

July Proposals / September Finals
Game, Fish and Parks
Adopted By Commission

41:04:01:06. Safety zones defined. Specific water safety zones are defined as follows:

(1) "No motors zone," an area in which boats such as canoes, sailboats, and other craft without motors may operate;

(2) "No boating zone," an area in which boats of all types are prohibited. Department personnel or other persons specifically authorized by the secretary are exempt from this restriction while in the performance of their duties;

(3) "No motors over 8 h.p. zone," an area in which boats with motors no more than 8 horsepower may operate. Boats in these areas must travel at speeds under 10 miles per hour;

(3.1) "No motors over 25 h.p. zone," an area in which boats with motors of no more than 25 horsepower may operate;

(4) "No wake zone," an area in which boats may not create a wake by their passage. For the purposes of this article, a wake is defined as any type of wave action caused by the passage of a boat. At no time may the boat be operated at a speed greater than five miles per hour;

(5) "Public swimming zone," an area in which public swimming and bathing are allowed. In these areas boats of any nature including sailboards, fishing, and other incompatible activities are prohibited;

(6) "Public water ski zone," an area in which water skiing, including slalom course and ski jumps, is specifically allowed. In such areas, other activities such as boating, fishing, and swimming are prohibited;

(7) "No swimming zone," an area in which public swimming and bathing are not allowed;

(8) "No motor vehicle zone," an area in which the use of any motor vehicle is prohibited;

(9) "Electric motors zone," an area which is closed to the use of all motors except any electric-powered motor.

(10) "No discharge of a firearm from a boat," an area in which discharge of a firearm inside a boat is prohibited.

Source: SL 1975, ch 16, § 1; 4 SDR 15, effective September 15, 1977; 6 SDR 94, effective March 26, 1980; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 10 SDR 120, effective July 1, 1984; 12 SDR 186, effective May 28, 1986; 14 SDR 114, effective March 9, 1988; 23 SDR 38, effective September 26, 1996; 24 SDR 99, effective February 2, 1998; 30 SDR 40, effective October 1, 2003.

General Authority: SDCL 32-3A-1(3)(4), 41-2-18(5).

Law Implemented: SDCL 32-3A-1(3)(4), 41-2-18(5).

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41:04:02:12. Clark County public water safety zones. The Clark County public water safety zone ~~zones~~ is are as follows: the waters within Reid Lake designated as a "no boating zone" from October 20 to December 31, inclusive.

(1) The waters within Reid Lake are designated as a "no boating zone" from October 20 to December 31, inclusive.

(2) The waters within Indian Springs west of a line from 42750 174th street to 42750 177th street are designated as a "no discharge of a firearm from a boat" from October 10 to December 31, inclusive.

Source: SL 1975, ch 16, § 1; 10 SDR 23, effective September 22, 1983; 10 SDR 76, 10 SDR 102, effective July 1, 1984; repealed, 23 SDR 38, effective September 26, 1996; readopted, 25 SDR 43, effective September 28, 1998; 28 SDR 129, effective March 18, 2002; 32 SDR 183, effective May 9, 2006; 39 SDR 168, effective April 22, 2013; 40 SDR 197, effective May 27, 2014.

General Authority: SDCL 32-3A-1(3)(4), 41-2-18(5).

Law Implemented: SDCL 32-3A-1(3)(4), 41-2-18(5).

41:07:02:05. Special management waters. Special management waters are open to fishing as follows:

(1) The following waters are open to fishing from January 1 to the last day of February, inclusive, and from the Saturday closest to April 21 to December 31, inclusive. If the last day of February falls on a Saturday, the season extends through March 1. These special management waters are as follows:

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(a) In Codington County, the creek between Punished Women Lake and Round Lake and all creeks, streams, and rivers, permanent or temporary, on state-owned game production areas adjacent to both lakes;

(b) In Hamlin County, the creek between Lakes Norden and Mary from the Lake Norden outlet structure to the south side of the State Highway 28 bridge;

(c) In Day, Marshall, and Roberts Counties, all creeks, streams, and rivers, permanent or temporary;

(2) In Lake County, the waters of Silver Creek between Lakes Madison and Round lake are open to fishing from January 1 to the last day of February and from June 1 to December 31, inclusive. If the last day of February falls on a Saturday, the season extends through March 1; and

(3) The waters of Lake Francis Case, between the railroad bridge and the Interstate 90 bridge and causeway in Brule and Lyman Counties are open to fishing from May 1 to November 30, inclusive, except that shore fishing from the Brule County side of this area would remain open year-round.

(4) In Clark County the waters of Indian Springs west of a line from 42750 174th street to 42750 177th street is closed to fishing from a boat from October 10 to December 31.

Baitfish may be taken year-round by licensed bait dealers and legal anglers in these waters except as provided in § 41:09:04:03.

Source: SL 1975, ch 16, § 1; 2 SDR 36, effective November 12, 1975; 4 SDR 31, effective November 27, 1977; 7 SDR 69, effective January 25, 1981; 8 SDR 58, effective November 30, 1981; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 12 SDR 92, effective

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December 4, 1985; 14 SDR 81, effective December 10, 1987; 15 SDR 88, effective December 18, 1988; 16 SDR 114, effective January 18, 1990; 18 SDR 144, effective March 15, 1992; 20 SDR 87, effective December 13, 1993; 21 SDR 102, effective December 8, 1994; 22 SDR 82, effective December 10, 1995; 23 SDR 87, effective December 3, 1996; 24 SDR 72, effective November 30, 1997; 25 SDR 85, effective December 21, 1998; 29 SDR 80, effective December 10, 2002; 34 SDR 179, effective December 24, 2007; 39 SDR 100, effective December 3, 2012.

General Authority: SDCL 41-2-18(1)(2)(15)(17).

Law Implemented: SDCL 41-2-18(1)(2)(15)(17