

**MESCALERO APACHE TRIBE  
MESCALERO, NEW MEXICO**

**ORDINANCE 22-02**

**WHEREAS**, the Mescalero Apache Tribe, an Indian Tribe organized under the Indian Reorganization Act of June 18, 1934 (25 U.S.C. §5123) and under its Revised Constitution has full power and authority to act for the Tribe; and

**WHEREAS**, the Mescalero Apache Tribal Council has the power to protect and preserve the property, wildlife and natural resources of the Tribe pursuant to Article XI, Section 1(c) of the Revised Constitution; and

**WHEREAS**, the Mescalero Apache Tribal Code provides that an Annual Proclamation governing hunting and fishing on the Mescalero Apache Reservation be enacted, pursuant to Chapter 15, Section 1 of said Code; and

**WHEREAS**, the Mescalero Apache Tribal Council wishes to enact the following Annual Proclamation, which includes Tribal member hunting regulations, establishment of seasons, bag limits, licensing provisions, and fees, a copy of which is attached hereto as Exhibit "A."

**NOW, THEREFORE, BE IT ORDAINED** that the following Annual Proclamation, which contains Tribal member hunting regulations, establishment of seasons, bag limits, licensing provisions, and fees, a copy of which is attached hereto as Exhibit "A," be and hereby is adopted for the 2022-2023 hunting season.

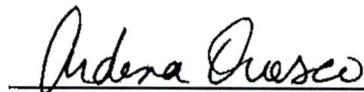
**ORDINANCE 22-02**

**CERTIFICATION**

The foregoing enactment of the Mescalero Apache Tribal Council is duly adopted and approved on the 14<sup>th</sup> day of February 2022, at a legally called session of the Mescalero Apache Tribal Council, by a vote of 8 in favor, 0 opposed, 0 abstained and 0 absent at which a quorum was present and at which a majority of the members voted in favor thereof. This enactment is approved by the President of the Mescalero Apache Tribe under authority of Article XII, Section 1, of the Revised Constitution.



Eddie Martinez, President



Ardena Orosco, Secretary

**MESCALERO APACHE TRIBE  
MESCALERO, NEW MEXICO**

**ORDINANCE 22-03**

**WHEREAS**, the Mescalero Apache Tribe, an Indian Tribe organized under the Indian Reorganization Act of June 18, 1934 (25 U.S.C. §5123) and under its Revised Constitution has full power and authority to act for the Tribe; and

**WHEREAS**, the Mescalero Apache Tribal Council has the power to protect and preserve the property, wildlife and natural resources of the Tribe pursuant to Article XI, Section 1(c) of the Revised Constitution; and

**WHEREAS**, the Mescalero Apache Tribal Code provides that an Annual Proclamation governing hunting and fishing on the Mescalero Apache Reservation be enacted, pursuant to Chapter 15, Section 1 of said Code; and

**WHEREAS**, the Mescalero Apache Tribal Council enacted an Annual Proclamation via Ordinance 22-02 governing Tribal Member hunting; and

**WHEREAS**, the Mescalero Apache Tribe wishes to revise the Annual Proclamation to require that an intermediate family member, who is enrolled with the Mescalero Apache Tribe, accompanies each Tribal Affiliate, who is allowed to hunt under a Tribal member permit, at all times; and intermediate family member includes a person related by blood or marriage who is a parent, grandparent, sister, brother, half-sister, half-brother, aunt, uncle, grandchild, or cousin to the first degree; and

**WHEREAS**, the Mescalero Apache Tribal Council believes this revision is in the best interests of the Mescalero Apache Tribe.

**NOW, THEREFORE, BE IT ORDAINED** that the Annual Proclamation is hereby revised to require that an intermediate family member, who is enrolled with the Mescalero Apache Tribe, accompanies each Tribal Affiliate, who is allowed to hunt under a Tribal Member permit, at all times.

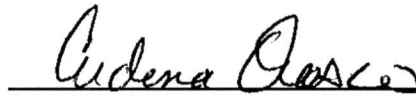
**ORDINANCE 22-03**

**CERTIFICATION**

The foregoing enactment of the Mescalero Apache Tribal Council is duly adopted and approved on the 3<sup>rd</sup> day of March 2022, at a legally called session of the Mescalero Apache Tribal Council, by a vote of 3 in favor, 0 opposed, 4 abstained and 1 absent at which a quorum was present and at which a majority of the members voted in favor thereof. This enactment is approved by the President of the Mescalero Apache Tribe under authority of Article XII, Section 1, of the Revised Constitution.



**Eddie Martinez, President**



**Ardena Orosco, Secretary**



**MESCALERO APACHE TRIBE**  
**Tribal Members**  
**Big Game Hunting Season**  
**2022**

- I. Permits for legal big game species must be obtained from the Mescalero Conservation Department prior to hunting.
- II. All hunters must have in their possession a valid tribal hunting permit, which shall be properly affix to the game species immediately after the harvest.
- III. All harvest and the location of the harvest(s) must be reported to the Mescalero Conservation Department in person or by phone within 48 hours of the harvest. A report of No harvest must also be reported within 48 hours of the last day of the hunt. The information obtained is reported to the Wildlife Biologist and used for management purposes. **Drawn hunters that do not report harvests within 48 hours will not be considered for the draw for an additional three years, for a total of six (6) consecutive years for the deer hunt.**
- IV. All hunters are helping wildlife resources on the Mescalero Apache Reservation by purchasing a permit. \$10.00 per application will be contributed toward wildlife and habitat enhancement, salt, and water development.
- V. **Special Regulations regarding Affiliates – see page 3.**
- VI. **Non-tribal member tribal employees, purchasing Game Bird Permits, must abide by these rules and regulations as well. They must also show respect for tribal traditions and customs as well as tribal and federal laws. It is a privilege for non-tribal member employees to hunt on the Mescalero Apache Reservation and therefore only one offense will be tolerated by non-tribal member employees thereafter suspension of this privilege will be indefinite. (Federal Employees are not eligible)**
- VII. In order the preserve the natural beauty of the Mescalero Apache Reservation, **PLEASE DO NOT LITTER!**
- VIII. Tribal member active-duty military on leave during scheduled hunts may be granted a special permit for one cow elk and two turkeys at no cost (See page 9).
- IX. Requests for ceremonial permits shall be in writing and addressed to the Tribal Cultural Affairs Sub-Committee of the Mescalero Apache Tribal Council for approval. Request should be made by December 31, 2022 for Ceremony held the following year. Approved requests will then be forwarded to the Mescalero Conservation Department. The Conservation Department will harvest the requested deer.
- X. Only one permit per Tribal member, permits are non-refundable, except where

specified, and non-transferable. Permits are for hunt dates only.

- XI. All permits will be available for pick up at the Conservation Department one (1) day before specified hunt dates.
- XII. Hunting is prohibited on Tribal Recreational areas to include on the grounds of the Inn of the Mountain Gods (see Mescalero Tribal Code 15-8-3 Prohibited Activities (F)).

**Special Regulations – Affiliates**

Affiliates who have a spouse who is unable to accompany them due to illness, handicap, or other health related incapability will be allowed to hunt for their spouse for the duration of the annual hunts on the Mescalero Apache Reservation without the presence of the spouse, **but an enrolled tribal family member will need to be present at ALL TIMES with the affiliate during the hunt:**

- Provided the affiliate can show proof of marriage and has not violated the trust of the tribe in the past that would jeopardize his/her eligibility for a permit.
- Provided also, that the affiliate promises by signature below agrees to not violate any laws of any kind while in the woodland areas of the Mescalero Apache Reservation.

**\*\*\* Tribal hunts are for tribal members only. Affiliates can accompany their spouse during the tribal hunts but their husband/wife has to be with them at all times. A marriage certificate does need to be on file at the Conservation Office. \*\*\***

**Any affiliated person who is cited for any violation will be dealt with in the following manner:**

**First Offense: Cited, confiscation of firearm(s), game if harvested, and suspension of privileges for five (5) years.**

**Second Offense: Recommendation to the Tribal Council for Permanent Suspension of Privileges.**

**Notice: All permits are non-refundable and non-transferable, unless otherwise stated.**

**All permits are for hunt dates only; no extensions will be permitted.**

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**I have read and understand the above special regulations and by signature will comply.**

\_\_\_\_\_  
Tribal Member

\_\_\_\_\_  
Date

\_\_\_\_\_  
Affiliate Spouse

\_\_\_\_\_  
Date

**MESCALERO APACHE TRIBE**  
**Tribal Members and Affiliates**  
**Big Game Hunting Season**  
**2022**

**FERAL PIG**

**Tribal Members**

SEASON DATES: January 1, 2022 – December 31, 2022  
PERMIT COST: No Cost  
NUMBER OF PERMITS: One (1) permit per applicant  
LEGAL ANIMAL: Unlimited, either sex  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1  
**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate. Under 17 years of age requires adult supervision at all times. Spotlighting is prohibited.**

**MOUNTAIN LION**

**Tribal Members Only**

SEASON DATES: January 1, 2022 – December 31, 2022  
PERMIT COST: No Cost  
NUMBER OF PERMITS: One (1) permit per applicant  
LEGAL ANIMAL: Unlimited, either sex  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1  
**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times. Once a mountain lion is harvested it needs to be brought to the Conservation Office so a DNA sample and pre-molar tooth can be collected.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**



**SPRING GOBBLER**

**Tribal Members**

SEASON DATES: First Hunt: April 30-May 4, 2022  
Second Hunt: May 7-May 11, 2022

PERMIT COST: \$25.00

NUMBER OF PERMITS: Fifteen (15) per hunt, issued on a first come first served basis for a total of thirty (30) permits.

LEGAL ANIMAL: One (1) gobbler turkey with a visible beard

METHOD: Rifle, Archery or Non-Toxic Shotgun Shot

OPEN AREA: Reservation Wide

APPLICATION FEE: \$10.00 – See IV on page 1

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times. Hunts may be canceled if extreme fire conditions exist and the reservation is in a Class 5 Fire Restriction. Tribal members can participate in both hunts if desired.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**GAME BIRDS**

**Tribal Members/Affiliates**

**Non-Tribal Member Tribal Employees**

SEASON DATES: September 1, 2022 – November 1, 2022

PERMIT COST: \$10.00 – Tribal Members/Affiliates  
\$20.00 – Non-Tribal Member Tribal Employees

NUMBER OF PERMITS: Twenty-five (25)

LEGAL ANIMAL: All game birds (dove, quail and pigeon species) found on the reservation, excluding the Montezuma (aka Harlequin) quail, wild turkey, waterfowl and eagles. Ten (10) per day, twenty (20) in possession after first day.

METHOD: Non-Toxic Shotgun Shot Only

OPEN AREA: Reservation Wide

APPLICATION FEE: \$10.00 – See IV on page 1

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times.**

**Affiliates: See special regulations on page 3 of this hunt proclamation.**

**GAME BIRDS (Continued)**

**Tribal Members/Affiliates**

**Non-Tribal Member Tribal Employees**

**Non-Tribal Member Employees: Only non-tribal member tribal employees of the Mescalero Apache Tribe permanently employed full-time within the past six (6) months within the exterior boundary of the Mescalero Apache Reservation are eligible. (*Federal Employees are not eligible*) See page 1 –VI.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**BULL ELK-MANAGEMENT FEAK BULL AND 5X5 (or less) OR NON-INFERIOR BULLS (OLD)**

**Tribal Members Only**

SEASON DATES: October 1 – 16, 2022  
PERMIT COST: \$300.00  
NUMBER OF PERMITS: Twenty (20) issued by drawing  
LEGAL ANIMAL: One (1) bull freak, 5X5, or Non-Inferior Bull (Old Bull)-  
Management Bull Only  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1

**APPLICATION DEADLINE: September 15, 2022**

**DRAWING DATE: September 16, 2022**

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate. Under 17 years of age requires adult supervision at all times. A three (3) year eligibility restriction is in effect for the bull elk hunt. Only one (1) permit per (household). Payment will be made at time of application, No Exceptions.**

**15-8-3 Prohibited Activities, (F) Reckless Discharge of a Firearm.** It is a violation of this Code for any person, except tribal or federal law enforcement officers pursuant to the lawful discharge of their duties, to intentionally or recklessly discharge a firearm within 1/4 mile of any residence, or within 1/2 mile of a campground or recreation area.

**Affiliates: NO HUNT**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**TURKEY**

**Tribal Members**

SEASON DATES: November 1 – November 30, 2022  
PERMIT COST: \$10.00  
NUMBER OF PERMITS: One (1) permit per household  
LEGAL ANIMAL: Two (2) turkeys, gobbler or hen  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – see IV on page 1  
**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate. Under 17 years of age requires adult supervision at all times.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**MULE DEER/WHITETAIL DEER**

**ELDERS (60 years and older)**

**Tribal Members Only**

SEASON DATES: November 1, 2021 through November 15, 2022  
PERMIT COST: No Cost  
NUMBER OF PERMITS: Twenty (20) issued by drawing  
LEGAL ANIMAL: One (1) buck deer, bucks must be forked horn or greater  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide

**APPLICATION DEADLINE: October 13, 2022**

**DRAWING DATE: October 14, 2022**

**SPECIAL REGULATIONS:** Deer permits will be issued by a draw. A three (3) year eligibility restriction is in effect for the elder's deer hunt. **Only one (1) application per household will be accepted.** If another individual is to hunt for the drawn elder, the designated individual must have written permission from the elder on file with the Conservation Department. The designated individual will be the only person to utilize the permit throughout the hunt. **Under 18 years of age requires a hunter safety certificate. Under 17 years of age requires adult supervision at all times (Must provide a copy of CIN Number). Mandatory testing for chronic wasting disease (CWD) will be required (see page 13 & 14).**



**MULE DEER/WHITETAIL DEER (Continued)**

**ELDERS (60 years and older)**

**Tribal Members Only**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**MULE DEER/WHITETAIL DEER**

**Tribal Members Only**

SEASON DATES: November 1, 2022 through November 15, 2022  
PERMIT COST: \$25.00  
NUMBER OF PERMITS: Twenty (20) issued by drawing  
LEGAL ANIMAL: One (1) buck deer, bucks must be forked horn or greater  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1

**Application Deadline: October 13, 2022**

**Drawing Date: October 14, 2022**

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times. Deer permits will be issued by a draw. A three (3) year eligibility restriction is in effect for the deer hunt. Only one (1) application per household will be accepted. Payment will be due at the time of application, No Exceptions. Mandatory testing for chronic wasting disease (CWD) will be required (see page 13 & 14).**

**15-8-3 Prohibited Activities, (F) Reckless Discharge of a Firearm.** It is a violation of this Code for any person, except tribal or federal law enforcement officers pursuant to the lawful discharge of their duties, to intentionally or recklessly discharge a firearm within 1/4 mile of any residence, or within 1/2 mile of a campground or recreation area.

**Affiliates: No Hunt**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**



**COW ELK**

**Tribal Members Only**

SEASON DATES: November 16, 2022 through November 30, 2022  
PERMIT COST: **\$50.00**  
NUMBER OF PERMITS: Two hundred (225)  
LEGAL ANIMAL: One (1) mature cow elk, limit two (2) per household  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1

**ISSUED BY FIRST COME FIRST SERVE**

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times. Only two (2) permits per household. A harvest report is mandatory & needs to be turned in on all cow elk permits. If not a three (3) year ineligibility restriction will be applied. Payment will be made at time of application, No Exceptions.**

**15-8-3 Prohibited Activities, (F) Reckless Discharge of a Firearm.** It is a violation of this Code for any person, except tribal or federal law enforcement officers pursuant to the lawful discharge of their duties, to intentionally or recklessly discharge a firearm within 1/4 mile of any residence, or within 1/2 mile of a campground or recreation area.

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**SPECIAL PERMIT**

**Tribal Member – Active-Duty Military**

SEASON DATES: October 1, 2022 through November 30, 2022  
PERMIT COST: No Cost  
NUMBER OF PERMITS: Issued on a case-by-case basis  
LEGAL ANIMAL: One (1) Cow Elk and (2) Turkeys, gobbler or hen  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
**SPECIAL REGULATIONS: Any Tribal Member that is actively serving in the armed forces may be granted a special permit to hunt during designated hunting dates at no cost.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**TRAPPING**

**Tribal Members/MAT Professional Trappers**

SEASON DATES: November 1, 2022– March 31, 2023  
PERMIT COST: \$15.00  
NUMBER OF PERMITS: Ten (10) issued on a first come, first served basis  
LEGAL ANIMAL: Unlimited furbearers (coyote, fox, bobcat, raccoon, badger, weasel, skunk and mountain lion)  
METHOD: Steel-jawed traps and snares, small caliber firearm for dispatch.  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1  
PROFESSIONAL PERMITS: No more than three (3) Professional Trappers working for the Mescalero Apache Tribe per trapping season (All Rules and Regulations apply).

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate (Must provide a copy of CIN Number). Under 17 years of age requires adult supervision at all times. Trapping/harvest information must be reported to the Conservation Department no later than April 15, 2021. Trappers must provide vehicle description and license plate numbers to the Conservation Department. The Conservation Department must be notified if a bear is caught. Traps must be checked every 24-48 hours. Mandatory trap reports due the 1<sup>st</sup> of each month to the Mescalero Conservation Department for CITIES tagging no later than April 30, 2021. No trapping within one mile of occupied residences (may be waived if extenuating circumstances exist).**

**Affiliates: NO HUNT/TRAPPING.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**BARBARY SHEEP**

**Tribal Members**

SEASON DATES: January 1, 2022 – December 31, 2022  
PERMIT COST: No Cost  
NUMBER OF PERMITS: One (1) permit per applicant  
LEGAL ANIMAL: Unlimited, either sex  
METHOD: Rifle or Archery  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1

**SPECIAL REGULATIONS: Under 18 years of age requires a hunter safety certificate. Under 17 years of age requires adult supervision at all times.**

**Affiliates: NO HUNT.**

**Notice: Permits are non-refundable and non-transferable. Permits for hunt dates only, no extensions, no exceptions.**

**ANTELOPE**

**Tribal Members**

**NO HUNT**

**DESERT BIG HORN SHEEP**

**NO HUNT**

New Mexico Game and Fish re-introductory to the Sacramento Mountains October 2018.

**MOUNTAIN LION**

**Non-Tribal Members**

SEASON DATES: December 15, 2022 through February 28, 2023  
\*\*\* An extension may be granted through the end of March weather permitting. \*\*\*  
PERMIT COST: \$500.00  
NUMBER OF PERMITS: Ten (10) Issued on a first come, first served basis  
LEGAL ANIMAL: EITHER SEX  
METHOD: Rifle/Bow  
OPEN AREA: Reservation Wide  
APPLICATION FEE: \$10.00 – See IV on page 1  
TRESSPASS FEE: \$100.00 per person for the duration of the hunt  
NOTE:

**Mescalero Conservation Department  
2021 Tribal Youth Hunts (Ages 7-17)**

**Youth Bull Elk-Management Hunt Only-Freak, 5X5 (or less), or Non-Inferior Bull (Old)**

Season Dates: October 16<sup>th</sup> – 24<sup>th</sup>, 2022  
Cost: \$50.00  
Number of Permits: Ten (10) issued by drawing  
Legal Animal: One (1) bull with at least five (5) points or more on each antler  
Method: Archery or Rifle  
Application Fee: None  
Open Area: Reservation Wide  
\*\*\**Application Deadline: September 16<sup>th</sup>, 2022*\*\*\*  
Drawing Date: September 17<sup>h</sup>, 2022

**Youth Cow Elk**

Season Dates: November 6<sup>th</sup> – November 14<sup>th</sup>, 2022  
Cost: \$25.00  
Number of Permits: Twenty (20) issued by drawing  
Legal Animal: One (1) mature cow elk  
Method: Archery or Rifle  
Application Fee: None  
Open Area: Reservation Wide  
\*\*\**Application Deadline: September 16<sup>th</sup>, 2022*\*\*\*  
Drawing Date: September 17<sup>th</sup>, 2022

**Youth Deer**

Season Dates: December 19<sup>th</sup>, 2022 – January 2, 2023  
Cost: \$25.00  
Number of Permits: Ten (10) issued by drawing  
Legal Animal: One (1) BUCK deer (whitetail or mule)  
Note: Bucks must be forked horn or greater  
Method: Archery or Rifle  
Application Fee: None  
Open Area: Reservation Wide  
\*\*\**Application Deadline: September 17<sup>th</sup>, 2022*\*\*\*  
Drawing Date: September 18<sup>th</sup>, 2022

**Special Regulations: Hunter Safety certificate REQUIRED. Adult supervision REQUIRED at all times. Only one (1) permit per household.** A three (3) year eligibility restriction is in effect for ALL youth hunts. Mandatory harvest reporting form needs to be turned in within 48 hours. If not a three (3) year ineligibility restriction will be applied.



**15-8-3 Prohibited Activities, (F) Reckless Discharge of a Firearm.** It is a violation of this Code for any person, except tribal or federal law enforcement officers pursuant to the lawful discharge of their duties, to intentionally or recklessly discharge a firearm within 1/4 mile of any residence, or within 1/2 mile of a campground or recreation area.

### **Chronic Wasting Disease (CWD) – Deer Only**

For the 2022 hunting season, the Mescalero Conservation Department will be conducting chronic wasting disease testing and monitoring in deer harvested on the Mescalero Apache Reservation.

Chronic wasting disease (CWD) is a degenerative neurological disease affecting the central nervous system of deer and elk. The disease is caused by an unusually shaped protein called a prion. Prions are not like bacteria or viruses, but are able to replicate and cause gaps in the brain tissue of infected deer and elk. The disease is progressive and always fatal. The most obvious clinical sign of CWD is weight loss over time. The origin of transmission is unknown.

CWD has been detected on the Mescalero Apache Reservation during the 2016 Tribal Deer Hunting Season in the Number 4 Area; all tests result for the disease in elk have been negative in recent years. However, testing for the disease in deer has only been done recently, therefore the need to continue testing in deer. It is important to monitor for the presence of the disease in order to respond to it appropriately.

There is no evidence of CWD being contracted by humans. In Europe a very close variation of the disease known as “mad cow” disease has been contracted by humans after consumption of meat of an infected beef cow. Both diseases belong to the family of diseases known as transmissible spongiform encephalopathy (TSE).

Testing for CWD requires the removal of the brain stem and lymph nodes of deer within 48 hours of harvest. As stated above, CWD testing has been done on elk harvested on the reservation; however, it is important to continue testing for the disease in deer harvested on the reservation. Due to the serious nature of this disease CWD testing will continue to be mandatory for the tribal member deer hunts during the 2022 hunting season. Hunters should contact the Mescalero Conservation Department at 575-464-9323 as soon as possible after harvest for collection of the necessary tissue samples. This is a very important and serious matter. Those hunters that fail to have their deer samples collected **will not be considered for the deer draw for 6 consecutive years.**

Although there is no evidence that CWD can be contracted by humans, precautions should be taken when field dressing deer and elk:

- **Wear rubber gloves**
- **Bone out meat**
- **Minimize handling brain and spinal tissue**
- **Wash hands and tools thoroughly**

- **Do not eat the brain, spinal cord, eyes, tonsils, lymph nodes or other organs of harvested animals.**
- **Requested that your deer and/or elk be processed individually, without meat from other animals**

Your assistance is very much appreciated in monitoring for the presence of this disease.

**MESCALERO APACHE TRIBE  
TRIBAL MEMBER AND AFFILIATE FISHING REGULATIONS  
2022**

**A. FREE FISHING.**

1. A fishing permit shall not be required for tribal members to fish on any waters of the Mescalero Apache Indian Reservation and may fish year-round subject to the exceptions and limitations listed herein.
2. An affiliate may be issued a "Free Fishing Permit" from the Tribal Conservation Department to fish on specified waters of the Mescalero Apache Indian Reservation and may fish year-round subject to the exceptions and catch limitations listed herein. An affiliate shall have the permit in his/her possession at all times while fishing.
  - a. An affiliate shall present proof of marriage before a permit may be issued.
  - b. An affiliate shall be accompanied by tribal member spouse and/or tribal member child.

**B. LAKE EXCEPTIONS.**

Lake Mescalero, Mescalero Cabins, Eagle Lakes, and Silver Lake are commercial tribal enterprises. Therefore, the seasons, catch limits and camping fees listed herein for non-tribal members shall apply to tribal members and affiliates.

**C. CATCH LIMITS.**

1. Catch limits authorized per day are as follows:
  - a. 1 ADULT - 5 fish per day, 10 fish in possession after the first day.
  - b. 1 CHILD (under 12 years of age) - 5 fish per day, 10 fish in possession after the first day.
2. Fish shall be taken only with one (1) line containing no more than two (2) hooks, or by one (1) line and one (1) artificial lure which may have more than one hook, or by one (1) with no more than two (2) artificial flies or lures. Use of live minnows as bait is prohibited to eliminate the possibility of carp or other rough fish from entering the waters of the Mescalero Apache Reservation.

**MESCALERO APACHE TRIBE  
NON-TRIBAL MEMBER CAMPING AND FISHING REGULATIONS  
2022**

**A. FISHING PERMITS**

Fishing permits may be sold to the general public to fish at Lake Mescalero, Silver Lake, Eagle Creek, White Mountain Campground. All other lakes and streams shall be closed to fishing to the general public unless otherwise specified.

**B. SILVER LAKE RECREATION AREA**

Open April 1 thru October 3, 2022.

**FISHING PER DAY:**

\$15.00 ADULT 5 fish per day, 10 fish in possession after the first day.

\$15.00 CHILD (under 12 years of age) - 5 fish per day, 10 fish in possession after the first day.

Fish shall be taken only with one (1) line containing no more than two (2) hooks, or by one (1) line and one (1) artificial lure which may have more than one hook, or by one (1) with no more than two (2) artificial flies or lures. Use of live minnows as bait is prohibited to eliminate the possibility of carp or other rough fish from entering the waters of the Mescalero Apache Reservation. The use of more than one pole, or more than one line, at a time is prohibited.

**OVERNIGHT RV CAMPING:**

\$45.00 - first two (2) persons in a vehicle, \$1.00 for each additional person in recreational vehicle or tents occupying space with hook-up. Overnight camping shall be in designated areas only, including trailer hook-up with water, sewer and electricity.

**TENT CAMPING:**

\$30.00 - first two (2) persons in vehicle, \$1.00 for each additional person not using space with hook-up, authorized only in designated areas.

**PICNICKING: 6am - 8pm**

\$20.00 - per vehicle.

\$20.00 - first two (2) persons in a bus or group, \$1.00 for each additional person.

**C. EAGLE LAKES RECREATION AREA**

Open April 1 thru October 3, 2022.



**FISHING PER DAY:**

\$15.00 ADULT - 5 fish per day, 10 fish in possession after the first day.

\$15.00 CHILD (under 12 years of age) - 5 fish per day, 10 fish in possession after the first day.

Fish shall be taken only with one (1) line containing no more than two (2) hooks, or by one (1) line and one (1) artificial lure which may have more than one hook or by one (1) with no more than two (2) artificial flies or lures. Use of live minnows as bait is prohibited to eliminate the possibility of carp or other rough fish from entering the waters of the Mescalero Apache Reservation. The use of more than one pole, or more than one line, at a time is prohibited.

**OVERNIGHT RV CAMPING:**

\$45.00 - first two (2) persons in a vehicle, \$1.00 for each additional person in recreational vehicle or tents occupying space with hook-up. Overnight camping shall be in designated areas only, including trailer hook-up with water, sewer and electricity.

**TENT CAMPING:**

\$30.00 - first two (2) persons in vehicle, \$1.00 for each additional person not using space with hook-up, authorized only in designated areas.

**PICNICKING: 6am – 8pm**

\$20.00 - per vehicle

\$20.00 - first two (2) persons in a bus or group, \$1.00 for each additional person.

**D. MESCALERO CABINS CAMPGROUND**

Open July thru September 6, 2022

**FISHING PER DAY:**

\$15.00 ADULT - 5 fish per day, 10 fish in possession after the first day.

\$15.00 CHILD (under 12 years of age) - 5 fish per day, 10 fish in possession after the first day.

Fish shall be taken only with one (1) line containing no more than two (2) hooks, or by one (1) line and one (1) artificial lure which may have more than one hook or by one (1) with no more than two (2) artificial flies or lures. Use of live minnows as bait is prohibited to eliminate the possibility of carp or other rough fish from entering the waters of the Mescalero Apache Reservation. The use of more than one pole, or more than one line, at a time is prohibited.

**OVERNIGHT RV CAMPING:**

No hook-ups are available.

**TENT CAMPING:**

\$30.00 - first two (2) persons in vehicle, \$1.00 for each additional person not using space with hook-up, authorized only in designated areas.

**PICNICKING: 6am – 8pm**

\$20.00 - per vehicle

**E. LAKE MESCALERO**

Lake Mescalero is a recreational lake of the Inn of the Mountain Gods and permits for fishing may be obtained at the resort.

No picnicking or camping is permitted at the Lake.

Fees and regulations at Lake Mescalero shall apply to all persons, i.e., guests, non-guests, adults, children, tribal members, affiliates, non-tribal members, including employees of the Inn of the Mountain Gods.

Fishing Permit Cost: \$26.63/per pole and 6 fish max per pole.

The Inn of the Mountain Gods personnel responsible for boating and fishing at Lake Mescalero shall provide the Tribal Fish Hatchery or Agency Wildlife Biologist with a weekly creel census.

**RULES AND REGULATIONS:**

Fishing is permitted from one-half hour before sunrise until one-half hour after sunset on all tribal waters.

It is a violation of this Code to use any boats, rafts, canoes or other floatation items or equipment at any time on any tribal water except Lake Mescalero.

Exceeding Bag or Possession Limits: It is a violation of this Code for any person to shoot or otherwise take or possess more than the allowed number of any game animal, fur-bearing animal, game bird, or game fish. All wildlife possessed in excess of the prescribed limits shall be automatically forfeited to the Tribe.

Planting of Fish: It is a violation of this section for anyone to plant, place or attempt to plant or place any type of fish in any tribal waters without prior authorization from the Mescalero Division of Resource Management and Protection Department.

Waste: It is a violation of this Code to abandon or permit to go to waste any edible portion of game fish or to introduce into tribal waters or soil any substance that is or could be harmful to the ecosystem.

game, small game, game bird, or game fish, or fail to dispose of any carcass of any wildlife, or to introduce into tribal waters or soil any substance that is or could be harmful to the ecosystem.

## **CHAPTER 15 of the Mescalero Apache Tribal Code**

### **HUNTING AND FISHING**

#### **SECTION 1. GENERAL PROVISIONS.**

15-1-1. SHORT TITLE. This Ordinance shall be known as the Mescalero Apache Hunting and Fishing Code of 1997.

15-1-2. STATEMENT OF POLICY.

- A. The Mescalero Apache Tribal Council has the power and authority to protect and preserve the property, wildlife, and natural resources of the Mescalero Apache Tribe. The Mescalero Apache Tribe, recognizing the spiritual, cultural and economic value of the natural resources of the Mescalero Apache Reservation to the Tribe and its members, hereby enacts this Hunting and Fishing Code to ensure proper management and protection of these vital tribal resources for current and future generations of the Mescalero Apache Tribe.
- B. The Mescalero Tribal Council hereby declares its jurisdiction and authority over fishing, hunting, and trapping activities within the Mescalero Apache Reservation.
- C. All game, fish, and other wildlife, other than that which is lawfully privately owned, within the exterior boundary of the Mescalero Apache Reservation are the property of the Mescalero Apache Tribe.
- D. All hunting, fishing, trapping, or otherwise taking or transporting any wildlife located within the exterior boundary of the Mescalero Apache Reservation shall be done in conformity with tribal and federal law, except as where otherwise provided in this Code.

15-1-3. DEFINITIONS.

- A. "Big game animals" mean all species of Bear, Deer, Elk, Antelope, Wild Turkey, Cougar, Big Horn Sheep, and other animals as may be designated by the Tribal Council.
- B. "Small game animals" means all species of Rabbit, Prairie Dog Rodent, Starling, English Sparrow, Squirrel, Wild Dog, Feral Cat, and other animals as may be designated by the Tribal Council.
- C. "Fur-bearing animals" means all species of Muskrat, Otter, Skunk, Weasel, Mink, Beaver, Badger, Fox, Coyote, Raccoon and other animals as may be designated by the Tribal Council.
- D. "Non-game animals" means an animal that is not a big game animal, a small game animal, a fur-bearing animal, or a game fish as defined in this Code.
- E. "Protected species" means any species declared to be a protected species by the Tribal Council or under federal law. A protected species may not lawfully be killed, hunted, taken, captured, wounded, sold, or purchased by any private party.
- F. "Game fish" means all species of Trout, Sunfish, Crappie, Bass, and other species of fish as may be designated by the Tribal Council.
- G. "Game birds" means Geese, Ducks, Mergansers, Coots, Gallinules, Grouse, Partridge, Pheasant, Wild Pigeons, Lesser Prairie Chickens, Quail, Doves and all other birds as may be designated by the Tribal Council.
- H. "Closed season" means the time during which a designated category of wildlife may not be taken.



- I. "Open season" means the time during which a designated category of wildlife may be taken pursuant to this Code.
- J. "Tribe" means the Apache Tribe of the Mescalero Reservation.
- K. "Department" means the Conservation Department of the Mescalero Apache Tribe.
- L. "Directors" means the Director of the Mescalero Conservation Department.
- M. "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.
- N. "Code" means the Hunting and Fishing Code of the Mescalero Apache Tribe.
- O. "Reservation" means all lands within the exterior boundary of the Mescalero Apache Reservation that are controlled by the Mescalero Apache Tribe.
- P. "Fishing" means to take aquatic or amphibious wildlife by any means.
- Q. "Hunting" means to take any non-aquatic wildlife by any means, including but not limited to, by firearm or bow and arrow.
- R. "Permit" means the primary document granting authority to engage in activities covered by this Code.
- S. "Person" means an individual, individual association, partnership or corporation, or any agent of the foregoing.
- T. "Conservation Officer" means any authorized Office of the Mescalero Conservation Department, whether temporary or full time, who has been empowered by the Mescalero Tribal Council to enforce the provisions of this Code, or any Officer of the B.I.A., or any specially appointed federal officer.
- U. "Bag limit" means the maximum number of wildlife which may be taken by any one person during a specified period.
- V. "Possession limit" means the maximum number of wildlife that may be possessed by any one person.
- W. "Carcass" means the dead body of any wildlife or any identifiable part thereof.
- X. "Firearm" means pistols, revolvers, rifles, shotguns or any other device that is capable of being used to expel a projectile by the action of an explosive.
- Y. "Fire shell capacity" means the number of shells that a firearm can hold in both the magazine and chamber.
- Z. "Sell" means to offer or possess for sale, barter, exchange, or trade, or the act of selling, bartering, trading, or exchanging.
- AA. "Take or taking" means to fish, angle, hunt, pursue, catch, capture, seine, trap, kill, possess, or collect any wildlife or any attempt to commit any of these acts.
- BB. "Tag" means a card, label, or other identification device issued for attachment to the carcass of any wildlife, or live wildlife.
- CC. "All-terrain vehicles" means any motorized vehicle designated for or capable of travel over unimproved terrain.
- DD. "Tribal Council" means the elected governing body of the Mescalero Apache Tribe.
- EE. "Affiliate" means a non-enrolled, non-Mescalero person legally married to a member of

the Mescalero Apache Tribe.

- FF. “Mescalero Apache Tribal Member” means a Mescalero Apache Indian who possesses a Mescalero Tribal Census Number.
- GG. “Non-Member” means any individual who is not enrolled as a member of the Mescalero Apache Tribe and who is not an affiliate.
- HH. “Tribal waters” means all waters within the exterior boundary of the Mescalero Apache Reservation.
- II. “Road” means any maintained or non-maintained right of way that is or has been used by any form of motor vehicle.
- JJ. “Campground” means an area designated for the placement of temporary shelters for a period of time, typically for at least one twenty-four (24) hour period.
- KK. “Recreational area” means an outdoor area designated for public use that is typically closed during nighttime hours.
- LL. “Motor vehicle” means an automotive vehicle not operated on rails.
- MM. “Primitive weapon” means a spear, sling, sling shot, wrist rocket, bow and arrow with a drawstring under 65 pounds, or any other item or weapon designated to or able to kill, injure, or trap wildlife, that is not a firearm or a trap as defined in this Code.

## **SECTION 2. THE MESCALERO APACHE CONSERVATION DEPARTMENT.**

15-2-1. AUTHORITY OF THE MESCALERO CONSERVATION DEPARTMENT. The director of the department shall report to the Natural Resources Sub-Committee of the Tribal Council, unless otherwise provided by the Tribal Council. The department shall have principal administrative and field responsibility for enforcement of this Code.

### 15-2-2. MESCALERO CONSERVATION OFFICERS.

- A. Mescalero Conservation Officers, whether full time, part-time, or temporary, shall meet the requirements established for tribal police officers. Mescalero Conservation Officers shall meet such requirements as to physical characteristics, competencies, education and training as may from time to time be established by the Tribal Council or the director for each position or category of positions provided.
- B. The director may from time to time appoint temporary Conservation Officers to aid the Department in the conduct of its functions.
- C. Conservation Officers have authority to issue field civil citations to persons engaged in activities prohibited by this Code when:
  - 1. The Conservation Officer personally observes the violation take place, or
  - 2. The Conservation Officer has within his knowledge, before the citation is issued, information constituting reasonable grounds to believe that the person cited has engaged in a prohibited activity, as defined in the Code.

15-2-3. AUTHORITY TO SEIZE PROPERTY. Mescalero Conservation Officers shall have authority to seize any hunting, fishing or recreational equipment or paraphernalia in the possession, custody, or control of the person who violates this Code and is cited for such violation, or a person who aids another in violating this Code. Conservation Officers shall not have the authority to seize the motor vehicle of a person cited for violating this Code



unless the violator is cited for taking big game without a permit or if the Conservation Officer issuing the citation reasonably believes that the value of the damage to tribal natural resource caused by the violation exceeds \$200.00.

For purposes of this section, violation means engaging in a prohibited activity under this Code or any spoliation, waste, or any other damage to any tribal natural resources Violation shall be given the broadest meaning possible so as to carry out the purposes of this Code.

#### 15-2-4. PROCEDURE FOR THE SEIZURE OF PROPERTY.

- A. Conservation Officers shall seize property consistent with Section 2-3 when:
  - 1. A citation is issued, or
  - 2. A violation occurred but no citation is issued due to the violator's absence from the scene, and has abandoned his/her property. The abandoned property will be confiscated as evidence and held by the Conservation Department until the violator is identified and issued a citation for a violation of this Code.
- B. Whenever a citation is issued and property is seized, the Conservation Officer shall provide the alleged violator with a signed receipt for any property, seized, said receipt to identify the violator by name, if known, the officer by name, the date of seizure, and an itemized listing of the property seized.
- C. The Conservation Officer shall promptly transport all seized property to the department, where the property shall be inventoried and stored by the department until adjudication of the matter before the Mescalero Apache Tribal Court or the pre-hearing payment of a civil fine or civil restitution, or both, to the department.
- D. A report on a form and under a procedure to be prescribed by the director shall be filed with the department with respect to the property seized from each violator.
- E. The director shall establish procedures for the transportation<sup>7</sup> inventory, storage, release, and disposal of seized property.

#### 15-2-5. LIMITATIONS ON THE AUTHORITY OF CONSERVATION OFFICERS.

- A. Mescalero Conservation Officers shall not have authority to issue any permits or tags in the field to persons found engaged in an activity for which such permit or tag is required under this Code.
- B. Mescalero Conservation Officers shall not have authority to accept the payment of civil fines in the field and/or in lieu of seizure of property. Civil fines may be paid and accepted and confiscated property released on payment of such fines before a judicial hearing on the matter only at any office of the department during the prescribed office hours thereof and pursuant to procedures to be established by the director.
- C. Mescalero Conservation Officers shall have such other duties, powers and responsibilities as may from time to time be established by the director or the Tribal Council and that are consistent with this Code.

### **SECTION 3. PROCLAMATIONS AND REGULATIONS.**

#### 15-3-1. PROCLAMATIONS.

- A. At such periods as the Tribal Council shall direct, the Tribal Council shall adopt a Hunting and Fishing proclamation. (See C. below).

- B. The Natural Resources Subcommittee of the Tribal Council, with the assistance of the Director, shall propose a proclamation to the Tribal Council which, when adopted by the Tribal Council, either with or without amendments, shall have the force of law on the Mescalero Apache Reservation.
- C. The Proclamation may provide for the following:
1. Establish hunting, fishing, and trapping seasons, or to close, extend or change hunting, fishing, or trapping seasons.
  2. Close or open any site, including tribal waters, to fishing, trapping, or hunting and to regulate and prescribe the means by which any wildlife may be taken, including, but not limited to, the types of baits, lures, equipment traps, firearms, weapons, or ammunition that may be used to take any wildlife.
  3. Establish, change, or eliminate bag or possession limits.
  4. Establish change, or eliminate territorial limits for the taking of wildlife.
  5. Prescribe the mode and manner of the transportation of any wildlife, or parts thereof, within the exterior boundary of the Reservation; prescribe the manner and mode of exporting any wildlife, or part thereof, from the Reservation; and prescribe the manner and mode of importing any wildlife, or part thereof, into the Reservation.
  6. Establish refuges or sanctuaries for specified or all wildlife. When private property is to be included as a refuge, written consent of the owner must first be obtained. All boundary lines of such refuges or sanctuaries shall be posted at the usual place of entrance or exit with signs bearing the title of the department and stating the nature of the refuge or sanctuary created, when created, and by what authority.
  7. Establish methods for checking hunters, fishermen, or trappers into and out of the Reservation and designated areas within the Reservation; and prescribe safety and fire control measures and other regulations as may be deemed necessary in the interest of tribal natural resource management, and the safety and welfare of hunters, fishermen, landowners, and the Tribe.
  8. Establish fees for permits, tags and special hunting seasons.
  9. Establish rules and regulations governing the operation of boats or other vehicles upon tribal waters and the operation of all-terrain vehicles on tribal lands.

15-3-2. POWER TO MODIFY HUNTING AND FISHING PROCLAMATION. The Tribal Council retains the power and authority to modify any Hunting and Fishing Proclamation if the Tribal Council determines that the Hunting and Fishing Proclamation is no longer in the best interest of the Tribe. If the Tribal Council modifies a Hunting and Fishing Proclamation, the modification shall not take effect until fifteen days after notice of the modification has been posted at the department and at the tribal offices.

15-3-3. PUBLICATION OF PROCLAMATION. The proclamation adopted by the Tribal Council shall be made available upon request at the tribal offices and the department and shall be posted at the department.

15-3-4. ADDITIONAL REGULATIONS. The Tribal Council may adopt additional regulations of either temporary or permanent application governing the dates, places, means, or manner of taking wildlife or any limitations thereon and such regulations shall have the force of law on the Reservation.



## SECTION 4. PERMITS.

### 15-4-1. PERMIT REQUIRED.

- A. Except as otherwise provided in this Code, an applicable Mescalero Apache Reservation hunting, fishing, or trapping permit is required and must be in the possession of any person or persons who take, possess, or transport, or attempt to take, possess, or transport any wildlife by hunting, fishing or trapping.
- B. Any person wishing to carry a firearm in the woodland areas on the Reservation can be issued a permit which will be numbered and kept on file at the Mescalero Conservation Office, each permit will show the description of each firearm in the person's possession.
- C. State of New Mexico hunting, fishing, and trapping licenses are not required within the exterior boundary of the Mescalero Apache Reservation.
- D. Any person between twelve (12) to eighteen (18) years old, must attend a Hunter's Safety Course conducted by the Mescalero Conservation Office before being issued a hunting permit of any kind.

### 15-4-2. TYPES OF PERMITS; ELIGIBILITY FOR PERMITS.

- A. Big Game Permit. No person shall take, possess, transport, or attempt to take, possess, or transport any Big Game species on the Mescalero Apache Reservation unless the person has in his or her possession a valid permit allowing such activity.
- B. Small Game.
  - 1. Tribal Members: Tribal members need not obtain a permit to take small game.
  - 2. Affiliates: Affiliates must obtain a permit to take small game when accompanied by a tribal member spouse; otherwise, affiliates may not hunt small game on the Reservation.
  - 3. Non-Members: Non-Members may not hunt small game on the Mescalero Apache Reservation
- C. Game Birds
  - 1. Tribal Members: No member shall take or attempt to take any game bird species unless, at the time of taking or attempted taking, a valid tribal permit is in his or her possession.
  - 2. Affiliates: An affiliate may not take game birds unless accompanied by his or her tribal member spouse who has in his or her possession a valid permit.
  - 3. Non-Members: Non-Members may not take game birds, except for special hunts as provided for in hunting packages offered by the Inn of the Mountain Gods and previously approved by the Natural Resources Subcommittee of the Tribal Council.

### 15-4-3. SPECIAL PERMITS.

- A. Bear, Beaver, Mountain Lion, Barbary sheep, Oryx and Javelina. Special permits may be issued by the director to take bear, beaver, mountain lion, Barbary sheep, Oryx and Javelina only if it is determined by the director that the animal is causing damage to livestock, crops, dwellings, or recreation areas, or is threatening public safety.
  - 1. Permits will be issued only for the specific animals causing the damage.
  - 2. All rules pertaining to big game hunting must be followed.
- B. Scientific Investigation. Special permits may be issued to take, pursue, or investigate

wildlife for research purposes. Requests for a special permit under this section must be made in writing to the department.

C. Ceremonial Permits.

1. Permits are required to take wildlife for ceremonial, cultural, or religious purposes. The director, upon approval of the President of the Mescalero Apache Tribe, may issue ceremonial permits.
2. The President of the Mescalero Apache Tribe or the director shall assist any tribal member in securing permits from the Secretary of the Interior for the taking or possessing any species protected by federal law.

15-4-4. ISSUANCE OF BIG GAME PERMITS. When permit applications for a big game hunt exceed the number of authorized permits for the big game hunt, permits will be issued on a random basis utilizing a draw system. When permit applications for a big game hunt are less than the number of available permits for that hunt, the balance of permits will be issued by the Conservation Department on a first come, first served basis.

15-4-5. PERMIT POSSESSION. All persons required to possess a permit must have the permit in their possession whenever hunting or carrying a firearm in designated hunt areas. The permit shall not be transferred, loaned, or sold to another person. Any attempt to loan, transfer, or sell a hunting permit will cause the permit to be void and may subject the individual to civil or criminal liability.

15-4-6. SEASON FEES, PERMIT NUMBERS, AND BAG POSSESSION LIMITS. Season fees, permit numbers, and bag possession limits shall be established in the Hunting and Fishing Proclamation.

15-4-7. PROCEDURES FOR OBTAINING A HUNTING PERMIT OR FISHING LICENSE. The Tribal Council shall establish requirements for permits and the procedures by which they are sold.

15-4-8. DEPARTMENTAL RESPONSIBILITY FOR SALE OF PERMITS AND FISHING LICENSES. The Conservation Department shall be responsible for the sale of all permits.

## **SECTION 5. HUNTING REGULATIONS.**

15-5-1. PERSONS INELIGIBLE TO HUNT.

- A. Any person under twelve (12) years old.
  1. Any person between twelve (12) to eighteen (18) years old that has not attended a Hunter's Safety Course is ineligible to hunt.
  2. The adult responsible for primary supervision of a child adjudicated to have violated this section shall be responsible for payment of the fine imposed under this section.
- B. Any person not possessing the applicable permit as required by this Code.
- C. Any person excluded from the Reservation.

15-5-2. PROHIBITED HUNTING ACTIVITIES.

- A. It is a violation of this section for any person, except as otherwise authorized by the Conservation Department, to hunt, kill, wound, or otherwise take, capture or have in his or

her possession any game animal, fur-bearing animal, or any game bird, when the season has not been declared open by the Tribal Council.

- B. It is a violation of this Code for anyone to hunt without first having obtained all required permits and tags, or without having such tag and permit in their possession.
- C. It is a violation of this Code to use pistols or primitive weapons to take or attempt to take any game animal or game bird.

15-5-3. HUNTING EQUIPMENT.

A. Regulations Governing Firearms

- 1. Silencers, mufflers, or any other device or instrument designed to silence or reduce the report of a firearm are not permitted.
- 2. Only center-fire loading rifles may be used to hunt big game.
- 3. Center-fire loading rifles, rim-fire firearms, or 10-gauge or smaller shotguns, with a three-shell capacity, may be used to hunt small game.
- 4. Only 10-gauge or smaller shotguns may be used to hunt wild turkey and game birds.
- 5. Shotgun shells must be of non-toxic shot.

B. Specific Firearm Regulations for Deer and Elk

- 1. Only the following caliber and bullet weights may be used to hunt deer:

<b>Minimum Caliber</b>	<b>Minimum Bullet Weight</b>
243	100 Grain
6 mm	100 Grain
25-06	117 Grain
270	130 Grain
7mm	150 Grain
>30 Caliber	

- 1. Only the following caliber and bullet weights may be used to hunt elk and bear:

<b>Minimum Caliber</b>	<b>Minimum Bullet Weight</b>
.270	150 Grain
7mm	150 Grain
.30	180 Grain
>.338	210 Grain

- C. Ammunition. Only soft-nosed or hollow-pointed shells may be used to take game.

15-5-4. HUNTING HOURS. No hunting is permitted earlier than one-half hour before sunrise or later than one half-hour after sunset.

15-5-5. HUNTING AIDS; DOGS.

A. Only the following devices may be used as hunting aids:

- 1. Electrical calls used to hunt coyote, bobcat, fox, and wild dog.
- 2. Non-electrical handheld devices may be used to hunt any species that may be lawfully hunted under this Code.



## **SECTION 6. FISHING REGULATIONS.**

15-6-1. GENERAL PROHIBITION. It is a violation of this Code to angle, net, trap, seine, shoot, by firearm or other means; spear, poison or otherwise take or attempt to take any fish, amphibians, crustaceans, or mollusk or to possess, transport, ship, sell, offer to sell, purchase, trade or barter any fish, amphibians, crustaceans, or mollusk on the Mescalero Apache Reservation, at any time except as permitted by this Code.

### 15-6-2. PERMIT REQUIREMENTS.

- A. Tribal members may fish in any tribal waters at any time during the year without the necessity of obtaining a fishing permit.
- B. Affiliates may be issued a free fishing permit as the director determines is in the best interest of the Tribe.

NOTE: Proof of marriage is required before an affiliate will be issued a free fishing permit.

- C. Non-Members, who are not affiliates, must obtain a fishing permit before fishing in tribal waters.

15-6-3. PERMIT POSSESSION. Any persons required to possess a Mescalero Fishing Permit must have such permit in his or her possession whenever fishing within the Reservation. The permits shall not be transferred, loaned or sold to another person. Any attempt to loan, transfer, or sell a fishing permit will cause the permit to be void and may subject the individual to civil or criminal liability.

### 15-6-4. DESIGNATED AND SPECIAL USE AREAS.

- A. The Ruidoso Cabins Recreation Area, Eagle Creek Recreation Area and the Silver Lake Recreation Area are designated for public use.
- B. All applicable fishing regulations and fees shall apply to guest, non-guest, adults, children, tribal members, affiliates, non-Tribal members and employees of the Tribe fishing on Lake Mescalero.

### 15-6-5. SPECIES THAT MAY BE TAKEN.

- A. The following species may be taken in accordance with this Code:
  - 1. Game Fish
  - 2. Non-game fish, except those protected by federal law or tribal proclamation, or as designated as protected by the director or the Tribal Council.

### 15-6-6. PERMISSIBLE FISHING EQUIPMENT.

- A. Fishing Lines. Fish shall be taken only with one (1) line containing not more than two (2) hooks &, one (1) line with one (1) artificial lure that may contain more than one (1) hook, or one (1) line with two (2) artificial lures or flies that contain only one (1) hook each.
- B. Baits. The use of minnows, crayfish, waterdogs, (live or dead) is prohibited on all waters designated for trout fishing. Any other common trout bait or lures are permitted.

### 15-6-7. BAG AND POSSESSION LIMITS.

- A. Game Fish Limits
  - 1. Tribal Members and Affiliates:
    - a. Adults 8 per day/24 in possession.
    - b. Child 8 per day/24 in possession.



- 2. Non-Tribal Members:
  - a. Adults 8 per day/24 in possession
  - b. Child 6 per day/12 in possession. (Under 14 years of age).
- B. Non-game Fish have no bag or possession limit.
- C. Injured fish shall not be returned to the water.

15-6-8. FISHING HOURS. Fishing is permitted from one-half hour before sunrise until one-half hour after sunset on all tribal waters open to fishing.

15-6-9. MISCELLANEOUS.

- A. It is a violation of this Code to leave any fishing pole or line unattended or to have more than one (1) line in the water at a time.
- B. It is a violation of this Code to use any boats, rafts, canoes or other floatation items or equipment at any time on any tribal water except Lake Mescalero.

**SECTION 7. TRAPPING.**

15-7-1. PERMIT REQUIRED.

- A. Season and bag limits for trapping shall be established by the Tribal Council in the Hunting and Fishing Proclamation.
- B. The trapping season is open to tribal members, affiliates and Non-Members.
- C. A valid Mescalero Tribal Trapping-Pelt Permit is required to trap, possess, purchase or transport fur bearer pelts on the Mescalero Apache Reservation.
- D. A maximum of 50 traps per permit shall be allowed.

15-7-2. TYPES OF TRAPS PERMITTED. Only steel traps with a jaw spread no greater than 6 1/2 inches or a trap larger than a No. 3 trap are permitted, except that special traps may be permitted by the director.

15-7-3. SPECIES THAT MAY BE TAKEN. Only coyote, bobcat, fox, raccoon, porcupine, badger, ringtail cat, and wild dog may be taken by trapping.

15-7-4. IDENTIFICATION OF TRAPS. All traps must be identified with name and address of the owner of the trap. A registration number shall be used in lieu of name and address only if the registration number is on file with the Conservation Department.

15-7-5. TRAP SET LOCATION.

- A. It is the responsibility of the person engaged in trapping to inform the Conservation Department of the location and number of traps set immediately after the traps are set.
- B. Traps must be set no less than one (1) mile from any residence or recreational area boundary.
- C. Traps must be set no less than sixty (60) feet from any traveled road, a minimum of fifty (50) feet from any carcass or other exposed meat bait, and a minimum of six hundred (600) feet from any watering site.

15-7-6. BAIT.

- A. Any meat or fish bait used must comply with 7.5.

- B. Scents may be used only at the trap site.
- C. Use of live bait is prohibited.

15-7-7. TRAP CHECKING.

- A. All traps must be checked at least every twenty-four (24) hours by the person setting the trap.
- B. Traps or the contents of traps belonging to another person shall not be disturbed.
- C. At the conclusion of the trapping season all traps shall be picked up and accounted for by the person holding the trapping permit.
- D. Any raptor or other animal not authorized to be taken by trapping that should be caught shall be released. Any dead or severely injured raptor shall immediately be turned over to the Conservation Director.

15-7-8. NOTIFICATION. The director shall provide written notice to the Executive Manager of the Livestock Commission when trapping is to commence in the grazing units. The Conservation Department will post public notice of the trapping season.

**SECTION 8. PROHIBITED ACTIVITIES.**

15-8-1. CIVIL SANCTIONS. Engaging in an activity prohibited by this Code or failing to take any action required by this Code shall render the violator subject to the civil or criminal sanctions and procedures established in this Code.

15-8-2. CIVIL TRESPASS; DESTRUCTION OF BOUNDARY MARKERS OR SIGNS.

- A. Whoever, without lawful authority or permission, intentionally goes upon any land that is held in trust by the United States for the benefit of the Mescalero Apache Tribe for the purpose of hunting, trapping or fishing thereon, or for the removal of game peltries or fish therefrom, shall pay damages to the Tribe as established by the Tribal Court.
- B. Whoever intentionally destroys, defaces, or removes any sign, fence, or other marking erected by the Mescalero Apache Tribe to indicate the boundary of the Mescalero Apache Reservation, or to give notice that hunting, trapping, or fishing is not permitted thereon, without lawful authority or permission, shall pay damages to the Tribe as established by the Tribal Court.

15-8-3. PROHIBITED ACTIVITIES. In addition to the other provisions contained in this Code, it is a violation of this Code to do any of the following:

- A. **Spotlighting.** It is a violation of this Code for any person to direct artificial light into any open field or forest for purposes of using the artificial light as an aid in killing any wildlife. All Conservation Officers, while in lawful performance of their duties, are exempt from this provision.
- B. **Killing or Possessing a Fawn or Doe.** It is a violation of this Code for any person to kill or knowingly have in his or her possession a fawn or doe deer, or carcass thereof, at any time unless so authorized by the Conservation Department.
- C. **Carrying or Handling Firearms While Under the Influence of Alcohol.** It is a violation of this Code for any person to carry or use any firearm on the Mescalero Apache Reservation while under the influence of alcohol.
- D. **Shooting From a Road.** It is a violation of this Code for any person to shoot any firearm



from or across any road on the Mescalero Apache Reservation.

- E. Careless Use of a Firearm. It is a violation of this Code for any person to carry, handle, or use any firearm in such a manner as to recklessly endanger the life, limb, or property of another.
- F. Reckless Discharge of a Firearm. It is a violation of this Code for any person, except tribal or federal law enforcement officers pursuant to the lawful discharge of their duties, to intentionally or recklessly discharge a firearm within 1/4 mile of any residence, or within 1/2 mile of a campground or recreation area.
- G. Using a Vehicle to Take Game. It is a violation of this Code for any person to kill, harass, or drive wildlife by means of a motorized vehicle, aircraft, or watercraft or to shoot at any wildlife from a vehicle, aircraft, or watercraft.
- H. Exceeding Bag or Possession Limits. It is a violation of this Code for any person to shoot or otherwise take or possess more than the allowed number of any game animal, fur-bearing animal, game bird, or game fish. All wildlife possessed in excess of the prescribed limits shall be automatically forfeited to the Tribe.
- I. Taking Wildlife from a Wildlife Refuge or Restricted Area. It is a violation of this Code for any person to intentionally take, or attempt to take any wildlife from any posted wildlife refuge, sanctuary, or restricted area within the boundary of the Mescalero Apache Reservation, unless authorized in writing by the Conservation Department to do so.
- J. Killing or Taking Protected Species. It is a violation of this section for any person to hunt, take, injure, harass, or threaten the habitat of any protected species, unless authorized in writing by the Conservation Department to do so.
- K. Planting of Fish. It is a violation of this section for anyone to plant, place or attempt to plant or place any type of fish in any tribal waters without prior authorization from the Mescalero Environmental Protection Department.
- L. Use of Protected Wildlife as Bait. It is a violation of this section for any person to use protected wildlife or any part thereof as bait.
- M. Waste. It is a violation of this Code to abandon or permit to go to waste any edible portion of big game, small game, game bird, or game fish, or fail to dispose of any carcass of any wildlife, or to introduce into tribal waters or soil any substance that is or could be harmful to the ecosystem.
- N. Littering. It is a violation of this section for any person to deposit garbage, refuse, ashes, junk, glass, bottles, cans or any other form of litter or debris anywhere on the Mescalero Reservation, except in containers or dumping grounds that are designated for such use. Provided, however, this provision shall not apply to enrolled members of the Tribe following the tribal custom and tradition of discarding items of clothing in the woods, or other wilderness areas. See Mescalero Apache Tribal Code 10-6-2.
- O. Interference With a Mescalero Apache Conservation Officer's Discharge of His Duty. It is a violation of this Code for any person to interfere with, impede, or obstruct a Conservation Officer's discharge of his duty.
- P. Loss of Permit or Tag. It is a violation of this Code for any person, other than the issued party, to use a lost permit or tag or one which is otherwise issued to another party. If a person finds a lost permit or tag, the person shall return the permit or tag to the department.
- Q. Making a False Statement. It is a violation of this Code for any person to intentionally swear or affirm to any false statement while applying for any type of permit or tag.
- R. Negligently Kindling a Campfire. Any person who negligently or willfully kindles or cause

to be kindled any fire within the Mescalero Apache Reservation and leaves it un-quenched or who negligently or carelessly without full precaution to prevent a danger to property or life, or is a party to the foregoing, and whether such fire is kindled in his own land or findings any uncontrollable fire burning, fails to give immediate warning and to make reasonable attempts to quench and control it is liable for violating this Code. See Mescalero Apache Tribal Code 10-5-5.

- S. Importing Wild Animals, Birds, or Fish. It is a violation of this section for any person to import any species onto the Mescalero Apache Reservation, except recognized domesticated animals, without first obtaining permission from the Mescalero Apache Tribal Council.
- T. Impersonating a Conservation Officer. It is a violation of this Code for any person to falsely represent himself or herself to be a Conservation Officer.
- U. Entering a Restricted Area. It is a violation of this Code for any person to enter an area that has been designated as restricted for environmental, health, or related purposes, provided that this provision shall not apply to employees of the Mescalero Conservation Office, the Mescalero Environmental Protection Department, and others specifically designated by the President of the Tribe during the lawful performance of their duties.
- V. Miscellaneous. It is a violation of this Code for any person to commit any act declared to be unlawful by a proclamation or regulation of the Tribal Council or to intentionally violate the provisions of such proclamations or regulations.

## **SECTION 9. CIVIL PROCEEDINGS.**

15-9-1. CONSENT TO JURISDICTION. Any person who, after the effective date of this Code, obtains a permit to take any wildlife or parts thereof from the Reservation shall be deemed to have consented to all the provisions of this Code and the criminal and civil jurisdiction of the Mescalero Apache Tribal Court and/or Federal Court.

15-9-2. SUBJECT MATTER JURISDICTION. All matters arising under this Code shall be adjudicated in the Mescalero Tribal Court or Federal Court.

15-9-3. NOTICE. Signs shall be conspicuously posted putting the public on notice that:

- A. Permission to enter the Reservation is conditioned on consent to Mescalero Apache Tribal court jurisdiction.
- B. Permits are required for hunting, fishing, trapping and falconry;
- C. Violators of tribal law and regulations are trespassing and subject to tribal and federal sanctions; and
- D. Hunters must contact the Conservation Department to obtain permits and information.

15-9-4. SEARCHES. No Search will be conducted without a proper Search Warrant.

- A. Nothing in this section limits the authority of the Conservation Officer to detain an individual, vehicle, or other items based on the Conservation Officer's reasonable belief that his safety, or the safety of others may be compromised without the Officer conducting a protective search.
- B. Nothing in this section limits the authority of the Conservation Officer to detain an individual or the individual's belongings, if the individual is found in a restricted area, as identified in the annual Hunting and Fishing Proclamations.



15-9-5. ISSUANCE OF CIVIL CITATION; FORM.

- A. Conservation Officers shall issue civil citations to persons engaging in activities prohibited under this Code consistent with the standards and limitations set out in Chapter 2 and this Chapter.
- B. The Director shall prescribe the form of the civil citation to be issued to violators, provided that the citation shall contain at least the following information:
  - 1. The name and mailing address of the alleged violator;
  - 2. The date and place of the alleged violation;
  - 3. The violation alleged to have taken place; and
  - 4. The time and date upon which court scheduling is contemplated.
- C. A report on a form and under a procedure to be prescribed by the director shall be filed with the department for each citation issued.

15-9-6. DISPOSAL OF SEIZED PROPERTY.

- A. In the event a violator does not appear and contest a citation filed against him, the Mescalero Apache Tribal Court may after a hearing enter a default judgment against the defendant and order forfeiture of the seized property.
- B. Any property that has been forfeited shall be sold at public auction, or, upon written authorization by the Mescalero Apache Tribal Court, may be donated to a qualified tribal program designed to aid tribal members.
- C. The director shall establish procedures for the sale of forfeited property at public auction.

15-9-7. FILING OF CIVIL ACTION; NO FEE; TIME LIMITS; ANSWER; LONG-ARM STATUTE.

- A. Within fifteen (15) days of the issuance of any citation under this chapter, the department shall file an action against the alleged violator or dismiss the citation and immediately return all seized property to the person from whom it was seized.
- B. There shall be court costs for the filing of such action.
- C. The violator may file an answer to the complaint within ten (10) days of receipt of the complaint. Failure to file an answer, or otherwise appear in the action, may result in a default judgment being taken against the defendant.
- D. LONG ARM STATUTE. Any person who engages in an activity prohibited or regulated by this Code subjects himself or herself to the jurisdiction of the Mescalero Apache Tribal Court notwithstanding that said person may have removed himself/herself from the territorial jurisdiction of the court after being cited for such violation.
- E. SERVICE OF PROCESS. Service of civil complaints filed under this chapter shall be by mail to the address provided by the defendant at the time the citation is issued or another address subsequently provided by the defendant. If the defendant provides no address, service by publication in a newspaper of general circulation in the area of the Mescalero Apache Reservation shall constitute valid service upon the defendant.

15-9-8. CIVIL REMEDIES.

- A. CIVIL LIABILITY SCHEDULE. If it is established after a hearing before the Mescalero Apache Tribal Court that a person has taken a listed animal in violation of this Code, the violator shall pay as restitution to the Mescalero Apache Tribe the dollar amount assigned to the particular animal as set in the Civil Liability Schedule approved by the Tribal Council. No verdict or sum against a violator shall be less than the amount set out in the

Civil Liability Schedule. This amount is separate from any damages that may be found by the Tribal Court.

- B. CIVIL LIABILITY. The Director of the Mescalero Conservation Department, or any other Conservation Officer charged with enforcement of the laws relating to Game and Fish, if so, directed by the Director, may bring a civil action in the name of the Mescalero Apache Tribe against any person unlawfully wounding, or killing, or in possession of any game, fish, or bird, or parts thereof and recover judgment for the following minimum sums as damage for the taking, killing, or injuring:

For each:

Elk.....	\$ 5,000.00
Deer.....	\$ 500.00
Antelope.....	\$ 500.00
Bear.....	\$ 500.00
Cougar.....	\$ 500.00
Birds.....	\$ 20.00
Fish.....	\$ 1.00
Endangered species.....	\$ 1,000.00
Turkey.....	\$ 150.00

- C. EVIDENCE. Evidence found in warrantless searches can be used in cases filed under this Code in the Mescalero Apache Tribal Court.

- D. ADDITIONAL PENALTIES. In addition to the damages under the Civil Liability Schedule, the department may petition the court for the following additional damages and injunctive remedies as may be appropriate to the particular case:

1. Temporary expulsion of Non-Members. A Non-Tribal member may be temporarily expelled from the Reservation for violations of this Code, as provided under section 10-17-4 of the Mescalero Apache Tribal Constitution.
2. Permanent exclusion of a Non-Member. A Non-Member who has been temporarily expelled from the Reservation on one or more prior occasions and who has been found to have violated a provision of this Code may be permanently excluded from the Reservation as provided for under Article XI of the Mescalero Apache Tribal Constitution.
3. Punitive damages. Nothing in this Code shall be deemed to preclude the Tribe from paying for and being awarded punitive damages in any action filed for a violation of this Code wherein it is alleged and proven by a preponderance of the evidence that the defendant has committed that acts constituting the violation wantonly, willfully, or maliciously.

15-9-9. ISSUANCE OF NOTICE & SCHEDULING OF HEARING BY COURT CLERK. The Clerk of the Court in which, the Department civil complaint is filed shall schedule a hearing on the complaint and cause to be issued with notice thereof made in the manner prescribed for other civil complaints. Provided however, that in the absence of an address to which



notice of hearing to the defendant shall be sent, notice of the proceedings shall be published in a newspaper of general circulation in the area of the Mescalero Apache Reservation.

15-9-10. PRE-PAYMENT OF CIVIL FINES. At any point prior to entry of judgment in a civil proceeding initiated under this Chapter, a violator may pay the Civil Liability Schedule fee, or damages, or both, sought by the Department. Upon receipt of such payment the Department shall dismiss the complaint and return any seized property to the violator.

15-9-11. RULES GOVERNING CIVIL ACTIONS UNDER THIS CODE. Civil proceedings under this Code shall be governed by the Mescalero Apache Rules of Civil Procedure.

## **SECTION 10. CRIMINAL PROCEEDINGS.**

15-10-1. JURISDICTION. Any violation of this Code may subject an enrolled member of the Tribe to the criminal jurisdiction of the Mescalero Apache Tribal Court.

15-10-2. PENALTIES. Any person violating this Code over whom the Mescalero Apache Tribal Court has criminal jurisdiction may be subject to a criminal fine of up to \$5,000.00, or imprisonment for one year, or both a fine and imprisonment. Any person violating this Code shall forfeit all game or fish, equipment, and license.

15-10-3. FEDERAL OR STATE PROSECUTION. Any person not under the criminal jurisdiction of the Mescalero Apache Tribal Court may be cited to the appropriate state or federal court for criminal prosecution.

## **SECTION 11. MISCELLANEOUS PROVISIONS.**

15-11-1. INCONSISTENT PROVISIONS. All Tribal Ordinances, Regulations, and Proclamations that are inconsistent with or superseded by this Code are hereby repealed.

15-11-2. SEVERABILITY. If any portion of this Code is declared invalid, such invalidity shall not affect the remaining portions of this Code.

15-11-3. SOVEREIGN IMMUNITY. Nothing in this Code shall be construed as a waiver, in whole or part, of the Tribe's sovereign immunity.

15-11-4. ESTABLISHMENT OF WILDLIFE FUND.

- A. A Wildlife Fund is hereby established.
- B. The Wildlife Fund shall be composed of proceeds received from:
  - 1. Permit fees and tag fees;
  - 2. Damages, seizures, forfeitures, and criminal penalties;
  - 3. Gifts, grants, and contracts, and
  - 4. Such allocations of Tribal revenues as the Tribal Council, in its discretion's, may make from time to time.
- C. Expenditures may be made from the Wildlife Fund for management and preservation of wildlife resources.
- D. Forty percent of the proceeds of the Wildlife Fund shall be designated for the budget of the

Mescalero Apache Conservation Department, and the remainder of the proceeds shall be deposited in the general fund of the Tribe.

15-11-5. FALCONRY.

- A. Falconry means the taking of quarry by means of a trained raptor.
- B. It is a violation of this Code to engaging in falconry without first obtaining a permit from the department.
- C. The Tribal Council shall establish the procedures for obtaining a falconry permit, including setting the seasons, bag limits, persons eligible to engage in falconry, and any other provisions that may be appropriate to carry out the purposes of this Code.

15-11-6. DONATION OF GAME ANIMAL CARCASSES.

- A. Game animals donated, left or not claimed after fourteen days from the packing plant at the Trap and Skeet Range shall be distributed to the elderly or needy members of the Tribe or any other eligible tribal program or person.
- B. A person who has legally killed a big game animal may make a gift of the carcass, or parts thereof, provided the following information accompanies the carcass:
  - 1. Name and address of permittee;
  - 2. Detached Permit
- C. Any big game animal carcass confiscated or claimed by the department shall be distributed to the elderly program of the Tribe or any other eligible tribal program or person.

**Prepared by:**

**Date:** January 31, 2022  
*Amended February 14, 2022*

Tyner Cervantes-Chief Conservation Officer  
Mescalero Conservation Law Enforcement Department