

# PUEBLO OF SANTA ANA

## RESOLUTION OF THE TRIBAL COUNCIL

RESOLUTION No. 2017-R-29

Re: **APPROVAL OF AMENDMENTS TO THE PUEBLO OF SANTA ANA  
WILDLIFE CONSERVATION CODE**

**WHEREAS**, the Santa Ana Pueblo ("Pueblo") is a federally recognized Indian tribe governed under a traditional form of government, and possessing all the inherent sovereign powers of self-government; and

**WHEREAS**, the Tribal Council of the Pueblo is the duly recognized decision and policy making body for the Pueblo; and

**WHEREAS**, the Pueblo adopted the Pueblo of Santa Ana Wildlife Conservation Code ("Wildlife Code") and Pueblo of Santa Ana Hunting, Fishing, and Trapping Regulations ("Regulations") through Tribal Council Resolution Number 05-R-49 on the 13<sup>th</sup> day of October, 2005; and

**WHEREAS**, the Tribal Council has the authority to adopt any amendments for the implementation of the policies of this Wildlife Code and to amend such Wildlife Code as deemed necessary; and

**WHEREAS**, the Pueblo declares that it is their policy that all wildlife will be managed for human enjoyment and welfare, for traditional, cultural, and scientific purposes, and to ensure the perpetuation of wildlife for future generations; and

**WHEREAS**, all species of wildlife indigenous to the Pueblo should be accorded protection in order to maintain and enhance their numbers; and

**WHEREAS**, all matters relating to the conservation, regulation, control, and management of wildlife resources on the Pueblo are subject to the jurisdiction of the Tribal Council; and

**WHEREAS**, the Pueblo will preserve respect for life in all forms and will perpetuate this attitude, both in the traditional manners of hunting fish and game and the approach to conservation of these most precious resources;

**NOW, THEREFORE, BE IT RESOLVED**, by the Tribal Council of the Pueblo that it hereby approves, and immediately activates, amendments to the Pueblo of Santa Ana Wildlife Conservation Code ("Wildlife Code"); and

**BE IT FURTHER RESOLVED**, that the Tribal Council of the Pueblo declares that all big-game hunting on the Pueblo will be regulated through a big-game hunting permit allocation system as defined by the Wildlife Code and Regulations; and

**BE IT FINALLY RESOLVED** that the Governor of the Pueblo or his designee is hereby authorized and directed to execute all documents necessary to carry out the intent of this Resolution on behalf of the Pueblo.

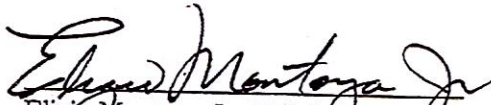
#### CERTIFICATION

I, the undersigned, as Governor of the Pueblo of Santa Ana, hereby certify that the Tribal Council at a duly called meeting convened on the 21<sup>st</sup> day of September, 2017, at the Pueblo of Santa Ana, at which a quorum was present, approved the foregoing Resolution, and that 31 voted for and 0 were opposed.

GOVERNOR

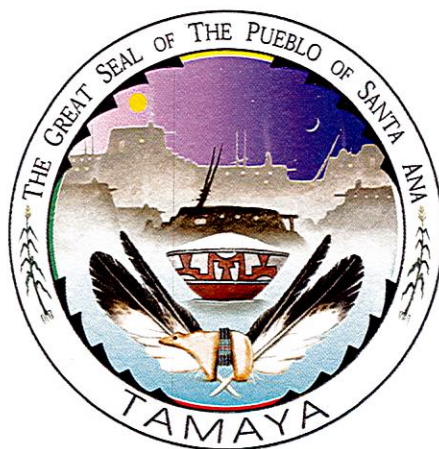
Lawrence A. Montoya

ATTEST:

  
Eligio Montoya, Jr., Tribal Secretary



# **PUEBLO OF SANTA ANA HUNTING, FISHING, AND TRAPPING REGULATIONS**



**PUEBLO OF SANTA ANA  
2 DOVE ROAD  
SANTA ANA PUEBLO, NEW MEXICO 87004**

**2019**

## 1.0 GENERAL INFORMATION

The Pueblo of Santa Ana Tribal Council hereby declares that jurisdiction over hunting, fishing, trapping, and any other activities involving wildlife on Pueblo of Santa Ana lands and authority for permitting such activities resides exclusively with the Pueblo of Santa Ana.

All wildlife are protected on the Pueblo of Santa Ana lands and may not be taken, possessed, or transported unless specifically permitted by these regulations.

State of New Mexico hunting, fishing, or trapping licenses or permits and any other permits involving wildlife are not required nor are they valid on Pueblo of Santa Ana lands.

Pueblo of Santa Ana wildlife regulations are enforced by the Enforcement Division or their authorized agents including officers of the Pueblo of Santa Ana Police Department.

No lawful authority or permission is granted by the Pueblo to anyone to hunt, fish, trap, take, possess or transport any wildlife or parts thereof on the Reservation contrary to these regulations. Violation of any of these regulations may subject the violator to loss of Pueblo permission to hunt, fish, or trap and subjects the violator to civil or criminal penalties.

Nothing in these regulations should interfere or prevent any tribal, federal, or state employee or permitted contractors in the performance of their official duties or with permission from the Pueblo.

The Pueblo of Santa Ana Tribal Council possesses the inherent authority to establish regulations for hunting, fishing, trapping, and other activities involving wildlife as provided for by the Pueblo's Wildlife Conservation Code. The following regulations are hereby established. **If you have any questions regarding these regulations, please call the DNR at 771-6725.**

## 2.0 DEFINITIONS

**Adult.** A person eighteen (18) years old or older who has not been adjudicated mentally incompetent.

**Antlerless Elk.** Any male or female elk without antlers.

**Aquatic Wildlife.** Any species of fish, crustacean, aquatic insect, or amphibian.

**Big Game Animals.** All big game animals including but not limited to elk, deer, pronghorn antelope, bear, mountain lion, wild turkey, bighorn sheep, barbary sheep and other species that may be transplanted onto the Reservation or neighboring lands which are classified as big game by the DNR.

**Bull Elk.** Any elk with visible antlers.

**Carcass.** The dead body of any animal or parts of it.

**Chumming.** Placing fish, parts of fish, or other material upon which fish might feed for the purpose of attracting fish to a particular area in order that they may be taken, but such term shall not include fishing.

**Closed Area.** Any area of land where hunting, trapping, or fishing for certain species of wildlife is prohibited.

**Closed Season.** That period of time during which the taking of any wildlife is prohibited.

**Code.** The officially approved Pueblo of Santa Ana Wildlife Conservation Code.



**Daily Bag Limit.** The maximum number of wildlife which may be lawfully taken or possessed by any one person in any one day in the field.

**Director.** The Director of the Pueblo of Santa Ana Department of Natural Resources.

**DNR.** The Pueblo of Santa Ana Department of Natural Resources.

**Enforcement Division.** The Conservation Enforcement Division at the Department of Natural Resources, Pueblo of Santa Ana.

**Enforcement Division Manager.** The Division Manager of the Conservation Enforcement Division or a person with administrative or supervisory authority over the Enforcement Division.

**Established Road.** A road built and/or maintained by equipment and which shows no evidence of ever having been closed to vehicular traffic by such means as berms, ripping, scarification, reseeding, fencing, gates, barricades, or posted closures.

**Field Possession Limit.** The maximum number of wildlife that may be possessed by any one person at any one time in the field.

**Firearm.** Any pistol, revolver, rifle, shotgun, or any other device which expels a projectile by an explosive force and is capable of being used as a weapon.

**Fishing.** To take or attempt to take aquatic wildlife.

**Fork-Antlered Deer.** Any deer possessing an antler which has a definite fork, showing two or more distinct points. A burr at the base of the antler does not constitute a point or fork.

**Fur-Bearer.** Those species of wildlife with dense fur having commercial value, including bobcat, coyote, fox, beaver, and other species that may be transplanted onto the Reservation or are classified as fur-bearers by the DNR.

**Game Birds.** Includes, but is not limited to, species of wild birds such as quail, ducks, ringneck pheasant, geese, doves, sandhill cranes, or any other game bird species that may be transplanted onto the Reservation for hunting or are classified as game bird species by the DNR.

**Game Management Units.** Those areas defined as game management units in Supplement A of the Pueblo of Santa Ana's Hunting, Fishing, and Trapping Regulations.

**Guide.** Shall mean any person employed or contracted by an outfitter to furnish personal services for the purpose of hunting or taking game animals.

**Harass.** To unlawfully endanger, worry, impede, annoy, pursue, disturb, molest, rally, concentrate, harry, chase, drive, herd, any wildlife.

**Hunting.** To take or attempt to take any wildlife by any means.

**Hunting Hours.** The hours of the day or night when wildlife may be taken lawfully.

**Indian.** Any person of Indian descent who is recognized as an Indian by a federally recognized Indian tribe.

**Minor.** Any person under the age of eighteen years.

**Motor Vehicle.** Any vehicle with an internal combustion engine, including ATV (all-terrain-vehicle) and any vehicle drawn by a vehicle with an internal combustion engine.

**Non-Game Birds.** All birds except those identified as game birds or raptorial birds.

**Non-Toxic Shot.** Shall mean that non-toxic shot approved for use by the U.S. Fish and Wildlife Service. Non-toxic shot includes: bismuth-tin, iron (steel), iron-tungsten, iron-tungsten nickel, tungsten-bronze, tungsten-iron-copper-nickel, tungsten matrix, tungsten polymer, tungsten-tin-iron, tungsten-tin-bismuth, tungsten-iron-nickel, and tungsten-iron-polymer.

**Non-Tribal Member.** Any person who is not officially recognized as a member of the Pueblo of Santa Ana.

**Officer.** A commissioned member of the Enforcement Division or other commissioned peace officer of the Pueblo.

**Open Season.** That period of time during which the taking of wildlife by legal means is permitted. All times and dates of open season shall be inclusive.

**Outfitter.** Shall mean any person who advertises or holds themselves out for hire to the public or accepts any compensation for providing within the Pueblo boundaries where a hunt occurs, equipment or services for hunting activities. Exempt: are Pueblo member's assistant family and friends in their traditional hunting activities.

**Permit.** The primary document granting authority to engage in certain specified activities covered by these Regulations including a license, tag, or other document provided for by these Regulations and issued or required by the DNR authorizing the hunting, fishing, trapping, taking, transportation, or possession of wildlife or other activity for which express authorization is required by the Wildlife Code or these Regulations.

**Person.** An individual, association, partnership, or corporation including any agent of the foregoing.

**Pollution.** Contamination of lands, waters, and shorelines by the discharge of harmful substances and litter.

**Possession.** Actual possession and any control of the object referred to.

**Predator.** Black bear and mountain lion.

**Protected Species.** All raptorial birds, most nongame birds, and other species of wildlife designated by the Pueblo as protected.

**Public Road.** The traveled portion and the shoulders on each side of any road maintained for public travel by the county, state, federal or Tribal Government, including all structures within the limits of the right-of-way of any such road.

**Pueblo.** The Pueblo of Santa Ana.

**Raptorial Bird.** Any eagle, hawk, falcon, or owl.

**Refuge.** Any parcel of land designated by the Wildlife Code or these Regulations where certain wildlife shall be protected from hunting, trapping, or fishing activities.

**Reservation.** All lands under the jurisdiction of the Pueblo of Santa Ana.

**Special Regulation Unit.** Those areas defined as Special Regulation Units, or SRUs, in Supplement A of these Regulations.

**Sport Fish.** Any species of trout, bass, bluegill, catfish, sunfish, and other species that may be



transplanted onto the Reservation for fishing or which are classified as sport fish by the Pueblo.

**Tag.** A label or other identification device issued by the DNR for attachment to the carcass of any wildlife as evidence of legal taking and possession.

**Take or Taking.** Fishing, hunting, killing, capturing, netting, trapping, killing, or possessing any wildlife or any other attempts to commit any of these acts.

**Trapping.** Taking or attempting to take any wildlife by means of any trap, snare, deadfall or other device commonly used to capture wildlife, whether or not such acts result in the taking of wildlife.

**Tribal Council.** All male head-of-household members of the Pueblo of Santa Ana who form the governing body of the Pueblo of Santa Ana.

**Tribal Member.** A person who is officially recognized as a member of the Pueblo of Santa Ana.

**Two Track Road.** A road which shows use prior to hunting seasons for purposes such as recreation, fuelwood cutting, and ranching and which shows no evidence of ever having been closed to vehicular traffic by such means as berms, ripping, scarification, reseeding, fencing, gates, barricades, or posted closures.

**Unregulated Wildlife.** Those species of wildlife whose take by tribal members is not regulated including, but not limited to, cottontail rabbits, jack rabbits, squirrels, woodrats, European starling, English sparrow, common pigeon, rattlesnake, and other species classified as unregulated wildlife by the Pueblo.

**Validation Tag.** The tag required to transport wildlife off of the Reservation which is attached to a carcass by an officer of the Enforcement Division.

**Watercraft.** Any boat or floating device designed to carry people or cargo on the water, and propelled by a motor, oars, or wind action on a sail; except makeshift objects constructed of inner tubes or other floatable material not propelled by a motor, personal floatation devices and other objects used for water sports.

**Waterfowl.** Those species of wild water birds with subsistence or sport hunting qualities, including, but not limited to, all ducks and geese and any other species of waterfowl that may be introduced or transplanted onto the Reservation for hunting or which are classified as waterfowl by the DNR.

**Weapon.** Any firearm, bow and arrow, or other device that is used to kill wildlife.

**Wildlife.** Any animal living wild in a state of nature, including all wild mammals, birds, fish, reptiles, crustaceans, and amphibians and their nests, eggs and spawn, except those species of animals that are normally considered domesticated.

**Youth Hunt.** To be eligible for a Youth Hunt, each applicant must be under 18 years of age on December 31st of the calendar year of the hunt applied for.

### 3.0 HUNTING REGULATIONS

- 3.01 **Permit Required.** A Pueblo of Santa Ana hunting permit is required for males 12 years of age and older to hunt, take, possess or transport any species of wildlife on the Reservation.

3.01.1 **Types of Permits.** These permits are required to hunt on the Reservation:

- A. **Big Game Permit** - A big game permit, specific for a hunt type (i.e. fork-antlered deer, bull elk, antlerless elk, wild turkey, antelope), is required to hunt any big game animal on the Reservation.
- B. **Small Game Permit** - A small game permit is required to hunt any game birds, fur-bearers, or unregulated wildlife on the Reservation.

3.02 **Permit Possession.** All persons must have a valid permit in their possession whenever hunting or carrying a weapon in the field. The permit shall not be transferred, loaned, or sold to another person.

3.03 **Permit Allocation.**

- A. **Big Game Permit** – Big Game permits will be issued through a Bonus Point System draw. Bonus points may be accrued for different Big Game hunt types, (i.e. fork-antlered deer, bull elk, antlerless elk, wild turkey, and antelope). In order to accrue a bonus point for a hunt type, a valid application must be submitted into a drawing for that hunt type and the application must be unsuccessful in the drawing. The bonus point system grants an applicant one additional entry into the draw for each bonus point they have accrued for a specific hunt type. A specific hunt type with 2 available permits will be drawn as follows: The first available permit will be open to all applicants. The second permit will only be open to applicants with 5 or more bonus points. If there are no applicants with 5 or more bonus points, all applicants will be eligible for the second permit. All unfilled permits will be allocated through the leftover draw process. Leftover permits will be available to all current year unsuccessful applicants. Bonus points do not apply to the leftover draw process. All Santa Ana Tribal Members eligible to hunt on the Reservation and approved by the Governor are eligible to enter the Big Game draw. **A hunter may only submit an application for one hunt type during a draw.** Only successful applicants are allowed to carry a weapon during the assigned hunt season. Successful applicants will not be eligible to apply for a big game permit for a specific hunt type for **1 year**. Big Game permits are not transferable. The Governor may grant a transfer of a Big Game permit if the licensee has died, sustained a severe injury or life-threatening illness that prevents the hunter from participating in their hunt, or has been deployed by the United States military prior to the start of the hunt, prohibiting the licensee from hunting.
- B. **Small Game Permit** – All eligible persons desiring to hunt Unregulated Wildlife, Game Birds, and Fur-Bearers on the Reservation must pick up a Small Game Permit at the DNR.

3.04 **Persons Eligible For Hunting.** Only male tribal members 12 years of age or older and who have not been convicted of any felony, battery of a household member, or have had their hunting and fishing privileges revoked from the State of New Mexico may hunt when properly permitted. Male tribal member minors may hunt only when accompanied by a male tribal member parent or guardian over the age of 21 years old and said parent or guardian shall assume full responsibility for the actions of said minor in writing under oath.

3.05 **Provisions For Disabled Hunters.** Special provisions will be made for persons unable to hunt in a normal fashion; due to some physical impairment provided they present certification from a medical doctor verifying the extent of the disability.

3.06 **Hunter Safety Requirement.** All persons under 21 years of age are required to successfully complete a Hunter Safety Training Course approved by the Enforcement Division. Proof of completion must be carried while hunting and presented when obtaining a hunting permit. The Enforcement Division may provide a Hunter Safety Training Course or honor a Hunter Safety



Training Certificate issued by any State or National Rifle Association-approved course.

- 3.07 **Seasons, Fees, Permit Numbers, and Bag and Possession Limits.** The Governor, upon recommendation from the DNR, will establish hunting seasons, fees, bag and possession limits, and number of permits to be issued. Specific information regarding each hunt will be available as **Supplement A** in September of each year.

3.08 **Transportation, Possession and Donation of Wildlife.**

- A. A permit, tag, or receipt is required to transport and possess any wildlife or part thereof.
- B. Donation of wildlife or parts thereof is permitted provided the person in possession has a written statement from the permitted taker. Required information shall include:
1. Name of Permittee and Permit Number;
  2. Date of donation and species donated; and
  3. Signature of donor and donee.

3.09 **Manner and Method of Lawful Taking.**

- A. Only the following weapons shall be permitted:
1. Firearms which allow emissions of a full report of explosion with no contrivance to silence.
  2. All center-fire rifles for big game.
  3. All muzzle loading rifles for big game.
  4. Shotguns 10 gauge and smaller with no more than 3 shell capacity for small game and game birds. Shotgun plugs are required on guns with shell capacity greater than three.
  5. Any rim fire firearm for unregulated wildlife.
  6. Handguns, any caliber, for unregulated wildlife.
  7. Any bow (except crossbows) of 40 pound pull or for big game.
  8. Any bow (except crossbows), no weight limit, for small game and fur-bearers.
  9. Any sling-shot, BB-gun, pellet gun, or other devices that are normally used to kill unregulated wildlife only.
- B. Only the following ammunition shall be permitted:
1. Soft point lead bullets, copper jacketed or full lead, and shot designed for legal firearms.
  2. Muzzle loaders must use single patched round ball, waxed maxi-ball, sabots or belted bullets.
  3. Arrow points with sharpened broad heads or replaceable blades larger than 7/8 inch in diameter, non-explosive and non-poisonous.
  4. Non-toxic shot when hunting waterfowl species of game birds. Non-toxic shot includes: bismuth-tin, iron (steel), iron-tungsten, iron-tungsten nickel, tungsten-bronze, tungsten-iron-copper-nickel, tungsten matrix, tungsten polymer,

tungsten-tin-iron, tungsten-tin- bismuth, tungsten-iron-nickel, and tungsten-iron-polymer

- C. Hunting hours are one-half hour before sunrise to one-half hour after sunset.
- D. Calling Devices Permitted:
  - 1. Only non-electrical handheld or mouth-operated call devices.
- E. Hunting Dogs Permitted:
  - 1. Hunting dogs are permitted for mountain lions, bears, game birds, and rabbits only.
  - 2. Written permission from the Director is required to use hunting dogs for other species.

### **3.10 Acts of Hunting Specifically Prohibited**

- A. To shoot from, take, or attempt to take, any wildlife from a motor vehicle or aircraft. Provisions will be made for disabled persons to take wildlife from a motor vehicle.
- B. To shoot from within 50 feet of, along, or across a maintained road. Provisions will be made for disabled persons to engage in these activities provided the safety of other individuals is not jeopardized.
- C. To take or attempt to take any wildlife with the aid of any artificial light, unless expressly authorized by special permit issued by the Pueblo. To cast an artificial light into an area where big game species or livestock may be present while in possession of any weapon capable of killing big game or livestock is prohibited.
- D. To discharge a firearm within 150 yards of a residence or building without written permission of the owner.
- E. To discharge a deadly weapon in a negligent manner.
- F. To possess a firearm in or on any motor vehicle with live ammunition in the chamber.
- G. To possess a firearm in the field while archery hunting for big game.
- H. To abandon or to waste any edible portion of big game, small game, game bird, or sport fish.
- I. To drive vehicles off established roads or crossing of closed road with a vehicle.
- J. To hunt while under the influence of alcohol or other drugs.
- K. To hunt waterfowl using non-approved shot.
- L. To hunt from roads not open to hunting (see Section 4 in Supplement A).
- M. To transport a hunter on roads not open to hunting (see Section 4 in Supplement A).
- N. To take or attempt to take any wildlife for another person or to use a license issued to another.
- O. To exceed or attempt to exceed a daily bag and/or field possession limits.
- P. To exceed or attempt to exceed big-game permit authorization.
- Q. To pollute waters, lands, and recreation areas.



- R. To hunt in areas closed to hunting.
- S. To permit an unauthorized non-tribal member on the Reservation to hunt, fish, or trap.

- 3.11 **Areas Closed To All Hunting.** All areas except those designated as hunting areas and listed in **Supplement A** of these regulations are closed to all hunting with the following exception: Game Management Units are closed to small game hunting during big game seasons except, during these hunts, a permitted big-game hunter may take other wildlife that are in season and in the unit authorized as long as his tag is unfilled and he is properly licensed.
- 3.12 **Hunt Reporting.** For management purposes, all permit holders are required to complete the survey form provided with their permit and deliver it to the DNR within 30 days after the end of the hunt, regardless if the hunter harvested an animal or not. **Hunters who do not turn in a completed survey will not be eligible to apply for big-game hunts the following year.**
- 3.13 **Wildlife Check Stations.** All sportsmen must stop at designated wildlife check stations and present all wildlife in possession, any necessary permits, and provide all information requested for wildlife management and enforcement purposes.
- 3.14 **Evidence of Sex and Species Requirement.** Any big game wildlife possessed or transported must be accompanied by natural evidence to enable the sex and species of the animal to be readily determined by ordinary inspection.
- 3.15 **Tagging Requirement.** All big game animals must be tagged with the tag provided and in a manner prescribed by the Enforcement Division prior to transporting the animal from the site of kill.

## 4.0 SPECIAL PERMITS

### 4.01 **Predators**

- A. Special permits may be issued by the Director to take bear and mountain lion only if it is determined by the Director and approved by the Governor that the animals are causing damage to livestock, crops, or other Pueblo or Tribal member property. No permit is required if any Pueblo of Santa Ana police officer can articulate that any black bear or mountain lion is an immediate threat to human safety.
  - 1. Permits will be issued only for the predator(s) causing the damage.
  - 2. All hunting and trapping regulations in Section 3.09 and 3.10 of these Regulations must be adhered to.
  - 3. Use of dogs or artificial light under special permit must be by written authorization from the Director.
  - 4. The permit shall expire 10 days after issuance.
  - 5. The permit shall authorize the holder to begin pursuit not more than one mile from the location of the reported damage or depredation.
  - 6. The permit shall limit the pursuit of the depredating predator to within a 10-mile radius from the location of the reported damage or depredation.

- B. Whenever immediate authorization will materially assist in the pursuit of the particular predator believed to be responsible for the depredation reported, and it is determined that the pursuit and taking of the predator will not endanger the public, then the Director, a Conservation Officer, or the Governor may orally authorize the pursuit and taking of the depredating predator, and the Director shall issue a written permit for the period previously authorized as soon as practicable after the oral authorization.
1. Oral permits will be issued only for the predator causing the damage.
  2. All hunting and trapping regulations in Sections 3.09 and 3.10 of these Regulations must be adhered to.
  3. Use of artificial light may be authorized for an oral permit.
  4. The permit shall expire 1 day after issuance.
  5. The permit shall authorize the holder to begin pursuit not more than one mile from the location of the reported damage or depredation.
  6. The permit shall limit the pursuit of the depredating predator to within a 10-mile radius from the location of the reported damage or depredation.
- C. Any predator that is encountered while in the act of pursuing, inflicting injury to, or killing livestock, or domestic animals, may be taken immediately by the owner of the property, or the owner's employee or agent. Upon receiving the report and the entire carcass of the predator as required by Section 4.01(D) below, the Enforcement Division shall investigate the depredation. Upon satisfactorily completing the investigation, the Enforcement Division shall issue a permit confirming that the requirements of this section have been met with respect to the predator taken under these circumstances.
1. All hunting and trapping regulations in Sections 3.09 and 3.10 of these Regulations must be adhered to.
  2. Use of artificial light is authorized.
  3. The owner or the owner's employee or agent is not authorized by this Section 4.01(C) to pursue a predator injured by the owner or the owner's employee or agent more than one half mile from the location of the reported depredation.
- D. Any person taking a predator under the authority of this Section 4.01 shall report, by telephone within 72 hours, the killing or injuring of the predator or the inability to locate and kill the predator. At the time of making the report, the holder of the permit shall make arrangements to turn over the entire carcass of the predator in a timely manner to a Conservation Officer or the Director for investigation and disposition by the War Chief.

#### **4.02 Scientific Investigation**

- A. Special permits may be issued to take, pursue, or investigate wildlife for research purposes upon written request to the Director and approval by the Governor.

#### **4.03 Ceremonial and Religious Hunting**

In recognition of ceremonial and religious hunting on the Reservation, four types of hunts are recognized. No hunting permits will be required for Tribal members involved in these hunts.

**However, types of weapons used and age of individuals allowed to hunt is at the**



**discretion of the Governor. Furthermore, specific rules in Sections 3.09 and 3.10 must be followed during these hunts.**

- A. **Warchief Hunts:** No hunting permits will be required for Tribal members involved with hunts called by the Warchief. Bag limits, types of animals hunted (i.e. small game or big game), and hunting areas during such traditional hunts shall be at the discretion of the Warchief.
  - i. **Kikya Pu Tru Hunts:** No hunting permits will be required for Tribal members involved in this activity.
  - ii. **Society Hunts:** No hunting permits will be required for Tribal members involved with Society Hunts. **Society Hunts will require consultation with the Warchief.** Bag limits, types of animals hunted (i.e. small or big game), and hunting areas during Society Hunts shall be at the discretion of the Warchief.
- B. **Initiation Hunts:** No hunting permits will be required for Tribal members involved in Initiation Hunts. **No Big Game animals may be hunted during Initiation Hunts.**

## 5.0 TRAPPING REGULATIONS

### 5.01 **Permit Requirement, Seasons, Bag, and Possession Limits**

- A. **Permit Requirement** A permit is required for each male 12 years of age and older.
  - 1. A commercial trapping/pelt permit is required to trap, possess, purchase, or transport fur-bearer pelts.
  - 2. A small game permit is required to take fur-bearers with firearm.
  - 3. A special permit is required to take fur-bearers year-round if necessary to protect crops and livestock.
- B. **Seasons, Bag, and Possession Limits -** Will be set annually by the Governor upon recommendation by the DNR. Information will be available as **Supplement A** in September of each year.

### 5.02 **Traps Permitted**

- A. Steel traps with a jaw spread no greater than 6 ¼ inches and live animal traps (i.e. Havahart) are permitted. (Snare, conibear traps, tooth-jawed traps, and all other devices are prohibited).
- B. Special traps may be permitted upon written request to the Range and Wildlife Division Manager and approval by the Governor.

### 5.03 **Species Permitted To Be Taken**

- A. All fur-bearers may be taken unless otherwise prohibited.

### 5.04 **Identification of Traps**

- A. All traps must be identified with the name and address of the owner or with a registration number or mark of the owner provided this information is on file with the Enforcement Division.

### 5.05 **Trap Set Locations**

- A. Trap sets must be a minimum distance of ¼ mile from any residence or designated recreation area boundary.

- B. Traps must be a minimum distance of 75 feet from any graded or paved road.
- C. Traps must be a minimum distance of 25 feet from any carcass or other exposed baits including any flesh, hide, fur, viscera, or feathers of any animal that is visible from any angle.
- D. Traps must be a minimum distance of 200 feet from any man-made livestock or wildlife watering unit.

**5.06 Baits**

- A. Any bait used must comply with regulation
- B. Scents may be used only at trap site.
- C. Baits composed of legally taken wildlife except those portions that are normally considered edible are permitted.
- D. Live bait is prohibited.

**5.07 Trap Checking**

- A. All traps must be checked by the permitted trapper every 48 hours.
- B. Traps or the contents of traps belonging to another person shall not be disturbed.
- C. Any raptor (hawk, owl, and eagle) or other animal that is caught and not authorized for trapping shall be released. Dead or injured raptors shall be immediately turned over to the DNR.

**5.08 Reports Required**

- A. All trappers must submit required information concerning the taking of wildlife to the Enforcement Division upon request. Failure to do so will result in the suspension of Pueblo trapping or hunting privileges for a minimum of one year.

**5.09 Special Tagging Requirements**

- A. No Special Tagging Requirements at this time

**6.0 FISHING REGULATIONS**

**6.01 General Fishing**

- A. It is unlawful to angle for, net, trap, seine, shoot, spear, poison, or otherwise take or attempt to take any fish amphibian or crustacean or to possess, transport, ship, sell, offer to sell, purchase, trade, or barter the same except as permitted by these regulations.

**6.02 Permit Requirement**

- A. All Tribal Members 12 years of age and older must possess a valid Pueblo of Santa Ana fishing permit while fishing on the Reservation.
- B. All Tribal Members under 12 years of age may fish without a permit.



- C. Tribal members, 60 years of age or older, may secure a lifetime fishing permit.

**6.03 Seasons and Hours**

- A. **Season:** Fishing within the Reservation is open year-round.
- B. **Hours:** Twenty-four hour fishing is allowed.
- C. Seasons and hours are subject to change depending on fishing conditions.

**6.04 Bag and Possession Limits**

- A. Albuquerque Drain –
  - All Trout Species 5 per day
  - All Other Fish No bag limit
- B. Rio Grande and other areas –
  - All Trout Species 5 per day
  - Catfish 4 per day
  - All Other Fish No bag limit

**6.05 Manner and Method of Lawful Taking**

- A. **Fishing**
  - 1. Fish may be taken only with one line containing no more than 2 hooks or one line with one artificial lure that may contain more than one hook, or one line with two artificial lures or flies that contain only one hook each.
- B. **Baits**
  - 1. The use of any fish, crayfish, waterdogs, alive or dead, are prohibited. Any other commonly used fish baits or lures are permitted.

**6.06 Miscellaneous Acts of Fishing Specifically Prohibited**

- A. To take or attempt to take fish in any location or in any manner not permitted by these regulations.
- B. Chumming.
- C. To return severely injured fish to the water.
- D. To drive off established roads.
- E. To pollute waters, lands, and recreation areas.

**7.0 OFFENSES AND PENALTIES**

**7.01 Allowing Dogs to Roam and Attack Wildlife or Livestock.**

It is unlawful to allow dogs to roam at large to attack wildlife or livestock. Any dog(s) found harassing wildlife or livestock shall be destroyed and costs of their disposal shall be assessed against the owner. The owner of such dog(s) may also be held liable for damages caused by said dog(s). This does not include using dogs to hunt predators under special permit.

**Penalty Assessment: \$500.00**

- 7.02 **Camping In Unauthorized Area.** It is unlawful to camp in any restricted area(s) designated by the Pueblo or within ¼ mile of a wildlife or livestock watering facility.  
**Penalty Assessment: \$250.00**
- 7.03 **Crossing of Closed Road.** It is unlawful for any person to use a motor vehicle on any road that has been closed to motor vehicle traffic.  
**Penalty Assessment: \$500.00**
- 7.04 **Destruction of Posted Signs and Structure.**  
It is unlawful to destroy, attempt to destroy or deface any sign or structure owned by the Pueblo.  
**Penalty Assessment: \$500.00**
- 7.05 **Discharging a Firearm in Unauthorized Areas.**  
It is unlawful to discharge a firearm within 150 yards of any residence without written permission of the owner.  
**Penalty Assessment: \$200.00**
- 7.06 **Disobeying an Officer.**  
It is unlawful to disobey a lawful order given by an officer who has jurisdiction on the Pueblo of Santa Ana while in the course of performing their official duties.  
**Penalty Assessment: Mandatory Court Appearance**
- 7.07 **Domestication of Wildlife.**  
It is unlawful to take, attempt to take, or possess any wildlife for the purpose of domestication.  
**Penalty Assessment: \$500.00**
- 7.08 **Driving on Roads Closed to Access by Hunters while Hunting or Transporting a Hunter.** It is unlawful to drive on roads that are closed to access by hunters while hunting or transporting a hunter at any time, except when retrieving legally taken game.  
**Penalty Assessment: \$1000.00**
- 7.09 **Driving off Established or Two Track Roads.** It is unlawful to drive off established or two track roads by anyone at any time, even when retrieving legally taken game.  
**Penalty Assessment: \$1000.00**
- 7.10 **Exceeding Daily Bag or Field Possession Limits.** It is unlawful to take or possess wildlife in excess of the number permitted by any regulations issued hereunder.  
**Penalty Assessment: \$500.00**
- 7.11 **Failing to Provide Sex and Species Identification of Wildlife Carcass.**  
It is unlawful to possess or to transport any wildlife or any portion of such wildlife unless the carcass is accompanied by natural evidence sufficient to determine the sex and species by ordinary inspection.  
**Penalty Assessment: \$250.00**
- 7.12 **Failing to Tag Wildlife Properly.**
- 7.12.1 It is unlawful for any person to fail to tag wildlife properly when required by this code or regulation. Whenever any person shall take any wildlife which must be tagged, the person shall:
- 7.12.1.1 Immediately sign appropriate tag when animal is killed;
- 7.12.1.2 Mark the month and date on the tag;
- 7.12.1.3 Mark the sex of the animal on the tag; and
- 7.12.1.4 Securely attach tag to the carcass only when carcass is placed into, or transported for removal from the location of the take, by motor vehicle, horseback, or other methods and when carcass is in camp, at a residence, or



at another place of storage.

- 7.12.2 Any wildlife that is properly tagged is the sole property of the permittee as specified in this Code. Whenever the tag is separated from the permit, the permit is then void and may not be used again for hunting.
- 7.12.3 It is unlawful for any person to transport off the Reservation any wildlife which must be tagged without first obtaining a validation tag from the Enforcement Division.  
**Penalty Assessment: \$500.00**
- 7.13 **Guiding or Outfitting.** It is unlawful to guide or outfit any hunter, fisherman, or trapper without written permission from the Pueblo.  
**Penalty Assessment: \$500.00**
- 7.14 **Harassing Wildlife.** It is unlawful for any person to harass any wildlife.  
**Penalty Assessment: \$500.00**
- 7.15 **Hunting from Roads Not Open for Hunting.** It is unlawful to hunt from roads that are not open for hunting.  
**Penalty Assessment: \$500.00**
- 7.16 **Hunting after Permitted Hours.**  
It is unlawful to hunt wildlife other than during permitted hours unless otherwise provided for by regulation or the Enforcement Division. Unless otherwise provided under this Code or any regulations issued hereunder, legal hunting hours shall be from one-half hour before sunrise until one-half hour after sunset.  
**Penalty Assessment: \$500.00**
- 7.17 **Hunting, Fishing, or Trapping During Closed Season or In a Closed Area.**  
It is unlawful to hunt, fish, or trap during a closed season or in a closed area.  
**Penalty Assessment: \$500.00**
- 7.18 **Hunting, Fishing, or Trapping without Required Permit or Tag.**  
It is unlawful to hunt, fish, or trap without the required permits or tags, and to hunt, fish, or trap without having such permit or tag in possession.  
**Penalty Assessment: \$1000.00**
- 7.19 **Hunting on Wildlife Refuges.**  
It is unlawful to hunt or take wildlife on any posted wildlife refuge.  
**Penalty Assessment: \$1000.00**
- 7.20 **Hunting or Possessing a Firearm and or a Bow and Arrow While in Possession or Under the Influence of Alcohol or Drugs.**  
It is unlawful to hunt or to possess any firearm or bow and arrow while in possession or under the influence of alcohol or drugs.  
**Penalty Assessment: Mandatory Court Appearance**
- 7.21 **Impersonating a Law Enforcement Officer.**  
It is unlawful to falsely represent oneself as a conservation officer or any other Pueblo law enforcement officer.  
**Penalty Assessment: \$500.00**
- 7.22 **Killing or Taking Protected Species.**  
It is unlawful to hunt or take any protected species.  
**Penalty Assessment: Mandatory Court Appearance**

- 7.23 **Making a False Statement in Obtaining a Permit.**  
It is unlawful to knowingly swear to or affirm any false statement while applying for any type of permit.  
**Penalty Assessment: \$500.00**
- 7.24 **Permitting Unauthorized Non- Tribal Member on Reservation.**  
It is unlawful for any Pueblo member to allow any non-tribal member to enter, hunt, fish, or trap on the Reservation unless the non-tribal member is properly authorized by the Governor pursuant to any regulations issued hereunder. In addition to any civil penalties that may be imposed, any non-tribal member who violates this section shall be considered trespassing without permission of the Pueblo and shall be prosecuted according to Pueblo law, or state or federal law, whichever has proper jurisdiction over the non-tribal member.  
**Penalty Assessment: \$500.00**
- 7.25 **Illegal Introduction or Export of Wildlife.** It is unlawful for anyone to introduce, plant, place, or attempt to plant or place any type of wildlife on the Reservation without the authorization of the Tribal Council or to export wildlife off the Reservation without the authorization of the Tribal Council.  
**Penalty Assessment: \$500.00**
- 7.26 **Intentional Interference with Lawful Activities.** It is unlawful for any person to willfully prevent or interfere with the lawful participation of any individual in the activity of hunting, trapping, or fishing.  
**Penalty Assessment: \$1000.00**
- 7.27 **Pollution of Reservation Lands, Waters, and Shorelines.**  
It is unlawful to pollute any lands, waters, or shorelines.  
**Penalty Assessment: \$500.00**
- 7.28 **Possessing a Loaded Firearm in a Motor Vehicle.**  
It is unlawful, except for those authorized by law, to carry or possess any firearms in or on any motor vehicle, with live ammunition in the chamber.  
**Penalty Assessment: \$500.00**
- 7.29 **Purchasing, Selling, Bartering, or Trading Wildlife for Profit.**
- 7.29.1 It is unlawful to hunt, fish, or take wildlife or attempt to hunt, fish, or take wildlife for the purpose of selling, bartering, or trading for profit for self or others.  
**Penalty Assessment: Mandatory Court Appearance**
- 7.29.2 It is unlawful to offer to, or to, sell, barter, or trade any wildlife for profit for self or others.  
**Penalty Assessment: Mandatory Court Appearance**
- 7.29.3 Nothing in this sub-section shall be construed to prohibit the purchase, sale, barter or trade of non-edible portions of legally taken wildlife.
- 7.30 **Refusing to Allow Inspection of Permits or Tags.** It is unlawful to refuse to allow inspection of one's permit or tag by any authorized conservation officer or law enforcement officer. It is also unlawful for any person to fail to present wildlife to the DNR when required to do so pursuant to any regulations issued hereunder.  
**Penalty Assessment: \$500.00**
- 7.31 **Failure to Stop at a Check Station.** It is unlawful for any person to fail to stop at a check station established by the Enforcement Division or Santa Ana Pueblo Police Department.  
**Penalty Assessment: \$500.00**



- 7.32 **Shooting Fish.**  
It is unlawful to shoot or attempt to shoot any fish with any firearm within any Pueblo waters.  
**Penalty Assessment: \$100.00**
- 7.33 **Shooting from the Road.**  
It is unlawful to shoot any firearm from (within 50 feet of), across, or onto any maintained public road on the Reservation unless otherwise permitted by this Code or any regulations issued hereunder.  
**Penalty Assessment: \$500.00**
- 7.34 **Shooting from a Vehicle.** It is unlawful to shoot any firearm or bow and arrow from a vehicle or OHV on the Pueblo unless otherwise permitted by this Code or any regulations issued hereunder.  
**Penalty Assessment: \$500.00**
- 7.35 **Spotlighting.**  
It is unlawful for any person, unless authorized by the DNR, to cast rays of light from any artificial light into any area where wildlife may be or may be expected to be while in possession of any weapon whereby any wildlife could be killed with the aid of such artificial light. Nothing in this sub-section shall prevent a livestock owner from protecting livestock from predatory animals.  
**Penalty Assessment: \$1000.00**
- 7.36 **Taking Wildlife other than by Methods Prescribed.**  
It is unlawful to hunt, fish, or trap in any method which is not authorized by this Code or any regulations issued hereunder.  
**Penalty Assessment: \$500.00**
- 7.37 **Trespassing on Pueblo Lands.**  
It is unlawful to enter onto the Reservation without the express written consent of the Pueblo.  
**Penalty Assessment: \$500.00**
- 7.38 **Unlawful Taking or Possession of Wildlife.**  
It is unlawful for any person to take, attempt to take, or possess any wildlife, or part thereof, whether or not such wildlife is alive or dead, unless permitted by this Code or any regulations issued hereunder.  
**Penalty Assessment: \$1000.00**
- 7.39 **Using a Dog to Take Wildlife.**  
It is unlawful to use a dog to take or attempt to take wildlife, except as authorized by Code or any regulations issued hereunder.  
**Penalty Assessment: \$100.00**
- 7.40 **Using a Permit or Tag Not Issued To A Party.**  
It is unlawful to use, or cause to be used, another person's permit or tag.  
**Penalty Assessment: \$1000.00**
- 7.41 **Using an Aircraft for the Purpose of Hunting.**  
It is unlawful to discharge any weapon from an aircraft.  
**Penalty Assessment: Mandatory Court Appearance**
- 7.42 **Using Illegal Weapons or Ammunition.**  
It is unlawful to hunt wildlife with any weapons or ammunition except those permitted by this Code or any regulations issued hereunder.  
**Penalty Assessment: \$500.00**

**7.43     Using Nets, Trotlines, or Traps.**

It is unlawful, except for those authorized by this Code or any regulations issued hereunder, to set or use any trap, net, trotline or other such device to take any wildlife from any waters of the Reservation, unless authorized by tribal council or is part of any research or study conducted by DNR or another natural resources agency approved by the director of DNR or designee.

**Penalty Assessment: \$500.00**

**7.44     Using Wildlife as Bait.**

It is unlawful to use wildlife as bait unless otherwise provided under this Code or by regulation of the Enforcement Division or an employee of the Pueblo working in their official capacity.

**Penalty Assessment: \$500.00**

**7.45     Wastage of Wildlife Meat.**

It is unlawful to abandon any edible portion of wildlife or permit it to go to waste.

**Penalty Assessment: \$1000.00**

**7.46     Willful Destruction of Wildlife.**

It is unlawful to take or kill any wildlife and abandon the carcass, or to take or kill any wildlife for the head, claws, hide, antlers, feathers or other parts with the intent of abandoning the carcass, or to mutilate any wildlife while it is alive. Nothing in this rule shall interfere with a Pueblo employee or designee when working on a DNR approved study or research project.

**Penalty Assessment: \$1000.00**

**7.47     Wounding of Animals.**

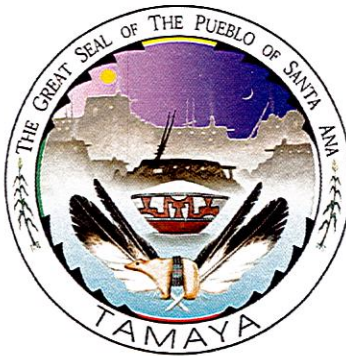
It is unlawful to wound wildlife and fail to make a reasonable attempt to find the animal and reduce it to possession.

**Penalty Assessment: \$500.00**



# SUPPLEMENT A

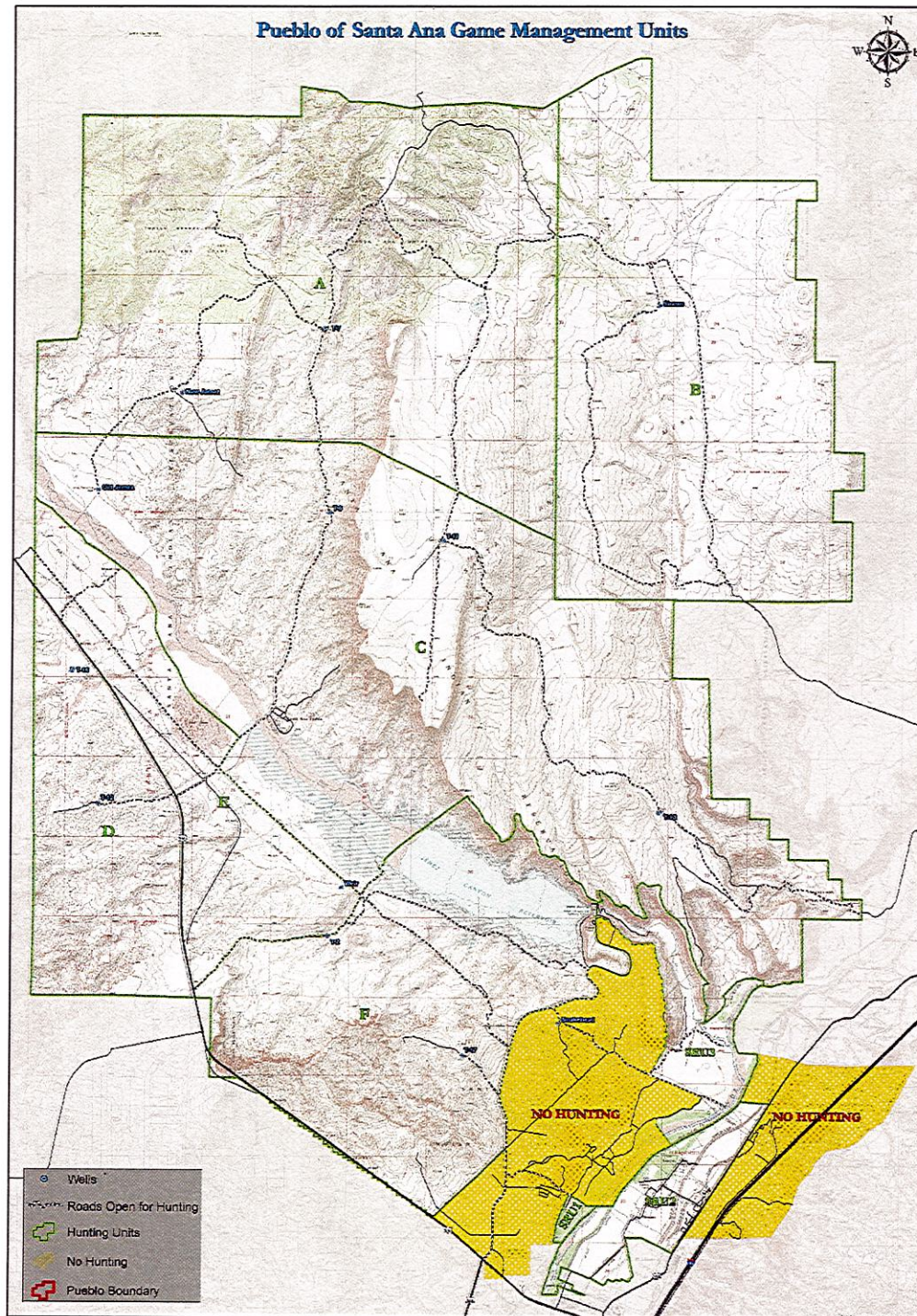
## TO THE PUEBLO OF SANTA ANA HUNTING, FISHING, AND TRAPPING REGULATIONS



2019

## 1.0 GAME MANAGEMENT UNITS

There are six Game Management Units (GMU) on the Reservation (map below). A narrative description describing the boundaries of each GMU follows. GMU boundaries are shown in green.



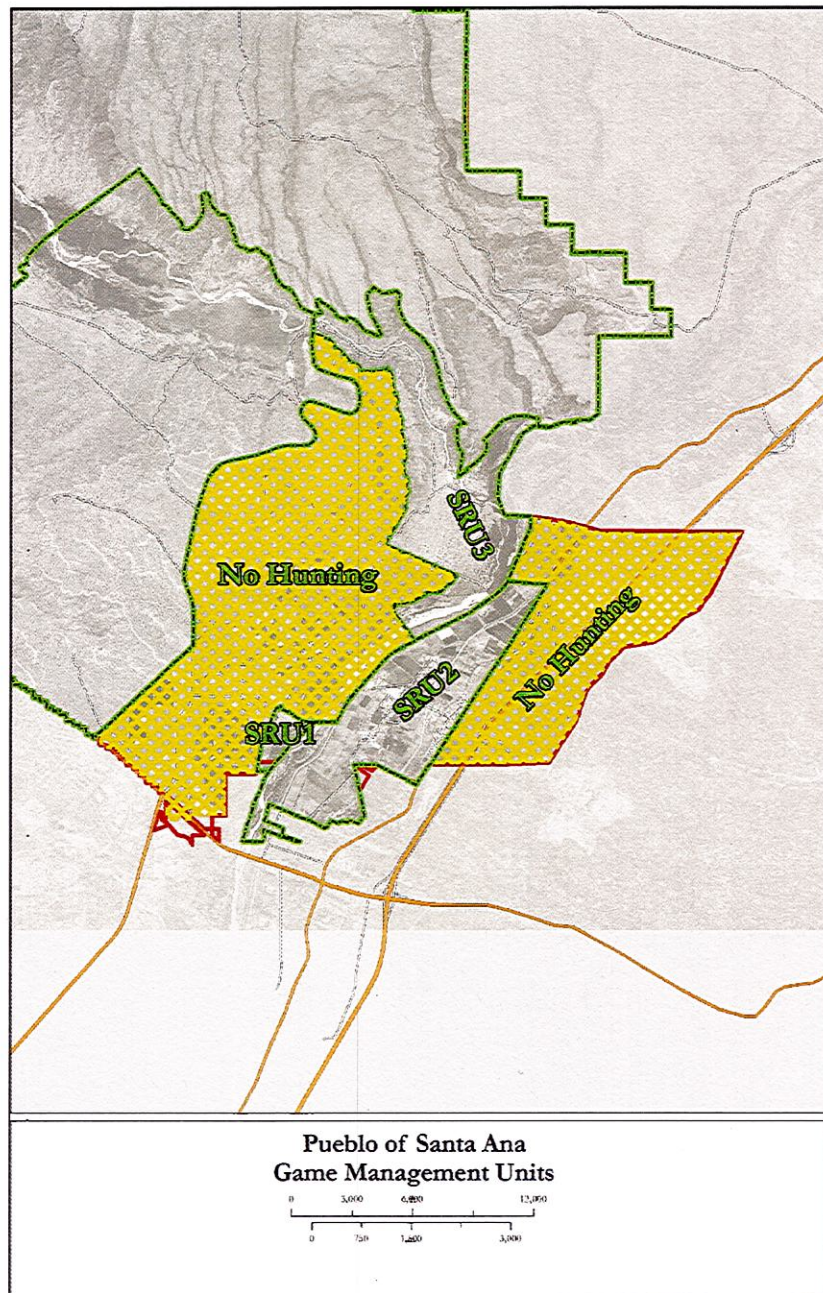


- GMU-A** Beginning at the Reservation's northwest corner boundary with the Pueblo of Zia, then east along the Reservation's north boundary fence line, then south along the Simms Ranch west fence line, then west along the powerline road/powerline, then north along the boundary fence line with the Pueblo of Zia.
- GMU-B** Beginning at the northwest corner of the Simms Ranch, then south along the Simms Ranch west fence line, then east along the Simms Ranch south fence line, then north along the boundary fence line between the Reservation and the Pueblo of San Felipe, then west along the Reservation's boundary with the Pueblo of Santa Domingo and the Pueblo of Zia. Change from map
- GMU-C** Beginning at the junction of the powerline road and the Reservation's boundary with the Pueblo of Zia, then south along the boundary fence line to the intersection with the fence line that parallels the south side of the Rio Jemez, then southeast along the fence line to its intersection with the paved road to Tamaya, then southwest along the paved road to where it intersects the pipeline road, then southeast along the pipeline road to where it intersects the road to the weir on the Rio Jemez, then northwest along the road to the weir on the Rio Jemez, then across the weir and up along an unmarked northeast line to the top of the Santa Ana Mesa, then southeast along the edge of the Santa Ana Mesa to near the confluence of the Rio Jemez and Rio Grande, then northeast at the fence line along the west side of the Rio Grande Bosque north of the confluence, then north along the Reservation's boundary with the Pueblo of San Felipe to the Simms Ranch south fence line on the Santa Ana Mesa, then west along the Simms Ranch south fence line, then north along the west fence line of the Simms Ranch to its intersection with the powerline road on the Santa Ana Mesa, then following the powerline road/powerline to the west until its intersection with the Reservations' west boundary and the Pueblo of Zia.
- GMU-D** Beginning at the junction of the Reservation's boundary and HW550 at the Hawk Missile Site, then west along the boundary fence line, then north along the Reservation's boundary fence line with the Pueblo of Zia to HW550, then southeast along HW550 to the Hawk Missile Site.
- GMU-E** Beginning at the junction of the Reservation's west boundary with the Pueblo of Zia and HW550, then southeast along the fence line on HW550 to the junction of HW550 and the graded road to the T-2 Well, then northeast along the T-2 Well road to its intersection with the pipeline road, then northwest along the pipeline road to its intersection with the paved road to Tamaya, then northeast along paved road to its intersection with the fence line that parallels the south side of the Rio Jemez, then northwest along the fence line that parallels the south side of the Rio Jemez to its intersection with the Reservation's west boundary and the Pueblo of Zia, then south along the boundary fence to where it intersects HW550.
- GMU-F** Beginning at the junction of HW550 and the graded T-2 Well road, then northeast along the T-2 Well road to the weir on the Rio Jemez, then across the weir and up along an unmarked northeast line to the top of the Santa Ana Mesa, then southeast along the edge of the mesa to the junction of the mesa edge and the Jemez Canyon Dam, then south across the dam, then south along the Jemez Canyon Dam road to where it intersects the powerline road, then southwest along the powerline road to where it intersects HW550, then northwest along HW550 to where it intersects the graded T-2 Well road.



## 2.0 SPECIAL REGULATION UNITS

There are three Special Regulation Units (SRU) on the Reservation (see map below). **Each SRU has specific hunting restrictions.** SRU boundaries are shown in green. The purpose of these restrictions is to preserve life and property. A narrative description describing the boundaries of each SRU follows. In addition, hunting restrictions within each SRU are specifically addressed below.



**SRU-1** Beginning at the junction between the employee access road to the Hyatt Regency Tamaya Resort and Spa and the fence along the west side of the Rio Grande Bosque, then south along fence line east of the Santa Ana Golf Course to the Reservation's boundary with Coronado State Park, then east along the Reservation's boundary to the middle of the active channel of the Rio Grande, then north along the channel of the Rio Grande to where the Bosque maintenance road intersects the Rio Grande, then northwest along graded Bosque maintenance road to junction with employee access road.

**Hunting Restrictions in SRU-1:** **SRU-1 is reserved for wild turkey hunting only.** Only individuals with big-game permits to hunt wild turkey are authorized to hunt in SRU-1. **Bows are the only types of weapons that can be used in SRU-1. Rifle, shotgun, or muzzleloader use is not permitted in SRU-1.** Special hunting seasons and hunting hours will apply in SRU-1.

**SRU-2** Beginning at the junction between the Reservation's south boundary fence line and the middle of the active channel of the Rio Grande, then east and northeast along the Reservation's boundary until it intersects HW313, then northeast along HW313 to south boundary of the Disputed Area, then west along Disputed Area boundary to intersection with the clear ditch levee (a.k.a riverside drain), then south along levee to posted hunt boundary sign, then west to middle of the active channel of the Rio Grande, then south along channel to junction of the Rio Grande and the Reservation's south boundary.

**Hunting Restrictions in SRU-2:** **Shotguns, .22-caliber rifles/handguns firing birdshot only, bows, pellet guns, BB guns, and sling-shots are the only types of weapons that can be used in SRU-2.** No other rifles, handguns, or muzzleloaders are permitted in SRU-2. No one hunting in SRU-2 is permitted to discharge a weapon during hunting season within 150 yards of a residence or building without prior permission from the landowner.

**SRU-3** Beginning at the Jemez Canyon Dam, then north to the edge of the Santa Ana Mesa, then south-southeast following along the edge of the Santa Ana Mesa to near the confluence of the Rio Jemez and Rio Grande, then northeast at the fence line along the west side of the Rio Grande Bosque north of the confluence, then south along fence line to middle of active channel of the Rio Grande, then downstream along the middle of the Rio Grande active channel to the northern boundary of the Disputed Area, then east along the Disputed Area boundary to the junction with the clear ditch levee (a.k.a riverside drain), then south along the clear ditch levee to the "hunt boundary" sign, then west along the "hunt boundary" signs and across the Rio Grande to the graded bosque road, then north along bosque road to graded powerline road, then west along powerline road to the green gate, then north along fence line up to mesa edge, then follow mesa edge north to Jemez Canyon Dam.

**Hunting Restrictions in SRU-3:** **Shotguns, .22-caliber rifles/handguns firing birdshot only, bows, pellet guns, BB guns, and sling-shots are the only types of weapons that can be used in SRU-3.** No other rifles, handguns, or muzzleloaders are permitted in SRU-3, unless specifically authorized on a Big Game permit.

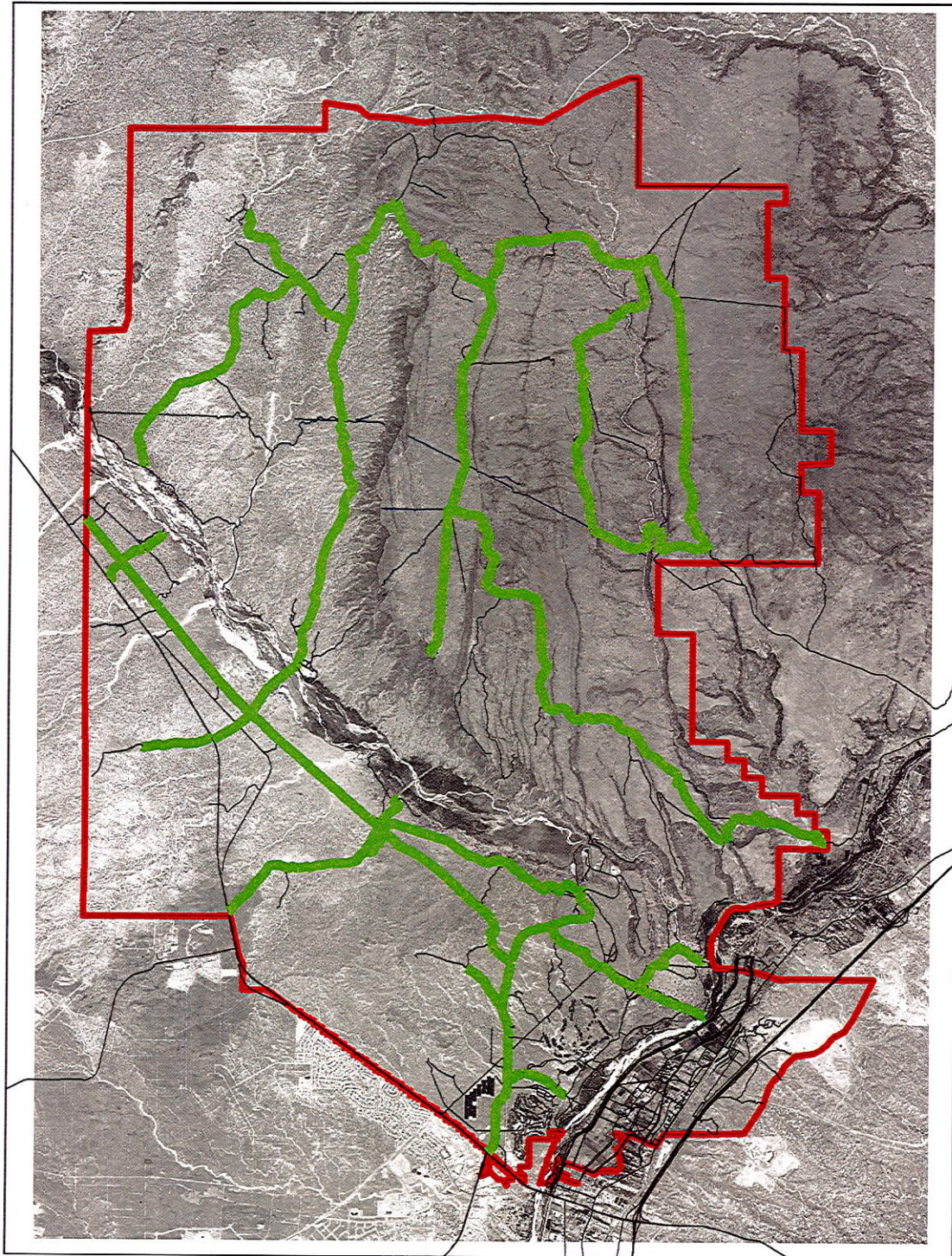
### 3.0 AREAS CLOSED TO HUNTING

At all times, any area that does not occur within a GMU or SRU is closed to all hunting (see maps above).



#### 4.0 ROADS OPEN TO HUNTING

Not all roads are open to hunting. Only established or two-track roads delineated in green on the map below are open to drive on while hunting or to access hunting areas on the Pueblo. Driving on roads **not open to hunting** is only permitted when retrieving legally-taken game. Travel through areas closed to hunting along roads open to hunting is permitted to access hunting areas only.

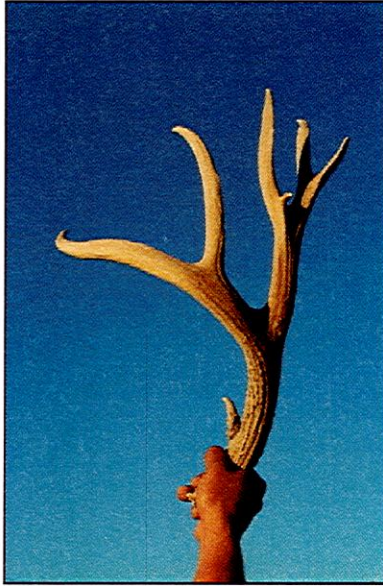




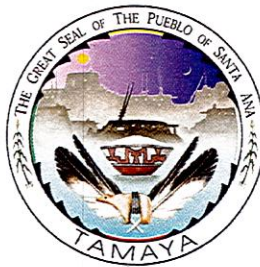
## 5.0 SEASONS, DAILY BAG LIMITS, AND FIELD POSSESSION LIMITS

Pueblo of Santa Ana Hunting, Fishing, Trapping Seasons					
Hunt	Species	Draw Application Due	Season Date (s)	Daily Bag Limit/Field Possessions Limit	Permits Available
<u>Unregulated Wildlife</u>	cottontail rabbit, jack rabbit, squirrels, woodrats, and other unregulated wildlife species	No Draw Application Required	year-round	unlimited	unlimited
<u>Game Birds</u>	quail	No Draw Application Required	Nov 1- Dec 5	5 per day/possession	unlimited
	pheasant		Thanksgiving Day +4 days	1 male per day/possession	unlimited
	dove		Sept 1- Oct 31	15 per day/possession	unlimited
	sandhill crane		Nov 1- Dec 5 and Jan 25- Jan 31	1 per day/possession	unlimited
	geese		Nov 1- Dec 5 and Jan 25- Jan 31	2 per day/possession	unlimited
	ducks		Oct 15- Dec 5 and Jan 25- Jan 31	5 per day/possession	unlimited
<u>Fur-Bearer</u>	bobcat, coyote, gray fox, beaver, and badger	No Draw Application Required	year-round	unlimited	unlimited
<u>Big Game</u>	deer	To be announced	specified on permit	specified on permit	TBA
	elk	To be announced	specified on permit	specified on permit	TBA
	pronghorn antelope	To be announced	specified on permit	specified on permit	TBA
	wild turkey	To be announced	specified on permit	specified on permit	TBA
<u>Fur-Bearer Trapping</u>	bobcat, coyote, gray fox, beaver, and badger	No Draw Application Required	year-round	unlimited	unlimited
Fishing					
<u>Clear Water Drain</u>	All species	No Draw Application Required	year-round	trout: 5/day all other fish: no limit	unlimited
<u>Rio Grande and other areas</u>	All species	No Draw Application Required	year-round	trout: 5/day catfish: 4/day all other fish: no limit	unlimited

**PUEBLO OF SANTA ANA  
WILDLIFE CONSERVATION CODE**



**PUEBLO OF SANTA ANA  
2 DOVE ROAD  
SANTA ANA PUEBLO, NEW MEXICO 87004**



## **ARTICLE I. POLICY STATEMENT AND DECLARATION**

### **1.0 POLICY STATEMENT**

The Pueblo of Santa Ana (hereafter referred to as "the Pueblo") declares that it is their policy:

That all wildlife will be managed for human enjoyment and welfare, for traditional, cultural and scientific purposes, and to insure the perpetuation of wildlife;

That species of wildlife indigenous to the Pueblo of Santa Ana Reservation (hereafter referred to as "the Reservation") are the property of the Pueblo and should be accorded protection in order to maintain and enhance their numbers;

That all matters relating to the conservation, regulation, control, and management of wildlife resources of the Reservation are subject to the jurisdiction of the Pueblo;

That the Pueblo has a legitimate right to establish rules and standards to govern the actions of tribal members and non-tribal members on the subject of wildlife regulation;

That the Tribal Council possesses the inherent authority to adopt any regulations for the implementation of the policies of this Wildlife Conservation Code and to amend such regulations as deemed necessary;

That all wildlife now or hereafter found upon the Reservation lands are hereby declared to be the property of the Pueblo and the right, title, interest, or property therein cannot be acquired, transferred, or possessed except as expressly provided herein;

That neither the Pueblo, the Pueblo of Santa Ana Department of Natural Resources, nor individual tribal members, or officers are responsible for damages to person or property caused by wildlife. In its discretion, however, the Pueblo may establish programs to mitigate such damages; and

That the Pueblo will preserve respect for life in all forms and will perpetuate this attitude, both in the traditional manners of hunting fish and game and the approach to conservation of these most precious resources.

2.0 The provisions of this Wildlife Conservation Code shall be applicable to all persons and wildlife throughout Santa Ana lands.

## **ARTICLE II. ORGANIZATION, AND REGULATIONS**

### **1.0 THE PUEBLO OF SANTA ANA NATURAL RESOURCE CONSERVATION ENFORCEMENT DIVISION**

- A. The Natural Resource Conservation Enforcement Division (hereafter referred to as "Enforcement Division") is hereby established within the Pueblo of Santa Ana Department of Natural Resources (hereafter referred to as "DNR"). The administrative organization of the Enforcement Division shall be established and approved by the Tribal Council.
- B. The Enforcement Division is responsible for assisting the DNR in developing and recommending policies, rules, and regulations relating to the wildlife and natural resources of the Pueblo. The Enforcement Division and its Conservation Officers shall have primary responsibility for enforcing the provisions of this Code and any other natural resources regulations issued hereunder.

### **2.0 CONSERVATION OFFICERS**

- A. Pueblo of Santa Ana Enforcement Division Conservation Officers shall meet such requirements as to physical characteristics and training as shall be established by the Director.
- B. The Governor or Tribal Judge may swear-in Conservation Officers to aid the Enforcement Division in times of unusual need.



- C. Conservation Officers shall have the power and authority of peace officers for the purpose of enforcing Tribal Codes and regulations, including but not limited to this Code and any regulations issued hereunder, including the authority to make arrests and to make searches and seizures as provided for in this Code and other Tribal Codes.
- D. Duly commissioned peace officers of the Pueblo of Santa Ana Police Department are authorized to enforce the provisions of this Code and any regulations issued hereunder, including the authority to make arrests and to conduct searches and seizures as provided for in this Code.

### 3.0 WILDLIFE REGULATIONS

As needed, the Tribal Council shall, upon recommendation from the DNR, adopt any new wildlife regulations. The Santa Ana Department of Natural Resources may amend existing regulations as needed, with approval of the Governor. A regulation, when adopted, shall have the force of law on the Reservation. The regulations shall include the following:

- A. Determination of season dates for taking any wildlife within the Pueblo of Santa Ana when it is determined that such seasons are necessary for proper wildlife management.
- B. Closing or opening lakes, streams and refuges to fishing, trapping, or hunting; regulating all species and controlling all means by which wildlife may be taken; and taking such other actions which, in the judgment of the Tribal Council, will best perpetuate and control any species of wildlife; as well as regulating the transportation and storage of all wildlife or parts thereof within the exterior boundaries of the Pueblo and such shipment or transportation off the Pueblo.
- C. Determination of bag and possession limits.
- D. Determination of hunting unit boundaries and other locations for the taking of all wildlife.
- E. Determination of the manner and means (i.e., permits and restrictions) of taking or transporting any wildlife, including prescribing types of baits, lures, tackle, equipment, traps, firearms and other weapons, tagging of wildlife or parts thereof, or any other means or device for taking such wildlife.
- F. Determination of rules for the guiding and outfitting of hunters, fishermen or trappers.
- G. Establishment of refuges or sanctuaries for wildlife. When Pueblo tribal member assignments or agricultural leases are to be included, the assignee or lessee will be provided with written notice. All boundary lines shall be posted at the usual place of ingress with signs notifying the public of ownership of land by the Pueblo and its status as a refuge.
- H. Determination of access into hunting and fishing areas (i.e., Game Management Units) within the Reservation.
- I. Establishment of methods and procedures for checking hunters, fishermen, or trappers into and out of designated areas, and prescribing safety and other regulations as may be necessary in the interests of wildlife management and the safety and welfare of the Pueblo and those participating in hunting, trapping and fishing on Pueblo lands.
- J. Establishment of fees for permits, tags and special hunting seasons.
- K. Determination of the number of permits to be issued for all activities for which express authorization is required by this Code.
- L. Establishment of the schedule of civil penalties and permit denial/suspension/revocation points to be imposed for violations of the civil offenses of this Code.
- M. Determination of all other regulations reasonably necessary for conservation and management of wildlife and for realization of the policies set forth in Article I of this Code.

### 4.0 PUBLICATION OF WILDLIFE REGULATIONS

Regulations adopted hereunder shall be made available to any Tribal member upon request and shall be posted using available public places and electronic media.

## 5.0 EMERGENCY REGULATIONS

- A. If it is determined that an emergency situation such as disease or extreme environmental conditions exists, the Governor may, upon recommendation of the Director, adopt emergency regulations for the health, safety, and public welfare of the Pueblo or its wildlife.
- B. The emergency regulations are effective immediately without public comment although every reasonable effort shall be made to notify all concerned of the existence of emergency regulations.
- C. Unless extended by the Governor, no emergency regulation shall be effective for a period longer than ninety (90) days from the date of passage.

## **ARTICLE III. PERMIT REQUIREMENTS**

### 1.0 HUNTING PERMIT REQUIREMENT

- A. Only male Pueblo of Santa Ana tribal members 12 years of age or older who have not been convicted of any felony, battery of a household member, or currently have their hunting and fishing privileges revoked in the State of New Mexico shall be allowed to hunt and shall be required to have in their possession a valid Pueblo of Santa Ana hunting permit while hunting on the Pueblo. Male tribal member minors may hunt only when accompanied by a male tribal member parent or guardian over the age of 21 years old and said parent or guardian shall assume full responsibility for the actions of said minor in writing under oath.
- B. Only tribal members may accompany a permitted hunter but may not hunt or carry a weapon unless they are also properly permitted.
- C. Tribal members shall be required to have a valid Pueblo of Santa Ana hunting, fishing, or trapping permit in their possession to hunt, fish, or trap on the Reservation.
- D. Any non-tribal member who shall hunt, trap or fish on the Reservation in violation of this Code shall be considered trespassing without permission of the Pueblo and shall be prosecuted according to law.

### 2.0 HUNTER SAFETY TRAINING REQUIREMENT

- A. No male under the age of 21 years shall be allowed to hunt unless he has successfully completed a Hunter Safety Course approved by the Enforcement Division. He must also carry such proof of completion while hunting and shall be required to present it while obtaining a hunting permit.
- B. The Enforcement Division may teach or coordinate a Hunter Safety Training course or may recognize a proof-of-completion certificate issued by any State or National Rifle Association approved course.

### 3.0 CEREMONIAL AND RELIGIOUS HUNTING/HARVEST

In recognition of ceremonial and religious hunting on the Reservation, four types of hunts are recognized. No hunting permits will be required for Tribal members involved in these hunts. However, types of weapons used and age of individuals allowed to hunt is at the discretion of the Governor. Furthermore, the specific rules in Sections 3.09 and 3.10 of the Pueblo of Santa Ana Hunting, Fishing and Trapping Regulations must be followed during these hunts.

- A. Warchief Hunts: No hunting permits will be required for Tribal members involved with hunts called by the Warchief. Bag limits, types of animals hunted (i.e. small game or big game), and hunting areas during such traditional hunts shall be at the discretion of the Warchief.
  - 1. Kikya Pu Tru Hunts: No hunting permits will be required for Tribal members involved in this activity.



2. Society Hunts: No hunting permits will be required for Tribal members involved with Society Hunts. Society Hunts will require consultation with the Warchief. Bag limits, types of animals hunted (i.e. small or big game), and hunting areas during Society Hunts shall be at the discretion of the Warchief.
- B. Initiation Hunts: No hunting permits will be required for Tribal members involved in Initiation Hunts. No Big Game animals may be hunted during Initiation Hunts.
- C. Harvest of Mountain Lions and Bears: All Traditional and cultural traditions MUST be adhered to.

#### 4.0 TAKING OF WILDLIFE IN DEFENSE OF SELF OR OTHERS

An individual is not guilty of a violation of this Code or any regulations issued hereunder if it is demonstrated that, in killing or injuring wildlife, the individual was acting in self-defense or in defense of others.

#### 5.0 TYPES OF PERMITS, TAGS, AND FEES

- A. The Governor and or Warchief, upon annual recommendation from the DNR, shall establish types of permits, number of tags and dates for hunting, trapping and fishing on the Pueblo. The DNR will establish recommendations based on the best scientific data available.
- B. The DNR may establish tagging requirements for specified types of wildlife.

#### 6.0 SALE OF PERMITS AND TAGS

If necessary, the Tribal Council shall direct the manner by which permits and tags may be sold in the future.

#### 7.0 DENIAL, SUSPENSION, AND REVOCATION OF PERMIT PRIVILEGES

- A. The Governor has the authority to deny an application for a permit and to revoke or suspend a permit, for a period of time not to exceed five (5) years, if it is determined that a person has:
  1. been convicted of state, federal, or tribal wildlife violation;
  2. misrepresented the person's qualifications when applying for a permit; or
  3. engaged in immoral or unethical conduct not befitting a tribal member.

### ARTICLE IV. ENFORCEMENT

#### 1.0 ENFORCEMENT

##### A. Authority

1. The Enforcement Division Manager, Conservation Officers and Santa Ana Police Department commissioned peace officers shall enforce the provisions of this Code and any regulations issued hereunder and shall:
  - (a) Seize any wildlife held in violation of this Code or regulations issued hereunder, take evidence necessary for enforcement of the provisions of this Code or regulations issued hereunder, and turn over the remaining carcass or parts for proper disposition by the War Chief;
  - (b) With or without a warrant, arrest any person suspected of a violation of this Code or regulations issued hereunder. Unless special circumstances exist as defined by the Pueblo of Santa Ana Rules of Procedure for Contemporary Court, if a person is cited for violating provisions of this Code or regulations issued hereunder, the accused person shall not be taken into custody if in the judgment of the officer no arrest is necessary and the person voluntarily signs an oath printed on the citation issued for the offense that he will appear before the Tribal Court within 10 days at the time and place indicated on the citation; and



- (c) Open, enter and examine all camps, wagons, automobiles, tents, buildings, outbuildings, containers and packages where there is reasonable suspicion to believe any wildlife taken or held in violation of this Code or regulations issued hereunder may be found, and seize it.
- 2. Any warrant for the arrest of a person shall be issued upon an affidavit and sworn complaint, the same as in other criminal cases, and any search warrant shall be issued upon a written affidavit showing probable cause supported by oath or affirmation, describing with some particularity the place(s) to be searched and the thing(s) to be seized.
- 3. Conservation Officers may, under the direction of the Enforcement Division Manager, establish checking stations as needed for the proper enforcement of this Code and regulations issued hereunder.
- 4. All DNR employees and Santa Ana Police Officers are exempt from prosecution under this code as long as the actions taken are in the scope of their duties and in the best interest of the Tribe.

## **B. Penalties and Sanctions**

### **1. Civil Penalties**

- (a) Any person who engages in conduct prohibited by any provision of this Code or regulations issued hereunder, may be assessed a civil penalty by the Tribal Contemporary Court in the amount established by this Code or any regulations issued hereunder.
- (b) The Schedule of Fines authorized in this Code will be imposed for violations of this Code or any regulations issued hereunder. At the time any person is arrested or detained for violating any provision of this Code or regulations issued hereunder, the arresting or detaining officer may give the alleged offender an opportunity to sign an oath printed on the citation issued for the offense that he will appear before the Tribal Contemporary Court within 10 days at the time and place indicated on the citation and pay the fine in the form of a civil penalty assessment. If the civil penalty assessment is not paid, the citation becomes, by law, a summons and complaint and requires an appearance in the Tribal Contemporary Court at the place, date, and time indicated on the citation form.

Civil jurisdiction over all matters relating to alleged violations of this Code and any regulations issued hereunder are vested with the Tribal Contemporary Court. All questions, complaints, and alleged violations involving the provisions of this Code shall be adjudicated in accordance with Tribal Court Code and procedures. Fines imposed for violating this Code or regulations issued hereunder shall follow the Schedule of Fines authorized in this Code.

- (c) For any violation of this Code or regulations issued hereunder, a revocation or suspension of Pueblo hunting, fishing, or trapping privileges for a minimum period of one year from date of being found liable shall be imposed.

### **2. Civil Damages**

In addition to any other penalties or sanctions allowed by this Code, the Pueblo may bring a civil action for recovery of damages against any person for unlawful killing, wounding, catching, taking, trapping or having unlawful possession of any wildlife protected by this Code, or any part thereof, and the sum assessed for damages by the Tribal Contemporary Court for each wildlife species shall not be less than or greater than the amount stated in Attachment A (Restitution Fee Schedule) of this Code.

### **3. Criminal Penalties**

- (a) In addition to any other penalties, sanctions and civil damages allowed by this Code, any Indian person who violates any provisions of this Code or regulations issued hereunder, upon conviction thereof, shall be subject to a sentence of not more than the maximum length of imprisonment or maximum fine, or both, allowed pursuant to the Indian Civil Rights Act, 25 U.S.C. § 1301 et. seq., which presently is one year imprisonment or \$5,000 fine. Attachment B (Criminal Sanction Schedule) of this Code may serve as a guideline for the imposition of a criminal penalty by the Tribal Contemporary Court.

- (b) Upon criminal conviction for any violation of this Code or regulations issued hereunder, a revocation or suspension of Pueblo hunting, fishing or trapping privileges for a minimum period of one year, shall be imposed.

4. **Forfeited Bond Schedule**

In any civil or criminal proceedings brought for alleged violations of this Code, the Tribal Contemporary Court, in consultation with the Governor, Enforcement Division Manager and other appropriate law enforcement officials, may adopt a bond schedule or a schedule of forfeiture to be imposed by the Tribal Contemporary Court upon the receipt of any admission that a violation of this Code has occurred, which admission may be made either under oath in open court or by sworn written statement. Neither a bond schedule nor a schedule of forfeiture shall bind the Tribal Contemporary Court in the imposition of any penalties, sanctions or civil damages after adjudicating a violation where the defendant has contested liability and/or entered a plea of not guilty.

5. **Forfeiture of Property and Wildlife**

- (a) At the time any arrest is made or citation is issued for violation of this Code or regulations issued hereunder, the arresting officer may seize any equipment used or suspected of being used in the taking of wildlife or otherwise involved in the commission of the violation for which the arrest was made or the citation was issued and shall give the person from whom such things were taken an itemized receipt for all seized items. When an offender is found guilty of or liable for violating this Code or regulations issued hereunder, the court, in addition to imposing other penalties, may order the forfeiture to the Enforcement Division of all or part of the seized items. If the seized items are not owned by the offender, the Tribal Contemporary Court may order a preliminary forfeiture, order that notice be given to the owner of the seized property, and provide an opportunity for a hearing before ordering the forfeiture to the Enforcement Division of the seized items. At such hearing, the burden shall be on the owner of the seized item to prove they did not participate in or have knowledge of or consent to the illegal use of the seized items.
- (b) Any person found guilty of or liable for an offense pursuant to this Code or regulations issued hereunder shall forfeit any wildlife or part thereof found in his possession to the War Chief for appropriate disposition.
- (c) The DNR shall conduct a public sale of all confiscated items, subject to applicable federal law, not appropriate or needed for official use by the DNR. Such sales shall be by auction held after not less than one week's notice to tribal members by announcement and by posting notice using available public places and electronic media. The proceeds shall be deposited into the Enforcement Division account.

**ATTACHMENT A**  
**TRIBAL CIVIL/RESTITUTION/FEE SCHEDULE**  
**(FOR INDIVIDUAL WILDLIFE SPECIES)**

**BIG GAME:**

ELK	\$1,000 TO \$15,000
DEER	\$1,000 TO \$15,000
ANTELOPE	\$1,000 TO \$15,000
BEAR	\$1,000 TO \$15,000
MOUNTAIN LION	\$1,000 TO \$15,000
WILD TURKEY	\$500 TO \$5,000

**GAME BIRDS:**

QUAIL	\$100 TO \$500
RINGNECK PHEASANT	\$100 TO \$500
DOVE	\$100 TO \$500
DUCK	\$100 TO \$500
GOOSE	\$100 TO \$500
SANDHILL CRANE	\$100 TO \$500

**UNREGULATED WILDLIFE:**

WOODRAT	\$50 TO \$100
SQUIRREL	\$50 TO \$100
RABBIT	\$50 TO \$100
PRAIRIE DOG	\$50 TO \$100

**OTHER BIRDS:**

EAGLE	\$1,000 TO \$5,000
HAWK	\$1,000 TO \$5,000
OWL	\$1,000 TO \$5,000
HERON	\$1,000 TO \$5,000



**ATTACHMENT B**  
**TRIBAL CRIMINAL SANCTION SCHEDULE**  
**(FOR INDIVIDUAL WILDLIFE SPECIES)**

**BIG GAME:**

ELK	\$1,000 TO \$5,000
DEER	\$1,000 TO \$5,000
ANTELOPE	\$1,000 TO \$5,000
BEAR	\$1,000 TO \$5,000
MOUNTAIN LION	\$1,000 TO \$5,000
WILD TURKEY	\$500 TO \$5,000

**GAME BIRDS:**

QUAIL	\$100 TO \$500
RINGNECK PHEASANT	\$100 TO \$500
DOVE	\$100 TO \$500
DUCK	\$100 TO \$500
GOOSE	\$100 TO \$500
SANDHILL CRANE	\$100 TO \$500

**UNREGULATED WILDLIFE:**

WOODRAT	\$50 TO \$100
SQUIRREL	\$50 TO \$100
RABBIT	\$50 TO \$100
PRAIRIE DOG	\$50 TO \$100

**OTHER BIRDS:**

EAGLE	\$1,000 TO \$5,000
HAWK	\$1,000 TO \$5,000
OWL	\$1,000 TO \$5,000
HERON	\$1,000 TO \$5,000