the meat. The recipient of the donated animal(s) will then be responsible for paying the processing fee and getting the animal from the processor by the deadline, and properly storing the animal(s) for their NP event.

D. Proper Game Carcass & Waste Disposal

Be mindful of where you dump animal wastage. It's best to properly dispose of brains and spines and other wastage of animals in Buffalo Country. If animal wastage is dumped too close to residential areas, it is considered littering and can cause an infectious environment (brucellosis and chronic wasting disease). Brucellosis is contagious to people and dogs. Also, wastage can attract unwanted predators (wild animals/rodents) in the area and instigate dog packs to form around neighborhoods.

SECTION 12: SAFETY

Hunters must refrain from the discharge of all firearms and hunting bows within a 150-yard radius of a downed animal. The discharge of all firearms and hunting bows may not resume within a 150-yard radius of a downed animal until all killed animals are retrieved and transported to the nearest open road.

No hunters may discharge a firearm, a hunting bow, or any other dangerous weapon upon or across an open road. Nez Perce must comply when a Conservation Enforcement Officer orders a cease fire. A Conservation Enforcement Officer may immediately revoke, in the field, the Permit of a Nez Perce who fails to stop firing after receiving cease-fire orders.

Hunters may not possess or consume alcoholic or other intoxicating beverages or intoxicating substances while hunting anywhere on the Custer Gallatin NF.

SECTION 13: VIOLATIONS AND ENFORCEMENT

A Conservation Enforcement officer may immediately revoke, in the field, the Permit of any Nez Perce citizen if the officer believes a Permit holder, Assistant, or Designated Shooter has failed to follow an order from a Conservation Enforcement officer or violates the NP Tribal Code or Regulations. Violators the Regulations may get their animal(s) confiscated by the Enforcement. Alleged offender will be cited accordingly.

Nez Perce Tribal Court is authorized to adjudicate all alleged violations by Nez Perce people of the Bison/Buffero Hunt Regulations and the Tribal Code and then will decide and order a judgement. Nez Perce found guilty of violating the Tribal Code or NP Regulations within the last three years in Buffalo Country are subject to citations, fines, and revocation of bison hunting privileges the following season. The offender must meet Tribal court obligations and take Hunter Orientation, yet again, before bison hunting privileges can be reinstated.

(Suggestion: Take pictures before & after your use of the area when you harvest an animal or process an animal. it may be useful for proof or validation later.)

SECTION 14: CONTACT INFORMATION

Nez Perce Tribal Executive Committee, 404 Agency Street, POB 305, Lapwai, ID
Phone: (208) 7342 Fax: (208) 843-7354

NP Conservation Enforcement, 28761 Salon Lane, US Hwy 95, Sweetwater, ID
Phone: (208) 843-7143 Fax: (208) 843-7148 Email: iraw@nezperce.org

Nez Perce Fish & Wildlife Commission, 315 'B' Street, PO Box 365, Lapwai, ID
Phone: (208) 843-9376 Fax: (208) 843-7381 Email: nancymac@nezperce.org

MT Bison Information Line: 406-577-7889 (good through February 15, 2023)

BRUCELLOSIS IN BISON

Brucellosis is a bacterial disease that only affects a small percentage of Yellowstone National Park bison, it has also been found in elk. Bison were exposed to brucellosis by domestic cattle that were allowed to graze in the park and confined with bison. Brucellosis abortus is usually localized in lymph nodes or reproductive organs, but almost never in muscle (meat) and it's readily killed by cooking. There has been no documented case of brucellosis transmission in the wild between cattle and bison.

Brucellosis can infect humans, causing persistent, intermittent flu-like symptoms known as undulant fever which can persist for long periods of time. Extra precautions are required when field dressing and processing bison carcasses. Transmission occurs through direct contact between a person's open cuts and birthing fluids or animal tissue. Be extra careful if you have open sores or cuts. To protect yourself when handling bison carcasses, consider using latex (or other protective) gloves when handling the carcass or guts. Avoid direct contact with materials from the reproductive tract or milk. Avoid touching your eyes, nose, or mouth until you've washed carefully. Discard organ meats. Whenever possible do not remove the entrails or reproductive tract from a bison or elk from the kill site. Cook all meat that you are going to consume thoroughly. Thoroughly wash hands, tools, and surfaces where the bison was processed and packaged.

CHRONIC WASTINE DISEASE (CWD)

CWD is an always-fatal nervous system disease found in cervids (deer, elk, moose, reindeer). CWD has not been shown to be infective to humans. It is not caused by a virus or bacteria. It is one of a family of diseases called transmissible spongiform encephalopathies. The disease is a result of a naturally occurring protein, called a prion, that becomes misfolded and thus resists being broken down by the body the way normal proteins are. When

found in cervids, they multiply by causing the animal's normal and healthy prion proteins to misfold and begin damaging the animal's nervous system. This process may take as long as two years before the animal begins to show outward signs of the disease. There is no known cure for CWD.

Currently there is no scientific evidence that CWD has or can spread to humans, either through contact with or consumption of infected animals. There is no evidence CWD can be transmitted to humans. People are encouraged not to consume meat from animals that test positive for CWD, or any animals that appear sick.

Do not shoot, handle or consume any animal that is acting abnormally or appears to be sick. Wear latex gloves when field dressing elk. Bone out the meat from your animal. Don't saw through bone and avoid cutting through the brain or spinal column (backbone). Minimize the handling of brain and spinal tissues. Thoroughly wash hands, instruments and surfaces used for processing. Avoid consuming brain, spinal cord, eyes, spleen, tonsils, and lymph nodes of harvested animals.

LEAD-FREE AMMUNITION

Human exposure to lead in the United States has dramatically decreased as lead has been phased out or reduced in gasoline, plumbing, paint and toys.

Lead ammo can fragment into many small pieces and imperceptible dust-size particles of lead. This lead can infect game meat up to a foot and a half away from a bullet wound when fired from a high-powered rifle, and even lead shot can leave particles, dust and residues in game meat. X-rays reveal that lead fragments are left behind in the body of game species after being shot with lead ammunition. In addition, animal and bird scavengers can be poisoned when they ingest carcasses or body parts of dead animals affected by fragments of lead ammo.

Copper tends to remain intact after impact with the target, they also leave no lead and rarely fragment, and studies demonstrated that lead-free bullets are equal to conventional hunting bullets in terms of killing effectiveness and thus equally meet the welfare requirements of killing wildlife as painlessly as possible.

Contact the Nez Perce Tribe Department of Natural Resources, Wildlife division regarding their lead/non-lead ammunition exchange project at 208-843-2162.

ANTHRAX

Anthrax is an infectious soil-borne disease caused by *Bacillus anthracis*, a relatively large spore-forming bacteria that can infect mammals including bison. Carcasses left to rot on the ground allow anthrax spores to migrate into and survive in soil. After wet weather, hot and dry conditions bring bacteria closer to the surface. Animals wallowing or pawing at the ground stir up anthrax causing bacteria spores, and animals like bison breathe the spores in and get infected. It's rare for humans to contact anthrax except from direct contact with dead, diseased bison. Anthrax can cause skin, respiratory or intestinal infection in humans. All types of anthrax infection can be treated with antibiotics. Concern for this is heightened during the warmer weather; and cool, rainy weather or cold snowy slows Anthrax down.

GRIZZLY BEARS

Grizzly bear attacks are rare, they'll mostly attack to protect their young or their turf. They tend to come out of hibernation in March (the start of the Federal Occupancy Use Order). If you come across a grizzly bear how you react will either deter or encourage them. Don't run away, bears are fast. Break eye contact with the bear and slowly raise your hands to your chest, palms outward, and talk in a calm, monotonous, soothing voice while tiptoeing away. Be attentive to the bear's body language. The two most effective bear deterrents are bear spray and noise makers, be prepared, and keep both handy. If the wind isn't blowing in your face, use the bear repellent and spray the bear. You can make noise by shaking tarps or garbage bags or banging pots & pans.

SECTION OF THE TRIBAL CODE

BUFFALO/BISON HUNTING (adopted by NPTEC 4/11/06)

§3-1-80 Purpose

Pursuant to the NP Treaty of 1855 (12 Stat. 957) and the NP Tribe's sovereign authority, the NPTEC, after consultation with the FWC, will authorize an annual ceremonial and subsistence season for hunting and harvesting of buffalo/bison on open and unclaimed lands adjoining Yellowstone National Park.

S3-1-81 Applicable Regulations

- (a) All provisions of the Nez Perce Tribal Code are applicable.
- (b) Only enrolled members of the Nez Perce Tribe may participate in the hunt and harvest of buffalo/bison.
- (c) NPTEC, after consultation with the Fish and Wildlife Commission, will specify the opening and closing dates for the bison/buffalo season for Nez Perce tribal members on open and unclaimed land adjoining Yellowstone National Park, and will specify the number of bison/buffalos that may be harvested by Nez Perce tribal members.
- (d) Tribal members may hunt and harvest from 1/2 hour before sunrise to 1/2 hour after sunset; (amended by NPTEC 1/26/16)
- (e) Buffalo must be hunted with a hunting bow, as defined in S3-1-1(r), or a .30 caliber or higher centerfire rifle, as defined in S3 - 1 - 1
- (d) (Amended by NPTEC 2/14/17)
 - (1) Tribal members hunting using a hunting bow must be accompanied by a permitted designated shooter, as defined in S3-1-1 (i), if they are prohibited under the Nez Perce Tribal Code, state, or federal law from possessing, or having under their custody or control, a firearm, as defined by the Nez Perce Tribal Code, state, or federal law. Only the designated shooter may carry and fire a .30 caliber or higher centerfire rifle or a .35 caliber or higher pistol.
 - (2) All tribal members using a .30 caliber or higher centerfire rifle must use 150 grain or heavier bullets and are prohibited from using the following cartridges:
.30 Carbine and 7.62x39mm.
- (f) NP Conservation Enforcement Officers shall be present to enforce this regulation and the NP Tribal Code dependent on funds and officer availability. (Amended by NPTEC 1/8/13)

S3-1-8 Tribal Member Identification

- (a) Any person who is a member of the Nez Perce Tribe and who hunts, fishes or traps within the tribe's territorial jurisdiction shall have in his possession a Nez Perce Tribe Identification card issued by the tribe...

S4-1-7 Burden and Presumption of Innocence No person may be convicted of an offense unless each element of such offense is proven beyond a reasonable doubt. In the absence of such proof the defendant shall be acquitted.

This booklet was compiled by Nancy McAllaster as a reference to Hunter Orientation.

The OLC's prepared the 2022-2023 Buffalo/Bison Hunt Regulations are also available. There are other sections of the Tribal Code pertaining to hunting that you can find on the NP Website. The Tribal Code Section 3 is under review and will be revised in 2023, please contact the NPTEC for further information regarding changes or to recommended changes to the Code.