

41:06:13:01. Spring wild turkey hunting seasons established -- Number and type of licenses available. The spring prairie wild turkey hunting season is open from one-half hour before sunrise to sunset each day from the second Saturday of April through May ~~31~~ thirty-first. The spring Black Hills wild turkey hunting season is open from one-half hour before sunrise to sunset each day from the fourth Saturday of April through May ~~31~~ thirty-first. The spring archery wild turkey hunting season is open from one-half hour before sunrise to sunset each day during the open dates of the prairie and Black Hills seasons, respectively. The number of one-tag male turkey licenses issued is unlimited for residents and nonresidents in ~~both the Black Hills and archery spring turkey hunting seasons.~~ The number of one-tag male turkey licenses issued in the Black Hills turkey hunting season to residents is unlimited. No more than two thousand two hundred twenty-five one-tag male turkey licenses in the Black Hills turkey hunting season may be issued to nonresidents. No more than ~~10,000~~ ten thousand one-tag male turkey and ~~2,500~~ two thousand five hundred two-tag male turkey licenses may be issued to residents for the prairie spring turkey hunting season.

Source: 1 SDR 60, effective February 26, 1975; 2 SDR 62, effective March 23, 1976; 3 SDR 67, effective April 3, 1977; 4 SDR 57, effective March 16, 1978; 7 SDR 92, effective March 22, 1981; 8 SDR 102, effective March 4, 1982; 9 SDR 108, effective February 20, 1983; 10 SDR 85, effective February 16, 1984; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 110, effective February 21, 1985; 13 SDR 128, effective March 22, 1987; 14 SDR 114, effective March 9, 1988; 16 SDR 148, effective March 21, 1990; 18 SDR 144, effective March 15, 1992; 26 SDR 117, effective March 16, 2000; 28 SDR 129, effective March 18, 2002; 29 SDR 147, effective May 6, 2003; 30 SDR 147, effective April 4, 2004; 31 SDR 115, effective February 14, 2005; 34 SDR 199, effective January 28, 2008; 36 SDR 112, effective January 11, 2010; 37 SDR 131, effective January 10, 2011; 43 SDR 89, effective December 29, 2016; 45

SDR 89, effective December 31, 2018; 46 SDR 116, effective April 29, 2020; 47 SDR 38, effective October 6, 2020; 49 SDR 46, effective November 21, 2022.

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

Law Implemented: SDCL 41-2-18, 41-11-5.

Cross-References:

Resident wild turkey license--Privileges--Violation as misdemeanor, SDCL 41-6-27.

Nonresident wild turkey license--Privileges--Violation as misdemeanor, SDCL 41-6-28.

41:06:13:02. Open units -- Exceptions. The following is a description of the open spring turkey hunting units:

(1) Unit BST-BH1: excluding Custer State Park, Wind Cave National Park, Mount Rushmore National Memorial, and Jewel Cave National Monument, that portion of Lawrence County south of Interstate 90; that portion of Meade County west and south of Interstate 90; those portions of Pennington and Custer Counties west of State Highway 79; that portion of Fall River County north and west of a line beginning at the junction of the South Dakota-Wyoming border and U.S. Highway 18, then east along U.S. Highway 18 to its junction with the Cheyenne River. then east along the Cheyenne River to its junction with State Highway 79; then north along State Highway 79 to its junction with the Custer County line;

(2) Unit PST-01A: Minnehaha County;

(3) Unit PST-02A: that portion of Pennington County east of the Cheyenne River;

(4) Unit PST-06A: Brookings County;

(5) Unit PST-07A: Yankton County;

(6) Unit PST-08A: Davison and Hanson Counties; Unit PST-08A is open beginning on the second Saturday of April through April-~~30~~ thirtieth;

(7) Unit PST-08B: Davison and Hanson Counties; Unit PST-08B is open beginning on May-~~1~~ first through May-~~31~~ thirty-first;

(8) Unit PST-10A: Aurora and Douglas Counties;

(9) Unit PST-11A: Bennett County;

(~~9~~)(10) Unit PST-12A: Bon Homme County;

(~~10~~)(11) Unit PST-13A: Brule and Buffalo Counties;

~~(11)~~(12) Unit PST-15A: Butte County and that portion of Lawrence County north of Interstate 90;

~~(12)~~(13) Unit PST-16A: Campbell and Walworth Counties;

~~(13)~~(14) Unit PST-17A: Charles Mix County;

~~—(14) Unit PST-18A: Aurora and Douglas Counties;~~

(15) Unit PST-19A: Clay County;

(16) Unit PST-20A: Corson County;

(17) Unit PST-21A: that portion of Custer County east of State Highway 79 and that portion of Pennington County south of Interstate 90 between State Highway 79 and the Cheyenne River;

(18) Unit PST-22A: Day and Codington Counties;

(19) Unit PST-23A: Deuel County;

(20) Unit PST-24A: Dewey and Ziebach Counties;

(21) Unit PST-27A: that portion of Fall River County not included in Unit BST-BH1;

(22) Unit PST-29A: Grant County;

(23) Unit PST-30A: Gregory County;

(24) Unit PST-31A: Haakon County;

(25) Unit PST-32A: Hamlin and Clark Counties;

(26) Unit PST-35A: Harding County;

(27) Unit PST-36A: Hughes County;

(28) Unit PST-37A: Hutchinson County;

(29) Unit PST-39A: Jackson County;

(30) Unit PST-40A: Beadle, Hand, and Jerauld Counties;

(31) Unit PST-41A: Jones County;

(32) Unit PST-44A: Lincoln County; Unit PST-44A is open beginning on the second Saturday of April through April-~~30~~ thirtieth;

(33) Unit PST-44B: Lincoln County; Unit PST-44B is open beginning on May-~~4~~ first through May-~~31~~ thirty-first;

(34) Unit PST-45A: Lyman County;

(35) Unit PST-48A: Marshall County and Roberts County;

(36) Unit PST-49A: those portions of Meade County not included in Units BST-BH1 and PST-53A, and that portion of Pennington County north of Interstate 90, west of the Cheyenne River;

(37) Unit PST-50A: Mellette County;

(38) Unit PST-52A: Moody County;

(39) Unit PST-53A: Perkins County and that portion of Meade County north of U.S. Highway 212;

(40) Unit PST-56A: Sanborn County;

(41) Unit PST-58A: Stanley County;

(42) Unit PST-58B: that portion of Stanley County located at the Oahe Downstream Recreation Area to include the U.S. Army Corps of Engineers Land-~~which~~ that is east and southeast of Powerhouse Road. This unit is bordered by the Missouri River to the east and the emergency spillway canal to the south. Unit PST-58B-is open beginning on the second Saturday of April through April-~~30~~ thirtieth, but only to licensed persons who use a wheelchair;

(43) Unit PST-60A: Tripp County;

(44) Unit PST-61A: Turner County;

(45) Unit PST-62A: Union County;

(46) Unit PST-65A: Oglala Lakota County;

(47) Unit PST-67A: Todd County; and

(48) Unit AST-ST1: statewide for archery turkey, except in Custer State Park ~~and south of state Highway 34 in Lake County.~~

Excluding that portion of Fall River County within Unit PST-27A, licensees in prairie units that utilize the Cheyenne or White Rivers as unit boundaries may hunt within one mile of either side of the river boundary, as well as in the remainder of the unit for which the license is issued.

Source: 1 SDR 60, effective February 26, 1975; 2 SDR 62, effective March 23, 1976; 3 SDR 67, effective April 3, 1977; 4 SDR 57, effective March 16, 1978; 5 SDR 68, effective February 15, 1979; 6 SDR 94, effective March 26, 1980; 7 SDR 92, effective March 22, 1981; 8 SDR 102, effective March 4, 1982; 9 SDR 108, effective February 20, 1983; 10 SDR 85, effective February 16, 1984; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 110, effective February 21, 1985; 12 SDR 151, effective March 16, 1986; 13 SDR 128, effective March 22, 1987; 14 SDR 114, effective March 9, 1988; 15 SDR 139, effective March 20, 1989; 16 SDR 148, effective March 21, 1990; 17 SDR 139, effective March 21, 1991; 18 SDR 144, effective March 15, 1992; 19 SDR 128, effective March 9, 1993; 20 SDR 150, effective March 23, 1994; 21 SDR 148, effective March 6, 1995; 22 SDR 111, effective March 7, 1996; 23 SDR 142, effective March 17, 1997; 24 SDR 107, effective February 26, 1998; 25 SDR 108, effective February 28, 1999; 26 SDR 117, effective March 16, 2000; 27 SDR 85, effective February 26, 2001; 28 SDR 129, effective March 18, 2002; 29 SDR 147, effective May 6, 2003; 30 SDR 147, effective April 4, 2004; 31 SDR 115, effective February 14, 2005; 33 SDR 107, effective December 27, 2006; 34 SDR 199, effective January 28, 2008; 35 SDR 184, effective February 2, 2009; 36 SDR 112, effective January 11, 2010; 37 SDR 131, effective January 10, 2011; 38 SDR 116, effective January 10, 2012; 39 SDR 10, effective August 1, 2012; 39 SDR 120, effective January 9, 2013;

40 SDR 121, effective January 6, 2014; 41 SDR 107, effective January 5, 2015; SL 2012, ch 56, § 1, effective May 1, 2015; 42 SDR 97, effective January 5, 2016; 43 SDR 89, effective December 29, 2016; 45 SDR 89, effective December 31, 2018; 45 SDR 124, effective April 17, 2019; 47 SDR 38, effective October 6, 2020; 48 SDR 60, effective December 8, 2021; 49 SDR 46, effective November 21, 2022.

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

Law Implemented: SDCL 41-2-18, 41-11-5.

41:07:03:03. Daily, possession, and length limit restrictions on special management waters -

- Additional restrictions described. Daily limit, possession limit, length limit, and additional restrictions on special management waters are as follows:

(1) Catfish may be taken without limit on the Grand, Moreau, Cheyenne, Belle Fourche, Bad, White, and Little Missouri Rivers; and in the inland waters of the Missouri River and its impoundments;

(2) In the waters of Lake Yankton in Yankton County and Lake Mitchell in Davison County, the minimum length limit for largemouth and smallmouth bass is ~~15~~ fifteen inches;

(3) In New Wall Dam in Pennington County, only those largemouth and smallmouth bass less than ~~14~~ fourteen inches in length or ~~18~~ eighteen inches or greater in length may be taken, and of the largemouth and smallmouth bass taken daily no more than one may be ~~18~~ eighteen inches or greater in length;

(4) In the Black Hills Fish Management Area:

(a) The areas described in subsections (b), (c), and (d) are restricted to artificial lures only and the use or possession of worms, baitfish, salmon eggs, corn, marshmallows, insects, moldable scented bait or ~~naturally occurring~~ naturally occurring or man-made food intended to be used as bait, within ~~100~~ one hundred feet of the water in those areas, is prohibited;

(b) Rapid Creek, including the Pactola Stilling Basin below Pactola Dam to the foot bridge at Placerville Camp and Upper and Lower Yates Ponds at Cheyenne Crossing, are restricted to catch and release;

(c) Rapid Creek in Rapid City from Jackson Boulevard upstream to Park Drive is restricted to catch and release;

(d) Spearfish Creek from Homestake Hydro Dam No. 2 to Maurice Dam is restricted to catch and release for rainbow trout. Other trout species may be retained within established limits; and

(e) Only one trout ~~14~~ fourteen inches or greater in length, regardless of species, may be taken daily from streams within the Black Hills Fish Management Area. However, in the Black Hills Fish Management Area, the minimum length limit for lake trout or brook trout-lake trout (splake) cross is ~~24~~ twenty-four inches or greater ~~in length~~ and the daily limit is one;

(5) All waters statewide are restricted to catch and release only for muskellunge and northern-muskellunge (tiger) cross;

(6) The season on paddlefish is closed, except as provided in §§ 41:07:05:02 ~~and 41:07:06:03.01~~;

(7) In inland waters, only one walleye ~~20~~ twenty inches or greater in length may be taken daily, except as provided in subdivisions (10) and ~~(11)~~ (13) of this section;

(8) In Lakes Francis Case and Sharpe, the minimum length limit for walleye is ~~15~~ fifteen inches, from September ~~1~~ first through June ~~30~~ thirtieth;

(9) In Angostura Reservoir, Shadepill Reservoir, and from the Ft. Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the minimum length limit for walleye is ~~15~~ fifteen inches;

(10) ~~In Belle Fourche Reservoir and all waters contiguous thereto, including the terminal drop inlet canal, only those walleye less than 15 inches in length or 18 inches or greater in length may be taken, and of the walleye taken daily no more than one may be 18 inches or greater in length;~~

~~—(11)~~ In Twin Lakes in Minnehaha County and Horseshoe Lake in Day County, the daily limit for walleye of any species is one, ~~28~~ twenty-eight inches or greater in length;

—~~(12)~~ (11) In Lynn and Middle Lynn Lakes in Day County, Opitz Lake in Day and Marshall Counties, Newell Lake and Belle Fourche Reservoir, including the terminal drop canal, in Butte County, and Curlew Lake in Meade County, the daily limit for walleye of any species combined is two and the minimum length limit is ~~15~~ fifteen inches;

—~~(13)~~ (12) From the Ft. Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the daily limit for white bass is ~~15~~, fifteen and the possession limit ~~30~~ is thirty; and

—~~(14)~~ (13) In Reetz Lake in Day County, the daily limit is: one walleye ~~28~~ twenty-eight inches or greater in length; one yellow perch ~~14~~ fourteen inches or greater in length; one black crappie ~~15~~ fifteen inches or greater in length; and one bluegill ~~10~~ ten inches or greater in length, from May ~~4~~ first through September ~~30~~ thirtieth.

Source: SL 1975, ch 16, § 1; 2 SDR 36, effective November 12, 1975; 4 SDR 31, effective November 27, 1977; 5 SDR 46, effective January 1, 1979; 6 SDR 60, effective January 1, 1980; 7 SDR 48, effective November 25, 1980; 8 SDR 58, effective November 30, 1981; 9 SDR 76, effective December 23, 1982; 10 SDR 48, effective November 22, 1983; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 80, effective December 16, 1984; 12 SDR 92, effective December 4, 1985; 13 SDR 68, effective December 11, 1986; 14 SDR 81, effective December 10, 1987; 15 SDR 88, effective December 18, 1988; 16 SDR 114, effective January 18, 1990; 17 SDR 87, effective December 10, 1990; 17 SDR 109, effective January 29, 1991; 18 SDR 98, effective December 12, 1991; 19 SDR 82, effective December 7, 1992; 19 SDR 108, effective January 26, 1993; 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; 25 SDR 85, effective

December 24, 1998; 26 SDR 85, effective December 26, 1999; 27 SDR 47, effective November 12, 2000; 28 SDR 44, effective October 3, 2001; 28 SDR 84, effective December 20, 2001; 28 SDR 166, effective June 4, 2002; 29 SDR 80, effective December 10, 2002; 29 SDR 107, effective February 3, 2003; 30 SDR 99, effective December 22, 2003; 30 SDR 115, effective February 4, 2004; 30 SDR 171, effective May 11, 2004; 31 SDR 89, effective December 27, 2004; 32 SDR 109, effective December 27, 2005; 33 SDR 107, effective December 27, 2006; 34 SDR 179, effective December 24, 2007; 35 SDR 184, effective February 2, 2009; 36 SDR 112, effective January 11, 2010; 37 SDR 112, effective December 8, 2010; 38 SDR 116, effective January 10, 2012; 39 SDR 100, effective December 3, 2012; 40 SDR 113, effective December 16, 2013; 41 SDR 107, effective January 5, 2015; 42 SDR 93, effective December 30, 2015; 43 SDR 89, effective December 29, 2016; 44 SDR 93, effective December 4, 2017; 44 SDR 151, effective April 30, 2018; 45 SDR 30, effective September 10, 2018; 45 SDR 89, effective December 31, 2018; 46 SDR 116, effective April 29, 2020; 48 SDR 115, effective May 24, 2022; 49 SDR 46, effective November 21, 2022.

General Authority: SDCL 41-2-18(1)(2)(14)(15)(17).

Law Implemented: SDCL 41-2-18(1)(2)(14)(15)(17).

41:07:04:01. Snagging season in special management waters. The snagging season for Chinook all species of salmon is open on Lake Oahe from October-~~1~~ first through November-~~30~~ thirtieth.

Source: 43 SDR 89, effective December 29, 2016; 46 SDR 116, effective April 29, 2020.

General Authority: SDCL 41-2-18(1)(2)(14)(15)(17).

Law Implemented: SDCL 41-2-18(1)(2)(14)(~~15~~)(17).

41:08:01:08.01. Bobcat trapping and hunting season established -- Hunting restrictions --

Tagging requirements. The bobcat trapping and hunting season is open statewide from sunrise on December ~~26~~ twenty-sixth through sunset on February ~~15~~ fifteenth. Any trapper or hunter participating in the bobcat season east of the Missouri River is limited to harvesting one bobcat ~~per trapper or hunter~~.

Any trapper or hunter participating in the bobcat season in the Black Hills may not harvest more than one bobcat ~~per trapper or hunter~~ in the area comprising:

- (1) That portion of Lawrence County south of Interstate 90;
- (2) That portion of Meade County west and south of Interstate 90;
- (3) Those portions of Pennington and Custer Counties west of State Highway 79; and
- (4) That portion of Fall River County north and west of a line beginning at the junction of the South Dakota-Wyoming border and U.S. Highway 18, then east along U.S. Highway 18 to its junction with the Cheyenne River, then east along the Cheyenne River to its junction with State Highway 79, then north along State Highway 79 to its junction with the Custer County line.

A harvested bobcat ~~taken~~ must be presented to a department representative for registration and tagging of the pelt, within five days of harvest during the season. Once the season has closed, a person has ~~24~~ twenty-four hours to notify a department representative of any untagged bobcats harvested ~~during the season~~ and arrange a time for registration and tagging of the pelt. The pelt must be removed from the carcass and the carcass must be surrendered to the department representative. After the pelt has been tagged, it must be returned to the hunter or trapper. Upon request, the carcass may be returned to the hunter or trapper after the carcass has been inspected and the lower jaw has been removed.

A person may only possess, purchase, or sell raw bobcat pelts that are tagged through the eyeholes with a tag provided by the department, or, if taken from another jurisdiction, properly and securely tagged with a tag supplied by the governmental entity issuing the license. If the governmental entity issuing the license does not issue a tag, other proof that the animal has been lawfully taken is necessary.

Source: 2 SDR 18, effective September 16, 1975; 3 SDR 22, effective September 23, 1976; 4 SDR 15, effective September 15, 1977; 6 SDR 14, effective August 23, 1979; 7 SDR 21, effective September 15, 1980; 8 SDR 19, effective August 31, 1981; 9 SDR 30, effective September 13, 1982; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 30, effective August 30, 1984; 13 SDR 26, effective September 10, 1986; 14 SDR 40, effective September 23, 1987; 20 SDR 13, effective August 8, 1993; 22 SDR 16, effective August 15, 1995; 23 SDR 20, effective August 13, 1996; 24 SDR 16, effective August 13, 1997; 30 SDR 21, effective August 25, 2003; 38 SDR 8, effective August 3, 2011; 39 SDR 10, effective August 1, 2012; 40 SDR 29, effective August 20, 2013; 42 SDR 93, effective December 30, 2015; 47 SDR 27, effective September 15, 2020; 47 SDR 38, effective October 6, 2020.

General Authority: SDCL 41-2-18(2)(17), ~~41-8-20~~.

Law Implemented: SDCL 41-2-18(2)(17), 41-8-20.

41:09:04:02.02. Species that may be taken as bait for commercial use. Species that may be taken and sold by any licensed resident bait dealer or sold by any licensed nonresident bait dealer are: fathead minnow, white sucker, creek chub, golden shiner, emerald shiner, spottail shiner, flathead chub, ~~Western~~ western silvery minnow, plains minnow, all subspecies of tiger salamander (~~all subspecies~~), all subspecies of leopard frog (~~all subspecies~~), crayfish (Cambarus Lacunicambarus diogenes, ~~Oreonectes~~ Faxonius immunis, ~~Oreonectes~~ Faxonius virilis, and ~~Oreonectes~~ Faxonius causeyi), freshwater shrimp, and leeches.

Source: 23 SDR 87, effective December 3, 1996; 30 SDR 99, effective December 22, 2003; 32 SDR 183, effective May 9, 2006; 35 SDR 253, effective May 13, 2009; 40 SDR 113, effective December 16, 2013.

General Authority: SDCL 41-2-18(1)(2)(3)(9).

Law Implemented: SDCL 41-2-18(1)(2)(3)(9).

41:09:04:02.04 Species that may be taken as bait for noncommercial use. Species that may be taken as bait by legal anglers for noncommercial use, by methods described in § 41:09:04:04, are: flathead chub, western silvery minnow, plains minnow, fathead minnow, white sucker, creek chub, golden shiner, emerald shiner, spottail shiner, gizzard shad, all subspecies of tiger salamander, all subspecies of leopard frog, freshwater shrimp, leeches, and the following types of crayfish:

(1) ~~Cambarus~~ Lacunicambarus diogenes;

(2) ~~Oreonectes~~ Faxonius immunis;

(3) ~~Oreonectes~~ Faxonius virilis; and

(4) ~~Oreonectes~~ Faxonius causeyi.

Live gizzard shad may not be transported away from the water in which they were taken.

Source: 35 SDR 184, effective February 2, 2009; 38 SDR 116, effective January 10, 2012; 40 SDR 113, effective December 16, 2013; 50 SDR 62, effective November 27, 2023.

General Authority: SDCL 41-2-18(1)(2)(3)(9).

Law Implemented: SDCL 41-2-18(1)(2)(3)(9).

41:09:07:05. Records required.~~The~~ A private fish hatchery licensee shall keep a ~~permanent~~ record of all transactions. If the transaction involves the purchase or receipt of fish or any fish reproductive product, the record ~~shall~~ must contain the number, size, and species of fish; the date of the transaction; the importation permit number, if applicable; and the name and address of the source.

If the transaction involves the sale or gift of fish or any fish reproductive product, the record ~~shall~~ must contain the number, size, and species of fish; and the date of the transaction. ~~Each record shall be made available for inspection by a department representative during normal business hours at the physical location for the business where the record is kept as indicated on the license application. Each record, or a legible copy thereof, shall be submitted~~ Each record must be kept current and available for inspection by department personnel during normal business hours, at the physical location of the business where the record is kept. Each record must be kept for a period of three years beginning on the January thirty-first after the transaction. Each licensee shall submit a summary of transactions from the previous calendar year to the department by January 31 ~~thirty-first~~ of the following calendar year, inclusive.

Source: SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 15 SDR 103, effective January 19, 1989; 29 SDR 80, effective December 10, 2002; 37 SDR 112, effective December 8, 2010; 47 SDR 27, effective September 15, 2020.

General Authority: SDCL 41-2-18(1)(22).

Law Implemented: SDCL 41-2-18(1)(22), 41-6-39, 41-6-40, 41-6-43.