



Bait Dealer Regulations

SOUTH DAKOTA DEPARTMENT OF
GAME, FISH AND PARKS

523 EAST CAPITOL AVENUE | PIERRE, SD 57501

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, emerald shiner, golden shiner, spottail shiner, flathead chub, western silvery minnow, plains minnow, all subspecies of tiger salamander, all subspecies of leopard frog, crayfish (*Lacunicambarus diogenes*, *Faxonius immunitus*, *Faxonius virilis* and *Faxonius causeyi*), freshwater shrimp, and leeches.

LICENSES

Only lawful anglers and licensed bait dealers may take, possess, or transport bait from the waters of the state. Granting of commercial bait licenses is 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, and 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.

ELIGIBILITY FOR BAIT DEALERS, AGENTS, AND EMPLOYEES.

A bait dealer shall list, on the application, each employee or agent who will engage in trapping, transporting, delivering, raising, or seining bait taken from the waters of the state. No person other than those registered as an agent or an employee of a licensed bait dealer may exercise the privileges conveyed in the license. The department may refuse to issue a bait dealer license to or amend the license of any bait dealer who employs an individual or has an agent exercising the aforementioned privileges if in the previous or current calendar year the individual or agent had a bait dealer license suspended or revoked; or had been denied a bait dealer license. The period of ineligibility of a person to be employed by a bait dealer for a cause shall not exceed one year.

REVOCAION

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.





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RECORDS REQUIRED

Licensed bait dealers **must** maintain the following records on forms supplied by the department or electronically in a format approved 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 received.

Changes to Reporting Requirements FOR 2022

Beginning in 2022, Annual reporting and keeping monthly records of bait sold at retail are no longer required for retail bait licensees.

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

Records shall be kept current and available for inspection by department personnel, at the location indicated on the application, during normal business hours for a period of three years after the end of the license year. Records for resident bait dealers shall be kept within the state of South Dakota. Bait dealers must submit a summary of yearly records on forms supplied by the department or electronically in a format approved 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 bait dealers may possess and use regular or bag seines up to 50 feet long and 6 feet deep and traps of any size. 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.





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If a permit is issued to a bait dealer, by the Department, to stock white suckers into a water, larger equipment may be used to harvest white suckers from that water.

TRAP SPACING AND EMPTYING

Bait traps must not be set either singularly or in series 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 every 48 hours between May 15 and September 14, and at least once 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. 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 OF BAIT AND 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. Transportation equipment shall allow for inspection of bait and other fish at all times.

EQUIPMENT IDENTIFICATION

The name, complete address and the word "BAIT" must be conspicuously displayed in letters and numbers not less than three 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.

PROTECTED SPECIES

The following species are illegal to take or possess: State listed **endangered fish** are pallid sturgeon, banded killifish, 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. Rules regarding fish importation and the application for an importation permit are available in the Permits and Forms section of the GFP website at <http://gfp.sd.gov> or by contacting a Game, Fish and Parks office or the Licensing Office.

MOLLUSKS

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

A commercial fishing contract may be issued to licensed bait dealers to take white suckers for egg collection from specific waters of the state.





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WATERS CLOSED TO COMMERCIAL TAKING OF BAIT FROM MAY 1 THROUGH JULY 31. INCLUDE THE FOLLOWING:

CODINGTON: Cotton/Yahota Slough 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's Slough GPA (Sec. 21, 28, T113N, R55W), Eidsness GPA (Sec. 6, T115N, R55W), Gertsen Slough (Sec. 36, T113N, R54W); **MARSHALL:** Four-Mile Clubhouse (GPA).

WATERS CLOSED TO COMMERCIAL TAKING OF BAIT YEAR-ROUND

Creeks, streams or rivers, permanent or temporary in the following counties, areas and waters are closed year round to taking of all bait using nets, traps, or seines.

Counties: Aurora, Beadle, Bon Homme, Brown, Clay, Davison, Edmunds, Faulk, Hand, Hanson, Hutchinson, Jerauld, Lincoln, McCook, McPherson, Miner, Minnehaha, Moody, Sanborn, Spink, Turner, Union, and Yankton; and

Areas: Black Hills Fish Management area as defined in South Dakota Administrative Rule 41:07:01:01; and

Waters: Those posted by the department as protected spawn beds, rearing ponds, or other natural ponds used to rear or propagate fish or other no fishing areas which are clearly posted as such by the department; **waters on all federal Waterfowl Production Areas (including road rights-of-way immediately adjacent to these federally owned lands);**

AURORA COUNTY: Wilmarth; **BEADLE:** Byron, Mud, Ravine, Staum; **BENNETT:** Allen Dam, Lacreek Refuge Pools 1-10, Lake Creek, Little White River, Cedar Creek Dams 1, 2, & 3; **BON HOMME:** Henry, Lewis & Clark; **BROOKINGS:** Brush, Interstate, Nature Park East, Nature Park West, Nelson WPA/GPA, Poinsett, Sinai, Twin (east of U.S. Hyw. 81); **BROWN:** Elm, Richmond, Pigors, Wiley Park; **BRULE:** Francis Case, Sixteen, Wanalain, Wells; **BUFFALO:** Francis Case, Sharpe; **BUTTE:** Newell, Orman (Belle Fourche Reservoir), Red Water River; **CAMPBELL:** Campbell, Pocasse, Oahe; **CHARLES MIX:** Academy, Andes (North and South units), Dante, Geddes, Platte, Wagner, Francis Case, Missouri River; **CODINGTON:** 3rd Avenue Pond, Bramble Pond, Kampeska, Kampeska Fish Ponds, Horseshoe, McKilligans, Pelican, Punished Woman; **CORSON:** Oahe, Pudwell, East & West Morrystown, Mallard, McGee, Trail City; **DAVISON:** Mitchell; **DAY:** Amsden, Antelope, Bitter, Blue Dog, Campbell Slough, East Krause, Enemy Swim, Hazeldon, Horseshoe, Lynn, Middle Lynn, Pickerel, Pierpont, Minnewasta, Optiz, Owen Creek, Waubay; **DEUEL:** Alice, Bullhead, Cochrane, Gary Creek, Cobb Creek; **DEWEY:** Oahe, Eagle Butte, Lantry, Moreau #1, #2 & #3, Moreau River; **DOUGLAS:** Corsica; **EDMUNDS:** Mina, **FALL RIVER:** Angostura, Coldbrook, Cottonwood; **FAULK:** Cresbard, Faulkton; **GRANT:** 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; **HANSON:** Ethan, Hanson; **HARDING:** Buffalo (Gardner); **HUGHES:** Woodruff, Oahe, Sharpe; **HUTCHINSON:** Dimock, Menno, Tripp; **HYDE:** Mission (Boehm), Peno, Sharpe; **JERAULD:** Twin; **JONES:** Bad River, Murdo, Murdo Railroad, Okaton, Ft. Pierre National Grassland Ponds (ALL), White River; **KINGSBURY:** Twin (west of Hyw 81), Thompson; **LAKE:** Long, Madison, Brant, Round, Herman and its connecting waters, Herman State Park Pond; **LINCOLN:** Alvin, Lakota, Rollings GPA Pond; **LYMAN:** Brakke, Byre, Fate, Larson, Ft. Pierre National Grassland Ponds (all), Reliance, Sharpe, Francis Case, White River; **MCCOOK:** East Vermillion, Island (north and south of Co. Hyw 110); **MCPHERSON:** Eureka, Leola; **MARSHALL:** North & South Buffalo, Cattail/Kettle, Bullhead, Clear, Cottonwood, Hickman, Nine Mile, South Red Iron, Roy, Six Mile, White; **MEADE:** Bear Butte, Curlew, Durkee, Ft. Meade BLM, Tisdale; **MELLETTTE:** Little White River, White River, White River Dam; **MINER:** Carthage; **MINNEHAHA:** Island (north and south of Co. Hwy 110) Loss, Scott, Twin, Wall; **PENNINGTON:** New Underwood, New Wall, Old Wall, Quinn, Quinn Township, Tennyson, Wicksville; **PERKINS:** Shadehill, Lemmon State, Flat Creek, Sorum, Coal Springs, Owen, Cole, 73 Dam; **POTTER:** Simon, Potts, Hurley, Oahe; **ROBERTS:** Whitestone; **SANBORN:** Twin; **SPINK:** Cottonwood, Redfield, Mud, Twin; **STANLEY:** Bad River, Hayes, Ft. Pierre National Grassland Ponds(all), Oahe, Sharpe, Missouri River; **SULLY:** Oahe, Cottonwood, Sully; **TRIPP:** Roosevelt, Beaulieu, King, Rahn, Dog Ear, White River, Keya Paha River; **TURNER:** Swan; **UNION:** McCook; **WALWORTH:** Oahe, Molstad, Swan; **YANKTON:** Marindahl, Yankton, Lewis & Clark; **ZIEBACH:** Bednor, Oahe, Glad Valley, Miller, Buffalo.

