



NORTH DAKOTA 2008-2010 FISHING PROCLAMATION

Relating to the times, places and manner of taking fish, possessing fish, closing certain waters to fishing, setting size and creel limits, and establishing game species for the period of April 1, 2008 through March 31, 2010 for recreational and commercial fishing, clamming and leeching. By virtue of the authority vested in me by Chapter 20.1-08 of the North Dakota Century Code as amended, and upon recommendation of the Game and Fish Director, I do hereby Order and Proclaim:

A. RECREATIONAL FISHING

Recreational fishing is defined as those methods described hereafter as allowable activities during each of the two fishing years of this proclamation with the possession of a valid fishing license. A fishing year is defined as being from April 1 of one calendar year through March 31 of the following calendar year.

Residents of North Dakota and Minnesota holding a valid resident fishing license from their respective state and persons of other states who either have non-resident North Dakota or Minnesota fishing licenses may fish in the Red and Bois de Sioux rivers and may transport such fish with them by the most convenient route to the state in which they are licensed. If the laws of the states differ, anglers must comply with the laws and rules of the state in which they are licensed. (Note: this includes children who are not required to have a license).

Free Fishing Days - Residents of North Dakota may fish without a resident fishing license on June 7-8, 2008 and June 6-7, 2009.

1. SPECIES DEFINITIONS

GAME FISH are defined as bluegill, burbot, channel catfish, chinook salmon, crappie (black and white), largemouth bass, muskellunge (pure and hybrid), northern pike, paddlefish, sauger, saugeye, smallmouth bass, sturgeon (pallid, shovelnose, and lake), trout (brown, lake, rainbow, and cutthroat), walleye, white bass, yellow perch, and zander.

NON-GAME FISH are all other species of fish that inhabit the waters of the state not designated as game fish.

2. MANNER OF TAKING FISH

Legal means, equipment, seasons, water bodies and species are defined as follows:

2-1. HOOK AND LINE FISHING

2-1-1. Means and Equipment

With the exceptions noted in Section 2-1-1.1 legal hook and line equipment for each licensed angler shall consist of not more than two poles, each equipped with one line to which is attached not more than two lures (see Section 2-1-2.1.5). The use of any spring, lever, chemically, electrically or mechanically actuated fish hook, or gaff hook is prohibited at all times. The use of any mechanical device to automatically retrieve the fish shall be illegal. Ice fishing is defined as hook and line fishing which occurs while on the ice. Tip-ups are permissible for ice fishing and

each tip-up is considered one pole. All holes greater than 10 inches in diameter made in the ice must be marked when the area is vacated as specified in Section 4.7. Any fishing pole which is unattended or not checked for a period exceeding one hour shall be deemed to be a set line and is illegal. Anglers shall, at all times, be within 150 feet of their fishing equipment while actively engaged in fishing. Possession of foul hooked fish shall be illegal. Any foul hooked or snagged fish must immediately be returned to the water regardless of condition. A foul hooked or snagged fish is defined as any fish hooked or caught in any area behind the gill covers. Attempting to snag any fish is prohibited at all times. It shall be legal to return fish to the water if done immediately after being caught. No fish may be returned to the water after being placed on a stringer or confined by or in any type of container, live box, structure, or device except with approval from the Game and Fish Director. Fish, on which there is a size limit, if undersized or oversized, must be returned to the water regardless of condition. It shall be illegal to tag or mark any fish prior to release except with approval from the Game and Fish Director.

2-1-1.1. Exceptions to two poles are as follows:

1. One pole per angler:
 - While fishing from the piers and wingwalls of the Garrison Dam Tailrace.
 - While fishing from shore from the "Closed to Fishing Area" downstream of the Drayton Dam to the boat ramp.
2. Four poles per angler (maximum):
 - While ice fishing.
3. Note: When fishing a water body where both open water and ice fishing occur at the same time, an angler is allowed a maximum of four poles of which no more than two poles can be used in open water.

2-1-2. Bait and Tackle Definitions and Restrictions

2-1-2.1 Definitions

2-1-2.1.1. Legal Live Bait. Legal live bait shall be all amphibians, insects, or other invertebrates or parts thereof.

2-1-2.1.2. Legal Live Baitfish. Legal live baitfish shall be fathead minnows, white sucker, creek chubs, rainbow smelt and sticklebacks.

2-1-2.1.3. Preserved Baitfish. Non-game fish, yellow perch eyes, and trout and salmon eggs which have been preserved by freezing, salting or otherwise treated to inactivate sexual products are legal bait. Other game fish and parts thereof shall be illegal.

2-1-2.1.4. Cut (Prepared) Baitfish. Cut bait using non-game fish shall be legal. Cut bait is defined as fish having the head removed and being eviscerated. Heads and entrails of non-game fish are considered cut bait.

2-1-2.1.5. Lures. A lure is defined as any man-made object comprised of metal, plastic, wood and other non-edible materials made or used to catch fish. A lure may not contain more than three hooks and the maximum distance between any hooks on a lure may not exceed 10 inches. A single hook may not include more than three points, barbed or otherwise. Spinners, and other live bait rigs and harnesses are considered a lure and are permissible. Hookless dodgers or attractors used ahead of a lure or bait are legal.

2-1-2.2 Bait Restrictions

2-1-2.2.1. No live aquatic organisms shall be imported into the state as bait. This includes all fish, amphibians, and aquatic insects and invertebrates.

2-1-2.2.2. It is illegal to possess or use as live baitfish any species of fish not allowed in this section. The possession or use of a restricted live baitfish while fishing in waters prohibiting use of that live baitfish is illegal.

2-1-2.2.3. Statewide

Except for species and areas specified in Section 2-1-2.2.3.1, the only legal live baitfish statewide shall be: fathead minnows, creek chubs, and sticklebacks.

2-1-2.2.3.1 Exceptions:

2-1-2.2.3.1.1 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. Custer Mine Pond (McLean County)
- f. Davis Dam (Slope County)
- g. Dickinson Dike (Stark County)
- h. Fish Creek (Morton County)
- i. Indian Creek (Hettinger County)
- j. Kettle Lake (Williams County)
- k. Leland Dam (McKenzie County)
- l. Lightning Lake (McLean County)
- m. McDowell Dam (Burleigh County)
- n. North Lemmon Dam (Adams County)
- o. Nygren Dam (Morton County)
- p. Raleigh Reservoir (Grant County)
- q. Sather Dam (McKenzie County)
- r. Sheep Creek Dam (Grant County)
- s. Velva Sportsmens Pond (Ward County)

2-1-2.2.3.1.2 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 shall be: fathead minnows, creek chubs, sticklebacks and *white suckers*.

2-1-2.2.3.1.3 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 shall be: fathead minnows, creek chubs, sticklebacks and *rainbow smelt*. Live rainbow smelt used as bait in the Garrison Dam Tailrace must have been captured by legal means (see Section 2-5-1) in the Tailrace.

2-1-3. Seasons and Water Bodies for Legally Taking Fish

Except in areas specified in Section 2-1-3.1, the hook and line season shall be open from April 1 through March 31 of each fishing year. Hook and line fishing is permissible in all waters of the state open to fishing.

2-1-3.1. Exceptions are:

1. McDowell Dam (Burleigh County) and Lightning Lake (McLean County) shall be closed to all fishing from November 1 through March 31 of each fishing year.
2. Areas designated by the Refuge manager of J. Clark Salyer, Arrowwood, Tewaukon, Lake Ilo, Long Lake, and the Upper Souris National Wildlife Refuge (Lake Darling) shall be open to shore or ice fishing from April 1 through April 30 of each fishing year as safety allows. These areas shall then be open to all fishing from May 1 through September 30 of each fishing year. The designated open areas shall then be closed to boat fishing but remain open to shore or ice fishing from October 1 through March 31 of each fishing year. Audubon National Wildlife Refuge shall be open to ice fishing but closed to all open water fishing. .
3. The following U. S. Fish and Wildlife Easement Refuge lakes; Lake Ardoch, Dakota Lake, Lake George, Hobart Lake, Rock Lake, Sibley Lake (Griggs Co), and Silver Lake (Benson Co) shall be open to shore or ice fishing from April 1 through September 24 and December 1 through March 31 of each fishing year. These lakes will be closed to all fishing from September 25 through November 30.
4. Kraft Slough (Sargent County) shall be open to ice fishing but closed to all open water fishing.
5. The Baldhill Creek from the Wesley Acres Bridge to one half mile downstream shall be closed to boat fishing from April 1 through May 24 of each fishing year. This area shall then be open to all fishing from May 25 through March 31 of each fishing year.
6. It shall be illegal to fish from the bridge located between North and South Lake Metigoshe as well as 100 feet in any direction from this structure at any time.
7. It shall be illegal to fish in that portion of the Red River from the Drayton Dam downstream for a distance of 150 feet at any time.
8. Areas near the Garrison Tailrace so posted by the US Army Corps of Engineers shall be closed to fishing.
9. OWLS Pond (Burleigh County) or State Fair Pond (Pathway Pond) (Ward County) will be open only from sunrise to sunset.
10. No person shall fish or boat in areas posted and designated by the Game and Fish Department as rearing ponds, holding ponds, spawning areas, or other designated areas.
11. Lake specific rules may be issued by Department signage at access areas and bridges.

2-1-4. Species Legally Taken

All species (game and non-game) can be taken while hook and line fishing except the following: pallid sturgeon, shovelnose sturgeon, lake sturgeon, paddlefish and grass carp (these five species must be immediately released back into the water from which they were caught regardless of condition).

2-2. ARCHERY, SPEAR AND UNDERWATER SPEAR FISHING

2-2-1. Means and Equipment

Legal archery equipment for licensed anglers is any bow, to which an arrow is attached by a line and equipped with a harpoon-style point or with a point equipped with wire barbs. Crossbows

are prohibited, except with a special directors permit that may be issued if an individual is permanently disabled. The use of night vision equipment or electronically enhanced light gathering optics including flashlights and lanterns used for locating and/or shooting at fish is illegal.

Legal spear equipment shall be any manually powered shaft with barbed points. The spear head shall not exceed 12 inches in width. The use of night vision equipment or electronically enhanced light gathering optics including flashlights and lanterns used for locating and/or shooting at fish is illegal.

Legal equipment for underwater spear fishing shall be rubberband powered, or pneumatic powered spear guns only. All rubberband or pneumatic powered spear guns shall have the spear attached to the gun by a lanyard with a maximum length of twenty feet. Underwater spears may be discharged only when the operator and equipment are entirely under the surface of the water. Underwater spear fishing is prohibited within 150 feet of any designated swimming or water ski area, boat dock or spillway or individuals engaged in fishing. The Diver's Down Flag shall be displayed on the water on a float or buoy during any underwater spear fishing. Underwater spearers must stay within 100 feet of the vertical position of their Diver Down Flag. Persons who underwater spearfish between sunset and sunrise shall display a lighted Diver's Down Flag. Individuals who underwater spearfish between sunset and sunrise must carry a hand-held light which must be visible from a distance of 150 feet and must be displayed when the diver is at the surface.

It shall be illegal to return fish to the water after being shot or speared.

2-2-2. Seasons and Water Bodies for Legally Taking Fish

Archery, spear and underwater spear fishing shall be legal from May 1 through November 30 of each fishing year.

Archery and spear fishing shall be open to all waters open to hook and line fishing (Section 2-1-3) with the following exceptions:

1. 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;
2. The Upper Souris National Wildlife Refuge (Lake Darling);

Underwater spear fishing shall be open only in the following areas:

1. The Missouri River, except 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;
2. Lake Oahe, Lake Sakakawea and the open fishing areas of Lake Audubon;
3. Devils Lake;
4. Spiritwood Lake;
5. Stump Lake

2-2-3. Species Legally Taken

Archery and spear fishing - game fish, as defined in Section 1 of this proclamation, may not be taken. All other species are legal.

Underwater spear fishing - all species (game and non-game) except the following may be taken: largemouth bass, smallmouth bass, muskellunge (pure and hybrid), paddlefish, pallid sturgeon, and shovelnose sturgeon.

2-3. DARK HOUSE SPEAR FISHING

2-3-1. Means and Equipment

Possession of a spear shall be counted as a hook and line fishing pole while dark house spear fishing. Pneumatic or rubber band powered spear guns shall not be legal while dark house spear fishing. There is no limit on the size of the ice hole while actively engaged in dark house spear fishing on the lakes specified in Section 2-3-2. All holes greater than 10 inches in diameter made in the ice must be marked when the area is vacated as specified in Section 4-7. Live fathead minnows, creek chubs, and sticklebacks, preserved baitfish, legal live bait and artificials may be used as decoys. Any line used for a decoy will be considered a hook and line fishing pole if a hook is attached to the line. It shall be illegal to return fish to the water after being speared.

2-3-2. Seasons and Water Bodies for Legally Taking Fish

Dark house spear fishing shall be legal from December 1 through March 15 of each fishing year except for Spiritwood Lake where dark house spearing shall be legal from January 1 through March 15 of each fishing year. Dark house spear fishing is allowed only in the following areas:

Alkaline Lake (Kidder Co.)	Juanita Lake (Foster Co.)
Beaver Lake (Logan Co.)	Kalina Dam (Bowman Co.)
Blickensderfer (Hettinger Co.)	Lake Darling (Renville Co.)
Buffalo Lake (Sargent Co.)	Lake Irvine (Ramsey Co.)
Buffalo Lodge Lake (McHenry Co.)	Lake Josephine (Kidder Co.)
Carpenter Lake (Rolette Co.)	Lake Laretta (Nelson Co.)
Cavanaugh Lake (Ramsey Co.)	Lake Williams (Kidder Co.)
Cherry Lake (Kidder Co.)	Long Lake (McLean Co.)
Clear Lake (McIntosh Co.)	Mallard Marsh (Stutsman Co.)
Coal Mine Lake (Sheridan Co.)	Morrison Lake (Ramsey Co.)
Coldwater Lake (McIntosh Co.)	North Tobiason Lake (Steele Co.)
Cottonwood Lake (Williams Co.)	Patterson (Dickinson Reservoir) (Stark Co.)
Crooked Lake (McLean Co.)	Powers Lake (Burke Co.)
Devils Lake (Ramsey/Benson Co.)	Rice Lake (Emmons Co.)
Diamond Lake (LaMoure Co.)	Round Lake (Kidder Co.)
Dry/Goose Lake (McIntosh Co.)	School Section (Rolette Co.)
Eckelson Lake Complex (Barnes Co.)	Sibley Lake (Griggs Co.)
Etta/Alkaline Complex (Kidder Co.)	Silver Lake (Benson Co.)
Flood Lake (LaMoure Co.)	Spiritwood Lake (Stutsman Co.)
Fresh Lake (Kidder Co.)	Spring Lake (Bowman Co.)
Gascoyne (Bowman Co.)	Stanley Reservoir (Mountrail Co.)
Grass Lake (Richland Co.)	Stump Lake (Nelson Co.)
Heart Butte (Lake Tschida) (Grant Co.)	Sunday Lake (Stutsman Co.)
Helen Lake (Kidder Co.)	Sweetwater Lake (Ramsey Co.)
Horsehead Lake (Kidder Co.)	Tioga Reservoir (Williams Co.)
Island Lake (Rolette Co.)	
Lake Oahe (South Dakota border to MacLean Bottoms boat ramp and all tributaries upstream to the first vehicular crossing).	
Lake Sakakawea (Garrison Dam to Highway 85 Bridge at Williston and all tributaries upstream to the first vehicular crossing).	

2-3-3. Species Legally Taken

The only legal species for dark house spear fishing are northern pike and non-game species as listed in Section 1.

2-3-4. Other Regulations

All individuals who participate in dark house spear fishing shall register on the North Dakota Game and Fish Departments website (gf.nd.gov) prior to participating. Non-residents may dark house spearfish in North Dakota if the non-resident's state provides the same privilege for residents of North Dakota.

2-4. PADDLEFISH SNAGGING

2-4-1. Means and Equipment

Each paddlefish angler must cast for, hook and reel (retrieve) his or her own fish. The use of more than one snag hook per line is illegal. Snagging from a boat shall be illegal. The use or possession of any gaff hook for a distance of one half of a mile in either direction of the Highway 200 Bridge on the Yellowstone River shall be illegal. It is illegal to gaff any species other than paddlefish. It shall be illegal for a person to use fish snagging equipment in the paddlefishing area at any time if that person has no tag in his or her possession.

2-4-2. Seasons and Water Bodies for Legally Taking Fish

Paddlefish snagging shall be legal from May 1 through May 31 of each fishing year. Paddlefish snagging shall be legal only from 8:00 am to 10:00 pm (CT) during each day of the paddlefish snagging season. If harvest approaches the maximum allowable harvest of 1000 paddlefish as determined by the Department, an in-season closure may occur with a 36 hour notice issued by the Director. If there's an early closure, then snag and release only at the area defined in Section 2-4-2.1 will be allowed for a seven day period immediately following the harvest closure, but not to extend beyond May 31. Notice of an early closure and subsequent days set aside for 'snag and release only' will be issued by a special news release from the Department.

Paddlefish snagging shall be legal in the Yellowstone River and that area of the Missouri River lying west of the U.S. Highway 85 bridge to the Montana border, excluding that portion of the Missouri River from the pipeline crossing (River Mile 1577) downstream to the upper end of the Lewis & Clark WMA (River Mile 1565).

2-4-2.1. Specific Area Open to Extended Snag and Release

That area of the Missouri River starting on the north shore from the Confluence boat ramp then east (downstream) one-half mile, and that area of the Missouri River starting on the south shore from the Confluence with the Yellowstone River then east (downstream) one-half mile.

2-4-3. Species Legally Taken

The only species that can be taken during the paddlefish snagging season is paddlefish.

2-4-4. Other Regulations

All paddlefish snaggers must obtain and have in their possession a paddlefish tag in addition to a license and certificate that may be required. Only one tag per angler will be issued per season

and this tag is not transferable to another person. Any paddlefish tag that is locked shut prior to attachment, altered, or modified shall be voided and will not be replaced. With the exception of snag and release days, each paddlefish must be tagged immediately when creeled and must be tagged with one's own tag. In case of early season closure (Section 2-4-2) there will be no refunds for unused tags.

The release of any paddlefish after snagging is prohibited except for 1) each Monday and Tuesday during the month of May during the paddlefish snagging season, and 2) in the case of an early harvest closure, the (up to) seven day period immediately following the harvest closure, which is designated as 'snag and release' only. On these snag and release only days, the snagger must possess a current and unused paddlefish tag. All snagged fish must be released immediately during these days. It shall be illegal to use or possess a gaff hook in any of the paddlefish snagging areas during the snag and release days.

If a fish is cut up, the tag must accompany the dressed fish either by attachment to the bag containing the dressed fish or within the bag. The snagger must keep that portion of the back and dorsal fin (back fin) necessary to maintain the tag sealed to the fish. The sale, barter, trade or purchase of paddlefish eggs shall be legal for only one qualified and properly permitted paddlefish caviar operation, and any party with whom it contracts. The permit will be issued annually to a non-profit, bonded entity that has met all requirements to ensure a legal operation.

2-5. TAKING OF LIVE BAIT

2-5-1. Means and Equipment

It shall be legal for a fishing license holder to take legal live bait and legal live baitfish (see Section 2-1-2) by hand, or by use of one dip net, or one minnow 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 minnow trap, by hand, or dip net is illegal. It shall be legal to return fish to the water if done immediately after being caught. Any container used to hold bait must be free of aquatic vegetation.

2-5-2. Seasons, Water Bodies and Species that can Legally be Taken

Legal live bait and legal live baitfish (see Section 2-1-2.1) may be taken in all public waters of the state and at all times except for the following:

- Those areas listed in Section 2-1-2.2.3.1.1.
- Water bodies designated as infested with prohibited or regulated ANS (see North Dakota Game and Fish Departments website (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.

3. FISH DAILY AND POSSESSION LIMITS, AND SIZE RESTRICTIONS

3-1. DESCRIPTIONS AND MEANS

No person shall possess any game fish species then waste, destroy or abandon the edible flesh (fillets).

The daily creel limit is defined as a limit of fish harvested or received from midnight to midnight, except no person may possess more than one day's limit of fish while on the water or the ice or actively engaged in any manner of fishing.

The possession limit means the maximum number of each legally taken fish species that a person may have in his or her actual possession during any phase of any single fishing trip of more than one day. The storage limit at one's personal permanent residence is unlimited; however, at no time may a person transport more than a possession limit.

Any fish retained and given to another person shall be counted in the daily creel limit of the person catching same.

Gifted fish including packages of fish must be accompanied with the following information from the individual gifting the fish: name, fishing license number, phone number, date, and species and number of fish gifted.

The packaging of fish away from one's permanent residence must be done in such a manner that the number of fish in each package may be easily determined.

Commercial processors, common carriers, and common storage areas may possess any persons legally taken possession limit of fish. Each package must be labeled with the owner's name and address.

With the exception of legal live baitfish, non-game fish species may not be transported in water away from the water body in which they were taken.

It shall be illegal to remove more than gills, entrails, and scales from fish in waters that are subject to a size limit while on the water or actively engaged in fishing. It shall be illegal to remove more than the gills and entrails (head, fillets and tail must be attached) from channel catfish east of ND Highway 1 while on the water, actively engaged in fishing, transporting or until the fish are at the license holder's personal, permanent residence.

3-2. DAILY CREEL AND POSSESION LIMITS

3-2-1. Statewide

Except as specified in Section 3-2-2, the daily creel and possession limit in waters of the state shall be:

SPECIES	DAILY CREEL	POSSESSION
Northern Pike	3	6
Walleye, sauger, saugeye, or combination*	5	10
Largemouth bass, smallmouth bass or combination	3	6
Trout	3	3
Salmon	5	10
Yellow Perch	20	80
Bluegill	20	80
Crappie	20	80
White Bass	20	80
Burbot	10	20
Muskellunge (pure or hybrid)	1	1
Channel Catfish (East of ND Highway 1) (West of ND Highway 1)	5 no limit	5 no limit
Non-game fish (other than smelt and legal live baitfish)	no limit	no limit
Paddlefish (for legal snagging only)	1 per season (see Section 2-4)	
Smelt	5 gallons	5 gallons

Legal Live Baitfish	150	150
Frogs	24	24
Salamanders	24	24
Crayfish	24	24
* Zander are included as part of the walleye, sauger, saugeye combination in Spiritwood Lake		

3-2-2. Exceptions

1. Water bodies in Benson, Eddy and Ramsey Counties - The daily creel and possession limits for northern pike shall be 5 and 10 respectively.
2. Kraft Slough (Sargent County) - The daily creel and possession limits for yellow perch shall be 10 and 20 respectively.
3. Odland Dam (Golden Valley County) - The daily creel and possession limits for yellow perch shall be 10 and 20 respectively. The daily creel and possession limits for bluegill shall be 10 and 20 respectively.
4. Pipestem Reservoir (Stutsman County) - The daily creel and possession limits for crappie shall be 10 and 20 respectively.
5. Red and Bois de Sioux rivers (up to the first vehicular bridge or crossing on any of their tributaries) - The daily creel and possession limit for walleye, sauger, saugeye or combination shall be three. The daily creel and possession limit for northern pike shall be three.
6. In case of the Red and Bois de Sioux rivers, the channel catfish limit shall be 5 regardless of the number of state or provincial licenses purchased by the angler. The daily and possession limit for catfish exceeding 24 inches is one.
7. Lightning Lake (McLean County) - It shall be illegal to possess any trout from April 1 through June 30 of each fishing year.
8. OWLS Pond (Burleigh County) or State Fair Pond (Pathway Pond) (Ward County) - All fish caught must be released immediately, regardless of condition.

3-3. SIZE LIMITS

3-3-1. MINIMUM SIZE RESTRICTIONS

3-3-1.1. Walleye and Sauger - It shall be illegal to take or possess walleye or sauger less than 14 inches in total length from the following waters:

- Jamestown Reservoir, and Pipestem Reservoir in Stutsman County;
- Spiritwood Lake (14 inch length minimum also applies to zander) in Stutsman County;
- Lake Ashtabula in Barnes and Griggs counties;
- North Golden Lake and South Golden Lake in Steele County

3-3-1.2. Largemouth Bass - It shall be illegal to take or possess largemouth bass less than 14 inches in total length from the following waters:

- Red Willow Lake in Griggs County;
- North Golden Lake and South Golden Lake in Steele County

3-3-1.3. Northern Pike - It shall be illegal to take or possess northern pike less than 24 inches in total length from the following waters:

- Red Willow Lake in Griggs County;
- North Golden Lake South Golden Lake in Steele County

3-3-1.4. Muskellunge (pure or hybrid) - It shall be illegal to take or possess muskie (pure or hybrid) less than 40 inches in total length from any waters in North Dakota.

3-3-2. MAXIMUM SIZE RESTRICTION

3-3-2.1. Channel Catfish - It shall be illegal to take or possess more than one channel catfish greater than 24 inches in total length east of ND Highway 1.

4. OTHER RULES AND REGULATIONS

1. It shall be illegal to deposit or cause to be deposited any fish or parts thereof, upon the ice, in the water, or upon the shore of any water body in North Dakota.
2. It is illegal to introduce any substance into waters of the state for the purpose of attracting fish that is not attached or applied to a lure as defined in Section 2-1-2.1.5. Decoys used for dark house spear fishing are excluded.
3. Fish houses shall be removed from all waters by midnight March 15 of each fishing year. Fish houses that are actively being occupied may be used after March 15 of each fishing year if they are removed after each use. It shall be illegal to leave fish houses on state-owned or managed land after March 15 of each fishing year.
4. Fishing holes outside of a fish house may be placed no closer than ten feet from the house except by permission of the occupant or owner.
5. No person or entity may conduct a fishing contest on waters of the state without first receiving a permit issued by the director.
6. The season limit for snapping turtles taken by hook and line shall be two.
7. When a hole greater than 10 inches in diameter is left in the ice after ice fishing or when a dark house is moved, the area in the immediate vicinity of the hole shall be adequately marked with 1) a natural object, or 2) a brightly painted or colored wooden lath. Markers must be visible from a minimum of 150 feet.

5. LICENSES OR SPECIAL PERMITS shall be issued for each season, in a manner and form prescribed by the Game and Fish Director and in accordance with the law. Each fishing license shall be in the form of a stamp which must be endorsed in ink with the licensee's signature and affixed to the back of the licensee's fishing, hunting, and furbearer certificate. These licenses can also consist of a computer generated certificate, required information, and a listing of the licenses that have been purchased. For these licenses to be valid, the license holder must sign the computer generated certificate. The certificate must be obtained prior to purchase of the stamp. The licensee shall carry the fishing license on person at all times while fishing.

6. VIOLATIONS AND PENALTIES

1. Failure to affix and sign stamps to the licensee's fishing, hunting and furbearer certificate (Section 5) – penalty - \$25.
2. Fishing with or possession of an illegal live baitfish (Section 2) – penalty - \$250.
3. Fishing with an illegal bait (other than live baitfish) (Section 2) – penalty - \$25.
4. Fishing with an excessive number of lines up to and including four lines in excess of the legal number of lines (Section 2)– penalty - \$50 per line.
5. Failure to attend fishing equipment (Section 2)– penalty - \$25.

6. Fishing in a closed area (Section 2)– penalty - \$100.
7. Possession of undersized fish (Section 3)– penalty - \$25 per fish.
8. Exceeding the daily creel limit of fish, one fish in excess of the daily limit (Section 3)– penalty - \$100. More than one fish in excess of the daily limit or second violation within one year shall be a Class B misdemeanor. The aforementioned non-criminal penalty does not apply to over limit of paddlefish, muskellunge, or violations of channel catfish length restrictions.
9. Removing more than gills, entrails, and scales from fish that are subject to a size limit while on the water or actively engaged in fishing on waters having a size restriction, - or - removing more than gills and entrails from channel catfish east of ND Highway 1 while on the water, actively engaged in fishing, transporting or until the fish are at the license holder’s personal, permanent residence (Section 3)– penalty - \$100.
10. Snagging for paddlefish before or after legal hours (Section 2)– penalty - \$100.
11. Transfer of a paddlefish tag to another (Section 2)– penalty - \$100.
12. Failure to immediately tag a paddlefish with one’s own tag (Section 2)– penalty - \$100.
13. Cast for or attempt to hook a paddlefish for another (Section 2)– penalty - \$100.
14. Use more than one hook per line for paddlefish (Section 2)- penalty - \$100.
15. Use or posses a gaff in restricted areas or on catch and release days while paddlefish snagging (Section 2)– penalty - \$100.
16. Snag for paddlefish from a boat (Section 2) – penalty - \$100.
17. Release a paddlefish on harvest days or fail to release a paddlefish on release days (Section 2) – penalty - \$200.
18. Fail to have tag accompany processed paddlefish (Section 2)– penalty - \$100.
19. Conduct a Fishing Contest without a permit (Section 4) – penalty - \$250.
20. Violation of signage rules of the proclamation (Section 2)– penalty - \$100.
21. Failure to properly package fish (Section 3)– penalty - \$25.

B. COMMERCIAL FISHING, CLAMMING AND LEECHING

Commercial fishing, clamming and leeching consists of those activities where a special permit or license is required other than a regular fishing license. These activities include non-contract commercial fishing, contract commercial fishing, clamming and leeching. Commercial bait vendors are not included in this section.

B-1. NON- CONTRACT COMMERCIAL FISHING

Non-contract commercial fishing is licensed only through application to the Game and Fish Department.

1. Seasons for Legally Taking Fish

Non-contract commercial fishing shall be open from May 15th through November 30th of each fishing year.

2. Species, Gears and Areas of the State for Legally Taking Fish

Non-game fish species (as defined in Section A-1) and channel catfish may be taken with the following gear in the following areas:

Seines and hoop nets - that portion of Lake Oahe and the Missouri River lying between where the electric transmission line crosses the Missouri River north of Beaver Bay to the Leland Olds Power Station/UPA boat ramp; that portion of Lake Sakakawea and the Missouri River north and west of the Four Bears Bridge to the Montana border; and the Yellowstone River.

Set lines - that portion of the Little Missouri River lying west of N.D. Highway 22 Bridge; and the Yellowstone River.

3. Gear Restrictions

- a. **Seines** - maximum length 100 feet. Stretched mesh size shall not be less than 1 ½ inches square or more than 3 inches square.
- b. **Hoop nets** - maximum hoop diameter shall be four feet. No more than five hoop nets may be possessed.
- c. **Set lines** - no more than ten hooks per set line is allowed. No more than five set lines may be possessed. The entire set line, except for the ends used for anchoring, must be below the water line at all times.

4. Other

Tags furnished with the license must be attached to the gears identified in Section B-1.2 at all times. A licensed non-contract commercial fisherman may sell their catch at their residence only.

B-2. CONTRACT COMMERCIAL FISHING

Contract fishing shall be for non-game fish species (see Section A-1) and will be performed under individual contract with the Game and Fish Department. Contract fishing requires a bond from a recognized bonding company or a line of credit from a recognized financial institution.

B-3. SEASON FOR COMMERCIALY HARVESTING CLAMS (MUSSELS) AND LEECHES

1. The season for harvest of clams (mussels) shall be closed.
2. The season for commercial harvest of leeches shall be closed to non-residents. The season for harvest of leeches by licensed resident bait dealers shall be from April 1 through November 30 of each fishing year except on Wildlife Management Areas where the season shall only be open from July 11 through November 30 of each fishing year. A permit is required from the Game and Fish Director or his appointed representative in order to harvest leeches on a Wildlife Management Area.

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

this 4 day of February, 2008.

/s/

John Hoeven
Governor

ATTEST

/s/

Secretary of State

AMENDMENT NUMBER ONE TO THE 2008-2010 NORTH DAKOTA FISHING PROCLAMATION

2-2. ARCHERY, SPEAR AND UNDERWATER SPEAR FISHING

2-2-1. Means and Equipment

Legal archery equipment for licensed anglers is any bow, to which an arrow is attached by a line and equipped with a harpoon-style point or with a point equipped with wire barbs. Crossbows are prohibited, except with a Special Directors Permit that may be issued if an individual is permanently disabled.

2-2-2. Seasons and Water Bodies for Legally Taking Fish

Archery, spear and underwater spear fishing shall be legal from May 1 through September 30 of each fishing year.

3-2. DAILY CREEL AND POSSESION LIMITS

3-2-1. Statewide

Except as specified in Section 3-2-2, the daily creel and possession limit in waters of the state shall be:

SPECIES	DAILY CREEL	POSSESSION
Northern Pike	3	6

3-2-2. Exceptions

1. Stump Lake (Nelson County) and water bodies in Benson, Eddy and Ramsey Counties - The daily creel and possession limits for northern pike shall be 5 and 10 respectively.

GIVEN UNDER MY HAND and the Great Seal of North Dakota this 2nd day of April, 2009.

_____/s/_____

John Hoeven, Governor

ATTEST

_____/s/_____

Al Jaeger, Secretary of State