



# Quinault Indian Nation

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## QUINAULT BUSINESS COMMITTEE RESOLUTION NO. 16-195-95

WHEREAS, the Quinault Business Committee is the recognized governing body of the Quinault Indian Nation under the authority of the Quinault Indian Nation's Constitution adopted by the Quinault General Council on March 22<sup>nd</sup>, 1975; and

WHEREAS, the Constitution of the Quinault Indian Nation Article authorizes the Quinault Business Committee to regulate hunting activities, and specifically in Title 51 – Fishing, Hunting and Gathering – reserve the right to adopt regulations governing guided hunting on the Reservation (51.11.010(c)); and

WHEREAS, the Quinault Business Committee realizes the importance of maintaining our natural environment in such a way that ensures the healthy sustainability of our fish and wildlife and further realizes the critical role we have inherited to be keepers of our land and wildlife resources; and

WHEREAS, staff from the Quinault Division of Natural Resources recommend the attached Guided Bear Hunting regulations,

NOW THEREFORE, BE IT RESOLVED, that the Quinault Business Committee approves the attached QUINAULT INDIAN NATION 2017 GUIDED BLACK BEAR HUNTING REGULATIONS.

Fawn R. Sharp, President  
Quinault Indian Nation

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### CERTIFICATION

AS SECRETARY OF THE QUINAULT BUSINESS COMMITTEE, I HEREBY CERTIFY THAT THE FOREGOING RESOLUTION WAS DULY ENACTED BY THE QUINAULT BUSINESS COMMITTEE ON THE 22<sup>ND</sup> DAY OF AUGUST, 2016 BY A VOTE OF 8 FOR, 0 AGAINST, AND 1 ABSTAINING.

Latosha Underwood, Secretary  
Quinault Business Committee





# 2017 GUIDED BLACK BEAR HUNTING REGULATIONS

**The Quinault Indian Reservation is open to authorized non-Quinault black bear hunting from March 1<sup>st</sup>, 2017 through June 30<sup>th</sup>, 2017.**

A limited number of black bear tags will be sold. Sixty black bear tags will be sold per year for the 2017 guided black bear hunts. Fees for black bear tags are \$350.00 for each tag issued to a non-Quinault hunter. Any non-Quinault hunter participating in the Guided Black Bear Hunt must have a minimum of one tag issued in their name. A non-Quinault hunter may have an unlimited number of tags in their possession at any time, but must have the proper number in possession to match the number of bear harvested and being hunted. Tag fees will not be waived for promotional hunts.

Required application and waiver may be downloaded at  
<http://qlandandwater.org/index.php/permits/item/83-hunting-licenses>.



The purpose of the Quinault Guided Black Bear (*Ursus americanus*) Hunting program is to reduce damage caused by bears to coniferous trees on the Quinault Indian Reservation. Annual inventory flights conducted since 1980 suggest that the forests of the Quinault Indian Reservation continue to be damaged by bears feeding on the cambium layer of trees in the spring. Severe bear damage can necessitate the removal of entire stands prior to rotation age, resulting in significant financial impacts to the Quinault people and programs. The Quinault Indian Reservation's bear population was previously unmanaged due to a lack of tribal harvest and the abundant food source. This Guided Black Bear Hunting program was developed to reduce the black

bear population on the Reservation and thus the damage to coniferous trees. After 12 years of guided hunts, the black bear population has been reduced and tree damage reduction goals have been reached. Thus, the current objective of the Guided Black Bear Hunting program is to maintain reduced bear population and tree damage levels through sustainable black bear harvest.

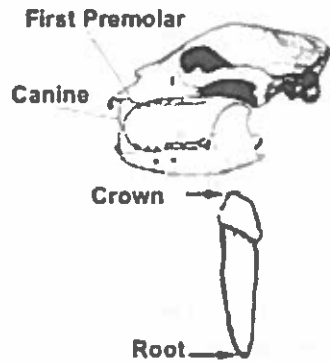
## **SECTION 1: REQUIREMENTS for GUIDES/ASSISTANT GUIDES/HELPERS**

These regulations are promulgated by resolution of the Quinault Business Committee pursuant to its authority in Title 51, Section 51.11.010(c).

This section provides criteria for and requirements of Quinault Tribal members to guide non-Quinault hunters on a black bear hunt on 100% Quinault Indian Nation (QIN) owned land within the boundaries of the Quinault Indian Reservation.

1. New Guide and Assistant Guide applications will be reviewed and approved annually by the Quinault Fish and Game Commission prior to the opening of the non-Quinault guided black bear hunting season, or by the Quinault Business Committee if the Fish and Game Commission fails to meet to so approve.
2. The following criteria in determining whether to approve or remove Guides and Assistant Guides:
  - Shall be an enrolled Quinault tribal member
  - Shall have demonstrated experience hunting and familiarity with Reservation and Reservation roads.
  - Shall be able to legally possess a firearm used for hunting
  - Shall carry a firearm as prescribed in Section III below, except muzzleloaders, while on an active guided hunt
  - Shall have a valid driver's license
  - Shall not have Title 51 hunting/Guide violations from previous calendar year
  - Shall clearly mark all bear baiting sites and bait barrels with tribal ID number and bait station number. Tribal ID and station numbers shall be permanently etched onto the barrel and in an obvious location. Flagging shall also be placed above the barrels and marked with the guide and station numbers. Any unmarked stations will be removed and confiscated, and further penalties may apply.
  - A QDNR enforcement officer or designee shall accompany each Guide to all of his/her bait station locations to obtain the GPS coordinates. Number and location of baiting sites must be provided to QDNR Resource Protection prior to placement of barrels and baiting. An actual GPS location of each baiting site must be obtained within 2 weeks of placing barrels in the field; hunting tags will not be issued until the QDNR enforcement officer or designee has visited and obtained coordinates of all baiting sites.
  - Guides and Assistant Guides who are removed or not approved by the Fish and Game Commission may appeal that decision to the Quinault Business Committee by requesting a hearing within thirty (30) days of the decision. A representative of the Fish and Game Commission shall explain the rationale for the Commission determination at the hearing. The Quinault Business Committee's decision shall be final.

3. Assistant Guides shall work under the direction of a Guide and are not authorized to establish their own guiding service. Violation of this regulation will result in the revocation of the associated Guide's guiding status.
4. All Guides must provide a complete list of their associated Assistant Guides and helpers to the Fish & Game Office. Hunting tags will not be issued until such list is submitted to the Fish & Game Office.
5. Guides shall inform their client hunters that their hunt may be interrupted by natural resource management activities or a treaty hunt. Treaty hunts will take precedence over a guided hunt. However, a treaty hunter may not take advantage of or use the bear bait station for hunting purposes. The application for a Non-Quinault Guided Bear Hunt Tag will have a disclaimer on it that states guided hunting may be interrupted by natural resource management activities or a treaty hunt. Guides shall direct their client hunters not to interfere with treaty hunting.
6. Guides shall not block roads during a guided hunt. When guided hunting or bait stations occur on a road, Guides shall flag and post such road with a sign at the entrance to the road system stating "Hunt in Progress".
7. Guides shall collect a tissue sample from each black bear harvested and submit the sample to the Fish & Game office within 3 business days of the guided hunt. Guides will collect a small chunk of the footpad from the harvested animal and placed in the coin envelope provided by the Fish & Game Office. The footpad shaving should be no larger than a corn kernel and about the thickness of a dime. If the footpad tissue doesn't dry quickly after coming into contact with the paper envelope, the piece is thicker than necessary. The footpad piece may be taped to the inside wall of the paper envelope if there is concern of it falling out and getting lost. Envelopes shall be labeled with the Guide's name, the station number at which the bear was harvested, date bear was harvested, the bear tag number, and the sex of the bear.
8. Guides shall collect a tooth from each black bear harvested and submit the sample to the Fish & Game office within 3 business days of the guided hunt. The Fish & Game office will provide each guide with a tooth elevator to help facilitate tooth collection. Guides will use the tooth elevator to pry out the first premolar tooth, which is located behind the canine tooth of the upper jaw (see diagram below). Guides shall submit the tooth in a small envelope labeled with the Guide's name, the station number at which the bear was harvested, date bear was harvested, the bear tag number, and the sex of the bear. At the close of the hunting season, QDNR biologists will submit the teeth to a lab and once the teeth have been processed, the biologists will provide the Guides with the age of the harvested animal.



9. Violation of any of these regulations and any other tribal law may result in a revocation of the Guide's guiding status and penalties addressed in tribal codes.
10. The shooting of sows accompanied by cubs is prohibited. Guides shall notify their clients if they know a sow with cubs is in the area.
11. Bears with GPS collars, ear tags, or lip tattoos may have been recently tranquilized. If a harvested bear has a collar, ear tag, or lip tattoo, please contact a QDNR wildlife biologist prior to consumption of the meat.
12. Interference with any biological research project is strictly prohibited. This includes, but is not limited to: tampering with traps and snares; repeated visits to traps and snares; releasing animals from traps and snares; harvesting an animal in a trap or snare; tampering with barbed-wire hair-snag stations; and tampering with remote game cameras. Any GPS collar found shall be turned in to the Fish & Game Office or a QDNR wildlife biologist on the following business day.
13. Guides or Assistant Guides shall be able to be in communication with client hunters all times during a guided hunt, either by direct voice or 2-way electronic voice communication device. Guides or Assistant Guides shall check in with client hunters every 2 hours during a guided hunt. Guides shall also be within 5 miles of client hunters at all times while they are hunting.
14. Guides shall provide a copy of these regulations to client hunters.
15. Guides are responsible for their client hunters' compliance with Quinault Indian Nation laws and regulations during an active hunt.
16. Guides are recommended to have a first aid kit adequate to treat gunshot and knife wounds in the vehicle used to transport guided hunters to the active hunting site.
17. Guides shall confirm that client hunters obtain a valid Non-Quinault Guided Bear Hunt Tag for bear hunted and fill out tag completely. Guides shall retain the bottom portion of the completed tag and turn in to the Quinault Fish & Game Office within 2 weeks guided hunt if the hunt was successful. For unsuccessful hunts, Guides must turn in the

- completed bottom portion of the tag within 2 weeks of the close of the hunting season. Guides who fail to turn in all tags may be subject to revocation of guiding status.
18. Guides shall ensure non-Quinault hunter makes all reasonable effort to dispatch and recover a wounded bear using methods approved in these regulations.
  19. Guides shall ensure no non-perishable litter is left on the Reservation as a result of a guided hunt (pack it in, pack it out). Violations will result in the closure of the baiting station and possible revocation of the Guide's guiding status.
  20. Guides shall ensure bear meat is not wasted. Waste includes leaving bear meat in the field, and keeping skulls, other body parts, or hides and leaving or dumping a remaining un-boned carcass. Guides shall ensure any remains are left away from view of the road. Guides shall make all effort to gut and skin bear carcasses and hang in the community cooler or freezer, and notify the QDNR Fish and Game Office within 48 hours.
  21. Guides shall report to the Quinault Public Safety Division and the Fish & Game Office the non-retrieval of a bear injured by a client hunter within 24 hours of said injury, or the first Monday following the non-retrieval of an injured bear, including the location of the last contact with the bear.
  22. **Helpers:**
    - Shall receive a Helper permit from QDNR and shall complete an application form provided by the Nation
    - Shall have a valid driver's license if transporting clients in a vehicle
    - Shall be an enrolled member of the Quinault Indian Nation
    - Shall not have Title 51 hunting/guide violations from previous calendar year
  23. Helpers shall not serve as independent Guides and may not be on active guided hunt alone with client hunters. Helpers shall not pick up hunting tags for client hunters. Helpers may assist Guides by checking or baiting feeding stations, transporting client hunters to and from hunting areas, providing lunch for clients, or providing general assistance. Helpers may not hunt or participate in an active hunt.
  24. All Guides, Assistant Guides, and Helpers will adhere to the laws and regulations of the Quinault Indian Nation. Any violation by a Guide, Assistant Guide or Helper of the Nation's laws or regulations is grounds for having Guide/Assistant Guide/Helper status revoked and is at the discretion of the Business Committee.
  25. All Guides will be responsible for their Assistant Guides' and Helpers' adherence to the laws and regulations of the Quinault Indian Nation.
  26. Guides, Assistant Guides, and Helpers shall be courteous and respectful to their client hunters and other hunters at all times during a guided hunt. A complaint against a Guide, Assistant Guide, or Helper may be grounds for having Guide/Assistant Guide/Helper

- status revoked. Revocation will be dependent upon the seriousness and merit of the complaint(s).
27. Client hunters are allowed to keep one bear gall bladder for personal use if they submit a gall bladder waiver form to the Guide during the hunt. Guides will advise hunters of the laws pertaining to the sale of bear gall bladders. Guides shall destroy the gall bladders of all other bears harvested and leave the gut piles unless a gall bladder waiver has been submitted. Completed gall bladder waiver forms shall be submitted to the Fish and Game Office by the end of every month of the hunting season.
28. Guides, Assistant Guides, and Helpers shall be courteous and respectful to other Guides, Assistant Guides, Helpers and their property at all times. Tampering with another Guide's trail cameras, bait stations, and other property is prohibited. Violations may be grounds for reduction in allowed number of baiting stations or revocation of guiding status. Violations should be reported to a QDNR enforcement officer. Any theft of property should be reported to the tribal police department.
29. Restrictions:
- All Guides are restricted to a total of 15 bear baiting locations. No Guide shall have over 15 barrels out on the reservation at any time. It is strictly prohibited to use an abandoned bait station, or another Guide's bait station or baiting location. Guides are only allowed to bait or have clients out on their own registered and GPS'd bait stations.
  - All bear baiting stations are restricted to 100% QIN-owned lands within the boundaries of the Quinault Indian Reservation. Under the QIN Constitution, the QBC must comply with federal law when regulating trust land. QIN Const. Art. V, Sect. 5, (f). Under the U.S. Code and Code of Federal Regulations, the BIA must approve any right-of-way on individually-owned trust land, and such approvals hinge on obtaining consent from at least a majority of owners. 25 U.S.C. § 324; 25 CFR § 169.3 (c). Therefore, until further notice, guided bear hunting on individually-owned trust parcels is not approved by the QBC.
  - Guides shall provide the number and location description of all bait stations to QDNR Resource Protection prior to placing barrels or baiting in the field. Within 2 weeks of placing barrels in the field, all Guides shall have a QDNR Resource Protection officer or designee accompany him/her to all of his/her baiting sites to obtain GPS coordinates of the sites. All Guides shall notify the Fish & Game Office or Resource Protection prior to any baiting site location change. Efforts will be made by QDNR to avoid permitting natural resource activities near bait stations when possible. Bear bait stations may need to be relocated if in conflict with timber harvest or other natural resource management activities; priority use of locations will be determined by the Director of QDNR.
  - No baiting may occur from July 1<sup>st</sup> through February 28<sup>th</sup>. It is strictly prohibited to bait outside the scheduled spring hunting season. Violations will result in confiscation of the baiting equipment, possible criminal and/or civil charges, and possible revocation of guiding status.



- No active baited hunting may occur within the designated senior/disabled/archery hunting areas during the respective senior/disabled/archery hunting season.
- Guides shall remove all bait barrels and other equipment from the field within one month of the end of the Guided hunting season (by July 31<sup>st</sup> 2017). Barrels and other equipment that is not removed will be considered litter, will be confiscated, and will result in the forfeiture of the Guide's business license deposit.
- The use of cooking oil at bait stations is prohibited.
- Guides/Assistant Guides/Helpers shall not conduct baiting or active guided hunting within ½ geodesic mile (i.e., "as the crow flies") of fish dumps at Stink Bridge or a hatchery.
- Guides/Assistant Guides/Helpers shall not be under the influence of or in possession of drugs or alcohol during an active guided hunt. Guides/Assistant Guides/Helpers determined to be intoxicated during any portion of a guided hunt is grounds for having Guide/Assistant/Helper status revoked.
- Guides/Assistant Guides/Helpers who are employees of the Nation shall not guide (including baiting stations, transporting clients) during work hours unless they use leave approved according to Personnel Policies. Violation of this regulation is grounds for revocation of guiding status and notifying work supervisor.
- Any use of GSA or Quinault Government owned vehicles is prohibited for the purpose of black bear guiding. These activities include baiting stations, transporting clients and checking game cameras. Violation of this regulation is grounds for revocation of guiding status and notifying work supervisor.

## **SECTION II: REGULATIONS FOR NON-QUINAULT HUNTERS**

The following regulations apply to non-Quinault hunters being guided on a black bear hunt by an approved Quinault Tribal member Guide or Assistant Guide within the Quinault Indian Reservation.

1. Non-Quinault guided hunters shall be 13 years of age or older.
  - Hunters between the age of 13 and 18 shall be accompanied by an adult and provide a valid hunter education training certificate prior to being issued a valid tag to hunt black bear on the Quinault Indian Reservation.
2. Non-Quinault hunters shall:
  - Employ a Guide approved by the Quinault Indian Nation.
  - Be issued a Non-Quinault Guided Bear Hunt Tag by the Quinault Indian Nation in their name for every bear harvested or hunted, and have a valid tag in their possession while hunting on the Quinault Indian Reservation.

- Be able to legally possess a firearm used for hunting.
  - Sign a Waiver of Liability form provided by the Quinault Indian Nation prior to receiving a tag.
3. Non-Quinault hunters shall adhere to the laws and regulations of the Quinault Indian Nation. Any violation of the Nation's laws or regulations is grounds for having a Non-Quinault Guided Bear Hunt Tag revoked in addition to any penalties provided by the Nation's laws. A copy of applicable provisions of the Nation's Title 51, Fishing/Hunting/Gathering is attached as an addendum.
  4. Non-Quinault hunter applicants may be subject to a criminal background check prior to being issued a tag by the Quinault Indian Nation.
  5. Non-Quinault hunters who obtain a valid Non-Quinault Guided Bear Hunt Tag are hereby authorized by the Quinault Business Committee to carry firearms as provided by this regulation.
  6. Non-Quinault hunters shall use a firearm as prescribed below to hunt black bears on the Quinault Indian Reservation.
  7. Non-Quinault hunters may use a bow and arrows to hunt black bears on the Quinault Indian Reservation as follows:
    - Arrows shall measure at least 20 inches in length and weigh more than 6 grains per pound of draw weight with a minimum arrow weight of 300 grains.
    - Bows shall possess more than 40 pounds of pull measured at 28 inches or less draw length.
    - Arrows shall have sharp broadhead blades or blades at least 7/8 inches wide. The broadhead shall be unbarbed or be a mechanical broadhead. Luminox arrows are allowed.
    - Hunting black bear with a cross bow is prohibited.
  8. The shooting of sows accompanied by cubs is prohibited.
  9. Upon harvesting a black bear, non-Quinault hunters shall complete the Guided Bear Hunt Tag and attach top portion of tag to the bear carcass for transporting within and from the Quinault Indian Reservation. Hunters shall attach a fur tag to the pelt if transporting the pelt separately from the meat. Hunters shall report harvest of a bear within 3 business days (beginning at 8 am the following business day) to the Fish & Game Office (360/276-8215 ext. 372, okay to leave voice message). Hunters shall submit the completed bottom portion of tags to their Guide, who will in turn submit the tags to the Quinault Fish & Game Office for their client.
  10. All non-Quinault hunters shall submit the bottom portion of the Guided Bear Hunt Tag to their Guide, even if hunt was not successful (i.e., a bear was not harvested). The Guides shall turn in the bottom portion of tags from unsuccessful hunts to the Quinault Fish & Game Office within 2 weeks of the close of the season.

11. Within 30 days of guided hunt, non-Quinault hunters shall file a post-hunt report on a form provided by the Nation for each guided bear hunt indicating: dates of active hunt, tag #s issued, # and location of bears killed, length and approximate weight of killed bears, # and location of wounded bears, # of shots fired, #/location of bait stations, #/location of bears sighted but not shot (locations to be provided within ¼ mile). Post-hunt reports can be submitted in person at the Fish & Game Office or via mail to the Quinault Fish & Game Office, 1214 Aalis, Taholah, WA 98569. Hunters who fail to file post-hunt report are not eligible for hunting the following bear hunting season.
12. Hunting is closed on the Quinault Indian Reservation to non-Quinault hunters for all species of wildlife other than black bear.
13. Authorized non-Quinault hunter hunting hours for black bear during the established season is one-half hour before sunrise to one-half hour after sunset.
14. Hunting is not allowed within the Villages of Taholah, Queets, or Qui-nai-elt, or Amanda Park, or within ½ geodesic mile (i.e., “as the crow flies”) of those Villages, Amanda Park, or the Salmon River Hatchery or Cook Creek Hatchery, or an inhabited building.
15. Client hunters shall not be under the influence of or in possession of drugs or alcohol during an active guided hunt.
16. Stationary hunting over baits is the only approved method of hunting black bear on the Quinault Indian Reservation by non-Quinault hunters.
17. Client hunters shall not waste bear meat. Waste includes leaving bear meat in the field, and keeping skulls, other body parts, or hides and leaving or dumping a remaining un-boned carcass. Hunters will make every effort to utilize the bear meat. Carcasses that are gutted and skinned will be accepted by QDNR Fish and Game Office as a last resort (or may be hung by Guides in the community cooler or freezer on a weekend).
18. The following methods of hunting by non-Quinault hunters are prohibited on the Quinault Indian Reservation:
  - Spot and stalk hunting of bears
  - Use of dogs or hounds
  - Use of an artificial light or spot light
  - Use of an aircraft to spot, locate or report the location of wildlife for the purpose of hunting on the same day you are airborne
19. Non-Quinault hunters shall not:
  - Shoot at bears with a firearm from a vehicle or boat or across or along the maintained portion of a public highway or road

- Carry firearms in vehicles or ORVs loaded with live ammunition in the magazine or breech. All muzzle loaders will have percussion cap removed if loaded while being transported in a vehicle or ORV

### SECTION III. FIREARMS

The following firearms may be used by the Guide and guided non-Quinault hunter during an active bear hunt:

1. Handguns including .357 S&W Magnum, .357 Remington Maximum, .41 Remington Magnum, .44 Remington Magnum, .44 Automag (AMP), .45 Winchester Magnum, .454 Casull, .460 S&W Magnum, .480 Ruger, .500 S&W Magnum, or having comparable magnum pistol cartridges. Handguns shall have a minimum barrel length of 6 inches.
2. A shotgun, provided it is a 20 gauge or larger using shells loaded with slugs or buckshot size #1 or larger.
3. A rifle with a bore diameter more than .240 caliber or barrel length more than 16 inches using a rifle cartridge with a bullet weighing more than 85 grains, or that develops more than 900 foot pounds of energy at 100 yards, and said bullet shall be a mushrooming or expanding type designed for big game hunting.
4. A muzzleloading firearm that is loaded from the muzzle and uses only black powder or a black powder substitute as recommended by the manufacturer. Muzzleloading firearms shall have a single or double barrel, rifled or smooth-bored, and shall be .45 caliber or larger. A muzzleloading handgun shall have a single or double barrel of at least eight inches, shall be rifled, and shall be capable of being loaded with forty-five grains or more of black powder or black powder substitute per the manufacturer's recommendations.

  
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 Executive, Quinault Business Committee

  
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 Date