

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

**Hoop Nets and Setlines**

Chapter 41:07:08

<b>Commission Meeting Dates:</b>	<b>Proposal</b>	<b>September 5-6, 2019</b>	<b>Spearfish</b>
	<b>Public Hearing</b>	<b>October 3, 2019</b>	<b>Oacoma</b>
	<b>Finalization</b>	<b>October 3-4, 2019</b>	<b>Oacoma</b>

**DEPARTMENT RECOMMENDATION**

Modify Hoop Nets and Setlines Chapter and associated rules to:

1. Add a definition of setline in rule.
2. Add traps to hoop net and setline regulation title.
3. Allow the use of wire fish traps.
4. Change hoop net, trap and setline rules to require them to be emptied by midnight the day following when they were set instead of 72 hours. This will improve the chance of live release of the few game fish caught on setlines and turtles in all gears.
5. Change hoop net, trap and setline gear restrictions on border waters to match those for inland waters.
6. Allow use of hoop nets, traps, and setlines in the James, Vermillion, and Big Sioux River mainstems.
7. Allow use of hoop nets and traps in western Missouri River tributaries to increase angler opportunity.

**SUPPORTIVE INFORMATION**

1. Setlines are not defined in rule and it has been difficult to get violations of setline regulations to hold up in court. The definition would include any line with no mechanical reel that is attached to shore or an object on both ends and left unattended.
2. Fish traps are described in administrative rule as an allowable method of take in addition to hoop nets and setlines but are not currently reflected in the chapter title.
3. Use of wire fish traps is currently prohibited in administrative rule but the rationale for doing so is lacking. Allowing use of wire fish traps, in addition to those constructed of other materials, adds an additional option for those few people who use traps to take catfish and rough fish.
4. Requiring hoop nets, traps and setlines to be emptied by midnight the day following when they were set instead of 72 hours will improve the chance of live release of the few game fish caught on setlines and turtles in all gears.

<b>APPROVE</b> _____	<b>MODIFY</b> _____	<b>REJECT</b> _____	<b>NO ACTION</b> _____
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5. Currently, on the South Dakota-Nebraska border waters, a maximum of two setlines, with up to 10 hooks each, and six hoop nets can be used to take catfish and rough fish. Regulations for South Dakota inland waters allow a maximum of six setlines with up to 20 hooks each and a maximum of six hoop nets or traps to be used. Standardizing border water gear restrictions for hoop nets, traps, and setlines will reduce regulation confusion for resident anglers.
6. Allowing use of hoop nets, traps and setlines in the James, Vermillion, and Big Sioux River mainstems will increase opportunity.
7. Setlines are already allowed to be used in western tributaries of the Missouri River. Allowing use of hoop nets and traps will increase opportunity.

APPROVE _____	MODIFY _____	REJECT _____	NO ACTION _____
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