



OSAGE NATION WILDLIFE CONSERVATION REGULATIONS

Rules and Regulations Promulgated by

The Osage Nation Department of Natural Resources

SECTION 1.

FINDINGS AND GENERAL PROVISIONS

A. FINDINGS

1. The Osage Nation Congress, pursuant to the enabling act of ONCA 17-35 enacted on April 6, 2017, vested in the Department of Natural Resources all power and authority to draft, promulgate, and implement regulations governing the development, regulation, use, and preservation of the Osage Nation's Natural Resources.

2. The future of wildlife conservation and regulation is of critical importance to the Osage Nation and necessary for the continued and efficient development of the Osage Nation's natural resources. The Osage Nation Department of Natural Resources takes very seriously its responsibility to protect the natural environment, which depends upon the conservation and preservation of wildlife. The Osage Nation through the Osage Nation Department of Natural Resources is fully committed to preserving and regulating wildlife for future generations and to ensure and enhance today's recreational opportunities and economic development opportunities within the reservation.
3. The Osage Nation finds that hunting and fishing regulations are a necessary component of wildlife conservation; and recognizes that wildlife conservation is vital to the health and welfare of the Osage Reservation's residents and to the vitality of the Osage Reservation economy.
4. The Osage Nation recognizes that certain lands have been either owned by or held in trust for the Osage Nation since the creation of the Osage Reservation and continuing to the present time.
5. All hunting, fishing, trapping and otherwise taking or transporting any wildlife located within the exterior boundary of the Osage Nation Reservation shall be completed in conformity with these regulations and federal law.

B. DEFINITIONS

For the purposes of these Regulations:

1. "*Antlerless Deer*" means any deer, regardless of sex, with less than three inches of antler length above the natural hairline on either side.
2. "*Applicant*" means the person or entity that files an Application for a Permit or License with DNR.
3. "*Application*" means a formal request to DNR, as described herein, and the first step required engage in recreation hunting activities on Osage Nation properties.
4. "*Application Fee*" the fee required for filing an Application for a Permit or License, such fee to be assessed by DNR as identified on the applicable Permit or License form.
5. "*Archery*" means the use of a compound bow, recurve bow, crossbow, longbow, or self-bow set to a specific draw weight with specific arrow tips determined by specific hunting seasons.
6. "*Big Game*" means all species of deer, elk, and turkey.
7. "*Big Game Seasons*" means the dates of the seasons identified within the applicable Regulations Guide for big game to be taken.
8. "*Body of water*" means any river, lake, pond, stream, creek or reservoir.

9. “*Buck*” Any deer, regardless of sex, with at least three inches of antler length above the natural hairline on either side.
10. “*Congress*” means the Osage Nation Congress, the legislative branch of the Osage Nation.
11. “*Critical Habitat*” means specific geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection.
12. “*Cultural or Religious Use*” means the use of wildlife by the Osage Nation or Osage Nation citizens for cultural or religious purposes.
13. “*DNR*” or “*Department*” means the Osage Nation Department of Natural Resources.
14. “*Eagle*” means any bald or golden eagle.
15. “*Executive*” means the Executive branch of the Osage Nation.
16. “*Feral Hog*” means any hog species, including Russian and European wild boar, which are running at large, free-roaming or wild.
17. “*Furbearers*” means all species of bobcat, river otter, raccoon, badger, gray fox, red fox, mink, muskrat, opossum, weasel, beaver, nutria, striped skunk, and coyote.
18. “*Game Bird*” means any waterfowl, shore bird, upland or migratory bird species.
19. “*Game Fish*” means largemouth, smallmouth and spotted bass; black and white crappie; rainbow and brown trout; sauger, saugeye and walleye; white and striped bass; blue, channel, and flathead catfish; paddlefish; and alligator gar.
20. “*License*” means the formal permission granted by the Osage Nation DNR creating the right to engage in recreational hunting and/or fishing activities within the Osage Nation Reservation.
21. “*Management Plan*” means the DNR conservation plan for any individual regulated fish or wildlife
22. “*Muzzleloader*” means muzzleloading rifles, muzzleloading shotguns, or muzzleloading pistols. Excludes blackpowder firearms loaded from the breech.
23. “*Non-Game Fish*” means any species not listed as Game Fish as defined by this Section.
24. “*Notice*” means legal notification as required and prescribed by law or applicable regulation.
25. “*Official Sunrise*” means the official time of sunrise as determined and posted by the Osage Nation Department of Natural Resources.

- 26.** “*Official Sunset*” means the official time of sunset as determined and posted by Osage Nation Department of Natural Resources.
- 27.** “*Osage Nation*” or “*Nation*” means the Osage Nation government.
- 28.** “*Osage Nation Wildlife Conservation Act*” or “*Wildlife Conservation Act*” means the Osage Nation Wildlife Conservation Act, ONCA 17-30 passed by the Osage Nation Congress on April 24, 2017.
- 29.** “*Osage Reservation*” means that area of land originally established as a homeland for the Osage Tribe by the Act of the United States Congress of June 5, 1872, 17 Stat. 228 and as further defined by Article II of the Osage Nation Constitution.
- 30.** “*Open Season Dates*” means the dates and times set within the Regulation Guide of the DNR in which specified species are allowed to be taken.
- 31.** “*Outfitting*” means the leading of a group hunt for the purpose to taking wildlife.
- 32.** “*Permit*” means the formal permission with or without restrictions granted by the Osage Nation DNR that creates a valid right to engage in recreational hunting and/or fishing activities on property owned by the Osage Nation.
- 33.** “*Person*” means any individual, firm, partnership, association, corporation, business or public trust, governmental agency or any political subdivision thereof, municipalities, and any other duly constituted legal entity.
- 34.** “*Potential Habitat*” means general geographic areas that contain features essential to the conservation of an endangered or threatened species and that may require special management and protection.
- 35.** “*Principal Chief*” means the Principal Chief of the Osage Nation.
- 36.** “*Property owned by the Osage Nation*” means property solely owned by the Osage Nation.
- 37.** “*Public Road*” means any governmental or corporate roadways where vehicular traffic is not restricted and the roadway is routinely used by the general public.
- 38.** “*Regulation Guide*” means the annual document published by the DNR for the purposes of providing notice to persons taking wildlife within the Osage Nation Reservation, which establishes season dates, take limits and other applicable notices for hunting and fishing.
- 39.** “*Resource Management*” means the regulation, preservation and responsible management of all wildlife, including, but not limited to, biological studies, population control and habitat preservation.
- 40.** “*Season*” means the time of year designated for selected species as defined by the Osage Nation Wildlife Conservation Regulations.

41. “*Small Game*” means species of rabbit, squirrel, and other animals as may be designated by the DNR.
42. “*Small Game Season*” mean the dates and times set within the Regulation Guide of the DNR in which small game are allowed to be taken.
43. “*State License or Permit*” means a validly issued state license or permit.
44. “*Tom Turkey*” means any bearded turkey regardless of sex.
45. “*Vehicle*” mean any motorized mode of transportation including but not limited to automobiles, watercrafts, motorized bicycles, and all-terrain vehicles.
46. “*Wildlife*” means any wild animal, whether alive or dead, including without limitation, any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate or other invertebrate, whether or not bred, hatched, or born in captivity, and includes any part, product, egg or offspring thereof.
47. “*Wildlife Conservation Plan*” means the determinations and limitations set out within the plan of the DNR for purposes of managing and conserving wildlife.
48. “*Wildlife Conservation Regulations*” means the annually published regulations of the DNR establishing the policies and procedures for applying for licensing and permitting of hunting and fishing activities.

C. APPLICABILITY

1. These Regulations shall apply to all persons hunting and fishing within the Osage Nation Reservation.
2. These Regulations shall not apply to person hunting or fishing on private lands or provide landowners hunting and fishing on their private property within the Osage Nation Reservation.

GENERAL POLICIES

3. Existing uses, established regulations and policies concerning wildlife, and relative priorities concerning wildlife to bodies of water are to be protected and preserved.
4. These hunting regulations will be guided by the overall biological studies of the DNR and the expected long-term conservation efforts, and the cumulative impacts of existing populations of wildlife within the Osage Nation Reservation.
5. DNR will plan and develop a Wildlife Conservation Plan determining the maximum number of permits to be issued each calendar year.
6. DNR will develop Management Plans for the conservation of individual fish and wildlife.

7. DNR will issue Regulation Guides for hunting and fishing annually.
8. All land, water, or other resource strategies, decisions, or regulations shall consider the potential effect on all of the Nation's natural resources.
9. All land, water, or other resource strategies, decisions, or regulations shall consider the potential effect on all Reservation natural resources.
10. All wildlife conservation decisions are subject to periodic consideration and annual review for their effect on resources and values of the Nation.

D. DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES

The Osage Nation has declared the DNR as the primary enforcement and management agency responsible for controlling the Nation's natural resources, including:

1. Overseeing the development, regulation, use, and preservation of wildlife;
2. Administer and issue these Wildlife Conservation Regulations.
3. Issue annual Regulation Guides.
4. Develop Management Plans for the conservation of individual fish and wildlife.
5. Approving or disapproving Permits and Licenses to engage in hunting and fishing activities on Osage Nation properties;
6. Conducting administrative hearings regarding Applications for Permits or Licenses and disputes regarding denial of applications;
7. Adopting such additional rules, regulations, Permit and License forms, and additional materials as necessary to interpret and execute its authority;
8. Advising the Nation on all aspects of these Regulations and wildlife within the Osage Nation Reservation; and
9. Organizing and operating its offices in order to discharge its duties and responsibilities effectively.

E. OSAGE NATION GAME WARDEN

[RESERVED]

F. CONSENT TO JURISDICTION

All persons licensed and permitted pursuant to the Osage Nation Wildlife Conservation Act and these regulations are deemed to consent to the jurisdiction of the Osage Nation Courts.

SECTION 2.

LICENSING

A. LICENSES TO HUNT AND FISH

1. No Person shall hunt or fish on property owned by the Osage Nation or undertake any activity affecting or involving wildlife within the property of the Osage Nation without first obtaining a License, as described in this section, from the DNR.

a. Hunting. One or more of the following:

- i. Hunting License- Available to persons who are Hunter Education Certified or who are exempt according to Section 3.
- ii. Apprentice Designated License- Available to persons who are not Hunter Education Certified in accordance with Section 3.

b. Fishing.

- i. Fishing License- Available to all persons seeking to fish in any body of water within the property of the Osage Nation.
- ii. Exemptions. The following persons are exempt from attaining a Fishing License.
 - (A) Osage Nation members under 16 years old.
 - (B) Non-Osage Nation members under 14 years old
 - (C) Resident owners or tenants, their spouses, parents, grandparents, children, and their spouses who fish in private ponds on land owned or leased by such owner or tenant.
 - (D) Osage Nation members 65 years and older.
 - (E) Osage Nation Disabled Veterans with 60 percent or more disability.
- iii. Applicability. Fishing Licensing activities apply to Game and Non-Game Fish as defined by these regulations.

2. License Must be Retained on Person. Each person issued a license shall retain a hard copy of the license(s) on their person at all times while hunting or fishing within the property of the Osage Nation.

SECTION 3.

HUNTER EDUCATION CERTIFICATION

1. Hunter Education Certification. Any person age 10 and older may complete the Hunter Education course and receive certification. Anyone may attend an approved Hunter Education course, but only persons who are 10 and older will be eligible to test for certification
2. Hunters Age Nine (9) and Younger. Any person who is age 9 and younger must obtain an apprentice-designated hunting license. Such hunters must abide by accompanying hunter requirements.
3. Hunters age ten (10) to thirty (30). Any person who is age 10 to 30 and not hunter education certified may obtain an apprentice-designated hunting license. Such hunters must abide by accompanying hunter requirements.
4. Hunter Education Certification Exemption. Any person age thirty-one (31) and older is exempt from Hunter Education certification in order to obtain a hunting license
5. Accompanying Hunter Requirements. An accompanying hunter shall be eighteen (18) or older who is licensed and hunter education certified unless exempt pursuant to the Wildlife Conservation Regulations. For big game hunting, an accompanying hunter must be within arm's length of the hunter or close enough to take immediate control of the fireman or bow of the apprentice. For small game hunting, the accompanying hunter must be within sight of and able to communicate with the apprentice in a normal voice without aid.

SECTION 4.

LICENSE APPLICATIONS

1. *Application Form.* Applications for Hunting and Fishing Licenses shall be made on forms developed by DNR and available at the DNR offices and other authorized places as identified by DNR.
2. *Submission of Application.* Applications shall be delivered to DNR via hand-delivery during normal business hours, via U.S. Mail at the address listed on the form, or online if applicable.
3. *Application Fee.* An Application Fee as identified on the Application shall accompany each License. Application fees shall be periodically determined by DNR, used in part to defray the cost of reviewing the Application, and may be waived by DNR, in its sole discretion.

SECTION 5.

PERMITTING & FIELD TAGS

A. PERMIT PROCESS

1. *Permits.* Permits are issued in accordance with the Wildlife Conservation Plan of the DNR.
2. *Permit Fee.* The Permit Fee as identified on the schedule of the Application shall be paid upon return of the permit to the applicant. Permit fees shall be periodically determined by DNR, used in part to defray the cost of reviewing permits, and may be waived by DNR, in its sole discretion.
3. *Restrictions and Limitations.* DNR may prescribe restrictions and limitations for each permit issued in accordance with the Wildlife Conservation Plan.

B. PERMIT REQUIRED

1. *Hunting.* All persons hunting on Property of the Osage Nation are required to obtain a permit from the DNR prior to harvesting any wildlife as defined by these regulations. Each person is bound to the restrictions and limitations of the permit issued.
2. *Fishing.* All persons fishing in waters within the Osage Nation Reservation are required to obtain a fishing permit from the DNR prior to taking any fish from any body of water. Each person is bound to the restrictions and limitations of the permit issued.
3. *Other uses.* All persons pursuant of any other permit required activity as described in these regulations must obtain permit from the DNR prior to engage in said activity. Each person is bound to the restrictions and limitations of the permit issued.
4. *Permits Retained.* Each individual issued a permit pursuant to these regulations are required to retain a hard copy of the permit(s) on their person at all times while participating in hunting, fishing, or other activities within the Osage Nation Reservation. The Osage Nation does not provide electronic permits, and therefore, electronic versions including but not limited to pictures of any permit shall not be accepted by law enforcement.
5. *Permit Violations.* Any person who violates this section shall be subject to a civil or criminal penalty as defined by offenses and fine schedule of the Osage Nation Wildlife Conservation Act.

C. FIELD TAGGING & CHECKING REQUIREMENTS

1. *Field Tags.* Field Tags may be any item so long as the tag contains the information required below.
2. *Immediate Tagging.* All hunters who harvest Big Game wildlife on property of the Osage Nation must immediately attach their name, license number, date, and time of harvest to the carcass. The Field Tag shall remain attached to the carcass until checked-in as described below.
3. *Check-In.* All Big Game wildlife harvested on property of the Osage Nation must be checked-in with the staff of either the Department of Natural Resources, Osage Nation Police Department, or the Wildland Fire Department within twenty-four (24) hours of leaving the area in which the wildlife was harvested. The type of check-in will be determined by the permit issued.
4. *Failure to Tag or Check In.* Any person who violates this section shall be subject to a civil or criminal penalty as defined by offenses and fine schedule of the Osage Nation Wildlife Offenses Code.

SECTION 6.

APPLICATIONS REVIEWS, DENIALS, RECONSIDERATION AND APPEALS

A. REVIEW AND DECISION

1. *Application Review.* Within thirty (30) days of receipt of an Application as prescribed by these regulations, DNR shall review each Application and approve or deny the Application after a determination of whether:
 - a. The Application is complete or if more information is required;
 - b. If Applicant has a valid state issued driver's license;
 - c. If Applicant has a valid hunting and fishing license (state or lifetime); and
 - d. Whether Applicant has ever violated a hunting or fishing law or regulation or been convicted of a crime involving wildlife.
2. *Approval or Denial of an Application.* After thirty (30) days, DNR shall render a written decision on the Application:
 - a. Approving the License without conditions;
 - b. Approving the License with conditions;
 - c. Denying the License; or

- d. Staying a decision pending receipt of additional data or information or correction of Application errors.

4. *Denial of Permit or License.* DNR shall issue a reasoned decision if the Application is denied under Section (B)(2)(c) of these Regulations.

5. *Staying a Decision Pending Receipt of Additional Information.* Should DNR stay a decision on an Application pending receipt of additional data or information or correction of Application errors under Section A(2)(d) hereof, DNR shall issue a Notice of Additional Information or Deficiency. If the Application is defective as to form, the Notice of Additional Information or Deficiency shall advise the Applicant of the corrections, amendments, or changes required and thirty (30) days shall be allowed for the refile thereof.

6. *Failure to Provide Additional Information.* If the Application is not corrected, amended or changed within the time required, DNR may inactivate the Application. If an Applicant does not correct an Application as instructed by DNR, and no further proceedings are initiated by the Applicant for six (6) months after the Notice of Additional Information or Deficiency, the Application shall be deemed withdrawn.

7. *Issuance of License.* If the Application is approved, DNR shall issue the License the subject of an Application within ten (10) days of approval.

8. *Term of Licenses.* All Licenses shall be valid from January 1st to December 31st (unless otherwise noted).

9. *Renewal Licenses.* Licenses may be renewed for the following year of the initial License upon request and payment of the applicable fee, unless DNR shall determine in its sole and reasonable discretion that the License renewal is not in the best interest of the Nation. Any denial of a renewal License may be reconsidered and appealed pursuant to subsections B and C below.

B. RECONSIDERATION

10. *Request for Reconsideration.* An Applicant may seek reconsideration of any DNR decision by resubmitting the Application to DNR with a letter stating the reasons for reconsideration and any additional information.

11. *Decision Upon Reconsideration.* DNR shall issue a written decision upon reconsideration of an Application within sixty (60) days, following the same process established in Section 6(A)(2) of these Regulations.

C. APPEAL

12. *Appeal of Denial Upon Reconsideration.* If the Application is denied upon reconsideration, the Applicant may seek review of the denial in Osage Nation Trial Court pursuant to Osage Nation Rules of Civil Procedure.

13. *Representation of the Nation's Interest.* The Osage Nation Attorney General's Office shall represent the Nation's and DNR's interests in any appeal.

14. *Exhaustion.* No person may seek review by the Osage Nation Trial Court of a decision or ruling of DNR unless such person has first exhausted all appeal rights provided by these Regulations. Additionally, with respect to any appeal of a denial of an Application by DNR, no such appeal may be heard by or filed with the Osage Nation Trial Court unless the person the subject of the denial shall have first sought reconsideration of the denial with the DNR.

15. *Standard Review.* Unless otherwise provided for under the laws of the Osage Nation, appeals shall be limited to review of the record before the DNR.

16. *Administrative Record.* Upon receipt of service of the complaint, DNR shall certify and transmit to the Clerk of the Osage Nation Trial Court the administrative record, including the Application, all documents, things, transcripts and other information which formed the basis for the decision or ruling being appealed.

SECTION 7.

GENERAL HUNTING PROCEDURES & SAFETY REQUIREMENTS

A. ALL HUNTING

1. *Blinds and Decoys.* Commercial and home-made blinds and decoys are allowed. The use of live animals as blinds or decoys in taking or trying to take game animals or game birds, except as permitted, is prohibited.

2. *Hunter Orange Required.* Deer Hunters participating in rifle and muzzleloader season must wear both a head covering and an outer garment above the waistline, both totaling at least 400 square inches of hunter orange that are clearly visible. Camouflage hunter orange is legal as long as there are at least 400 square inches of hunter orange. Deer hunters using archery equipment in any hunting area must conspicuously wear either a head covering or an outer garment above the waistline consisting of hunter orange. All other hunters, including trappers must wear either head covering or upper garment of hunter orange while hunting during deer rifle and muzzleloader season.

3. *Shooting Hours.* Shooting hours are one-half hour before official sunrise to one-half hour after official sunset.

4. *Legal Means of Attracting Wildlife.* Salt or mineral blocks, sardines or other lures used for trapping fish and commercial scents such as but not limited to doe in estrous (heat).

- B. RELEASE AND WAIVER OF LIABILITY.** Each individual is required to sign a *Release and Waiver of Liability and Claims* prior to entering the property of the Osage Nation for purposes of hunting and fishing pursuant to these regulations.

SECTION 8.

PROHIBITED ACTS

The following acts are strictly prohibited while hunting and fishing within the Osage Nation Reservation. Any person found committing any act as defined herein shall be subject to a citation, fine and penalty as prescribed by the Osage Nation Wildlife Conservation Act.

- A. *BAITING PROHIBITED.*** The use of bait or hunting over bait is strictly prohibited on property owned by the Osage Nation, unless permission is granted by the DNR.
- B. *SHOOTING FROM ROAD.*** Shooting at game from areas within six (6) feet from the edge of any road, paved or unpaved, or a regular vehicle beaten path or to shoot across any paved or unpaved road is prohibited.
- C. *TRACER AMMUNITION.*** The use of tracer ammunition in taking or trying to take game animals, game birds, or protected furbearers is prohibited.
- D. *SPOTLIGHTING.*** No persons may shine spotlights or other artificial lights during any time for taking game, except fish or as permitted. Special permits are available to use spotlights for predators or nuisance animals.
- E. *ILLEGAL MEANS OF ATTRACTING WILDLIFE.*** Using unauthorized devices, or non-approved clothing during specified hunting seasons.
- F. *DUMPING OF WILDLIFE STRICTLY PROHIBITED.*** No person shall dump any carcass of any dead wildlife in any well, spring, or other body of water or leave a carcass with ¼ mile of any occupied dwelling or public highway. Each person shall bury any wildlife carcass in an appropriate manner where it is unlikely to become exposed through erosion of the soil or where such land is subject to overflow.
- G. *OUTFITTING STRICTLY PROHIBITED.*** No person shall lead an organized group hunt within the property of the Osage Nation unless permitted by the DNR.
- H. *ILLEGAL DEVICES FOR BIG GAME HUNTING.*** The following devices are strictly prohibited:
- a. Laser sights (unless certified 100% disabled or legally blind)
 - b. Thermal tracking devices

- c. Light enhancement devices (including night scopes) from sunset to sunrise.
- I. ALCOHOL AND INTOXICATING SUBSTANCES.** Any person hunting or fishing on property owned by the Osage Nation to be under the influence of alcohol or other intoxicating substance is prohibited.
- J. CAMPING.** Any person to camp on property owned by the Osage Nation without a proper permit is prohibited.
- K. CUTTING FENCE.** Cutting, damaging, or destroying any fence on property owned by the Osage Nation is prohibited.
- L. DEFACING PROPERTY.** Destroying or defacing signs, tables, improvements, crops, personal property, or real property is prohibited.
- M. DRIVING OFF ESTABLISHED ROADS.** Driving off of established roads while hunting or fishing on the property of the Osage Nation, except on specified areas designated for off-road use or as permitted, is prohibited.
- N. EXPLOSIVES AND POISONS.** The use of any explosive compound or corrosive, narcotic, poisonous, or other deleterious substance for the purpose of taking, stunning, or killing any wildlife is prohibited.
- O. HAZARDOUS MATERIAL OR SUBSTANCE.** Any hazardous materials or substances may not be introduced into the Osage Nation Reservation.
- P. LITTERING.** Littering roads, road sides, waters, or any other land is prohibited.
- Q. LOADED WEAPON.** Loaded rifles, shotguns, muzzleloaders, or pistols without possessing a valid hunting or fishing permit issued by the DNR is prohibited.
- R. POSSESSION OF HUNTING DEVICES.** No person may carry, transport, or possess devices for taking game on property owned by the Osage Nation, except as permitted by the DNR pursuant to these regulations.
- S. RECREATIONAL FIRES.** Creating or starting any recreational fires on property owned by the Osage Nation, unless permitted by the Osage Nation Wildland Fire Department, is prohibited.
- T. SILENCERS (SUPPRESSORS).** Legally acquired silencers are allowed for taking game.
- U. TAKING, TRANSPORT, OR SALE OF WILDLIFE.** The take, possession, transport, import, trade, buy, sell, or offer for sale of wildlife or parts thereof, except as licensed and permitted by the DNR, is prohibited.
- V. TIMBER HARVESTING.** Destroying, removing, injuring, or cutting any green tree, dead tree, or other timber, unless authorized by an official of the Nation or by permit pursuant to these regulations, is prohibited.

W. TRANSPORTATION OF FIREARMS, BOWS, AND CROSSBOWS

1. The transportation (motorized or non-motorized vehicle) of a loaded firearm, unless permitted, is prohibited. Loaded firearm includes any firearm that has live rounds in an inserted clip, attached magazine, cylinder or chamber, or a capped muzzleloader with a loaded powder charge and bullet. Muzzleloaders may be transported with a loaded powder charge and bullet as long as the gun is uncapped or battery is disconnected.
 2. Bows at full or partial draw being transported in a motorized vehicle is prohibited
 3. Crossbows may not be transported in a motorized vehicle unless uncocked or disassembled.
- X. USE OF CALLING DEVICE.** The use any electrically or mechanically recorded calling device in taking or trying to take game, except predators, is prohibited
- Y. UNLEASHED DOGS.** Any unleashed dog allowed to roam on property owned by the Osage Nation, except for those being utilized for hunting specified game as defined in these regulations, is prohibited.
- Z. VEHICLE OR AIRCRAFT USE.** Motor driven vehicles or aircraft to harass, drive, or take game animals or game bids is prohibited

SECTION 9.

BIG GAME HUNTING

A. DEER GUN AND RIFLE SEASON & PROCEDURES

1. *Permits.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
2. *Open Dates:* As determined by the Regulation Guide for Big Game.
3. *Shooting Hours.* The hours for Big Game are one-half hour before official sunrise to one-half hour after official sunset.
4. *Hunter Orange.* Hunter Orange will be required as described in Section 7.
5. *Legal Means of Taking Deer during Gun and Rifle Season include:*
 - a. *Rifles.* Centerfire rifles firing at least a 55-grain weight soft-nosed or hollow point bullet and having an overall cartridge case length of 1.25 inches or longer. Clips or magazines of all .22 caliber centerfire firearms may not be capable of holding more than seven rounds of ammunition.

- b. *Shotguns*. 20-gauge or larger, firing a single rifled slug.
- c. *Centerfire handguns*. Chambered for .24 caliber or larger and 100 grain or heavier soft-nosed bullet having an overall cartridge case length of 1.25 inches or longer (.357 or larger) and a minimum barrel length of 4 inches.
- d. *Semi-Automatic Handguns*. Chambered for any centerfire ammunition with a 100-grain or heavier soft-nosed bullet and having a cartridge case size of .40 caliber or larger with a minimum barrel length of 4 inches. This includes 10mm, .357 Sig, and 40 cal. or larger with a minimum barrel length of 4 inches.
- e. *Handguns*. Handguns chambered for any center-fire rifle ammunition; chambered for any centerfire rifle ammunition using at least a 55-grain soft-nose bullet and having an overall cartridge case length of 1.25 inches or longer and a minimum barrel length of 4 inches.
- f. *Archery*. Equipment described below in Section D.
- g. *Suppressors (Silencers)*: Hunters are allowed to use legally acquired and possessed suppressors.

Illegal devices: Fully automatic firearms, laser sights (unless certified 100% disabled or legally blind) thermal tracking devices, and light enhancement devices (including night scopes) from sunset to sunrise.

6. *Guns and Rifles Prohibited*. The following guns and or rifle are prohibited:

- a. Nine millimeter (9mm) rifles.
- b. Any other type of gun or rifle not described as a legal means of taking deer.

7. *Limitations*. No person shall take or harvest more deer than prescribed by the limitations of their permit.

B. DEER MUZZLELOADER SEASON & PROCEDURES

- 1. *Permits*. Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
- 2. *Open Dates*: As determined by the Regulation Guide for Big Game.
- 3. *Shooting Hours*. The hours for shooting Big Game are one-half hour before official sunrise to one-half hour after official sunset.
- 4. *Hunter Orange Required*. Hunter Orange will be required as describe in Section 7.
- 5. *Legal means of taking deer by Primitive Firearm*:
 - a. Muzzleloading rifles;

- b. Muzzleloading shotguns;
- c. Muzzleloading pistols;
- d. .40 caliber or larger rifle or pistol;
- e. 20-gauge or larger shotgun, firing a single slug or ball that is loaded from the muzzle.

6. *Firearm Restriction.* No person shall carry or use any modern firearm in conjunction with any legal primitive firearm (muzzleloaders as defined above) during the primitive firearm (muzzleloader) deer season while hunting deer. Blackpowder firearms loaded from the breech, laser sights (unless certified 100% disabled or legally blind) thermal tracking devices, and light enhancement devices (including night scopes) from sunset to sunrise will not be allowed.

7. *Limitations.* No person shall take or harvest more deer than prescribed by the limitations of their permit.

C. DEER ARCHERY SEASON & PROCEDURES

1. *Permits.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
2. *Open Dates:* As determined by the Regulation Guide for Big Game.
3. *Shooting Hours.* The hours for shooting Big Game are one-half hour before official sunrise to one-half hour after official sunset.
4. *Hunter Orange Required.* Hunter Orange will be required as described in Section 7.
5. *Deer Legal Bows.* The following are legal means of taking deer:
 - a. *Bow.* A compound bow of thirty (30) pounds or more draw weight; any recurve, longbow or self-bow or forty (40) pounds or more draw weight; or hand-held release bows; or devices that permit a bow to be held mechanically at full or partial draw.
 - b. *Broadheads,* Arrows/bolts that must be fitted with hunting type points not less than 7/8 inches wide, including mechanical broadheads meeting the width requirement when fully open.
 - c. *Crossbows.* A bow of with a minimum one-hundred (100) pound draw weight bow equipped with safety devices with a minimum of fourteen (14) inch length bolts; or a leverage gaining device.

1. *Firearms Prohibited.* No person may carry or use any firearm in conjunction with archery equipment during archery season while deer hunting with the exception of handguns strictly carried for purposes of protection as defined above in Section 8(2).
2. *Limitations.* No person shall take or harvest more deer than prescribed by the limitations of their permit.

AA. TURKEY HUNTING

1. *Permits.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
2. *Fall Season dates:* As determined by the Regulation Guide for Big Game.
6. *Spring Season dates:* As determined by the Regulation Guide for Big Game.
3. *Shooting Hours.* The hours for shooting Big Game are one-half hour before official sunrise to one-half hour after official sunset.
4. *Hunter Orange Required.* Hunter Orange will be required as describe in Section 7.
5. *Legal Means of taking Turkey.* The following devices are legal means of taking Turkey:
 - a. Legal Bows as defined above in Deer Archery, Section 8(C).
 - b. Rifles including centerrifles, .22 Magnum rimfire, 5 mm Magnum rimfire, .17 HMR and .17 Winchester Super Magnum.
 - c. Muzzleloaders including muzzleloader rifles and handguns of .36 caliber or larger.
 - d. Shotguns including conventional or muzzleloading, using a shot no larger than BB (.180 of an inch in diameter).
 - e. Handguns including centerfire, .22 Magnum rimfire, 5 mm magnum rimfire and .17 HMR.
6. *Identification of Turkey.* Evidence of sex (one leg with foot) or beard shall remain on the Turkey until it has been checked. Beards on hens must remain intact and not removed from the Turkey until the bird has reached its final destination.
7. *Illegal Means of taking Turkey.* The following firearms are strictly prohibited:
 - a. Rimfire handguns; and
 - b. Any other type of firearm not specifically identified herein.
8. *Decoys & Primitive Calling Devices.* Artificial decoys and primitive calling devices are permitted for the taking of Turkey.

9. *Taking of Turkey near Crops.* The taking of Turkey over standing crops, properly shucked on the field where grown or grain found naturally scattered solely as the result of normal agricultural operations is legal and permitted.

10. *Baiting Strictly Prohibited.* Turkeys shall not be hunted or taken within one-hundred (100) yards of any bait. Baiting is the placing, exposing, depositing, distributing or scattering of shelled, shucked or unshucked corn, wheat or other grain or feed as to constitute a lure, attractions or enticement, on or over any area where hunters are attempting to take Turkey.

11. *Other Prohibitions.* The following is strictly prohibited for means of taking Turkey:

- a. Live decoys;
- b. Recorded calls;
- c. Roost shooting;
- d. The use of any smartphone or electronic device for calling turkey;
- e. And other prohibitions as determined by the DNR.

12. *Guns and Rifles Prohibited.* The following guns and or rifle are prohibited:

- a. Nine millimeter (9mm) Rifles.
- b. Any other type of gun or rifle not described as a legal means of taking wildlife.

13. *Limitations.* No person shall take or harvest more wildlife than prescribed by the limitations of their permit.

BB. ELK

[RESERVED]

CC. ANTELOPE

[RESERVED]

SECTION 9.

BIG GAME HUNTING PERMITS & LOTTERY

A. PERMIT APPLICATION & DRAWING FOR BIG GAME

1. *Permit Application Forms.* Applications for Hunting Permits of Big Game as defined by these regulations shall be made on forms developed by DNR and available at the DNR offices and other authorized places as identified by DNR.
2. *Permit Application Number.* Each Permit Application shall be assigned a number by the DNR according to applicable policy and procedure. The applicant will not know their applicant number, and a number will not be assigned to an applicant name.
3. *Denial of Application.* DNR shall issue a reasoned decision if the Application is denied under Section 6(A)(2)(c) of these Regulations.

B. LOTTERY & DRAWING

1. *Lottery.* The DNR shall post the date and time of the lottery on the Osage Nation website. Each Application will be submitted into a drawing according to the policy and procedure of the DNR wherein the amount of applicants will be put into a double blind drawing.
2. *Posting of Applicant Numbers.* Prior to the drawing, the DNR will post the Applicant Numbers identifying the names of each applicant.
3. *Limited Number of Permits.* The number of permits issued shall be in accordance with the Wildlife Conservation Plan of the DNR and any restrictions or limitations set therein.
4. *Drawing for Sections:* The DNR shall also conduct a drawing for the applicant winners to determine which section or area the hunter/team is permitted to hunt.

SECTION 10.

SMALL GAME HUNTING

A. RABBIT HUNTING

1. *Permits.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
2. *Open Dates:* As determined by the Regulation Guide for Small Game.
3. *Shooting Hours.* The hours for shooting Rabbit are one-half hour before official sunrise to one-half hour after official sunset.
4. *Legal Means of Taking Rabbit.* The following are legal means to taking:
 - a. *Rifles,* conventional or muzzleloading.
 - b. *Shotgun,* conventional or muzzleloading.

- c. *Legal Raptors.*
 - d. *Hand-propelled missile.*
 - e. *Air-propelled missile.*
 - f. *Slingshot.*
 - g. *Handguns.* Handguns chambered for any centerfire rifle ammunition; chambered for any centerfire rifle ammunition using at least a 55-grain soft-nose bullet and having an overall cartridge case length of 1.25 inches or longer and a minimum barrel length of 4 inches.
 - h. *Archery.* Legal means of archery as defined by these regulations.
5. *Guns and Rifles Prohibited.* The following guns and or rifle are prohibited:
- a. Nine millimeter (9mm) Rifles.
 - b. Any other type of gun or rifle not described as a legal means of taking wildlife.
6. *Limitations.* No person shall take or harvest more wildlife than prescribed by the limitations of their permit.

B. SQUIRREL HUNTING

- 1. *Permits.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
- 2. *Open Dates:* As determined by the Regulation Guide for Small Game.
- 3. *Shooting Hours.* The hours for shooting Squirrel are one-half hour before official sunrise to one-half hour after official sunset.
- 4. *Hunter Orange Required.* Hunter Orange will be required as describe in Section 7
- 5. *Legal Means of Taking Squirrel.* The following are legal means to taking:
 - a. *Rifles,* conventional or muzzleloading.
 - b. *Shotgun,* conventional or muzzleloading.
 - c. *Legal Raptors.*
 - d. *Hand-propelled missile.*
 - e. *Air-propelled missile.*
 - f. *Slingshot.*

SECTION 13.

FURBEARERS

[RESERVED]

SECTION 14.

MOUNTAIN LION

A. PERMITTED TAKING

1. Permits are required for persons seeking to take mountain lion suspect of depredation to any domesticated animal.

B. NON-PERMITTED TAKING

1. Mountain lions may only be taken if it is about to commit depredation on any domesticated animal or when deemed an immediate safety hazard. Proof of safety hazard or depredation must be presented. Persons who take a mountain lion must immediately call the DNR. The carcass must be presented to the Department within 24 hours for biological data collection.

SECTION 14.

FERAL HOG HUNTING PERMITS & TOURNAMENTS

A. FERAL HOG HUNTING

1. *Permit Required.* Permits are issued pursuant to Section 5 of these regulations and in accordance with the Wildlife Conservation Plan of the DNR.
2. *License Required.* A hunting license is only required during Big Game Seasons
3. *Dates:* Year-round.
4. *Shooting Hours.* The hours for shooting Feral Hog will be determined by drawing, either official sunrise to sunset or official sunset to sunrise.
5. *Legal Means of Taking Feral Hog.* The following are legal means of taking feral hog:
 - a. Rifles – Any rifle smaller than a .50 caliber round.

- b.* Shotguns – Any gauge is allowed and a plug is not required.
- c.* Handguns – Centerfire and semi-automatic allowed.

6. *Hunting Sections:* The DNR shall develop and prescribe hunting sections and/or are for feral hog hunting.

7. *Limitations.* No person shall take or harvest more wildlife than prescribed by the limitations of their permit.

B. APPLICATION FOR FERAL HOG TOURNAMENT

1. *Permit Application Forms.* Applications for hunting in the Feral Hog Tournament shall be made on forms developed by DNR and available at the DNR office and other authorized places as identified by DNR.

2. *Team Applications:* Team Applications shall be made on forms developed by DNR and may be available upon determination by the DNR.

3. *Permit Application Number.* Each Permit Application shall be assigned a number by the DNR according to applicable policy and procedure. The applicant will not know their applicant number, and a number will not be assigned to an applicant name.

4. *Denial of Application.* DNR shall issue a reasoned decision if the Application is denied under Section 6(A)(2)(c) of these Regulations.

C. LOTTERY & DRAWING

1. *Lottery.* The DNR shall post the date and time of the drawing on the Osage Nation website. Each Application and/or Team Application will be submitted into a drawing according to the policy and procedure of the DNR wherein the amount of applicants will be put into a double blind drawing.

2. *Posting of Applicant Numbers.* Prior to the drawing, the DNR will post the Applicant Numbers identifying the names of each applicant and/or team.

3. *Limited Number of Permits.* The number of permits issued shall be in accordance with the Wildlife Conservation Plan of the DNR and any restrictions or limitations set therein.

4. *Drawing for Sections:* The DNR shall also conduct a drawing for the applicant winners to determine which section or area the hunter/team is permitted to hunt.

D. TOURNAMENT PROCEDURES

1. *Dates:* As determined and posted by the DNR.

2. *Shooting Hours.* The hours for shooting Feral Hog will be determined by drawing, either official sunrise to sunset or official sunset to sunrise.

3. *Legal Means of Taking Feral Hog.* The following are legal means of taking feral hogs:
 - a. *Rifles* – Any rifle smaller than a .50 caliber round.
 - b. *Shotguns* – Any gauge is allowed and a plug is not required.
 - c. *Handguns* – Centerfire and semi-automatic allowed.
 - d. *Archery* – All bows per Section 8 allowed
4. *Guns and Rifles Prohibited.* The following guns and or rifle are prohibited:
 - a. Fully automatic firearms
 - b. Any other type of gun or rifle not described as a legal means of taking wildlife.
5. *General Hunting Procedures.* All hunters are required to abide by the General Hunting Procedures of Section 7 of these regulations.

SECTION 15.

METHODS OF TAKING FISH

A. LEGAL METHODS OF TAKING FOR GAME AND NON-GAME FISH

1. *Rod and Reel.* A person may use up to seven (7) rods while fishing unless restricted further under these regulations.
2. *Trotline/Throwlines.* Trotlines/throwlines are restricted to no more than three (3) lines and one-hundred (100) hooks per person. A legal trotline/throwline has:
 - a. no glass or metallic floating device on the line;
 - b. no metallic posts in the water for attachment;
 - c. lines made of nonmetallic material only;
 - d. hooks at least twenty-four (24) inches apart;
 - e. owner's name and address attached to each line;
 - f. been attended at least every twenty-four (24) hours; and
 - g. not been set within 3 feet of surface of water at any point beyond 6 feet from either point of attachment.

3. *Jugline*. Juglines are restricted to no more than five (5) hooks per line and twenty (20) juglines per person. A legal jugline is a vertical line suspended from a nonmetallic or non-glass floating device, drifting free or anchored and has:

- a. owner's name and address attached; and
- b. been attended at least once every twenty-four (24) hours.

4. *Limbline*. Limblines are restricted to no more than two (2) hooks per line and twenty (20) limblines per person. A legal limbline is a line attached to a limb, branch, other natural object, or non-metallic manmade material and has:

- a. owner's name and address attached; and
- b. been attended at least once every twenty-four (24) hours.

5. *Yo-Yos*. Yo-yos are restricted to no more than twenty (20) per person and shall:

- a. have the owner's name and address attached;
- b. not be left unattended for more than six (6) hours;
- c. not be strung or suspended from any horizontal line across any channel or navigable waterway;
- d. have no more than ten (10) yo-yos attached from one line or support;
- e. not have metallic material in lines used for attachment;
- f. have lines no greater than fifty (50) feet in length and must be placed or suspended without restricting or impeding boat traffic. Lines must be visible to boats at all times, day or night.

B. LEGAL METHODS OF TAKING FOR NON-GAME FISH

1. *Bow and Arrow*. Bowfishing may be used to take non-game fish only, throughout the year in all waters unless otherwise restricted by notice of the DNR. Legal bowfishing is restricted to:

- a. any bow (including a crossbow); and
- b. devices that permit a bow to be held mechanically at full or partial draw are permitted.

2. *Gigs, Spear and Speargun*. Gigs and spears are legal for taking non-game fish and white bass only. Gigs, Spears and spearguns shall:

- a. not contain more than three (3) points with no more than two (2) barbs on each point; and

- b. be lawful in all rivers and streams from Dec. 1 through March 31, and year-round in all reservoirs, unless restricted by the DNR.

3. *Snagging*. Snagging, the dragging of one single hook or one treble hook attached to a fishing line through the water to impale fish, shall be lawful in all waters year-round for non-game fish only unless otherwise restricted by notice of the DNR. Only one rod or pole per angler is allowed while snagging.

4. *Noodling*. Noodling is the taking of non-game fish and catfish by use of hands only. Possession of hooks, gaff hooks, spears, poles with hooks attached or ropes with hooks attached while in the act of noodling shall be proof of violation of the “hands only” noodling law. Noodling shall be lawful year-round in all waters during daylight hours only unless otherwise restricted by notice of the DNR.

5. *Seines, Cast Nets, Trawls and Dip Nets (Noncommercial)*. Seining, cast netting, trawling and dip netting bait for personal use is lawful unless otherwise restricted by notice of the DNR.

C. ILLEGAL METHODS OF TAKING GAME AND NON-GAME FISH

1. *Chumming*. Placing or spreading bait for the purpose of attracting fish is prohibited

2. *Cleaning Fish*. No part of a fish that floats, or whole carcass shall be returned back to the body of water. Fish caught from any body of water that are dead or die as a result of angling must be buried or burned. Persons may dispose of fish remains from fish caught alive, meaning any fish that has been filleted or has had the entrails removed, by burying, burning, or returning back to the body of water.

3. *Netting (noncommercial)*. The use of gill nets, trammel nets, hoop nets, or haul seines is strictly prohibited in all Osage Nation waters.

4. *Grabhooks*. Grabhooks (handheld hook, handheld pole of natural or man-made material, or rope with a single hook attached used in the initial taking of a fish) are strictly prohibited in all Osage Nation waters.

D. TURTLES

[RESERVED]

E. BULLFROGS

[RESERVED]

SECTION 16.

TRAPPING

[RESERVED]

SECTION 17.

EAGLES, ENDANGERED SPECIES, PROTECTED SPECIES, AND OTHER CULTURALLY SIGNIFICANT SPECIES

A. TAKING, TRANSPORTING, OR SALE

1. Wildlife protected under the Endangered Species Act, Migratory Birds Act, Bald and Golden Eagle Act, and other non-game birds, including but not limited to raptors and vultures shall not be or tried to be taken, possessed, transported, imported, bought, sold, or offered for sale, except as permitted by the DNR.

B. Critical and Potential Habitat

1. Critical and potential habitat of wildlife protected under the Endangered Species Act, Migratory Birds Act, Bald and Golden Eagle Act, and other non-game birds, including but not limited to raptors and vultures shall not be burned, sprayed, mowed, or altered in anyway, except as permitted by the DNR. Critical and potential habitat determination will be made by the DNR. All habitat wanting to be altered must be expressed to the DNR for determination.

SECTION 18.

SPECIAL USE AREAS

[RESERVED]

SECTION 19.

VIOLATIONS

A. ENFORCEMENT & CITATIONS. These regulations shall be enforced by the law enforcement officers of the Osage Nation who may issue citations to any person hunting and fishing within the Osage Reservation.

- B. CIVIL FINES.** Any person who violates these regulations shall be subject to a civil penalty as described in the Wildlife Conservation Act pursuant to the offenses and fines schedule therein
- C. CRIMINAL PENALTIES.** Any person who violates these regulations shall be subject to a criminal penalty as determined by the Office of the Attorney General according to the laws of the Wildlife Conservation Act pursuant to the offenses and fines schedule therein.
- D. REVOCATION OF HUNTING, FISHING AND TRAPPING PRIVILEGES.** Any person found guilty by the Osage Nation Courts shall be subject to revocation of their hunting and fishing license pursuant to the Wildlife Conservation Act.
- E. RESTITUTION.** Pursuant to the Wildlife Conservation Act, any person convicted and found guilty of any offense shall be ordered to pay a civil restitution assessment for each wildlife illegally taken, sold or transported. The restitution amount shall be prescribed by the DNR and is subject to review of the Court.
- F. CIVIL SEIZURE & FORFEITURE OF PROPERTY.** Pursuant to the Wildlife Conservation Act, any weapon(s), gear, or vehicle used in the commission of any offense shall be subject to seizure by law enforcement officers and forfeiture pursuant to a lawful Court order.

These Regulations shall be effective as of September 26, 2017 and shall remain in effect until repealed or amended.