

Commercial bait:

Species that may be taken and sold by any licensed resident bait dealer or sold by any licensed nonresident bait dealer: fathead minnow, white sucker, creek chub, golden shiner, flathead chub, Western silvery minnow, plains minnow, tiger salamander (all subspecies), leopard frog (all subspecies), crayfish (*Cambarus diogenes*, *Orconectes immunis*, *Orconectes virilis* and *Orconectes causeyi*), freshwater shrimp, and leeches.

Protected Species – The following species are illegal to take or possess: State listed **endangered fish** are pallid sturgeon, banded killfish, finescale dace, blacknose shiner, and sicklefin chub. In addition, the Topeka shiner and pallid sturgeon are federally listed endangered species. State listed **threatened species** are sturgeon chub, northern redbelly dace, longnose sucker, and pearl dace.

Game fish and endangered species to be returned to waters. Game fish and protected species taken in bait traps, nets or seines shall be returned to the waters from which taken as soon as possible to prevent visible stress and death and shall not be transported away from the water in which taken for any reason. Rough fish may be destroyed provided they are buried or disposed of in a manner conforming to public health, pollution and refuse laws.

FISH IMPORTATION PERMITS REQUIRED. Fish importation permits are required for all fish entering South Dakota. Anglers fishing boundary waters and fish designated for aquaria use are exempt. See rules regarding fish importation and application for importation permit. Contact a Game, Fish and Parks office or the Licensing Office for application forms and importation rules.

LICENSES. The following licensees must keep records, as well as render reports and comply with rules and regulations as prescribed by the Game, Fish and Parks Commission to perpetuate the bait resources of the state. Granting licenses will be at the discretion of the Secretary of Game, Fish and Parks.

Resident Retail Bait Dealer License - \$30 fee

The license permits the licensee to raise, trap, seine, buy, sell, possess, and transport bait. No retail bait dealer may sell bait to wholesale, retail or export bait dealers. This license is not required for residents under 16 years of age.

Resident Wholesale Bait Dealer License - \$275 fee

The license permits the licensee to raise, trap, seine, buy, sell to any retail, wholesale, or export bait dealer, possess, and transport bait and other wild animals commonly used as fish bait within the state, and to transport and sell bait in any adjoining state. This license is not required by residents under 16 years of age.

Export Bait Dealer License - \$400 fee

The license permits the licensee to buy and possess bait within the state and transport the bait out of the state for resale.

Nonresident Retail Bait Dealer License - \$55 fee

The license permits the licensee to buy, sell, possess and transport bait. No nonresident bait dealer licensed under this section may sell bait to wholesale, retail or export bait dealers.

Nonresident Wholesale Bait Dealer License - \$550 fee

The license permits the licensee to transport bait into the state, possess bait within the state, and sell bait within the state to any retail, wholesale or export bait dealers.

Raising Baitfish – Raising bait fish species is permitted for licensed resident retail and wholesale bait dealers. Please contact your local Game, Fish, and Parks office for details on the process used to approve ponds for stocking bait fish species.

RECORDS. Licensed bait dealers **must** maintain the following records on forms supplied by the department:

Required of resident wholesale and retail dealers.

- Gallons of baitfish, numbers of amphibians and crustaceans, by species, and pounds of leeches taken from public waters or lands, name of public waters or lands, and date taken.
- Gallons of baitfish and numbers of amphibians and crustaceans, by species, and pounds of leeches taken from waters on private lands, and date taken.
- Gallons of baitfish and numbers of amphibians and crustaceans, by species, and pounds of leeches obtained from outside South Dakota, name and address of supplier, and date.

Also required of all retail dealers.

- Gallons of baitfish and numbers of amphibians and crustaceans, by species and pounds of leeches sold monthly at retail.

Also required of resident wholesale bait dealers.

- Gallons of baitfish and numbers of amphibians and crustaceans by species and pounds of leeches sold at wholesale within the state and to retail outlets and public fish hatcheries in adjoining states, names and address of buyer, species, quantity, and date sold.

Required of export bait dealers.

- Gallons of baitfish and numbers of amphibians and crustaceans purchased, by species, and transported out of state. Name and address of supplier, quantity, species, date purchased, name of purchaser and state of destination.

Required of nonresident bait dealers.

- Gallons of baitfish, numbers of amphibians and crustaceans, by species, and pounds of leeches brought into the state or purchased in state and sold to retail and wholesale minnow dealers within the state. Name and address of buyer, species, quantity, and date sold or purchased.

These records shall be kept current and available for inspection by personnel of the department at the location indicated on the application during normal business hours for a period of three years after the end of the license year. Bait dealers must submit a summary of yearly records on forms supplied by the department by January 31 of the following calendar year. The department may refuse to issue a new license if these records are not submitted.

EXPIRATION. All licenses expire on January 31 of the calendar year directly following the year in which the license is issued.

DISPLAY OF DEALER'S LICENSE.

- The bait dealer's license must be conspicuously displayed in all places where bait is sold.
- The applicable wholesale, retail, or export bait dealer's license, or a legible copy thereof, shall be kept in each vehicle used by a bait dealer or the dealer's agent to transport bait. Such license or copy shall be made available for inspection upon request of any law enforcement officer whose authority includes enforcement of the baitfish laws of this state

SEINES AND TRAPS.**Licensed resident wholesale and retail minnow dealers**

Licensed resident wholesale and retail bait dealers may possess and use regular or bag seines up to 50 feet long and 6 feet deep and traps larger than 12 inches by 36 inches. No seines, nets, and traps shall contain flexible mesh larger than three eighths inch square. All traps shall have a rigid entrance no larger than one inch wide and trap throats exposed above the surface of the water shall be blocked by a solid shield or mesh to prevent the entrapment of waterfowl. Special permits for use of larger equipment may be issued by the Department secretary.

WATERS OPEN TO TAKING OF BAIT. Public waters open to taking bait by legal resident wholesale or resident retail bait dealers include all public waters, **except those waters**

as listed below and the James River, Big Sioux River, Vermillion River and Missouri River below Gavins Point Dam.

Within 100 feet of areas designated by the Game, Fish and Parks Commission as protected spawning beds or rearing ponds, or other areas protected as fish management areas; waters on all federal Waterfowl Production Areas; **AURORA COUNTY:** Wilmarth; **BEADLE:** Ravine, Staum; **BENNETT:** Allen Dam, Little White River Project, Lacreek Refuge Pools 1-10, Lake Creek, Cedar Creek Dam 1, 2 & 3; **BON HOMME:** Henry, Missouri River, Lewis & Clark; **BROOKINGS:** Sinai, Poinsett, Interstate; **BROWN:** Elm, Richmond, Pigors, Wiley Park; **BRULE:** Wells, Francis Case; **BUFFALO:** Francis Case, Sharpe; **BUTTE:** Orman (Belle Fourche Reservoir), Newell, Red Water River; **CAMPBELL:** Campbell, Chester, Pocasse, Oahe; **CHARLES MIX:** Academy, Andes (North and South units), Dante, Geddes, Platte, Wagner, Francis Case, Missouri River; **CLAY:** Missouri River; **CODINGTON:** Bramble Pond, Kampeska, Kampeska Fish Ponds, Horseshoe, McKilligans, Pelican, Punished Woman; **CORSON:** Oahe, Pudwell, Tetanka, East & West Morristown, Mallard, McGee; **CUSTER:** Bismark, Stockade, Biltmore, Center, Legion, Sylvan, Custer Municipal Pond, all trout streams; **DAVISON:** Mitchell; **DAY:** Amsden, Antelope, Bitter, Blue Dog, Campbell Slough, East Krause, Enemy Swim, Hazelton, Horseshoe, Middle Lynn, Pickerel, Pierpont, Minnewasta, Owen Creek, Waubay; **DEUEL:** Alice, Bullhead, Cochrane, Gary Creek, Cobb Creek; **DEWEY:** Oahe, Adams, Dewberry, Eagle Butte, Isabel, Moreau #1 & #2; **DOUGLAS:** Corsica; **EDMUNDS:** Bowdle-Hosmer, Loyaltown, Mina; **FALL RIVER:** Angostura, Coldbrook, all trout streams; **FAULK:** Cresbard, Faulkton; **GRANT:** Blue Cloud Abbey, Hunter Granite Quarry, Summit; **GREGORY:** Berry, Burke, Fairfax, Herrick, Francis Case, Missouri River; **HAAKON:** Sunshine, Waggoners, Kroetch; **HAMLIN:** Poinsett, Mickelson Marsh; **HAND:** Dakota, Jones, Louise, Pearl, Rosehill; **HANSON:** Ethan, Hanson; **HARDING:** Buffalo (Gardner); **HUGHES:** Woodruff, Oahe, Sharpe; **HUTCHINSON:** Dimock, Menno, Tripp; **HYDE:** Boehm, Chappelle, Peno, Quirk, Sharpe; **JERAULD:** Twin; **JONES:** Murdo, Murdo Railroad, National Grassland Dams; **KINGSBURY:** Iroquois, Thompson; **LAKE:** Long, Madison, Brant, Round, Herman and its connecting waters; **LAWRENCE:** Coxes, Mirror, Mud, Reausaw, Roubaix, Iron Creek, Dalton, all trout streams; **LINCOLN:** Alvin, Lakota; **LYMAN:** Brakke, Dying, Fate, Knudson, Larson, National Grassland Dams, Reliance, Sharpe, Francis Case; **MCCOOK:** Vermillion, E. Vermillion River above Lake Vermillion and south of 1-90; **MCPHERSON:** Eureka #1 & #2, Wolff; **MARSHALL:** North & South Buffalo, Bullhead, Clear, Cottonwood, Hickman, Nine Mile, South Red Iron, Roy, Six Mile, White; **MEADE:** Bear Butte, Curlew, Durkee, Ft. Meade BLM, Lake, Tisdale; **MELLETTTE:** Blackpipe, Deiss, Rohloff, White River Dam; **MINER:** Carthage; **MINNEHAHA:** Wall; **PENNINGTON:** Canyon Drive, Deerfield, Horsethief, Major, Mitchell, Newton Fork, Pactola, Sheridan, Slate Creek Dam, Cement Plant Pond, New Underwood, New Wall, Old Wall, Quinn, Quinn Township, Tennyson, Wicksville, all trout streams; **PERKINS:** Shadehill, Lemmon State, Flat Creek, Sorum, Coal Springs, Owen, Cole, 73 Dam; **POTTER:** Simon, Potts, Hurley, Oahe; **ROBERTS:** Whitestone; **SANBORN:** Twin; **SPINK:** Dudley, Cottonwood, Mirage, Bierman, Mud, Twin; **STANLEY:** Hayes, National Grassland Dams, Red Plum, Oahe, Sharpe, Missouri River; **SULLY:** Oahe, Cottonwood, Fuller, Sully; **TODD:** Boarding School, He Dog, Hidden Timber; **TRIPP:** Roosevelt, Beaulieu, Carter, King, Rahn, Sundahl, Witten, Hamill, Lone Tree, Dog Ear, Irwin, Sully; **TURNER:** Swan; **UNION:** McCook, Missouri River; **WALWORTH:** Oahe, Hiddenwood, Molstad, Swan; **YANKTON:** Marindahl, Yankton (Cottonwood), Lewis & Clark, Missouri River; **ZIEBACH:** Bednor, Oahe, Glad Valley, Miller, Buffalo.

Waters Closed To Commercial Taking Of Baitfish and Biological Specimens From May 1 Through July 31, Include The Following: **CODINGTON:** Cotton/Yahota Sough GPA (Sec. 10, T117N, R53W), Goose GPA, Wamer GPA (Hodgins Area, Sec. 18, T118N, R55W), Long (Sec. 11, 12, 13, and 14, T117N R55W), Stover GPA (Sec. 8, 9, T118N, R53W); **DEUEL:** Altamont GPA (Sec. 16, T116N, R49W); **HAMLIN:** Johnson Slough GPA (Sec. 21, 28, T113N, R55W), Eidsness GPA (Sec. 6, T115N, R55W), Gertsen Slough (Sec. 36, T113N, R54W); **MARSHALL:** Four-Mile Clubhouse (GPA).

TAKING AND POSSESSION. No person may seine or take bait from the waters of this state unless licensed by the Department of Game, Fish and Parks.

TRAP SPACING AND EMPTYING. Bait traps must not be set either singularly or in series so as to cover more than one half of the width of any stream. All bait traps must be lifted and emptied of fish often enough to prevent loss of bait or other animals, and at least once in every 48 hours between May 15 and September 14, and at least once in every 96 hours between September 15 and May 14.

TRAP MARKING. All bait traps must be marked conspicuously and legibly with the owner's name and address on the top of the trap as well as any other place the owner wishes to identify the traps. Bait traps lost or stolen must be reported within 5 days of knowledge of loss to any Conservation Officer. Owners will be liable for all violations involving unreported, lost or stolen traps.

TRANSPORTATION REQUIREMENTS. A bait dealer may not transport bait in water over 60 degrees Fahrenheit except in a container provided with aerating equipment that maintains sufficient dissolved oxygen in the water at all times to keep the bait in good condition whether or not the vehicle is in motion. Transportation equipment shall allow for inspection of bait at all times. A person may not keep more than 12 dozen baitfish or other gill-breathing animals in a container unless it is equipped with aerating equipment or is provided with a continuous flow of water sufficient to maintain dissolved oxygen in a quantity adequate to maintain the bait and gill-breathing animals in good condition. A loss in excess of one quart of bait for every 50 gallons of water or portion of 50 gallons in a container used for keeping or transporting bait is evidence of a violation

TRANSPORTATION OF OTHER FISH BY BAIT DEALER. A bait dealer may not transport other fish while transporting baitfish unless legally licensed under a private hatchery license and the trip originates at the bait or private hatchery facility for the purpose of delivering fish to customers. Baitfish must be completely separated from other fish in separate compartments to allow inspection.

HOLDING REQUIREMENTS. No person may keep more than 12 dozen baitfish or other gill-breathing animals in any container unless it is equipped with aerating equipment or is provided with a continuous flow of water sufficient to maintain dissolved oxygen in a quantity adequate to maintain the bait in good condition.

EVIDENCE OF VIOLATION. Any loss in excess of one quart of bait for every 50 gallons of water or portion thereof in any container used for keeping or transporting bait will be prima facie evidence of a violation of the applicable provisions hereof relating to sufficient quantities of dissolved oxygen.

EQUIPMENT IDENTIFICATION. The name, complete address and the words "BAIT DEALER" must be conspicuously displayed in letters and numbers not less than four inches high and one inch wide in a color markedly contrasting with the color of the surface on which placed, on both sides of each vehicle or tank used in transporting bait. If the lettering is on the tank and not the vehicle, the lettering must be placed so that it is as conspicuous as if it were on the side of the vehicle.

MOLLUSKS. All waters of the state including boundary waters, are closed to the commercial harvest of mollusks.

FROGS & SUCKER SPAWN. Frogs and sucker spawn may not be transported from the state unless authorized by the Secretary of Game, Fish and Parks.

IMPORTATION. Importation of nonnative fish, reptiles, amphibians, crustaceans and mollusks for commerce, culture, or introduction in private or public waters must be approved by the Secretary of Game, Fish and Parks.

REVOCATION. A conviction for a violation of any of the provisions of ARSD chapter 41:09:04 or of SDCL 41-6-44 through 41-6-45.1, inclusive, by a bait dealer, a bait dealer's agents or employees, may be cause for immediate revocation of the bait dealer's current license and serve as the basis for the Department's refusal to issue a license to the bait dealer for the calendar year following the year of conviction.