

T̂silhqot'in Nation

Hunting Order

Made pursuant to the *T̂silhqot'in Nation Nulh Ghah Dechen Ts'edilhtan*, section 18.

Enacted by the Xeni Gwet'in First Nations Government Chief and Council on July 16, 2019.

Endorsed by the T̂silhqot'in Council of Chiefs on July 25, 2019.

Came into force on August 23, 2019.

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PART 1 – INTRODUCTORY PROVISIONS

Area of application

- 1 For greater certainty, this order applies in the Declared Title Area; it applies to hunting and to other activities, except trapping, that may affect wildlife and habitat in the Declared Title Area.

PART 2 – RESPECT FOR HABITAT

No harm to wildlife habitat

- 2 No one may damage wildlife habitat in the Declared Title Area without first obtaining a permit in accordance with section 19 of the *Nulh Ghah Dechen Ts'edilhtan*.
 - (a) For the purposes of this section, wildlife habitat is damaged when part of it is degraded, either permanently or temporarily, such that it would not serve its function when needed by wild animals. Damage to habitat may result from a single or multiple activities at one point in time or from the cumulative effects of one or more activities over time.

PART 3 – RESPECT FOR WILDLIFE

Ban on hunting moose - exception for hunting of bull moose by permit

- 3 No one may hunt moose, subject to the following exception:
 - (a) A T̓silhqot'in person may hunt bull moose from August 16 to January 31 if that person has a valid permit issued in accordance with section 19 of the *Nulh Ghah Dechen Ts'edilhtan*.

No hunting some kinds of big game

- 4 No one may hunt:
 - (a) mountain sheep;
 - (b) mountain goats;
 - (c) caribou;
 - (d) elk;
 - (e) mule deer does;
 - (f) mule deer bucks, unless the buck has four or more points on one antler;
 - (g) white-tailed deer does; or,
 - (h) white-tailed deer bucks, unless the buck has three or more points on one antler.

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No hunting some kinds of big game during certain times of year

- 5 In addition to the prohibitions set out in section 4, from February 1 to August 15, no one may hunt:
- (a) any mule deer; or,
 - (b) any white-tailed deer.

Requirements related to possession of harvested deer

- 6 A person who transports all or part of a harvested mule deer buck or white-tailed deer buck must leave naturally attached to part of the animal: the animal's unskinned tail; and one or more antlers showing the required number of points (four or more points on one antler for a mule deer buck, three or more points on one antler for a white-tailed deer buck).
- (a) These requirements no longer apply after the harvested deer:
 - (i) is transported to a residence or campsite within the Declared Title Area to be prepared for eating or other uses; or
 - (ii) is transported beyond the boundary of the Declared Title Area.

No hunting young wild animals, or wild animals caring for their young

- 7 Subject to the exception set out below in section 8, no one may hunt:
- (a) a grizzly bear or black bear less than two years old, or a bear in its company;
 - (b) a cougar kitten or a cougar in its company;
 - (c) a lynx in the company of one or more lynx; or,
 - (d) a bobcat in the company of one or more bobcats.

Exception for certain wild animals that pose a threat

- 8 Where a wild animal listed in section 7 or its young pose a threat to people, pets or livestock, a person may hunt that wild animal or its young only if that person is acting to prevent an immediate and direct threat to human life or first receives an authorization in accordance with section 20 of the *Nulh Ghah Dechen Ts'edilhtan*.

Prohibitions to protect some wildlife of conservation concern

- 9 No one may hunt:
- (a) American white pelicans;
 - (b) raptors (birds of prey), including eagles, osprey, hawks, falcons, vultures, and owls; or,
 - (c) great blue herons.

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Prohibitions to protect certain birds, bird eggs and bird nests

10 No one may: take, injure or destroy an egg in a nest or a bird in a nest; take or destroy a nest occupied by a bird or egg; or take or destroy a nest (whether occupied or not) of an eagle, peregrine falcon, osprey, gyrfalcon or heron.

No hunting in a way that gives an unfair advantage over wildlife

11 No one may hunt in a way that gives them an unfair advantage over wildlife. In particular, no one may:

- (a) shoot wildlife when it is swimming;
- (b) chase wildlife with any kind of motorized vehicle or boat; or,
- (c) hunt using a pit lamp.

Hunters must make every reasonable effort to finish a hunt and prevent suffering

12 A person hunting in the Declared Title Area must make every reasonable effort to:

- (a) check if they have wounded wildlife after shooting at it, for example by looking for blood in the area;
- (b) track wildlife they have wounded; and,
- (c) retrieve wounded or killed wildlife.

Prohibitions related to muskrat and beaver houses and dams

13 No one may disturb or destroy a muskrat house or den, or a beaver den, beaver house, or beaver dam, unless the action is taken to provide irrigation, to provide drainage to protect property, to provide drainage for a road, or to ensure that fish can access spawning areas.

PART 4 – RESPECT FOR SAFETY, PEOPLE, AND PROPERTY

General rule – respect your own safety, other people’s safety, and property

14 No one may hunt without respecting their own safety and the lives, safety and property of other people.

Specific rules relating to respect for safety and property

15 As examples of the general rule set out in section 14 of this order, the following specific rules apply:

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- (a) no one may hunt unless they and their hunting partners are properly trained in gun safety and hunting. Proper training includes training received from a knowledgeable T̓silhqot̓in hunter, or other training or courses approved by the Xenigwet̓in First Nations Government Chief and Council;
- (b) no one may hunt if the consumption of alcohol or a drug affects their ability to hunt, or their ability to handle a firearm or other hunting weapon safely and responsibly;
- (c) no one may hunt, or shoot a hunting weapon, from one hour after sunset to one hour before sunrise;
- (d) no one may shoot a hunting weapon from a vehicle, including a motor vehicle, a boat with a motor, or any kind of aircraft;
- (e) no one may shoot a hunting weapon across any road that is accessible by car or truck;
- (f) no one may hunt, or shoot a hunting weapon, within 100 meters of a church, school, playground, house, farm or ranch building occupied by people or domestic animals; and,
- (g) no one may hunt on cultivated lands without the consent of the owner or occupier.