

*Protocol # 3*

**Band Participation in Special Deer Hunts**

The following protocol is established to guide Band participation in special deer hunts conducted by the State in the 1837 Ceded Territory. Special deer hunts are those hunts in state parks, refuges, and other areas where deer hunting is not normally allowed, and where the State contends the number of hunters and the duration of their access is strictly limited for public safety and conservation purposes.

1. The State currently limits overall hunter numbers and sets harvest objectives for special hunt areas. The Bands do not contend that the current methods used by the State to assess deer populations, set deer population goals, and determine harvest objectives for special hunts are in violation of their treaty rights, and understand the State intends to continue using these methods. If the Bands develop concerns regarding the use of those methods, they may present their concerns to the 1837 Ceded Territory Wildlife and Plant Resources Committee, and seek to resolve their concerns through the committee and mediation process.

2. By June 10 of each year, the State shall notify the Bands of its determination of maximum allowable hunter densities, open hunting dates and hours, special regulations, and harvest objectives for any special deer hunts to be carried out within the 1837 Ceded Territory.

3. By August 10 of each year, the Bands will notify the State of Band participation in each hunt, specifying both Band hunter numbers and harvest, which shall not exceed fifty percent of the total deer harvest available for each special hunt area. The Bands will determine for themselves how to allocate tribal hunter participation in the special hunts.

4. Both State and Band hunters will be limited to hunting during those days and hours set by the State, and will be required to comply with any and all of the special hunt regulations, unless otherwise agreed or adjusted through the committee or mediation process or by court order. The Bands will also impose upon their hunters the State's prohibition on the use of bait in state parks.

5. The Bands will provide the State with information on the Band deer harvest from special hunt areas including total deer harvested by age (fawn vs. adult) and sex (male vs. female), and any additional biological information required of state hunters, by January 15 of each year. Any harvest taken during a special hunt will count toward the Bands' annual percentage share (as determined by the court), but shall not count toward any Band declaration or quota which is less than that percentage.