

# AMENDMENT NUMBER ONE TO THE 2016-2018 NORTH DAKOTA FISHING PROCLAMATION

## 2. BAIT AND LURE

### 2-1. Definitions

**2-1-1. Legal Live Aquatic Bait.** Legal live aquatic bait are leeches, native frog, salamander and crayfish species, and the following live baitfish species: fathead minnows, white suckers, creek chubs, rainbow smelt and brook sticklebacks. All other species of live aquatic bait are illegal.

**2-1-3. Legal Dead Aquatic Bait.** Aquatic bait noted in Section 2-1-1, and nongame fish, which have been preserved by freezing, salting or otherwise treated to inactivate sexual products are legal bait. This includes sections, heads and/or entrails.

**2-1-2. Legal Terrestrial Bait.** All terrestrial bait (live or dead), including nightcrawlers and waxworms, are legal.

### 2-2. Bait Restrictions

**2-2-2.** It is illegal to possess or use as live aquatic bait any species other than those defined in Section 2-1-1. The possession of live baitfish species while fishing in waters prohibiting their use is illegal.

#### **2-2-3. Statewide**

Except for species and areas specified in Section 2-2-3.1, the only legal live baitfish species statewide are fathead minnows, creek chubs and brook sticklebacks.

#### **2-2-3.1 Exceptions:**

**2-2-3.1.1** No live baitfish are allowed in the following areas:

- a. Belfield Dam (Stark County)
- b. Blumhardt Dam (McIntosh County)
- c. Bylin Dam/Dougherty Dam (Walsh County)
- d. Camels Hump Dam (Golden Valley County)
- e. Crown Butte (Morton County)
- f. Custer Mine Pond (McLean County)
- g. Davis Dam (Slope County)
- h. Dickinson Dike (Stark County)
- i. Fish Creek (Morton County)
- j. Harmon Lake (Morton County)
- k. Indian Creek (Hettinger County)
- l. Kettle Lake (Williams County)
- m. Leland Dam (McKenzie County)
- n. Lightning Lake (McLean County)
- o. McDowell Dam (Burleigh County)
- p. Mott Watershed (Hettinger County)

- q. Nelson Lake (Oliver County)
- r. North Lemmon Dam (Adams County)
- s. Nygren Dam (Morton County)
- t. Raleigh Reservoir (Grant County)
- u. Ryan Park Pond (Grand Forks County)
- v. Sather Dam (McKenzie County)
- w. Sheep Creek Dam (Grant County)
- x. Velva Sportsmens Pond (Ward County)

**2-2-3.1.2** Red River and Bois de Sioux River (up to the first vehicular bridge or crossing on any of its tributaries) the only legal live baitfish species are:  
 - fathead minnows, creek chubs, brook sticklebacks and *white suckers*.

**2-2-3.1.3** Garrison Dam Tailrace (defined as that portion of the Missouri River from the Garrison Dam downstream three miles to the southern boundary of the US Army Corps of Engineers Downstream Recreational Area) the only legal live baitfish species are:

- fathead minnows, creek chubs, brook sticklebacks and *rainbow smelt*.

Live rainbow smelt used as bait in the Garrison Dam Tailrace must have been captured by legal means (see Section 3-5-1) in the Tailrace.

### **3-5. TAKING OF LEGAL LIVE AQUATIC BAIT**

#### **3-5-1. Means and Equipment**

It is legal for a fishing license holder to take legal live aquatic bait (see Section 2-1-1) by hand, or by use of one dip net, or one trap which shall not exceed 12 inches in diameter and 30 inches in length with a throat or mouth opening not to exceed 1 1/4 inches. Possessing any other fish species taken in a trap, by hand, or dip net is illegal. It is legal to return fish to the water if done immediately after being caught.

#### **3-5-2. Seasons, Water Bodies and Species Legally Taken**

Legal live aquatic bait (see Section 2-1-1) may be taken in all public waters of the state and at all times except for the following:

- Those areas listed in Section 2-2-3.1.1.
- James River between Jamestown Dam and the South Dakota border.
- Water bodies designated as infested with prohibited or regulated Aquatic Nuisance Species (ANS) (see North Dakota Game and Fish Departments website ([gf.nd.gov](http://gf.nd.gov)) for current list of lakes).
  - Exception - taking of rainbow smelt is allowed on the Missouri River System; however, all smelt taken from the Missouri River System must be dead when transported.

### **4-2. DAILY CREEL AND POSSESSION LIMITS**

#### **4-2-1. Statewide**

Except as specified in Section 4-2-2, the daily creel and possession limit in waters of the state are:

SPECIES	DAILY CREEL	POSSESSION
Northern Pike	5	10
Walleye, sauger, saugeye, or combination*	5	10
Largemouth bass, smallmouth bass or combination	3	6
Salmon	5	10
Trout	3	3
Yellow Perch	20	40
Bluegill	20	40
White Bass	20	40
Crappie	10	20
Burbot	10	20
Muskellunge (pure or hybrid)	1	1
Channel Catfish (East of ND Highway 1)	5	5
(West of ND Highway 1)	no limit	no limit
Nongame fish (other than smelt and legal live baitfish)	no limit	no limit
Paddlefish (for legal snagging only)	1 per season (see Section 3-4)	
Smelt	5 gallons	5 gallons
Legal Live Baitfish**	150	150
Leeches	150	150
Snapping Turtles ***	1 annually	1 annually
Frogs	24	24
Salamanders	24	24
Crayfish	48	48

\* Zander are included as part of the walleye, sauger, saugeye combination in Spiritwood Lake

\*\* Aggregate of all legal species

\*\*\* Only one snapping turtle may be harvested between July 1 through November 15 of each fishing year

**B. COMMERCIAL FISHING, BAIT VENDING, CLAMMING, AND TURTLES**

Commercial fishing and bait vending consists of those activities where a special permit or license is required other than a regular fishing license. No licenses are available for the taking of clams (mussels) or turtles.

**B-3. BAIT VENDING**

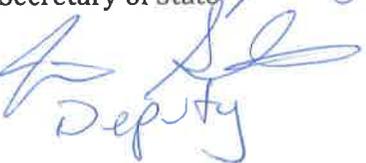
An individual may not take, possess, purchase, transport, or sell legal live aquatic bait at wholesale or retail without first obtaining the appropriate license. Bait vendor licenses are only available through application to the Game and Fish Department. Licensed bait vendors may take (must be killed immediately) and possess up to 50 gallons of rainbow smelt annually.

GIVEN UNDER BY HAND and the Great Seal of the State of North Dakota

this 22<sup>nd</sup> day of December, 2017.

  
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Doug Burgum  
Governor

ATTEST

  
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Secretary of State  
  
Deputy