

CHAPTER 41:07:03

FISH LIMITS

Section

41:07:03:01 Inland waters.

41:07:03:02 South Dakota-Minnesota boundary waters.

41:07:03:02.01 South Dakota-Nebraska boundary waters.

41:07:03:02.02 South Dakota-Iowa boundary waters.

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

~~Additional restrictions described~~ Exceptions to harvest restrictions for inland waters.

41:07:03:04 Repealed.

41:07:03:05 Anglers restricted to one day's limit while on the water or actively fishing --

Exception, possession limits allowed while ice fishing.

41:07:03:06 Repealed.

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

~~--Additional restrictions described~~ Exceptions to harvest restrictions for inland waters.

Daily limit, possession limit, length limit, and additional

restrictions on ~~special management~~ inland waters are as follows:

(1) Catfish may be ~~taken~~ harvested 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~~ to harvest largemouth and smallmouth bass is fifteen inches;

(3) In New Wall Dam in Pennington County, only those largemouth and smallmouth bass less than fourteen inches in length or eighteen inches or greater in length may be ~~taken~~ harvested, and of the largemouth and smallmouth bass ~~taken~~ harvested daily no more than one may be 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 or man-made food intended to be used as bait, within one hundred feet of the water in those areas, is prohibited;~~

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

(e) ~~Only one trout 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 twenty-four inches or greater and the daily limit is one~~ One trout may be harvested daily from streams, with a lake trout or brook trout-lake trout hybrid required to be at least twenty-four inches in length to harvest and all other trout required to be at least fourteen inches in length;

(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;~~

~~(7) In inland waters, only one walleye twenty inches or greater in length may be taken~~ harvested daily, except as provided in ~~subdivisions (10) and (13) of this section~~ subdivision (9);

~~(8)(7) In Lakes Francis Case and Sharpe, the minimum length limit for walleye is fifteen inches, from September first through June thirtieth;~~

~~(9)(8) In Angostura Reservoir, Shadehill Reservoir, and from the Ft. Fort Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the minimum length limit for walleye is fifteen inches;~~

~~(10)(9) In Twin Lakes in Minnehaha County and Horseshoe Lake in Day County, the daily limit for walleye of any species is one, with a minimum length of twenty-eight inches or greater in length;~~

~~(11)(10) 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 fifteen inches; and~~

~~(12)~~(11) From the ~~Ft.~~ Fort Randall Dam downstream to the South Dakota-Nebraska state line on the Missouri River, the daily limit for white bass is fifteen and the possession limit is thirty; ~~and~~

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

Source: SL 1975, ch 16, § 1; 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; 9 SDR 76, effective December 23, 1982; 10 SDR 48, effective November 22, 1983; 10 SDR 76, 10 SDR 102, effective July 1, 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 78, effective December 10, 1990; 18 SDR 98, effective December 12, 1991; 19 SDR 82, effective December 7, 1992; 23 SDR 87, effective December 3, 1996; 25 SDR 85, effective December 21, 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; 29 SDR 80, effective December 10, 2002; 29 SDR 107, effective February 3, 2003; 30 SDR 99, effective December 22, 2003; 31 SDR 89, effective December 27, 2004; 32 SDR 109, effective December 27, 2005; 33 SDR 107, effective December 27, 2006; 35 SDR 184, effective February 2, 2009; 37 SDR 112, effective December 8, 2010; 44 SDR 151, effective April 30, 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; 51 SDR 53, effective November 11, 2024.

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

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

41:07:05:03. Paddlefish snagging, processing, and transportation restrictions. Any paddlefish ~~taken~~ harvested below Gavin's Point Dam, by snagging, and which measures between ~~35~~ thirty-five inches and ~~45~~ forty-five inches when measured with a flexible tape along and over the center line contour of the fish, lying flat, from an entire eye to the natural unaltered fork of the tail, must be immediately released to the water from which it was caught. A person may not attempt to snag rough fish or paddlefish after reaching the limit on paddlefish. ~~A gaff hook or other penetrating device may not be used as an aid while landing snagged paddlefish.~~

For paddlefish ~~taken~~ harvested below Gavin's Point Dam by snagging, only the snout in front of the eyes, gills, and entrails of a paddlefish may be removed for transportation. The head, skin, and tail must remain attached. Final processing may only be completed once the angler has reached ~~their~~ the angler's domicile or immediately prior to consumption.

Source: SL 1975, ch 16, § 1; 5 SDR 46, effective January 1, 1979; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 18 SDR 98, effective December 12, 1991; 18 SDR 144, effective March 15, 1992; 23 SDR 87, effective December 3, 1996; 29 SDR 147, effective May 6, 2003; 36 SDR 112, effective January 11, 2010; 38 SDR 178, effective April 30, 2012; 39 SDR 100, effective December 3, 2012; 41 SDR 107, effective January 5, 2015; 46 SDR 116, effective April 29, 2020.

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

Law Implemented: SDCL 41-1-3, 41-2-18(2)(~~15~~), 41-3-1, 41-12-5, 41-12-12.

41:09:04:16. Records required. All records required in §§ 41:09:04:16.01 ~~through to~~ 41:09:04:16.06, inclusive, must be recorded and maintained on forms supplied by the ~~department~~ Department of Game, Fish and Parks, or electronically in a format approved by the department. Each record must be kept current and available for inspection by personnel of the department, during normal business hours, at the physical location of the business ~~where the record is kept, as~~ indicated on the license application, for a period of three years after the end of the license year. ~~Each record for a resident bait dealer must be kept within the state.~~ Each wholesale and export bait dealer shall submit a summary of the dealer's yearly records to the department by January ~~31~~ thirty-first of the following calendar year. The department may refuse to issue a new license if ~~these records are~~ the summary is not submitted.

Source: SL 1975, ch 16, § 1; 10 SDR 76, 10 SDR 102, effective July 1, 1984; 11 SDR 156, effective May 27, 1985; 15 SDR 103, effective January 19, 1989; 25 SDR 85, effective December 21, 1998; 35 SDR 253, effective May 13, 2009; 37 SDR 112, effective December 8, 2010; 39 SDR 100, effective December 3, 2012; 48 SDR 60, effective December 8, 2021.

General Authority: SDCL 41-2-18(1)(2)(21).

Law Implemented: SDCL 41-2-18(1)(2)(~~21~~), 41-6-44, ~~41-6-44.1, 41-6-45,~~ to 41-6-45.1, inclusive.

41:09:08:03.03. Pathogens of regulatory concern. ~~Fish pathogens of regulatory concern are as follows~~ Screening, in accordance with § 41:09:08:03.04, is required for the following fish pathogens before the department may issue a fish importation permit:

(1) For all fish species:

~~—————(a) Viral, viral~~ hemmorrhagic septicemia virus—, V.H.S.; ~~and~~

~~(b) Yersinia ruckeri—enteric redmouth disease.~~

~~In addition, screening for the following pathogens is required for the following fish families:~~

(2) Salmonidae:

(a) Oncorhynchus masou virus—, O.M.V.;

(b) Salmonid rickettsial septicemia virus—, S.R.S.;

(c) Infectious salmon anemia virus—, I.S.A.;

(d) Infectious pancreatic necrosis virus—, I.P.N.;

(e) Infectious hematopoietic necrosis virus—, I.H.N.;

(f) Epizootic epitheliotropic disease virus—, E.E.D.;

(g) Spring viremia of carp virus—, S.V.C.;

(h) Renibacterium salmoninarum—, bacterial kidney disease;

(i) Aeromonas salmonicida—, furunculosis;

~~(j) Piscirickettsia salmonis—piscirickettsiosis~~ Yersinia ruckeri, enteric redmouth disease;

(k) Ceratomyxa shasta—, ceratomyxosis; and

~~(l) Tetracapsuloides bryosalmonae—proliferative kidney disease; and~~

~~(m) Myxosoma cerebralis—, whirling disease;~~

(3) ~~Ictaluridae:~~

~~(a) Channel catfish virus—C.C.V.;~~

~~(b) Edwardsiella ictaluri—catfish enteric septicemia;~~

~~(c) Edwardsiella tarda—emphysematous putrefactive disease; and~~

- ~~(d) Edwardsiella piscicida;~~
- ~~(4) Percidae:~~
 - ~~(a) Heterosporis sp.;~~
- ~~(5) Cyprinidae:~~
 - ~~(a) Spring viremia of carp virus—S.V.C.; and~~
 - ~~(b) Edwardsiella piscicida;~~
- ~~(6) Esocidae:~~
 - ~~(a) Spring viremia of carp virus—S.V.C.; and~~
 - ~~(b) Northern pike fry rhabdovirus—P.F.R.D.;~~
- ~~(7) Centrarchidae:~~
 - ~~(a) Spring viremia of carp virus—S.V.C.;~~
 - ~~(b) Largemouth bass virus—L.M.B.V.; and~~
 - ~~(c) Edwardsiella piscicida;~~
- ~~(8) Acipenseridae:~~
 - ~~(a) White sturgeon iridovirus—₂ W.S.I.; and~~
 - ~~(b) Shovelnose sturgeon iridovirus—₂ S.S.I.; and~~
- ~~(9)(4) Polyodontidae~~
 - ~~(a) Shovelnose, shovelnose sturgeon iridovirus—₂ S.S.I.~~

Source: 29 SDR 80, effective December 10, 2002; 36 SDR 112, effective January 11, 2010; 46 SDR 74, effective December 2, 2019.

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

Law Implemented: SDCL 41-2-18(1), 41-3-1, 41-13-3.1.

41:10:02:01. List of endangered birds. ~~Birds~~ The whooping crane, *Grus americana*, is
classified as endangered in the state ~~are as follows~~

- ~~(1) Whooping crane, *Grus americana*;~~
- ~~(2) Eskimo curlew, *Numenius borealis*;~~
- ~~(3) Least Tern, *Sternula antillarum*.~~

Source: 4 SDR 57, effective March 16, 1978; 10 SDR 76, 10 SDR 102, effective July 1, 1984;
30 SDR 21, effective August 25, 2003; 34 SDR 242, effective April 7, 2008; 44 SDR 93,
effective December 4, 2017; 49 SDR 46, effective November 21, 2022.

General Authority: SDCL ~~34A-8-3~~, 41-2-18(1)(3).

Law Implemented: SDCL 34A-8-3, 41-2-18(1)(3).

41:10:04:01. List of aquatic invasive species. Species classified as aquatic invasive species in the state are as follows;

(1) Fish:

- (a) Bighead carp, *Hypophthalmichthys nobilis*;
- (b) Black carp, *Mylopharyngodon piceus*;
- (c) Common carp, *Cyprinus carpio*;
- (d) Grass carp, *Ctenopharyngodon idella*;
- (e) Prussian carp, *Carassius gibelio*;
- (f) Round goby, *Neogobius melanostomus*;
- (g) Rudd, *Scardinius erythrophthalmus*;
- (h) Silver carp, *Hypophthalmichthys molitrix*;
- (i) Snakehead (*Channa Spp.*);
- (j) Western mosquitofish, *Gambusia affinis*; and
- (k) White perch, *Morone americana*;

(2) Plants:

- (a) Brittle naiad, *Najas minor*;
- (b) Common reed, *Phragmites australis*;
- (c) Curly pondweed, *Potamogeton crispus*;
- (d) Didymo, *Didymosphenia geminata*;
- (e) Eurasian water-milfoil, *Myriophyllum spicatum*;
- (f) Flowering rush, *Butomus umbellatus*;
- (g) Purple loosestrife, *Lythrum salicaria*; and
- (h) Starry stonewort, *Nitellopsis obtusa*; and

(3) Invertebrates:

- (a) Asian clam, *Corbicula fluminea*;
- (b) New Zealand mudsnail, *Potamopyrgus antipodarum*;

- (c) Quagga mussel, *Dreissena rostriformis bugensis*;
- (d) Red rimmed melania, *Melanoides tuberculata*;
- (e) Red swamp crayfish, *Procambarus clarkii*;
- (f) Rusty crayfish, *Orconectes rusticus*;
- (g) Spiny waterflea, *Bythotrephes longimanus*; ~~and~~
- (h) Zebra mussel, *Dreissena polymorpha*; and
- (i) Golden mussel, *Limnoperna fortune*.

Source: 38 SDR 116, effective January 10, 2012; 39 SDR 100, effective December 3, 2012; 41 SDR 173, effective May 11, 2015; 43 SDR 89, effective December 29, 2016; 45 SDR 89, effective December 31, 2018; 46 SDR 74, effective December 2, 2019; 52 SDR 42, effective October 27, 2025.

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

Law Implemented: SDCL 41-2-18(1)(2), 41-13A-1(1), 41-13A-2.

41:10:04:02.01. Aquatic species conveyance launching and removal exceptions. The following persons are exempt from SDCL 41-13A-3 and 41-13A-4:

(1) An owner and agent of the owner of a conveyance with ~~dreissenid~~ zebra or quagga mussels attached that is subsequently launched directly into the infested water from which it was removed, if the conveyance was stored on the riparian property of the owner or at a marina business property on the infested water, prior to launch; and

(2) An owner and agent of the owner of a conveyance with a shooting or observational blind constructed of aquatic macrophytes, except common reed (Phragmites spp.), cut above the water line, attached to or in the conveyance.

Source: 48 SDR 60, effective December 8, 2021.

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

Law Implemented: SDCL 41-2-18(1)(2), 41-13A-1(1), 41-13A-2 to 41-13A-4, inclusive.