

# Fishing Regulations

**General:** Any enrolled member of the Lower Brule Sioux Tribe or spouse of a Lower Brule enrolled member fishing within the boundaries of the Lower Brule Sioux Reservation on the Missouri River is required to possess the requisite Tribal fishing license or permit (the state license may be substituted if desired by the fisherman). Non-members of the Tribe fishing on the Missouri River within the boundaries of the reservation must purchase state required fishing licenses and Tribal access permits, but are not required to purchase a tribal license. Non-members and members fishing within the reservation on waters other than the Missouri River are required to purchase a tribal license only. Fishing is open year round from Jan. 1 through Dec. 31 to include open water and ice fishing. Fishing hours are from midnight to midnight. Artificial light may be used as an aid in taking fish by legal methods. A maximum of two lines and three hooks per line is allowed for fishing open waters. A maximum of four lines is allowed for fishing through the ice. No person may possess carp, buffalo fish, suckers, goldfish or game fish (except bullhead, lake herring, sunfish of the genus *Lepomis* and cleanings) as bait for hook and line fishing. The daily limit is the number of fish that may be taken from midnight to midnight, except no person may possess more than one day's limit of fish while on the water or actively engaged in fishing. The possession limit is twice the daily limit but does not apply to permanent residence. Snagging (with the exception allowed for paddlefish) and netting of fish is prohibited.

## Hook and Line Limits

Fish Species	Daily Limit	Possession Limit (excludes residence)
Walleye or Sauger Combination (14 inch minimum April – June)	Tribal Members 6 Non-members 4	Tribal Members 12 Non-members 8
Largemouth or Smallmouth Bass Combination	3	6
Northern Pike	3	6
All Trout Species	7	14
Crappie	25	50
Perch	25	50
White Bass	25	50
All Catfish Species	10	20
All Bullhead Species	100	200
Bluegill or Sunfish Combination	25	50
Paddlefish	1 (Tribal Member Only by lottery)	1

**Commercial Sale of Fish:** No person shall sell, barter, trade or offer to sell any fish taken from Reservation waters without a Commercial license issued by the Lower Brule Department of Wildlife, Fish and Recreation Director and only for channel catfish, flathead catfish and any non-game fish.

**Hoop Nets, Traps and Setlines:** No person shall set any hoop net, traps or setlines except enrolled members of the Lower Brule Sioux Tribe. No enrolled member of the Lower Brule Sioux Tribe shall set, check, pull, or operate any hoop net, trap or set line without possessing a valid Tribal license or permit issued by the Lower Brule Department of Wildlife, Fish and Recreation Director. Each hoop net, trap or setline must be marked with a metal tag with the enrolled member's, name, address and telephone number. Hoop nets must not be more than 18 feet long nor more than 4 feet wide. No leads or wings are permitted. Only hoop nets constructed of fabric mesh with twine size number 15 or larger and slat catfish traps constructed of wood or synthetic slats with at least two 1 ¼-inch openings in each are allowed.

Wire fish traps are prohibited. Hoop nets, traps and setlines may be used to take channel catfish, flathead catfish, and non-game fish in Reservation waters. It is prohibited to take blue catfish, game fish (except bullhead, lake herring, sunfish of the genus *Lepomis*) or endangered or threatened fish. Any prohibited fish must be released in the waters from where they were caught. Only prepared or cut bait, worms, frogs, crayfish, and toads may be used on setlines. Whole baitfish (minnows) are prohibited. Hoop nets and set lines must be checked at least every 48 hours. Unlimited numbers of non-game fish may be taken from Reservation waters. Legal fish taken by hoop net, trap, or setlines from Reservation waters may be sold, bartered, or traded pursuant to subsection 12.09. No enrolled member may use or lend hoop nets, traps, or setlines of another enrolled member. No enrolled member may use a setline that operates by a reel or other mechanical device, or more than 20 hooks attached to one set line.

**Gill Netting:** It is unlawful to take any fish or attempt to take any fish with the use or aid of a gill net.

**Spearing:** No person may take fish with a spear, legal spear gun, or bow and arrow except enrolled members of the Lower Brule Sioux Tribe. Fish may be taken with spear, legal spear gun (a muscle-loaded device propelling a spear attached to a lanyard no more than 20 feet long), and bow and arrow (crossbows are illegal). Arrows may have only one point, which must be barbed and attached to the bow by a line. Daily and possession limits are the same as and in combination with hook and line limits. Non-game fish may be taken between sunset and sunrise January - December 31. All species of fish, except paddlefish, pallid sturgeon, lake sturgeon, and endangered or threatened fish, may be speared from sunrise to sunset during the seasons establish by Tribal proclamation. The season is Jan. 1 – March 5, July 1 – August 31, and December 1 – December 31. Areas are Lake Sharpe and Lake Francis Case, except from Big Bend Dam to 2 miles downstream, which is closed. Catfish may be taken without limit for non-commercial purposes from sunrise to sunset January 1 – December 31. Underwater spear-fishing is not permitted within 100 yards of designated swimming or waterskiing areas, boat docks, power intake tubes or spillways. No underwater diving is permitted where placement of the diver-down flag would restrict boat access into or out of public access areas. Divers must display a Diver's Flag on the water on a float or buoy during any diving or underwater spear-fishing. The flag must be at least 80 square inches and must be all red with a white diagonal beginning at the top of the flag where attached to the staff. The Diver's Flag indicates a diver is submerged in the immediate area and boats are to avoid the area. Persons spear-fishing may not possess game fish in areas not open to the spearing of game fish.

**Landing Aids:** Landing nets, gaffs, and similar devices may be used as an aid in landing fish.

**Artificial Lights:** Artificial Lights may be used as an aid in taking fish by legal methods.

**Unattended Lines:** Each line used must be under the direct supervision and within the unaided observation of the user.

**Ice Houses:** Each fish house, shanty, or other shelter must display on the outside the name and address of the owner in letters at least two inches high. The door must permit entry except when unoccupied and locked from the outside. Shelters must be removed from the ice by March 5.

**Transportation:** No person shall transport dressed fish from the waters of the Reservation to his or her residence unless those fish can be readily counted. Mobile recreational vehicles, trailers, or tents do not qualify as residences. Any dressed fish transported, if frozen must be packaged individually. Two fillets will be counted as one fish. A person may carry or transport only his or her own lawfully possessed fish.

**Restrictions:** No person shall: deposit refuse in the Reservation waters; leave or deposit fish on the shore lines of Reservation waters; empty receptacles containing bait into Reservation waters; transport or introduce fish or fish eggs into Reservation waters; release fish, reptiles, amphibians or crustaceans not native to the Reservation into Reservation waters without written authorization from the Lower Brule Department of Wildlife, Fish and Recreation Director; possess, have under control, or maintain trammel nets, gill nets, or seines except legal minnow seines; possess a spear on or near lakes or streams except during legal hours in open season; sell, buy, or barter game fish; lend his or her license to another person or aid someone in securing a license fraudulently; use explosives, electrical devices, or poisonous or stupefying drugs to take fish; shoot fish, frogs, or turtles with a firearm.

**Interference:** No person may intentionally interfere with other persons lawfully engaged in taking or attempting to take fish, or engage in an activity specifically intended to harass or prevent the lawful taking of fish.

# Boating

**General:** No person shall operate any boat, watercraft, water-vessel, or floating-device without complying with all rules and regulations pertaining to safety and operation established by the U.S. Coast Guard.

**Boating Safety Equipment:** No person shall operate any boat, watercraft, water-vessel, or floating device without maintaining the following equipment on or within any boat, craft, vessel or device: all motorboats less than 16 feet in length and non-motorized boats must have at least one Coast Guard approved type I, II, or IV flotation device for each person on board. All boats 16 feet and over in length must have, in addition at least one Coast Guard approved throwable type IV device on-board; all persons using water skis, surfboard or similar device must wear a Coast Guard approved Type I, II, or III flotation device. Any Enforcement Officer who observes a vessel being used in an unsafe condition or manner and in the Officer's judgment such use creates a hazardous condition may direct the operator to take whatever immediate and reasonable steps that would be necessary for the safety of those aboard the vessel, including directing the operator to return to mooring and to remain there until the situation creating the hazard is corrected or ended. For the purpose of this section an unsafe condition is defined as any one of the following: 1) Operating without boating safety equipment; 2) Operating in an overloaded condition; 3) Fuel leakage or presence of fuel in bilges; 4) Riding on the bow, gunwale, transom, or on the back of seats without taking precautions to prevent persons falling overboard; 5) Operating in weather or water conditions, which endanger the boat and/or occupants; 6) Operating a boat without a battery cover in place; or 7) Operating a boat without the necessary lights for low light conditions.

**Prohibited Operation:** No person shall: Operate a boat at excessive speeds, or in a dangerous or reckless manner; operate a boat in an overloaded condition; operate a boat within designated swimming areas or in areas where swimmers are present; operate a boat within 100 yards of a skin-diving zone marked by the appropriate diving flags indicating the presence of skin divers below the surface; operating near dams or other hazardous waters; towing water skiers near other vessels, obstructions, hazardous waters, or in a reckless or dangerous manner; operate a boat in such a manner to cause a dangerous or damaging wake; operate a boat in such a manner as to molest, disturb or annoy persons lawfully engaged in fishing; continue to use or refuse to terminate use of a boat in a hazardous manner after being ordered to cease by an Enforcement Officer; no person shall operate any motorboat, craft, vessel, or flotation device while under the influence of alcohol or drugs.

## Recreation/Access Permits

Recreational access permits are required for all non-members 16 and over recreating on tribal lands. Recreating includes boat fishing, shore fishing, ice fishing, hiking, picnicking, camping, boating, horse riding, use of ATV/UTVs, snowmobiles or dirt bikes, cross-country skiing, wildlife viewing or photography, pursuit or collection of rattlesnakes or other non-protected animals. Permits are required for only the operator/owner of a vehicle launching a boat for open water use or for providing river access for ice fishing. Access permits must be displayed on the vehicle dashboard for boat launching and ice fishing and must be in the possession of all others recreating on tribal land.

Access permits cost \$5 per person per day or \$30 per person annually. For persons 65 and over, the annual permit is \$15. Permits for family members are \$5 per person after the head of household purchases the annual permit. Annual permits expire on January 31.

Enrolled members of any federally-recognized tribe and affiliates must possess the access permit at no cost.

Permits are not required for Corps of Engineers recreation areas (Left and Right Tailrace and Good Soldier).

## Off-Reservation Lands

Tribally-owned off-reservation lands are open for tribal member hunting only, unless otherwise specified. Tribal members must obtain tribal and state licenses and abide by state regulations. Currently, these lands include the Cherry Ranch, Smith Ranch, Hicks land, Oacoma land, Bear Butte land, and the Haight Ranch.

The tribally-owned lands known as the Williams Unit and the two NAWCA tracts are the only off-reservation lands currently open to hunting by tribally-licensed non-members.

## Special Management Areas

The Lower Brule Sioux Tribe Department of Wildlife, Fish and Recreation manages several areas that have additional rules, regulations, and/or license requirements. Many of these areas are managed to provide unique or high quality hunting experiences. Examples include Little Bend Ponds, Grassrope Unit, Big Game Unit and Huston Unit. These areas require additional permits and may have seasons that differ from regular hunting seasons.

Other areas are managed for purposes other than hunting or to provide refuge and therefore hunting is not allowed. Examples include waterfowl refuges and wildlife refuges.

## Walk-in Hunting Areas

Walk-in lands are open for hunting by tribal license holders without permission. These lands may not be hunted within 660 ft. of livestock or if crops are not harvested (does not apply to food plots). Hunting on foot is the only permissible method.

## Cultural Site Protection

It is against federal law to disturb cultural sites on federal and tribal lands. It is unlawful to dig, excavate and/or to remove any artifacts from Tribal Trust, Allotted and Corps of Engineers lands. Violators will be prosecuted to the fullest extent of Federal Law.

## Emergency Contacts

In case of emergency or to report a violation please call the Wildlife Department at (605) 473-5666, the Police Department at (605) 473-5444 and the Fire Department at (605) 473-0405.

## Lead Shot Ban

A lead shot ban for shotgun ammunition only is in effect as of February 1, 2016. Given the overwhelming evidence for the toxic effects of lead in humans and wildlife, even at very low exposure levels, convincing data that the discharge of lead-based ammunition into the environment poses significant risks of lead exposure to humans and wildlife, and the availability of non-lead alternative products for hunting, the science community supports reducing and eventually eliminating the introduction of lead into the environment from lead-based ammunition.

Exemptions to the lead shot ban will be granted for vintage firearms that could be damaged by non-lead ammunition. Exemption applications are available at our website [www.lowerbrulewildlife.com](http://www.lowerbrulewildlife.com) or by calling the Wildlife Department office at 605.473.5312.