



Title 4. Environment and Natural Resources – Chapter 406

HUNTING, FISHING and TRAPPING

Rule # 1-13 – Hunting, Fishing and Trapping Handbook

- I. Purpose, Authority, Adoption, Amendment and Repeal
- II. Definitions
- III. General Requirements
- IV. Available Permits
- V. Tree Stands
- VI. Blinds
- VII. Baiting
- VIII. Endangered, Threatened and Protected Species
- IX. Possession, Registration and Transportation of Carcasses
- X. Fishing
- XI. General Regulations
- XII. Health Advisory
- XIII. Enforcement

I. Purpose, Authority, Adoption, Amendment and Repeal

1-1. Purpose. The purpose for these rules is to further detail the information related to harvests, limits, seasons, licenses, and other details to further support the Hunting, Fishing and Trapping law.

1-2. Authority. The Hunting, Fishing and Trapping law delegated the Environmental Resource Board and Conservation Department joint rulemaking authority pursuant to the Administrative Rulemaking law.

1-3. These rules were jointly adopted by the Environmental Resource Board and Conservation Department in accordance with the procedures of the Administrative Rulemaking law.

1-4. These rules may be amended or repealed by the joint approval of the Environmental Resource Board and Conservation Department pursuant to the procedures set out in the Administrative Rulemaking law. For the purpose of future amendments to these rules, each article is a separate rule and may be amended as such.

1-5. Should a provision of these rules or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of these rules which are considered to have legal force without the invalid portions.

1-6. In the event of a conflict between a provision of these rules and a provision of another rule, internal policy, procedure, or other regulation, the provisions of these rules control.

1-7. These rules supersede all prior rules, regulations, internal policies or other requirements relating to the Hunting, Fishing and Trapping law.

1-8. This article I applies to each subsequent rule listed herein.

II. Definitions

2-1. This article governs the definitions of words and phrases used within this Handbook. All words not defined herein are to be used in their ordinary and everyday sense.

- (a) “Antlered Deer” means a deer which has either two (2) antlers with two (2) or more points on each antler or one (1) antler with four (4) or more points where each point must

measure one (1) inch in length from the main beam and, at a minimum, one (1) antler must be three (3) or more inches in length.

(b) “Baited Area” means an area within a one hundred (100) yard radius from any placed bait material, provided that once bait material is placed, the area remains a baited area for a period of ten (10) calendar days from the date the bait material is either fully consumed or removed.

(c) “Furbearer” means wildlife taken primarily for the sale of the said wildlife’s pelt and includes, but is not limited to, mink, muskrat, beaver, weasel, fox, coyote, bobcat, badger and raccoon.

(d) “Game Fish” means all species belonging to the trout, pike, catfish, bullhead, sunfish (including blue gill and crappie), bass, and perch families of fish.

(e) “Harass” means to shoot at, disturb, worry, rally, concentrate, harry, chase, drive, herd, or torment wildlife.

(f) “Open Water” means any water beyond a natural growth of vegetation rooted to the bottom and extending above the water surface of such height as to offer whole or partial concealment of the hunter.

(g) “Permanent Tree Stand” means any manufactured or constructed platform fastened by nails, screws, or other means deemed permanently fixed, for the purpose of allowing a person to view, observe, or hunt wild animals.

(h) “Possession Limit” means the maximum number of a particular wildlife species that may be in the possession of a person who has hunted, fished, or trapped two (2) days or more.

(i) “Raptor” means all hawks, owls, eagles, falcons, and osprey.

(j) “Rifle” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger, and includes any such weapon which may be readily restored to fire a fixed cartridge.

(k) “Semi-permanent Tree Stand” means any manufactured or constructed platform fastened, strapped, chained, or otherwise attached to a tree, for the purpose of allowing a person to view, observe or hunt wild animals.

(l) “Shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (bird shot) or a single projectile for each pull of the trigger and includes any such weapon which may be readily restored to fire a fixed shotgun shell.

(m) “Sight Exposed Bait” means any bones, meat or viscera of an animal, bird, or fish with or without skin, hide or feathers which can be seen from above the bait.

(n) “Size Limit” means the specific minimum length and/or maximum length in inches of a species of fish that may be possessed legally.

(o) “Small Game” includes, but is not limited to the following: geese, brants, dabbling ducks, diving ducks, tree ducks, sea ducks, and mergansers; commonly known as rails, coots, mud hens, and gallinule; commonly known as snipe and woodcock; commonly

known as grouse, pheasants, partridges, and quail; cottontail rabbit, and gray and fox squirrel.

(p) “Specified Area” means areas where the taking of fish and wildlife is restricted to the specifications set forth by the law, rule or Environmental Resource Board resolutions.

(q) “Unprotected Species” means species which can be hunted year round without limit and includes: opossum, skunk, weasel, mice, and all other animals not mentioned in the Hunting, Fishing and Trapping law and these rules.

(r) “Waterfowl” means any wild species of geese, brants, or ducks.

(s) “Wet Set” or “Water Set” means a trap which is staked in such a manner as to permit the trap or trapped animal to reach water at any point.

III. General Requirements

3-1. *License and Permit on Person.* All persons shall have in his/her possession, while hunting, fishing or trapping within the exterior boundaries of the reservation, a valid Oneida sportsman license issued by the Department allowing him/her to hunt, fish, or trap on the reservation and, if the action also requires a permit, the applicable permit also.

3-2. *Limit on Non-Tribal Member Licenses.* The Department may not issue more than thirty-five (35) Oneida sportsman licenses to Non-Tribal Members in any calendar year. In addition, in order for a non-Tribal member to apply for an Oneida sportsman license, the non-Tribal member shall consent in writing to forfeit any deer hunting privileges granted by a state issued hunting license/permit in regard to all land within the Reservation boundaries, regardless of ownership status.

3-3. *License Application Deadlines and Expirations.* Tribal members, descendants, affiliates of other tribes and Tribal member’s spouses and/or dependents may apply for a sportsman license at any time; the application deadline for a non-member sportsman license is the third (3rd) Monday of August. Sportsman licenses expire each year on August 31st.

3-4. *License and Permit Availability and Schedule.* Oneida sportsman licenses and permits may be obtained from the Conservation Department, which is located at N8047 County Road U.

(a) *Permit Availability.* Nuisance permits, sustenance permits, ceremonial permits and dog training permits are only available to Tribal members and Tribal members shall apply for each of these permits separately from the Oneida sportsman license. Turkey permits are available to all persons eligible for an Oneida sportsman license that is not limited to fishing, provided that licensees shall apply for turkey permits separately from the Oneida sportsman license.

(b) *License and Permit Schedule.* The license and permit schedule is included in these rules as Attachment A.

3-5. *Denial of a License or Permit.* An application for a sportsman license or permit may be denied according to section 406.6-7 of the Hunting, Fishing and Trapping law.

3-6. Applicants born on or after January 1, 1973 shall present a hunter’s education certification prior to issuance of any sportsman license.

IV. Available Permits

4-1. *Comprehensive List of Available Permits.* Subject to the requirements provided in the Hunting, Fishing, Trapping law and these rules, the Department may issue the following permits,

provided that in order to be eligible for a permit, a full sportsman license is required; a fishing only sportsman license is not sufficient:

- (a) Tribal Member Ceremonial/Feast Permit;
- (b) Disabled Permit;
- (c) Nuisance Permit;
- (d) Sustenance Permit;
- (e) Deer Gun Permit;
- (f) Deer Gun Hunter's Choice Permit;
- (g) Deer Bow Permit;
- (h) Small Game Permit;
- (i) Turkey Permit;
- (j) Waterfowl Permit;
- (k) Furbearer Permit;
- (l) Dog Hunting Permit; and
- (m) Found Carcass Permit.

4-2. *Responsibility to Set Seasons and Limits.* The Environmental Resource Board, with input from the Conservation Department, shall establish, annually by written Environmental Resource Board resolution, by no later than the end of March each calendar year, the following and, in doing so shall consider the supply of wildlife, the needs of conservation, and the objective of achieving a fair allocation of the harvest:

- (a) Any bag limits applicable to various permits.
- (b) Any possession limits applicable to various permits.
- (c) Season opening and closing dates for each permit, provided that:
 - (1) Bow deer season may not open before September 1st and may not close any later than January 31st.
 - (2) Muzzleloading deer season shall open the calendar day following the close of the deer gun season and may not close any later than the first Sunday in January.
 - (3) The season for small game may not begin before September 1st or close later than March 31st.
 - (4) The season for waterfowl may not begin before September 1st or close later than December 31st.
 - (5) The seasons for furbearers may not begin before October 1st or close later than April 1st.
- (d) Any hunting hour restrictions that may apply to a season, provided that if setting hunting hours, such hours may not permit hunting prior to thirty (30) minutes before sunrise or extend beyond fifteen (15) minutes after sunset.
- (e) The number of carcass tags that may be issued pursuant to each applicable permit, which may include limitations based on age, sex, size, species or other factors established by the Environmental Resource Board. Daily bag and possession limits pursuant to a small game permit may not exceed a harvest of ten (10) wildlife of each species per day.

- (f) Fish minimum lengths and slot sizes for designated fish species.
- (g) Which areas are designated as available for hunting and trapping as indicated on the Oneida Nation Hunting Map. If the Nation acquires additional properties eligible for hunting and trapping after the initial annual Oneida Nation Hunting Map has been approved, the Environmental Resource Board may adopt a revised Oneida Nation Hunting Map by written resolution. Upon the setting of such designated areas, the Department shall mark all properties not open for hunting and trapping.
- (h) Any designated protected waters in which fishing is not permitted.

4-3. *Tribal Member Ceremonial/Feast Permit.* In addition to the requirement in section 406.6-2 of the Hunting, Fishing and Trapping law, the following requirements also apply:

- (a) A ceremonial/feast permit may not be effective for a period longer than ten (10) calendar days and may only be issued between the third (3rd) Saturday of September and the last day of December for any calendar year .
- (b) The Department shall indicate on each permit how much wildlife may be taken pursuant to the permit and which areas are open for the ceremonial/feast hunt.
- (c) Permittees shall register any deer harvested pursuant to a ceremonial/feast permit within twenty-four (24) hours of the harvest.
- (d) A ceremonial/feast permit issued for harvested deer may only be issued for antlerless deer; it is unlawful to harvest an antlered deer under a ceremonial/feast permit.

4-4. *Disabled Permit.* In addition to the requirements and limitations regarding disabled permits included in section 406.6-6 of the Hunting, Fishing and Trapping law, a disabled hunter permit also requires:

- (a) The vehicle is located off of the hard surface of the roadway and is not in violation of any applicable prohibition or restriction that applies to parking, stopping or standing of the vehicle.
- (b) The holder of the permit is not as a designated hunter.
- (c) The holder of the permit has obtained permission from any person who is the owner or lessee of private property across or on to which the holder of the permit intends to discharge a weapon.
- (d) The vehicle bears disabled plates or displays a sign that is at least 11 inches square on which is conspicuously written “disabled hunter”.
- (e) The holder of the permit discharges the weapon away from and not across or parallel to the roadway.

4-5. *Nuisance Animal Removal Permit.* For each nuisance animal removal permit, based on the circumstances and extent of the nuisance, the Department shall provide the amount of wildlife that the permittee may take pursuant to the permit and may limit the amount based on age, sex, size, species or other relevant factors established by the Department; the Department may also the prescribed manner of taking required by the permit. In addition to the requirements in section 406.8 of the Hunting, Fishing and Trapping law, the following also apply:

(a) *Assistance by the Department.* The Department may assist the permittee in taking and/or trapping a nuisance animal if:

(1) Extraordinary damage is occurring, where the determination of extraordinary damage is in the Department's best discretion.

(2) The permittee has demonstrated an inability to harvest an adequate number of the nuisance animals and damage to the permittee's property in the current calendar exceeds, or is likely to exceed, \$5,000.00.

(b) *Conditions to Nuisance Deer Removal Permits.* The following conditions apply to nuisance deer removal permits:

(1) Permittees and permittees' agents may hunt deer only during the period from thirty (30) minutes before sunrise to fifteen (15) minutes after sunset during the closed deer gun season. During the deer gun season permittees and permittees' agents shall comply with any restrictions regarding shooting hours.

(2) No deer may be harvested pursuant to a nuisance deer removal permit within the twenty-four (24) hour period prior to the opening of gun deer season.

(3) The weapon restrictions provided in article 4-7(a)(1) and (2) apply to nuisance deer removal permits.

(4) If the permittee and/or the permittee's agent does not fulfill fifty percent (50%) or more of the nuisance deer removal permit's quota in the initial thirty (30) calendar days for which the permit is effective, the Department may withdraw the permit.

(5) Unless specifically exempt by the Department in the permit, only deer without antlers or with antlers less than three (3) inches in length may be harvested pursuant to a nuisance deer removal permit.

(c) *Conditions to Nuisance Canadian Geese Removal Permits.* The following conditions apply to nuisance Canadian geese removal permits:

(1) Permittees and/or permittees' agents may retain any Canadian goose carcasses harvested pursuant to a nuisance Canadian geese removal permit, provided that permittees' agents may only retain carcasses declined by the original permittee.

(2) The weapon restrictions provided in article 4-10(a) apply to nuisance Canadian geese removal permits.

(3) If during open goose season, the Department may not issue an applicant a nuisance Canadian geese removal permit until all of the applicant's goose carcass tags under the goose permit have been filled.

4-6. *Sustenance Permits.* The Department may issue sustenance permits to Tribal Members who are in need of nourishment which allows the permittee to harvest one (1) additional antlerless deer throughout the course of the open deer bow, gun or muzzleloader seasons. Only one (1) sustenance permit may be issued per household. Permittees may designate a hunter to hunt on the permittee's behalf in accordance with section 406.9-4 of the Hunting, Fishing and Trapping law. Permittees shall register any deer harvested pursuant to a sustenance permit within

twenty-four (24) hours of the harvest. The weapon restrictions provided in article 4-7(a)(1), (2) and (3) below apply to sustenance permits.

4-7. *Deer Permits.* This article applies to deer gun, deer bow and deer hunter's choice permits.

(a) *Restrictions on Deer Permits.*

(1) *Firearms Restrictions.* No person may hunt deer with:

(A) A rifle, with a shot gun smaller than twenty (20) gauge or larger than ten (10) gauge, or with a muzzleloader smaller than .40 caliber.

(B) Any handgun which is loaded with caliber chambered for commercially manufactured center fire cartridge which produce a muzzle velocity of nine hundred fifty (950) feet per second and no more than two thousand two hundred (2,200) feet per second and has a barrel length of five (5) inches measured from the muzzle to the firing pin with the action closed. Hunters using handguns for deer hunting may possess other firearms legal for the zone in which they are hunting deer.

(2) *Deer Archery Season Regulations.*

(A) No person may hunt deer with a bow having a pull strength less than thirty-five (35) pounds or using an arrow that does not have a broadhead.

(B) No person may hunt deer with a crossbow, unless the crossbow:

(i) Is fired from the shoulder;

(ii) Has a minimum draw weight of one hundred (100) pounds;

(iii) Has stock of not less than thirty (30) inches in length;

(iv) Is used with arrows or bolts of not less than fourteen (14) inches in length with a broadhead; and

(v) Has a working safety.

(C) No person may possess a deer harvested with a firearm during an archery only deer hunting season.

(D) No person hunting deer under the authority of an archery deer permit may have a firearm in his/her possession unless participating in muzzleloading season or using a ceremonial/feast permit.

(E) Group hunting is not permitted during deer archery hunting seasons.

(3) *Archery Hunting During Deer Gun Season.* A person may hunt deer with archery equipment during deer gun season and shall tag any such harvested deer with either a deer gun or deer bow tag, provided that the blaze orange requirements in this article apply.

(4) *Blaze Orange Required.* During the gun deer season and muzzleloading season, no person shall hunt any wildlife, except waterfowl, unless at least fifty percent (50%) of the person's outer clothing above the waist is colored blaze/hunter orange.

(5) *Hunting Deer with Dogs Prohibited.* No person may hunt deer with the aid of a dog(s).

(6) *Removal and Retention of Carcass Tags.* Permittees that harvest deer shall ensure that deer carcass tags remain attached to the deer until the carcass is butchered or processed for consumption and, once the carcass tag is removed from the deer, shall retain the carcass tag until all of the meat from the subject

carcass has been consumed. A person who receives meat from another as a gift is not required to possess the carcass tag, provided that the permittee gifting the meat shall provide the receiver with the carcass tag number pursuant to which the meat was harvested.

(7) *Designated Hunters.* Designated deer hunters may only take antlerless deer and, regardless of the number of tags issued to the original permittee, may fill a maximum of two (2) deer carcass tags on behalf of the original permittee.

(8) *Registration.*

(A) Permittees shall register deer harvested by a firearm during the gun deer season no later than 4:00 p.m. the day after the close of the gun deer season.

(B) Permittees shall register all deer harvested by a bow and arrow, cross bow or muzzleloader no later than 4:00 p.m. on the third (3rd) day after the deer was harvested.

(b) *Deer Hunter's Choice Permits.* Deer hunter's choice permits may be issued to Tribal Member elders and first time graduates of a hunter safety program. A deer hunters choice permit allows the permittee to harvest an additional antlerless deer during the gun season and, if the tag has not been filled, extending into the deer muzzleloading season. Permittees may designate a hunter to hunt on the permittee's behalf in accordance with section 406.9-4 of the Hunting, Fishing and Trapping law.

4-8. *Small Game Permit.* No person may take, pursue, injure, or harass small game while on or in its nest or den, or remove any eggs or young except as may be approved in advance by the Environmental Resource Board for activities which may include, but are not limited to, normal agricultural or horticultural practices or wildlife research practices.

(a) *Permissible Methods.* The hunting of small game birds is restricted to the use of an air rifle, shotgun or bow and arrow. The hunting of small game mammals is restricted to the use of an air rifle, shotgun, rifle, or bow and arrow.

(1) *Firearm Restrictions.* No person may hunt small game:

(A) With a shotgun larger than ten (10) gauge.

(B) With a rifle or handgun larger than .22 caliber, including both rim fire and center-fire cartridges.

(C) Rifles or handguns may not be used for hunting birds.

(D) With a handgun with a barrel less than five and a half (5) inches in length as measured from the muzzle to the firing pin with action closed.

(E) While possessing shot shells larger than two (2) shot or while possessing slugs, except that during deer gun season, a person having both an Oneida sportsman license and a deer gun hunting permit may possess slugs while hunting small game.

(E) With any type of shell, cartridge or altered projectile or device which is not considered a factory load, copy or style.

(2) *Bow and Arrow Restrictions.* No person may hunt small game:

(A) With a bow having a pull or draw strength less than thirty-five (35) pounds.

(B) With arrows less than twenty-four (24) inches in length or without at least three (3) untrimmed feathers or five (5) trimmed feathers.

(b) *Use of Dogs.* Dogs may be used while hunting small game.

4-9. *Turkey Permit.* An issued turkey permit authorizes the permittee to hunt turkey during both the spring and fall seasons; a separate permit is not required for each season. Hunting dogs may be used during the fall turkey season. Designated hunters named pursuant to a turkey permit and based on the requirements of the Hunting, Fishing and Trapping law in section 406.9-4 may fill a maximum of two (2) turkey tags for the original permittee, regardless of the number of tags issued to the original permittee.

4-10. *Waterfowl Permit.* An issued waterfowl permit authorizes the permittee to hunt waterfowl during the set season, but does not authorize permittees to possess live waterfowl; permittees shall kill all waterfowl immediately once possession is gained.

(a) *Permissible Methods.* No person may take waterfowl with a trap, net and/or fishhook.

(1) *Firearms Restrictions.* No person may hunt waterfowl:

(A) With a shotgun larger than ten (10) gauge; duck plugs are not required.

(B) With a rifle of any type.

(C) With a shotgun with a barrel length less than eighteen (18) inches.

(D) With a handgun of any type.

(E) While in possession of lead shot.

(2) *Bow and Arrow Restrictions.* No person may hunt waterfowl:

(A) With a bow having a pull or draw strength less than thirty-five (35) pounds.

(B) With arrows less than twenty-four (24) inches in length or without at least three (3) untrimmed feathers or five (5) trimmed feathers.

(3) *Migratory Bird Calls.* No person may use electronic calls of any type to hunt waterfowl.

(4) *Hazing.* No person may drive, rally or chase waterfowl with any motorized conveyance in order to force the waterfowl into hunters' range.

(5) *Live Decoys.* No person may hunt waterfowl with the aid of live decoys. All live, tame or captive waterfowl shall be removed for a period of ten (10) consecutive days prior to hunting and confined within an enclosure which substantially reduces the audibility of the waterfowls' calls and completely conceals the captive waterfowl from the sight of any non-captive waterfowl.

(6) *Decoys.* No person hunting waterfowl may place decoys beyond two hundred (200) feet from the cover or blind in which the person is located. No person hunting waterfowl may:

(A) Place decoys in the water prior to one (1) hour before opening of waterfowl hunting time.

(B) Leave decoys in the water more than twenty (20) minutes after the close of waterfowl hunting time.

(b) *Blind Restrictions.* No person hunting waterfowl may establish a waterfowl hunting blind, including the bed of any navigable lake, reservoir, pond or stream, prior to seven (7) days before the waterfowl hunting season or leave it established beyond seven (7) days after the close of the waterfowl hunting season.

(c) *Open Water Hunting.* Unless pursuing a crippled waterfowl, waterfowl may not be hunting from a moving watercraft. If a motorized watercraft is used to pursue a crippled

waterfowl into open water, the motor must be shut off and all forward movement of the boat must cease before loading and shooting at the crippled waterfowl.

4-11. *Furbearer Permit.* A furbearer permit authorizes Tribal members to operate an unlimited number of traps or snares in any combination and authorizes spouses or dependents of Tribal members or persons affiliated with another tribe to operate a maximum of one hundred and fifty (150) traps or snares in any combination.

(a) *Permissible Methods.* No person may:

- (1) Trap with any leg hold dry set trap larger than a number four (4).
- (2) Trap with any leg hold wet set trap larger than a number five (5).
- (3) Trap within twenty-five (25) feet of any sight-exposed bait.
- (4) Set any trap or snare unless a metal tag is attached, stamped, or engraved legibly upon the trap or snare which has the owner's enrollment number and/or the name, address, and phone number.
- (5) Take mink or muskrat by means other than trapping or snaring.
- (6) Use any traps to take any wildlife not specified as furbearers.
- (7) Possess any trap for the purpose of trapping furbearers other than a leg hold trap, live trap, conibear trap, snare or colony trap.

(8) *Firearm Restrictions.* No person may hunt small game:

- (A) With a shotgun larger than ten (10) gauge.
- (B) With a rifle or handgun larger than .22 caliber, including both rim fire and center-fire cartridges, provided that a permittee may use up to a .223 caliber for fox and coyote hunting.
- (C) With a handgun with a barrel less than five and a half (5) inches in length as measured from the muzzle to the firing pin with action closed.
- (D) While possessing shot shells larger than two (2) shot or while possessing slugs, except that:
 - (i) During deer gun season, a person having both an Oneida sportsman license and a deer gun hunting permit may possess slugs while hunting furbearer; and
 - (ii) A buckshot may be used for hunting fox and coyote.
- (E) With any type of shell, cartridge or altered projectile or device which is not considered a factory load, copy or style.

(9) *Bow and Arrow Restrictions.* No person may hunt small game:

- (A) With a bow having a pull or draw strength less than thirty-five (35) pounds.
- (B) With arrows less than twenty-four (24) inches in length or without at least three (3) untrimmed feathers or five (5) trimmed feathers.

(b) *Set and Placement Restrictions.* No person trapping furbearers may:

- (1) Operate trap sets which permit the trapped animal to reach water, except during the operation of a wet set or colony trap during applicable furbearer seasons.
- (2) Set any trap on any perch more than three (3) feet above the ground.

(c) *Trap Tending.* Permittees shall check all dry set traps at least once every twenty-four (24) hours and shall and remove any wildlife trapped therein. Permittees shall check all wet set traps at least once every four (4) calendar days and shall remove any wildlife trapped therein.

(d) *Use of Dogs.* Dogs may be used while hunting raccoon, coyote and fox.

(e) *Permission to Hunt from a Motor Vehicle.* Permittees may request permission to hunt furbearers from a motor vehicle; absent permission from the Department it is not permissible to hunt, kill or harass furbearers from any type of motor vehicle.

4-12. *Dog Training Permit.* The Department may issue dog training permits to persons who wish to possess and release small game birds for dog training purposes. The permit shall contain requirements such as the location where the birds will be released and, if applicable, the maximum number of birds that may be released.

(a) Prior to being released, the permittee shall mark and identify all birds to be released by fixing a leg band to the bird's leg which identifies the dog training permit number.

(b) The following small game birds may be released pursuant to a dog training permit:

- (1) Pheasant;
- (2) Grey partridge;
- (3) Red Legged Partridge;
- (4) Bob White Quail;
- (5) Chukar Partridge; and
- (6) Pharo Pigeons.

(c) The approval of the Environmental Resource Board is required, prior to release, should a permittee wish to release a small game bird that is not included in the list of authorized small game birds provided in article 4-12(b).

4-13. *Found Carcass Permit.* A found carcass permit is available to Tribal members only for any wildlife found injured and/or killed by any non-hunting related cause. To obtain a Found Carcass Permit, the requestor shall contact the Department and provide the location of the found carcass. After inspecting the condition of the wildlife, the Department shall either issue the requestor a Found Carcass Permit or deny the permit and take the carcass into possession.

V. Tree Stands

5-1. *Permanent Tree Stands Prohibited on the Nation's Lands.* Permanent tree stands may not be erected on land owned by the Nation.

5-2. *Semi-Permanent Tree Stands.* Semi-permanent tree stands may be put, but not sooner than two (2) weeks before the archery season opens and shall be removed no later than April 1st.

5-3. *Tree Stand Owner Information.* All tree stands must be stamped with the owner's enrollment number and/or name, address and phone number for identification.

VI. Blinds

6-1. If a blind is constructed with manufactured materials, such blind requires identification either with a tag affixed to the blind or engraved directly into the blind which contains the owner's enrollment number and/or name, address and phone number for identification.

6-2. During the gun deer season and muzzleloading season, no person shall occupy a blind unless there is three hundred sixty (360) degrees of visible blaze orange on the blind.

VII. Baiting

7-1. Persons may not:

(a) Use bait material, which includes, but is not limited to, liquid or scent, for attracting wildlife:

- (1) which contains or, at the time of use, is contained within: honey, bones, fish, meat, solid animal fat, parts of animal carcasses, metal, paper, plastic, glass, wood (other than hollow stumps, or other non-degradable materials;
 - (2) in excess of ten (10) gallons of bait material in a baited area, provided that, salt and salt blocks are excluded from this restriction.
- (b) Hunt waterfowl with the aid of bait other than grain crops left in the field due to normal agricultural practices.
- (c) Hunt over bait materials, regardless of whether or not the bait materials were intentionally placed as bait, which do not comply with the requirements of these rules.

VIII. Endangered, Threatened and Protected Species

- 8-1. Absent a nuisance permit, no person may take or kill any endangered, threatened or otherwise protected species or damage or tamper with the nests or eggs of an endangered, threatened or otherwise protected species on the reservation.
- 8-2. A federal permit issued by the United States Fish and Wildlife Service is required in order for any Tribal member possess an eagle or any part thereof. Tribal members may request application forms directly from the United States Fish and Wildlife Service, the Department shall also have copies of the application forms available.

IX. Possession, Registration and Transportation of Carcasses

9-1. *Attachment of Carcass Tags.* For wildlife subject to permit that includes carcass tags, upon taking of the wildlife, the permittee shall immediately attach the carcass tag as follows:

Wildlife Species	Required Method of Carcass Tag Attachment
Deer	Attach to antler, ear or hind leg
Goose	Attach to featherless portion of the leg
Turkey	Attach to featherless portion of the leg

- 9-2. *Wildlife Registration.* Except for deer during deer gun hunting season or where shorter timeframes are provided in these rules, a permittee taking wildlife pursuant to a permit which requires a carcass tag shall register the said wildlife with the Department within three (3) calendar days of the taking. Permittee may register wildlife at the Department or any other registration area designated by the Department. Deer harvested during deer gun hunting season shall be registered by 4 pm the day after close of the firearm season. Deer registration tag should be retained with meat until consumed.
- 9-3. *Wildlife Transportation.* Wildlife may not be transported by persons that do not possess the required Oneida sportsman license and any applicable permits. A person may only transport his or her own lawfully possessed wildlife.

- (a) *Birds.* Permittees shall ensure that, at a minimum, the fully feathered head or one (1) fully feathered wing remains attached to each bird that is transported from the field until the bird reaches the permittees residence or processing location.
- (b) *Fish.* While in transportation, all fish must be able to be readily counted. Fish may be dressed, but permittees shall ensure that the body of each fish remains intact while the fish is transported from the water until the fish reaches the permittee’s residence or processing location.
- (c) *Found Carcasses.* Persons finding wildlife carcasses may not transport said carcasses until such person has applied for and received a Found Carcass Permit from the

Department. Permittees shall abide by any requirements of the Found Carcass Permit, including those related to carcass tags and transportation of the carcass.

(d) *Registration Required Prior to Transportation.* Wildlife subject to registration requirements may not be transported off of the reservation until all registration requirements have been satisfied.

(e) *Accompaniment of Wildlife Pending Registration.* Permittees shall accompany all wildlife harvested subject to registration requirements at all times until all registration requirements have been satisfied. No person may knowingly accept for and transport another's wildlife without the valid license and permit holder present. This provision does not apply to authorized enforcement persons who, in the course of their duties, may be required transport seized wildlife.

X. Fishing

10-1. *Seasons.* The fishing season shall be continuous (year-round) unless specific seasons are established in accordance with article 4-2 of these rules. Further, fishing hours are not limited.

10-2. *Possession and Bag Limits.* Persons fishing shall comply with any possession, size and bag limits applicable to fish as established in accordance with article 4-2 of these rules.

10-3. *Fishing Restricted to Authorized Methods.* No person may take or kill fish by any method other than rods, lines and bare hooks, baited fish hooks, nets, spears, use of hands, and bows/arrows, except that bows/arrows may not be used on rough fish. For the purpose of this section, rough fish means carp, all sucker species and sheep head.

10-4. *Firearm Restriction.* No firearms may be used while fishing.

10-5. *Trespass.* No person may fish on private waters without permission from the owner or occupant. No person may fish on Tribal, state, or federal refuge waters or protected waters.

10-6. *Trading of Fish.* All fish caught or taken by any means may be traded, provided that persons shall comply with possession and bag limits at all times, regardless of trading.

10-7. *Ice Fishing.* Ice fishing holes may not be larger than ten inches (10") in diameter. While ice fishing, a person may not use more than four (4) fishing lines at one (1) time.

10-8. *Attending Lines* – Lines may not be left unattended.

XI. General Regulations

11-1. Persons may not:

(a) Hunt with a handgun if under the age of eighteen (18) unless under the immediate supervision of a parent or responsible adult.

(b) Transport, deliver, receive, or offer to deliver or receive for transporting any wildlife or part thereof at any time other than during the open season and three (3) calendar days after.

(c) Exceed daily bag or possession limits, or possess wildlife above or below the size limits established in accordance with article 4-2 of these rules.

(d) Possess any live wildlife unless authorized by the Department.

(e) Hunt species for which hunting seasons are not established, hunt wildlife during the closed season, or hunt wildlife in a refuge/closed area.

(f) Hunt any species more than fifteen (15) minutes after sunset or more than thirty (30) minutes before sunrise during the gun deer season. Except during the gun deer hunting

season, coyote, fox, raccoon and unprotected species may be hunted without hunting hour restrictions.

(g) Leave, deposit, place or throw on the waters, ice, shores of water or upon Tribal land, any empty receptacles containing bait, fish offal, fish carcasses, and/or fish parts.

(h) Catch, kill or take frogs and turtles except by the following authorized methods: hand, dip net, hook and line, or spear.

(i) Shine while in possession of a firearm, bow or crossbow.

(j) Hunt in a party of more than ten (10) persons.

XII. Health Advisory

12-1. Fish caught in Duck Creek, ducks, geese, and other wildlife may contain PCB's. Women and children are most at risk for health defects. Detailed information is available from the Oneida Conservation Department.

XIII. Enforcement

13.1. *Fine and Penalty Schedule.* Violation of the Hunting, Fishing and Trapping law and/or rules may result in the fines/penalties as provided in the Fine and Penalty Schedule, which is incorporated into these rules as Attachment B.

13.2. *Animal Assessments.* In the event the Board finds a violation of the Hunting, Fishing and Trapping law and/or rules, in addition to imposing a fine or penalty, it may also impose a wildlife protection assessment (civil recovery value) as provided in the Animal Assessment Schedule, which is incorporated into these rules as Attachment C.

Original Effective Date: May 25, 2017.

ATTACHMENT A - LICENSE AND PERMIT SCHEDULE

License or Permit Name	Application Deadline**	Application Fee
Oneida Sportsmans License		
Adult Tribal Member	Not Applicable	\$10
Elder/Disabled Tribal Member	Not Applicable	No Charge
Youth Tribal Member	Not Applicable	\$10
Spouse or Dependent of a Tribal Member	Not Applicable	\$15
Elder Spouse or Elder Dependent of a Tribal Member	Not Applicable	\$8
Adult Descendant/Other Tribal Affiliation	Not Applicable	\$25
Elder Descendant/Other Tribal Affiliation	Not Applicable	\$13
Youth Descendant/Other Tribal Affiliation	Not Applicable	\$15
Adult Non-Tribal Member/Descendant/Other Tribal Affiliation	3rd Monday of August*	\$500
Elder Non-Tribal Member/Descendant/Other Tribal Affiliation	3rd Monday of August*	\$250
Youth Non-Tribal Member/Descendant/Other Tribal Affiliation	3rd Monday of August*	\$100
Tribal Member Ceremonial/Feast Permit		
Oneida Tribal Members Only	Not Applicable	No Charge
Disabled Permit		
Oneida Tribal Members Only	Not Applicable	No Charge
Nuisance Permit		
Oneida Tribal Members Only	Not Applicable	No Charge
Sustenance Permit		
Oneida Tribal Members Only	Not Applicable	No Charge
Deer Gun Permit		
Included in the issuance of Oneida Sportsman License	Prior to the Opening Date of the Season*	No Charge
Deer Gun Hunter's Choice Permit		
Included in the issuance of Oneida Sportsman License	Not Applicable	No Charge
Deer Bow Permit		
Included in the issuance of Oneida Sportsman License	Not Applicable	No Charge
Goose Permit		
Included in the issuance of Oneida Sportsman License	Not Applicable	No Charge
Small Game Permit		
Included in the issuance of Oneida Sportsman License	Not Applicable	No Charge
Turkey Permits		
Adult Tribal Member	Not Applicable	\$5
Elder/Disabled Tribal Member	Not Applicable	No charge
Youth Tribal Member	Not Applicable	No charge
Spouse or Dependent of a Tribal Member	Not Applicable	\$10
Elder Spouse or Elder Dependent of a Tribal Member	Not Applicable	\$5
Adult Descendant/Other Tribal Affiliation	Not Applicable	\$10
Elder Descendant/Other Tribal Affiliation	Not Applicable	\$5
Youth Descendant/Other Tribal Affiliation	Not Applicable	\$5
Adult Non-Tribal Member/Descendant/Other Tribal Affiliation	Not Applicable	\$25
Elder Non-Tribal Member/Descendant/Other Tribal Affiliation	Not Applicable	\$10
Youth Non-Tribal Member/Descendant/Other Tribal Affiliation	Not Applicable	\$10
Furbearer Permit		
Included in the issuance of Oneida Sportsman License	Not Applicable	No Charge
Dog Training Permits		
Adult Tribal Member	Not Applicable	\$20
Elder/Disabled Tribal Member	Not Applicable	\$10
Found Carcass Permits		
Oneida Tribal Members Only	Not Applicable	No Charge
* It is in the Department's full discretion whether to issue licenses and/or permits that do not comply with the required application deadlines, provided that the Department shall assess a \$10.00 late fee against all late applications, regardless of whether the license/permit is issued.		
** In all instances where an application deadline is not applicable, the license/permit may applied for up until any applicable established seasons have closed.		

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Hunting an antlered deer under a Ceremonial and/or Feast Permit	Law §406.6-2(a); Rule 4-3(d)	\$ 150	\$ 300	Y	Y
Unnamed person hunting in a Ceremonial and/or Feast Permit	Law §406.6-2(c)	\$ 150	\$ 300	N	N
Failure to notify the Department or provide at less than twenty-four (24) hour notice of the location of the Ceremonial/ Feast hunt	Law §406.6-2(d)	\$ 150	\$ 300	N	N
Provide false information to Department when applying for a license or permit	Law §406.6-4(a)	\$ 300	\$ 600	Y	N
Fail to provide relevant information to Department when applying for a license or permit	Law §406.6-4(a)	\$ 300	\$ 600	Y	N
Aid another in fraudulently securing a license or permit.	Law §406.6-4(b)	\$ 150	\$ 300	N	N
Altering or defacing a permit	Law §406.6-5	\$ 300	\$ 600	Y	N
Possession of an altered or defaced permit	Law §406.6-5	\$ 300	\$ 600	Y	N
Lend or borrow an Oneida sportsman license and/or permit	Law §406.6-5	\$ 300	\$ 600	Y	N
Failure to display disabled hunter permit sticker when or where required	Law §406.6-6	\$ 600	\$ 1,200	Y	N
Enter onto private lands and/or waters to take or retrieve wildlife without permission	Law §406.7-1(a)	\$ 150	\$ 300	N	N
Litter or leave any other waste onto the reservation's lands/waters	Law §406.7-1(b)	\$ 300	\$ 600	Y	Y
Oneida Tribal Members Only	Law §406.7-1(c)	\$ 300	\$ 600	Y	Y
Cause damage to the land or property of the Nation or Department	Law §406.7-1(c)	\$ 600	\$ 1,200	Y	Y
Carelessly waste wildlife.	Law §406.7-1(d)	\$ 300	\$ 600	Y	Y
Knowingly disturb any den, nest, lodge, hut, dam or house that wildlife builds	Law §406.7-1(e)	\$ 150	\$ 300	Y	Y
Take, pursue, injure, or harass small game while on or in its nest or den, or remove any eggs or young	Law §406.7-1(f)	\$ 150	\$ 300	Y	Y
Harvest wildlife with the aid of an explosive, poison, exploding tip or point, electrifying device or stupefying substance or agent	Law §406.7-1(g)	\$ 750	\$ 1,500	Y	Y
Take another person's wildlife without consent	Law §406.7-1(h)	\$ 300	\$ 1,500	Y	Y
Disturb (or take) another's hunting, fishing, or trapping equipment	Law §406.7-1(h)	\$ 750	\$ 1,500	Y	Y
Interfere with the lawful hunting, fishing or trapping of another	Law §406.7-1(h)	\$ 300	\$ 600	N	N
Stock or possess live wildlife without a permit	Law §406.7-1(i)	\$ 300	\$ 600	Y	Y
Introduce or release wildlife, fish eggs, or receptacles containing bait without a permit	Law §406.7-1(j)	\$ 300	\$ 600	Y	Y
Reckless use of any device (or weapon) typically used for harvesting wildlife	Law §406.7-1(k)	\$ 750	\$ 1,500	Y	Y
Shoot firearms within 100 yards of any building structure	Law §406.7-1(l)	\$ 750	\$ 1,500	Y	Y
Place or operate non-live traps within 100 yards of any building structure	Law §406.7-1(l)	\$ 300	\$ 600	Y	Y

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Sell or purchase wildlife that was harvested on the reservation	Law §406.7-1(o)	\$ 300	\$ 1,500	Y	Y
Refusal to obey a Warden's lawful order	Law §406.7-1(p)	\$ 600	\$ 1,200	Y	N
Inflict or threaten to inflict bodily harm upon a Warden	Law §406.7-1(q)	\$ 1,500	\$ 3,000	Y	Y
Failure to possess a license/permit/tag/permission to hunt, trap, or transport such wildlife	Law §406.7-2	\$ 150	\$ 300	N	N
Driver taking untagged deer killed in collision with driver's vehicle	Law §406.7-3	\$ 150	\$ 300	Y	N
Failure to possess/attach carcass tag where required	Law §406.7-4	\$ 300	\$ 600	N	N
Failure to obtain nuisance animal removal permit	Law §406.8-1	\$ 150	\$ 300	N	N
Relocate nuisance animal to Tribal lands without authorization from Department	Law §406.8-1	\$ 150	\$ 300	N	N
Relocate nuisance animal to private property without authorization from landowner	Law §406.8-1	\$ 150	\$ 300	N	N
Failure to obtain nuisance animal permit for certain nuisance endangered/threatened/protected species subject to permit	Law §406.8-2	\$ 150	\$ 300	N	N
Failure to keep/provide a record of nuisance animal permit activity	Law §406.8-2(b)	\$ 150	\$ 300	N	N
Failure to return unused nuisance animal permits and carcass tags	Law §406.8-2(c)	\$ 150	\$ 300	N	N
Failure to report taking a nuisance animal under emergency circumstances	Law §406.8-3(b)(1); Law §406.8-4	\$ 150	\$ 300	N	N
Landowner failure to satisfy requirements allowing agent assignment	Law §406.8-4(a)	\$ 150	\$ 300	N	N
Failure to follow Department removal limitations	Law §406.8-4(b)	\$ 150	\$ 300	N	N
Landowner or lessee charging any fee	Law §406.8-4(c)	\$ 150	\$ 300	N	N
Landowner or lessee refusal to allow warden access to premises where removal is conducted	Law §406.8-6	\$ 150	\$ 300	N	N
Landowner or lessee refusal to provide warden information regarding removal	Law §406.8-6	\$ 150	\$ 300	N	N
Retain more than one (1) deer pursuant to a nuisance animal permit	Law §406.8-7(a)	\$ 300	\$ 600	Y	Y
Failure to obtain permit to retain nuisance or sell nuisance wildlife	Law §406.8-7(b)	\$ 300	\$ 600	Y	Y
Failure to obtain license/permit to commercialize in, sell, trade, ship or transport any wildlife	Law §406.8-7(c)	\$ 500	\$ 1,000	Y	Y
Hunt using any weapon other than an authorized firearm, air rifle, bow or crossbow	Law §406.9-1(a)	\$ 600	\$ 1,200	Y	N
Discharge a firearm/air rifle/bow/ crossbow into reservation lakes, reservoirs, or any area designated for public use	Law §406.9-1(b)(1)	\$ 750	\$ 1,500	Y	N
Discharge a firearm/air rifle/bow/crossbow across a roadway.	Law §406.9-1(b)(2)	\$ 300	\$ 600	N	N
Discharge a firearm/air rifle/bow/ crossbow within one hundred (100) yards of any structure	Law §406.9-1(b)(3)	\$ 300	\$ 600	N	N

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Transport any loaded firearm/air rifle/cocked bow/crossbow in a vehicle	Law §406.9-1(c)	\$ 300	\$ 600	N	N
Hunting with the use of aircraft	Law §406.9-2(a)	\$ 500	\$ 1,000	N	N
Hunt within fifty (50) feet of the center of a paved road	Law §406.9-2(b)	\$ 300	\$ 600	N	N
Unlawfully hunting/shooting from a vehicle	Law §406.9-2(c)	\$ 750	\$ 1,000	N	N
Hunt while under the influence of alcohol or controlled substance	Law §406.9-2(d)	\$ 750	\$ 1,500	N	N
Hunt with the aid of artificial light	Law §406.9-2(e)	\$ 300	\$ 600	N	N
Shining during prohibited times	Law §406.9-2(f)	\$ 300	\$ 1,500	N	N
Hunt in a party of more than ten (10) persons	Law §406.9-2(g)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting any firearm for which the possession is unlawful	Law §406.9-2(h)(1)	\$ 600	\$ 1,200	Y	N
Hunt with, or possess while hunting slugs (except for during deer firearm season)	Law §406.9-2(h)(2)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting a handgun unlawful barrel length	Law §406.9-2(h)(3)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting a concealed handgun without a valid permit	Law §406.9-2(h)(4)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting a unlawful shotgun/unlawful shotgun barrel length	Law §406.9-2(h)(5)(A)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting a rifle that has a barrel length of less than sixteen (16) inches or an overall length of less than twenty-six (26) inches without a valid federal permit.	Law §406.9-2(h)(5)(B)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting a fully-automatic firearm	Law §406.9-2(h)(5)(C)	\$ 300	\$ 600	N	N
Hunt with, or possess while hunting muffler/silencer	Law §406.9-2(h)(5)(D)	\$ 300	\$ 600	N	N
Failure to report/render aid for hunting accident	Law §406.9-3	\$ 1,500	\$ 3,000	Y	Y
Failure of designated hunter to deliver harvested wildlife to permittee	Law §406.9-4(c)	\$ 300	\$ 600	Y	Y
Knowingly allowing a person aged fourteen (14) or younger to hunt without being accompanied by an required adult,/mentor (cite adult/mentor; minor without licene may be cited under Rule 3-1)	Law §406.9-5(a), (b) or (c)	\$ 500	\$ 1,000	Y	N
Minor hunting without being properly accompanied by adult/mentor (cite adult/mentor)	Law §406.9-5(a) or (b)	\$ 300	\$ 600	Y	N
Failure of adult accompanying a youth hunter to remain withing voice/sight contact	Law §406.9-5(a)	\$ 300	\$ 600	Y	N
Minor under ten (10) years old in possession of a weapon	Law §406.9-5(c)	\$ 300	\$ 600	Y	N
Failure to follow the youth mentor requirements when acting as a mentor	Law §406.9-5(d) or (e)	\$ 300	\$ 600	Y	N
Failure to maintain required contact with the member of the hunting party for whom a deer was harvested	Law §406.9-6(a)	\$ 300	\$ 600	N	N
Failure to tag deer before field dressing/moving/ leaving unattended	Law §406.9-6(c)	\$ 150	\$ 300	N	N
Hunting, fishing or trapping within the exterior boundaries of the reservation, without a valid Oneida sportsman license/permit in possession	Rule 3-1	\$ 750	\$ 1,500	Y	N

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Possess Oneida Sportsmans license and hunt with state license within the Reservation	Rule 3-2	\$ 300	\$ 600	Y	Y
Violate Ceremonial and/or Fest Permit requirement	Rule 4-3(b); Law 406.6-2(a)	\$ 150	\$ 300	N	N
Violate Disabled Permit requirement	Rule 4-4	\$ 150	\$ 300	N	N
Violate Nuisance Animal Removal permit	Rule 4-5	\$ 150	\$ 300	N	N
Violate condition of Nuisance Deer Removal Permit	Rule 4-5(b)	\$ 150	\$ 300	N	N
Violate condition of Nuisance Canadian Geese Removal Permit	Rule 4-5(c)	\$ 150	\$ 300	N	N
Violate condition of Sustenance Permit	Rule 4-6	\$ 150	\$ 300	N	N
Violate Deer Permit firearm restriction	Rule 4-7(a)(1)	\$ 300	\$ 600	N	N
Violate deer archery regulations	Rule 4-7(a)(2)	\$ 300	\$ 600	N	N
Harvest deer with a firearm during an archery season	Rule 4-7(a)(2)(C)	\$ 750	\$ 1,500	Y	N
Possess firearm while hunting deer during archery season	Rule 4-7(a)(2)(D)	\$ 300	\$ 600	N	N
Violate blaze orange requirement	Rule 4-7(a)(4)	\$ 300	\$ 600	N	N
Huting deer with the aid of a dog	Rule 4-7(a)(5)	\$ 150	\$ 300	N	N
Failure to attach/retain carcass tag/information	Rule 4-7(a)(6)	\$ 75	\$ 150	N	N
Designated hunter exceeding deer allowance	Rule 4-7(a)(7)	\$ 300	\$ 600	N	N
Failure to comply with deer registration requirement- deer harvested by firearm	Rule 4-7(a)(8)(a)	\$ 75	\$ 150	N	N
Failure to comply with deer registration requirement- harvested by bow and arrow/ cross bow/muzzleloader	Rule 4-7(a)(8)(b)	\$ 75	\$ 150	N	N
Take/pursue/Injure/Harass small game in nest/den or remove eggs/young	Rule 4-8	\$ 300	\$ 600	Y	N
Hunt small game birds with anything other than an air rifle/shotgun/bow and arrow	Rule 4-8(a)	\$ 75	\$ 150	N	N
Violate small game firearm restriction	Rule 4-8(a)(1)	\$ 300	\$ 600	N	N
Violate small game bow and arrow restriction	Rule 4-8(a)(2)	\$ 300	\$ 600	N	N
Hunt turkey out of season	Rule 4-9	\$ 150	\$ 300	N	N
Hunt turkey without a permit	Rule 4-9	\$ 150	\$ 300	N	N
Possess live waterfowl	Rule 4-10	\$ 150	\$ 300	N	N
Take waterfowl with a trap, net and/or fishhook	Rule 4-10(a)	\$ 150	\$ 300	N	N
Violate waterfowl firearm restriction	Rule 4-10(a)(1)	\$ 150	\$ 300	N	N
Violate waterfowl bow and arrow restrictions	Rule 4-10(a)(2)	\$ 150	\$ 300	N	N
Use electronic call to hunt waterfowl	Rule 4-10(a)(3)	\$ 150	\$ 300	N	N
Drive/rally/chase waterfowl with motorized conveyance	Rule 4-10(a)(4)	\$ 150	\$ 300	N	N
Place decoy in water more than one (1) hour before opening of hunt	Rule 4-10(a)6(A)	\$ 75	\$ 150	N	N
Leave decoys in water more than twenty (20) minutes after close of hunt	Rule 4-10(a)6(B)	\$ 75	\$ 150	N	N
Establish waterfowl hunting blind seven (7) days prior to or after the season	Rule 4-10(b)	\$ 75	\$ 150	N	N

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Hunt waterfowl in open water	Rule 4-10(c)	\$ 75	\$ 150	N	N
Hunt waterfowl from moving motorboat	Rule 4-10(c)	\$ 75	\$ 150	N	N
Exceed trap/snare limit	Rule 4-11	\$ 75	\$ 150	N	N
Trap with prohibited trap/snare	Rule 4-11(a)	\$ 150	\$ 300	N	N
Trap with any leg hold dry set trap larger than a number four (4)	Rule 4-11(a)(1)	\$ 150	\$ 300	N	N
Trap with any leg hold dry set trap larger than a number five (5)	Rule 4-11(a)(2)	\$ 150	\$ 300	N	N
Trap within twenty-five (25) feet of sight-exposed bait	Rule 4-11(a)(3)	\$ 150	\$ 300	N	N
Violate trap/snare marking requirement	Rule 4-11(a)(4)	\$ 150	\$ 300	N	N
Take mink or muskrat by means other than trapping/snaring	Rule 4-11(a)(5)	\$ 150	\$ 300	N	N
Use trap to take wildlife not specified as furbearers	Rule 4-11(a)(6)	\$ 150	\$ 300	N	N
Possess unauthorized trap/snare	Rule 4-11(a)(7)	\$ 150	\$ 300	N	N
Violate small game firearm restriction	Rule 4-11(a)(8)	\$ 150	\$ 300	N	N
Violate small game bow and arrow restriction	Rule 4-11(a)(9)(A)	\$ 150	\$ 300	N	N
Violate set and placement restriction when furbearer trapping	Rule 4-11(b)	\$ 150	\$ 300	N	N
Fail to tend trap as required	Rule 4-11(c)	\$ 150	\$ 300	N	N
Illegal use of dog to hunt	Rule 4-11(d)	\$ 150	\$ 300	N	N
Hunting from a motor vehicle without permission	Rule 4-11(e)	\$ 150	\$ 300	N	N
Violate Dog Training Permit requirement	Rule 4-12	\$ 150	\$ 300	N	N
Erect permanent tree stand on land owned by the Nation	Rule 5-1	\$ 150	\$ 300	N	N
Failure to mark tree stand as required	Rule 5-3	\$ 150	\$ 300	N	N
Failure to mark blind as required	Rule 6-1	\$ 150	\$ 300	N	N
Failure to have 360 degrees of visible blaze orange on the blind when occupied during the deer gun/muzzleloading season	Rule 6-2	\$ 150	\$ 300	N	N
Hunting with/over prohibited bait material	Rule 7-1(a)	\$ 150	\$ 300	N	N
Take/Kill endangered/threatened/protected species	Rule 8-1	\$ 600	\$ 1,200	N	N
Damage/Tamper with nest/egg of endangered/threatened/protected species	Rule 8-1	\$ 600	\$ 1,200	N	N
Failure to tag carcass as required	Rule 9-1	\$ 150	\$ 300	N	N
Violate wildlife registration requirement	Rule 9-2	\$ 150	\$ 300	N	N
Violate wildlife transportation requirement	Rule 9-3	\$ 150	\$ 300	N	N
Leaving fishing line unattended	Rule 10-8	\$ 75	\$ 150	N	N
Fish during closed season	Rule 10-1	\$ 75	\$ 150	N	N
Discharge of a firearm into water	Rule 10-4	\$ 150	\$ 300	N	N
Using ice fishing hole larger than ten inches (10")	Rule 10-7	\$ 150	\$ 300	N	N
Minor hunting with a handgun without required adult supervision	Rule 11-1(a)	\$ 600	\$ 1,200	Y	N
Responsible adult knowingly allowing minor to hunt without supervision	Rule 11-1(a)	\$ 600	\$ 1,200	Y	N

ATTACHMENT B - FINE AND PENALTY SCHEDULE

Violation	Reference	Fine		Other	
		1st Violation	Subsequent Violation	Must Appear	Restitution Possible
Exceed bag/possession limit/size limit	Rule 11-1(c)	\$ 300	\$ 600	Y	Y
Possess live wildlife without required authorization	Rule 11-1(d)	\$ 300	\$ 600	N	N
Hunt species for which hunting season not established	Rule 11-1(e)	\$ 600	\$ 1,200	Y	Y
Hunt wildlife in a refuge	Rule 11-1(e)	\$ 600	\$ 1,200	Y	Y
Fish/trap/hunt small game/furbearers/waterfowl during closed season	Rule 11-1(e)	\$ 300	\$ 600	N	N
Hunt deer during closed season	Rule 11-1(e)	\$ 1,500	\$ 3,000	Y	Y
Hunt before or after hours	Rule 11-1(f)	\$ 300	\$ 600	N	N
Leave or deposit trash or fish parts on lands/shores of Oneida Tribal waters, and waters	Rule 11-1(g)	\$ 150	\$ 300	N	N
Empty receptacles containing bait into reservation waters	Rule 11-1(g)	\$ 150	\$ 300	N	N
Shoot frogs and turtles with a firearm/bow/crossbow	Rule 11-1(h)	\$ 300	\$ 600	Y	Y
Shining while in possession of a firearm/bow/crossbow	Rule 11-1(i)	\$ 300	\$ 600	N	N
Hunting party larger than ten (10) people (fine for each member within the group)	Rule 11-1(j)	\$ 150	\$ 300	N	N
Damaging property/agricultural crops/restoration areas	Rule 11-1(j)	\$ 600	\$ 1,200	Y	Y
Penalties	Reference	1st Violation		Subsequent Violation	
Any named violation contined in this attachment may subject the violator to license and/or permit suspension, revokation and/or future ineligibility	Law §406.10-2	For a period not to exceed one (1) year.		For a period not to exceed two (2) years with a reinstatement fee of \$75.	
For each named potential violation contained in this attachment, it is in the Oneida Conservation Wardens and/or the Oneida Police Officers full discretion to confiscate any equipment and/or wildlife with the return of the same at the discretion of ERB	Law §406.10-3	N/A		N/A	
For each named potential violation contained in this attachment, it is in the Environmental Resource Board's full discretion to order restitution. Restitution may be appropriate for damages, injury, or in other circumstances.		N/A		N/A	

ATTACHMENT C - WILDLIFE ASSESSMENT SCHEDULE

Wildlife	Civil Assessment
Any Endangered or Threatened Species	\$ 900
Moose, Fisher, or Sandhill Crane	\$ 300
Bear, Cougar or Timberwolf	\$ 400
Wild Turkey or Wild Swan	\$ 200
Coyote, Raccoon or Mink	\$ 60
Deer	\$ 400
Ruffed Grouse, Spruce Hen, Wild Duck, Coot, or Wild Goose	\$ 50
Pheasant, Hungarian Partridge, Quail, Rail, Wilson's Snipe, Woodcock or Shorebirds, or Songbird	\$ 50
Muskrat, Rabbit or Squirrel	\$ 20
Muskellunge or Lake Sturgeon	\$ 60
Largemouth or Smallmouth Bass	\$ 40
Brook, Rainbow, Brown or Steelhead Trout	\$ 40
Oneida Tribal Members Only	\$ 20
All Other Wildlife	\$ 20