

**GAME, FISH AND PARKS COMMISSION ACTION  
PROPOSAL**

**BAIT Chapter 41:09:04  
PRIVATE FISH HATCHERIES Chapter 41:09:07  
FISHING TOURNAMENTS Chapter 41:09:15**

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	July 8 – 9, 2021	Virtual
	<b>Public Hearing</b>	September 1, 2021	Virtual
	<b>Finalization</b>	September 1 – 2, 2021	Virtual

**DEPARTMENT RECOMMENDATION**

1. Remove requirement for monthly and annual reporting by licensed retail bait dealers.
2. Remove size restrictions on trap entrance size and mesh size restriction for noncommercial bait seines, nets, and traps.
3. Eliminate annual fish health and AIS inspection requirement for private hatcheries.
4. Change the definition of fishing tournaments so that youth events with participants under the age of 18 (currently 17) would not be considered a tournament.

**SUPPORTIVE INFORMATION**

1. Currently retail bait license holders must keep monthly reports on bait sold and submit an annual report. Most retail bait dealers report the same amount of bait sold as purchased from wholesale bait dealers. This information is reflected in wholesale bait dealer reporting, so it is not needed from retail bait dealers as well.
2. Staff have fielded a number of inquiries into trap dimensions for noncommercial take of crayfish. There are commercially made traps that have dimensions outside those that are legal for use in South Dakota. Currently, both commercial and noncommercial trap dimensions are the same and in place to limit catch of game fish. By switching noncommercial trap dimensions, it would allow anglers to utilize commercially made traps. The smaller number of traps ran and fish caught while trapping for noncommercial use allows for easy sorting and returning of game fish to the water.
3. The vast majority of sales from private hatcheries in South Dakota are delivered to other states. With little risk to South Dakota combined with importing states requiring their own inspections, there is no need to require private hatcheries to do annual fish health and AIS inspections. This would save the private hatcheries costs associated with inspections.
4. The current fishing tournament rules state that “Junior fishing clinics or achievement contests for youths under age 17 are not considered to be fishing tournaments but are subject to special event requirements”. Due to changes in youth hunting and fishing laws, this should be changed to “...youths under age 18”.

**APPROVE**

**MODIFY**

**REJECT**

**NO ACTION**

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## RESIDENT/NONRESIDENT CRITERIA

Not Applicable.

## RECRUITMENT, RETENTION, REACTIVATION (R3) CRITERIA

1. Does the regulation or fee inhibit a user's ability to participate?

No

2. Does the regulation increase the opportunity for new and existing users?

Removing size restrictions on crayfish traps will remove a barrier to participation for those that desire to utilize specific, commercially produced traps.

3. How does the regulation impact the next generation of hunters, anglers, trappers and outdoor recreationists?

Negligible impact

4. Does the regulation enhance the quality of life for current and future generations by getting families outdoors?

Negligible impact