

GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION

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• MEMBER TRIBES •

MICHIGAN

Bay Mills Community
Keweenaw Bay Community
Lac Vieux Desert Band

WISCONSIN

Bad River Band
Lac Courte Oreilles Band
Lac du Flambeau Band

MINNESOTA

Fond du Lac Band
Mille Lacs Band

REGULATORY SUMMARY –TRIBAL NIGHT HUNTING IN THE WISCONSIN CEDED TERRITORY

- I. SEASON DATES. The Tribal Night Hunting season begins on November 1. The Season runs through the first Monday in January, with a break during Wisconsin's nine-day gun season.
- II. HUNTING HOURS. Night time hunting hours are one hour after sunset to one hour before sunrise.
 - A. If a member is occupying a night hunting location outside of nighttime hunting hours, the member may not:
 - a. Possess a loaded firearm,
 - b. Have a bolt in a crossbow, or
 - c. Possess a bow with a notched arrow.
- III. ELIGIBILITY TO RECEIVE A NIGHT HUNTING PERMIT
 - A. Tribal member. Must be a member of a Tribe that has duly enacted the Night Hunting Regulation.
 - B. Age requirement. Must be 16 years of age, or
 - a. If under 16 years of age, parental supervision or supervision by an adult member designated by a parent or guardian is required in accordance with the tribal mentored hunting regulations.
 - b. Only adults who are tribal members may serve as mentors.
 - c. For mentored hunting, both the mentor and the mentored hunter are required to have successfully completed an advanced hunter safety course and passed a marksmanship proficiency test using the type of bow, crossbow or firearm they will use for the mentored hunt.
 - d. Only the mentor will possess the night hunting permit. Either the mentor, the mentored hunter, or both, may possess deer carcass tags.
 - C. Hunter Education. If you were born after January 1, 1977, you must have completed a hunter education course unless you are mentored hunter (see B, above).
 - D. Advanced Hunter Safety/Marksmanship Training Course Required. Prior to receiving a night hunting permit, a member must successfully complete an advanced hunter safety course and pass a marksmanship proficiency test offered by a qualified instructor. A certificate will be issued to the member when both the course and the test (see a., below) have been successfully completed. Members who completed the advanced hunter safety course and passed the marksmanship proficiency test in 2013 are required to requalify.
 - a. Nighttime Marksmanship Proficiency Requirement. To receive the required marksmanship certification, the certification shoot must take place at night with a minimum score of 80% or better (8 out of 10 shots) within the six and one-quarter

inch inner circle of an NRA certified target from a distance of 100 yards. The shoot must be completed with, and the night hunting permit will only apply to, the same make, model and caliber of firearm, or make and model of bow or crossbow, as the member intends to use to hunt at night.

- E. Completion of a valid Tribal Night Hunting Shooting Plan (Example Shooting Plan attached). The member must visit the area in which they plan to hunt during the day between the day after Labor Day and the close of the regular tribal deer season. Members must complete, sign and submit a Shooting Plan before a night hunting permit shall be issued. In some cases, these Plans must be inspected and preapproved by a GLIFWC or tribal conservation warden (see section F, below). Each Shooting Plan must show the shooting location and the following items must be clearly marked:
- a. The shooter's "safe zone of fire" and "intended direction of fire" (maximum shooting distance of 100 yards and maximum range of 180 degrees);
 - b. Member's stationary position;
 - c. The "adequate backstop" (earthen terrain that will stop discharged projectiles under hunting circumstances, considering a reasonable margin of error). The maximum distance that an adequate backstop should be from the member's established stationary position at night is 125 yards.
 - d. Any of the following that appear within $\frac{1}{4}$ of a mile:
 - i. The grounds of a school, plus 1,000 feet in all directions;
 - ii. School forest, public landfill, or public gravel pits where hunting is prohibited and where notice of the prohibition is clearly posted;
 - iii. Road;
 - iv. Residence, building or dwelling;
 - v. Designated public campgrounds, public beaches, or public picnic area;
 - vi. Lake or waterbody;
 - vii. ATV trail, snowmobile trail, or other designated trails (such as hiking, biking, or cross country ski trail);
 - viii. Open area;
 - ix. Private property;
 - x. All closed portions of state parks as described in the *Tribal State Park Hunting Opportunities in the Wisconsin portion of the 1837 and 1842 Ceded Territories* document;
 - xi. Another tribal shooting plan area;
 - xii. Any other area as determined by the tribal conservation department.
- F. Inspection and Preapproval of the Shooting Plan Site Required – Disabled, Elevated (if intending to shoot greater than 50 yards in distance), Stationary Vehicle or Ground Stand. If the member will be shooting from the ground, will be hunting at night using a disabled hunter permit, or will be shooting more than 50 yards from an elevated position, that member must have his or her Shooting Plan inspected and approved by a Commission warden or by the tribal conservation department.
- a. Hunters requiring preapproval should visit his or her intended site, design a Shooting Plan and bring it to the Tribal Registration Station. Registration station staff will contact a warden to conduct a site visit.
 - b. Commission wardens or tribal conservation departments will ensure that all of the requirements listed in d. above are correct, and will ensure there are no more than two shooting plans filed per 40 acres or 220 yard radius (density determination).

- G. Shooting Plan Approval. A Commission warden or the tribal conservation department will approve and sign a Shooting Plan as compliant *if*, upon inspection, he or she verifies that:
 - a. There are no locations (listed in (d) above) within the section clearly marked as the “safe zone of fire” and “intended direction of fire”; or
 - b. There are locations (listed in (d) above) within the “safe zone of fire” within ¼ mile of the “intended direction of fire” *and* there is an adequate backstop present between the marked “safe zone of fire” and the location (listed in (d) above); and
 - c. There is no more than one other shooting plan within 40 acres or a 220 yard radius.
- H. Preapproval Not Required. A Shooting Plan does not require inspection and preapproval from a Commission warden or tribal conservation department if the member will be shooting from a position elevated at least ten feet off the ground, and will be shooting 50 yards or less in distance. All other requirements of Section E, above, related to the content of a Shooting Plan, must be met. The density requirements must also be met.
- I. Disabled Permit. A member hunting with a disabled permit may only have one valid Shooting Plan at a time.
- J. Limit One Person Per Shooting Plan. A Shooting Plan is only valid for one person at a time. If another person wants to use a site where there is an active Shooting Plan, the first Shooting Plan must be withdrawn and a Shooting Plan, listing the other person, submitted and approved.
- K. False or Misleading Information on the Shooting Plan. If false or misleading information is provided on the Shooting Plan, the member can be refused a night hunting permit for the duration of the season.

IV. TO APPLY FOR A NIGHT HUNTING PERMIT

- A. Ground, Disabled, and Elevated shooting greater than 50 yards in distance. Bring your tribal photo ID, Advanced Hunter Safety and Marksmanship Proficiency certificate, and Shooting Plan to the registration station. The Registration Station will alert a warden for inspection of the site and a determination as to whether the Shooting Plan can be approved. Upon validation that the documents are complete and the site is approved by a warden or conservation department, the clerk can issue a night hunting permit.
- B. Elevated, shooting no more than 50 yards. Bring your tribal photo ID, Advanced Hunter Safety and Marksmanship Proficiency certificate, and Shooting Plan to your registration station. Upon validation that all documents are complete, the clerk will transmit the Shooting Plan to the Commission for validation that there are no more than 2 Shooting Plans per 40 acre or 220 yard radius. Issuance of a night hunting permit may take several days if there are other Shooting Plans in the area. Even if there are no other Shooting Plans nearby, one business day will be required to perform the density determination.

V. NIGHT HUNTING REGULATIONS

- A. Safe Zone of Fire. Member must harvest within the “safe zone of fire” designated in the Shooting Plan.
 - a. A member may only dispatch a wounded deer with a firearm when the member and the deer are within the “safe zone of fire,” and the dispatching shot is in the “intended direction of fire” established in the member’s shooting plan.

- b. If the wounded animal is not within the safe zone of fire or cannot be dispatched in the intended direction of fire, the member may dispatch the wounded animal by other means (such as a knife).
 - c. If the wounded animal is not within the safe zone of fire or cannot be dispatched in the intended direction of fire, and the member has no means other than a firearm with which to dispatch the deer, the member must wait until daytime hunting hours to use the firearm to dispatch the wounded deer.
- B. Stationary Position. Members must shoot from the stationary position marked on the Shooting Plan.
- C. Maximum Distance to Target.
- a. Firearms *with* a preapproved Shooting Plan -- 100 Yards.
 - 1. For members hunting from a ground position.
 - 2. For members hunting from an elevated position.
 - 3. For members hunting with a valid disabled hunting permit.
 - b. Firearms *without* a preapproved Shooting Plan -- 50 Yards.
 - 1. For members hunting from an elevated position.
 - c. Bows and Crossbows -- 30 yards.
 - 1. For members hunting with a bow or crossbow whether elevated or not.
 - d. Buckshot – Variable.
 - 1. For members certified to hunt with buckshot, the maximum distance is the distance at which they qualified during the marksmanship proficiency test. If shooting from more than 50 yards, Shooting Plan inspection and preapproval is required.
- D. Elevated Positions. Elevated stands, as indication on the Shooting Plan, must be at least ten feet off the ground.
- E. Light Required. A light is required for night hunting, and should be a white light.
- a. The light does not need to be hand held, but may be a helmet light or attached to the firearm.
 - b. Unless the member arrives at the specified location during daylight hours and remains there, the member must use a light to illuminate the safe zone of fire and adequate backstop area prior to hunting.
- F. Restrictions.
- a. A member may **only** hunt with the weapon with which he/she passed the marksmanship proficiency test.
 - b. A member may **only** use soft or expanding types of bullets.
 - c. A member may **not** hunt under the influence of an intoxicant or controlled substance to a degree that the member is incapable of safely using the weapon, or while a member has a blood alcohol concentration of .08 grams of alcohol per 100 milliliters of a person's blood or .08 grams or more of alcohol per 210 liters of a person's breath.
 - d. Absolute sobriety is required for members under the age of 21.
 - e. When two members are present, **only** the member listed on the Shooting Plan may be in possession of a weapon.
 - f. **Tribal conservation departments may impose additional permit conditions or restrictions.**
- G. Allowances.
- a. A member is allowed to use electronic or other calling techniques.

- b. A member is allowed to use bait. See Off Reservation Conservation Code § 3.21(4).
- c. A member is allowed to use infrared, night vision, or thermal imaging equipment for identification purposes, but not for sighting.
- d. A member may use a spotter.
 - 1. A spotter may be a non-member eligible to assist under Section 3.30(3) of the Model Off-Reservation Conservation Code.
 - 2. The spotter may shine the light within the safe zone of fire.