

§ 242.5

(1) Other Indians on the reservation and

(2) Licensed traders on the reservation for resale to Indians.

(b) Fish may be taken for commercial purposes only by the Association through members of the Association in residence on the reservation during the fishing season which shall be May 15 to November 15 inclusive. All fish taken for such purposes shall be marketed through the Association.

(c) In connection with commercial fishing, Association members fishermen may be assisted only by Indians who are members of the Red Lake Band.

§ 242.5 Disposition of unmarketable fish.

All unmarketable live fish taken under authority of these regulations must be returned to the water, and all unmarketable dead fish taken must be buried by the person taking the same.

§ 242.6 Spawning season.

Walleye and northern pike (or pickerel) shall not be taken during their spawning season except for propagation purposes.

§ 242.7 Suspension.

All commercial fishing operations may be suspended by order of the Secretary at any time.

§ 242.8 Penalty.

Any Indian violating the provisions of §§ 242.4 and 242.6 shall forfeit his right to take fish for any purpose for a period of three months.

§ 242.9 Quotas.

The Secretary may set such commercial quotas as he may find desirable, based on available biological and other information, on the amount of fish which may be taken under authority of the regulations in this part in any one season. Until otherwise determined by the Secretary, not more than 650,000 pounds of walleyes may be taken in any one fishing season.

§ 242.10 Fishing equipment limitations.

(a) Any variety of fish may be taken by enrolled members of the Band from any waters on the reservation by hook

25 CFR Ch. I (4-1-01 Edition)

and line, and from Upper and Lower Red Lakes by gill net or entrapment gear for noncommercial use only.

(b) For commercial fishing each member of the Association shall be limited to eight gill nets of 300 feet in length and six feet in depth, of which not to exceed six of such nets may be of nylon and other synthetic material.

(c) Gill nets for taking pike shall have a mesh of not less than 3½ inches extension measure.

(d) Gill nets for taking whitefish shall have a mesh of not less than 5½ inches extension measure.

(e) Entrapment gear may only be used by members of the Association for taking fish of any variety for commercial purposes or propagation, in accordance with such specifications and directions as the manager of the Association may provide.

(f) All nets used in Red Lake Reservation waters must be marked with appropriate tags to be furnished by the Association.

§ 242.11 Royalty.

The Association shall pay five percent of the gross receipts from the sale of fish by the Association to the designated collection officer of the Bureau of Indian Affairs, which shall be deposited to the credit of the Band in the Treasury of the United States.

§ 242.12 Authority to lease.

The Band, with the approval of the Secretary, may execute a lease or permit on its fisheries plant and hatchery at Redby, Minnesota, to the Association.

PART 243—REINDEER IN ALASKA

DECLARATIONS OF OWNERSHIP

Sec.

243.1 Agent.

243.2 Filing of form.

243.3 Receipt of form.

AUTHORITY: Sec. 12, 50 Stat. 902; 48 U.S.C. 250k. Interpret or apply sec. 3, 50 Stat. 900; 48 U.S.C. 250b.

SOURCE: 22 FR 10543, Dec. 24, 1957, unless otherwise noted. Redesignated at 47 FR 13327, Mar. 30, 1982.

Bureau of Indian Affairs, Interior

§ 247.1

DECLARATIONS OF OWNERSHIP

§ 243.1 Agent.

The General Reindeer Supervisor at Nome, Alaska, is hereby designated as the duly authorized agent of the Secretary of the Interior, with whom all declarations of reindeer ownership required by the act of September 1, 1937 (50 Stat. 900; 48 U.S.C. 250-250p), must be filed within the time limits specified in the act.

§ 243.2 Filing of form.

Pursuant to the provisions of section 3 of the act, declarations of ownership of reindeer in Alaska should be made by claimants upon the prescribed form. This form should be executed in quadruplicate. All four copies should be submitted in person or by mail to the General Reindeer Supervisor, Nome, Alaska, who has been designated as the duly authorized agent of the Secretary of the Interior pursuant to section 3 of the aforementioned act. Envelopes containing declarations of ownership of reindeer which are mailed to said agent must bear postmarks not later than midnight of September 1, 1938, in order to meet the requirements of the law. All declarations submitted in person by the owner, or his representative, must be filed with said agent at his office at Nome, Alaska, on or before 5 o'clock p.m., September 1, 1938.

NOTE: Copies of the form mentioned may be obtained from the General Reindeer Supervisor, Nome, Alaska.

§ 243.3 Receipt of form.

Upon receipt of each person's declaration of ownership of reindeer in Alaska, the General Reindeer Supervisor shall sign the receipt thereof in the proper place in the form, and shall submit two copies of the declaration to the Commissioner of Indian Affairs, retain one copy in his record, and return one copy to the claimant. All declarations of ownership of reindeer in Alaska which are included in the records of the office of the General Reindeer Supervisor shall be kept open to public inspection in Alaska in accordance with section 3 of said act.

PART 247—USE OF COLUMBIA RIVER TREATY FISHING ACCESS SITES

Sec.

- 247.1 What definitions apply to this part?
- 247.2 What lands are subject to these regulations?
- 247.3 Who is eligible to use the sites?
- 247.4 How can eligible users be identified?
- 247.5 What laws and regulations apply to the people who use these sites?
- 247.6 What will happen if I damage Government-owned property?
- 247.7 Can I build a structure?
- 247.8 What am I responsible for if I use the facilities?
- 247.9 What other rules apply while I am using the facilities?
- 247.10 What will happen if I abandon property?
- 247.11 What other restrictions apply to use of the sites?
- 247.12 Will I have to pay to use a site?
- 247.13 Are the facilities available year around?
- 247.14 Can I hook up a campsite to on-site or off-site utilities?
- 247.15 May I reserve a campsite or drying shed?
- 247.16 What fire is permitted?
- 247.17 What are the restrictions on fires?
- 247.18 What are the sanitation prohibitions?
- 247.19 Can a site be used for commercial enterprises other than fishing enterprises by the tribes?
- 247.20 What are the road and trail prohibitions?
- 247.21 Can I appeal an administrative action?

AUTHORITY: 25 U.S.C. 2 and 9; Pub. L. 100-581, Title IV.

SOURCE: 62 FR 50868, Sept. 29, 1997, unless otherwise noted.

§ 247.1 What definitions apply to this part?

Abandoned property means property left at a site while the owner of the property is not actively engaged in fishing or drying or processing fish. Abandoned property may include:

- (1) Vehicles;
- (2) Mobile trailers;
- (3) Campers;
- (4) Tents;
- (5) Tepees;
- (6) Boats, or;
- (7) Other personal property.

Archaeological Resource means material remains of prehistoric or historic