

LEGAL NOTICE



In accordance with Neb. Rev. Stat. 84-907, a public hearing, conducted by the Nebraska Game and Parks Commission, will be held Friday, October 26, 2018, at the Holiday Inn Express Meeting Room, 508 Second Avenue, Kearney, Nebraska, prior to consideration and/or enactment of the following:

Pursuant to the provisions of Neb. Rev. Stat. 37-806, a public hearing will be held at 8:30 a.m., for Commissioner District Four (4) input on proposed listing and de-listing of State Threatened and Endangered Species.

Pursuant to the provisions of Neb. Rev. Stat. 37-301, 37-304, 37-305, 37-308, 37-314, 37-315, 37-344, 37-411, 37-426, 37-4,104, 37-4,107, 37-4,109, 37-4,111, 37-501 through 37-504, 37-508 and 37-543 through 37-545, a public hearing will be held at 8:45 a.m., to consider amendments to Chapter 2, Fisheries Regulations, Section 006, Sport Fishing Regulations, regarding the management of the transportation and possession for sport fish; clarification of archery fishing, paddlefish and snagging draw permits processes; methods of take for bullfrogs, and water bodies where it is unlawful to possess or use live baitfish.

Pursuant to the provisions of Neb. Rev. Stat. 37-301, 37-304, 37-305, 37-308, 37-314, 37-315, 37-344, 37-411, 37-426, 37-4,104, 37-4,107, 37-4,109, 37-4,111, 37-501 through 37-504, 37-508 and 37-543 through 37-545, a public hearing will be held at 9:00 a.m., to consider amendments to Commission Order C06, Sport Fishing, regarding daily bag limits, possession limits, length limits, and open areas.

Pursuant to the provisions of Neb. Rev. Stat. 37-301, 37-304, 37-524, 37-547 and 37-548, a public hearing will be held at 9:15 a.m., to consider amendments to Chapter 2, Fisheries Regulations, Section 012, Aquatic Invasive Species Regulations, regarding species within categories, inspections, decontamination, impoundment and quarantine of conveyance and restrictions within waters in the state.

Pursuant to the provisions of Neb. Rev. Stat. 37-301, 37-304, 37-308, 37-308.01, 37-314, 37-315, 37-317, 37-404, 37-406, 37-409, 37-447, 37-449, 37-450, 37-452, 37-453, 37-455, 37-455.01, 37-456, 37-529, 37-701, 37-706, 37-708, a public hearing will be held at 9:30 a.m., to consider amendments to Chapter 4, Section 003, Antelope, Deer, Elk, regarding draw permit processes.

Copies of the proposed regulations and fiscal impact statements shall be available for public inspection at the Game and Parks Commission office and the Office of the Secretary of State.

Copies of the proposed Commission Order changes shall be available for public inspection at the Game and Parks Commission website at www.outdoornebraska.gov.

James Douglas, Director

NOTICE OF RULEMAKING
COMMENT PERIOD

NOTICE is hereby given that the Nebraska Game and Parks Commission is accepting written comments on working drafts of proposed amendments, Title 163, Nebraska Administrative Code Chapter 2, entitled REGULATIONS Fisheries, Section 006 – Sport Fishing Regulations, regarding the management of the transportation and possession for sport fish; clarification of archery fishing, paddlefish and snagging draw permits processes; methods of take for bullfrogs, and water bodies where it is unlawful to possess or use live baitfish, prior to the public hearing process.

All interested persons are invited to obtain draft copies of the proposed regulations from and submit their written comments to Sandra Paice, Division of Administration, Nebraska Game and Parks Commission, 2200 N. 33rd, P.O. Box 30370, Lincoln NE 68503, or FAX 402/471-4992. The comment period will end at the close of business on October 25, 2018.

If auxiliary aids or reasonable accommodations are needed to review the drafts or participate in this process, please call the above-named person at (402) 471-5432 or, for persons with hearing impairments, (402) TDD or Nebraska Relay System, (800) 833-7352 TDD by no later than October 18, 2018.

DRAFT FISCAL IMPACT STATEMENT

Agency: Nebraska Game and Parks Commission	
Title: 163	Prepared by: Sandra Paice
Chapter: 2	Date prepared: September 20, 2018
Subject: Section <u>006</u> , Sport Fishing Regulations	Telephone: 402/471-5432

Type of Fiscal Impact:

	State Agency	Political Sub.	Regulated Public
No Fiscal Impact	(X)	(X)	(X)
Increased Costs	()	()	()
Decreased Costs	()	()	()
Increased Revenue	()	()	()
Decreased Revenue	()	()	()
Indeterminable	()	()	()

Provide an Estimated Cost & Description of Impact:

State Agency: \$0

Political
Subdivision: \$0

Regulated
Public: \$0

If indeterminable, explain why:

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: ~~December 28, 2015~~ May 4, 2018

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

006 SPORT FISHING REGULATIONS

The following regulations are prescribed by the Game and Parks Commission, State of Nebraska in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-305, 37-308, 37-314, 37-315, 37-344, 37-411, 37-426, 37-4,104, 37-4,107, 37-4,109, 37-4,111, 37-501 through 37-504, 37-508 and 37-543 through 37-545. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 207 through 247 of the Game Law, are used. ~~These regulations are effective following enactment by the Commission, approval by the Attorney General and Governor, and when five days have elapsed since filing with the Secretary of State.~~

For areas open, season dates, bag limits, possession limits, and length limits see Nebraska Game and Parks Commission Order C06, Sport Fishing, on the Commission’s website: outdoornebraska.gov.

Definitions: In addition to the definitions provided in Chapter 37, the following shall apply to this Section.

INLAND WATERS shall include all waters of the State, excluding waters of the Missouri River.

WATERS OF THE MISSOURI RIVER shall include all that portion of the Missouri River within Nebraska and all reservoirs, oxbows, sloughs, chutes, backwaters, and marshes, which have annual surface water connections to the river, and the first 300 yards upstream from the mouth of all tributary streams.

STATEWIDE shall include both inland waters and waters of the Missouri River.

State Recreation Area shall be referred to as SRA.

Wildlife Management Area shall be referred to as WMA.

SPORT FISH shall be defined as the following species:

Family	Scientific Name	Common Name
Sturgeon	<i>Scaphirhynchus platorynchus</i>	Shovelnose sturgeon

Title 163
Chapter 2

Paddlefish	<i>Polyodon spathula</i>	Paddlefish
Mooneye	<i>Hiodon alosoides</i>	Goldeneye
Freshwater eel	<i>Anguilla rostrata</i>	American eel
Herring	<i>Alosa chrysochloris</i>	Skipjack herring
Catfish	<i>Ictalurus furcatus</i> <i>Ictalurus punctatus</i> <i>Pylodictis olivaris</i>	Blue catfish Channel catfish Flathead catfish
Pike	<i>Esox americanus</i> <i>Esox lucius</i> <i>Esox masquinongy</i> <i>Esox masquinongy</i> x <i>Esox lucius</i>	Grass pickerel Northern pike Muskellunge Tiger muskellunge
Trout	<i>Oncorhynchus clarki</i> <i>Oncorhynchus mykiss</i> <i>Oncorhynchus tshawytscha</i> <i>Salmo trutta</i> <i>Salvelinus fontinalis</i> <i>Salmo trutta</i> x <i>Salvelinus fontinalis</i>	Cutthroat trout Rainbow trout Chinook salmon Brown trout Brook trout Tiger trout
Cod	<i>Lota lota</i>	Burbot
Temperate bass	<i>Morone chrysops</i> <i>Morone saxatilis</i> <i>Morone chrysops</i> x <i>M. saxatilis</i>	White bass Striped bass Striped bass hybrid
Sunfish	<i>Ambloplites rupestris</i> <i>Lepomis cyanellus</i> <i>Lepomis gibbosus</i> <i>Lepomis humilis</i> <i>Lepomis macrochirus</i> <i>Lepomis microlophus</i> <u><i>Lepomis species</i></u> <i>Micropterus dolomieu</i> <i>Micropterus punctulatus</i> <i>Micropterus salmoides</i> <i>Pomoxis annularis</i> <i>Pomoxis nigromaculatus</i> <u><i>Pomoxis annularis</i> x <i>P. nigromaculatus</i></u>	Rock bass Green sunfish Pumpkinseed Orangespotted sunfish Bluegill Redear sunfish <u>Sunfish hybrids</u> Smallmouth bass Spotted bass Largemouth bass White crappie Black crappie <u>Crappie hybrid</u>

Perch	<i>Sander canadense</i> <i>Sander vitreus x canadense</i> <i>Sander vitreus</i>	Sauger Saugeye Walleye
-------	---	------------------------------

BAITFISH shall be defined as those listed in Section 009.

006.01 BAG, POSSESSION AND LENGTH LIMITS:

006.01A Daily bag limit shall be defined as the number of fish, bullfrogs, snapping turtles, or mussels that may be taken by all legal methods (combined) from midnight to the following midnight. Any organism that is not to be counted in the bag limit must be returned immediately into the water with as little injury as possible. Any organism placed on a stringer or in a container, or not returned immediately into the water must be counted in the bag. Any fish in possession while on the water or fishing will be subject to length and bag limits that apply to the water being fished.

006.01B Possession limit shall be defined as the number of fish, bullfrogs, snapping turtles, or mussels that an individual may have in physical control and/or storage.

006.01C Length limit shall be defined as the approved length an individual organism can be harvested, being it either a maximum or minimum length or a protected length range (slot).

006.01D It shall be unlawful to:

006.01D1 give, put or leave any fish, bullfrogs, snapping turtles or mussels at any place or in the custody of another person unless they are tagged by the angler with the following information: (1) Name of owner; (2) Address; (3) Phone number; (4) Date of birth; (5) Permit number; (6) Species of fish; (7) Total number of fish and pounds of fillets; (8) Date taken; and (9) Signature of owner and name of recipient if gifted.

006.01D2 To take bullfrogs by any means other than hand, hand net, or hook and line in areas with a size limit; or to take bullfrogs by any means other than hand, hand net, hook and line, archery or gig in areas without a size limit.

~~006.01E It shall be unlawful to take bullfrogs by any means other than hand, hand net, or hook and line.~~

~~006.01E1 Length shall be measured from snout to vent.~~

~~006.01F 006.01E~~ The following bag, possession and length limits are specified for SNAPPING TURTLES:

~~006.01F1 006.01E1~~ It shall be unlawful to take snapping turtles except by hand, hand net, hook and line, bow and arrow or gaff.

~~006.01F2 006.01E2~~ It shall be unlawful to sell, offer for sale, trade or barter for any snapping turtle.

~~006.01F3 006.01E3~~ In waters located entirely on private land, snapping turtles may also be taken as described in Section 004 and with legal traps as described in ~~006.01F4 006.01E4~~.

~~006.01F4 006.01E4~~ Legal trap(s) shall allow turtles to reach the surface to breathe; must be personally checked every 24 hours; and must be tagged with a metal tag listing the owner's name, address, and fishing permit number or driver's license number. Traps containing a throat or funnel shall be constructed of netting that is at least four (4) inches square mesh.

~~006.01F5 006.01E5~~ The take of any turtle(s) exceeding the daily bag limits shall be released immediately.

~~006.01G 006.01F~~ The following bag, possession and length limits are specified for MUSSELS (clams):

~~006.01G1 006.01F1~~ It shall be unlawful to take mussels (clams) except by hand, hand net or hook and line.

006.02 TRANSPORTATION AND POSSESSION

006.02A It shall be unlawful to:

~~006.02A1~~ ~~p~~Possess or transport ~~or possess any~~ live white perch, black carp, silver carp, bighead carp, grass carp and yellow bass ~~away from the water body from which they were captured~~.

~~006.02A2~~ Transport any fish or bait fish in water from any stream, river, pond or lake.

~~006.02B 006.02A3~~ It shall be unlawful to ~~p~~Possess fish that are subject to a length limit while wading or on the water with more than the gills, viscera, and scales having been removed.

~~006.02C 006.02A4~~ It shall be unlawful to ~~p~~Possess bullfrogs while frogging with more than the viscera removed.

~~006.02D~~ ~~006.02A5~~ It shall be unlawful to possess or transport fish that are subject to a bag and possession limit, but not a length limit, if the fillets have not been retained in one piece. Fish may be filleted prior to transport; however, the fillets must be kept in one piece until eaten so that bag and/or possession limits can be determined.

006.03 ARCHERY FISHING

006.03A The taking of game fish by archery (bow and arrow and crossbow) is allowed during specified seasons and in areas open to archery fishing. It shall be unlawful to:

006.03A1 Archery fish with a bow or crossbow that is capable of being electronically or pneumatically loaded, cocked, or fire, or with a crossbow not designed to be fired from the shoulder.

006.03A2 Fish with an arrow that has more than one point which shall be barbed.

006.03A3 Fish with arrows that are not attached to the bow at the time the arrow is released.

~~006.03A~~ 006.03B The use of crossbows is not allowed from the Gavins Point Dam downstream to the U.S. Hwy. 81 bridge for either game or nongame fish, except for qualified disabled persons as described in Section 006.03C.

~~006.03B~~ It shall be unlawful to fish with an arrow that has more than one point which shall be barbed. Arrows shall be attached to a line from the bow at the time the arrow is released.

~~006.03C~~ Any person who has lost the use of an arm through amputation or lacks use of an arm through permanent impairment which renders the person incapable of drawing a long bow shall be permitted to use a crossbow or a bow fitted with a draw lock type device to fish. The disabling condition described above must be verified in writing by a physician. The medical certificate shall be carried by permittee while fishing and a copy filed with the Fisheries Division of the Nebraska Game and Parks Commission.

PADDLEFISH:

~~006.03D~~ 006.03C It shall be unlawful to take paddlefish by archery without the possession of a paddlefish permit and an open paddlefish tag in addition to a valid Nebraska fishing permit as required. Those anglers with a non-resident paddlefish permit must also possess a valid non-resident Nebraska fishing permit.

006.03D1 006.03C1 Applications: Anglers applying for a paddlefish permit must provide the following information: name, address, daytime telephone number, last four digits of their Social Security Number, date of birth, gender, hair color, eye color, height, and weight. Application forms to submit such information to the Commission are available at the Commission headquarters, at all District Offices, on the Commission website, and in the Fishing Guide. The application period will run from 1 P.M. CDT March 1 to March 14. Mail applications must be received in the Lincoln office, Nebraska Game and Parks Commission, by 5 p.m. CDT on March 14; internet applications must be received by 11:59 p.m. CDT on March 14. If there are permits remaining after the drawing, the remaining permits will be sold on a first-come, first-served basis with sales starting at 1:00 p.m. CDT on the first working day of May.

006.03D2 006.03C2 Permits will be distributed to eligible applicants through a random drawing based on preference points earned.

006.03C3 Applicants supplying valid email addresses will be notified when the draw is complete. Those not providing valid email addresses will be responsible to monitor their status on-line. Results of the draw will be made available by March 20th. Successful applicants will have until April 5th to complete the purchase of their awarded permits.

006.03C4 Permits awarded but unpaid will result in the applicant losing their preference points and forfeiting the permit.

006.03C5 Unpaid or unawarded permits remaining after the drawing will be sold on a first-come, first-served basis to residents only starting at 1:00 p.m. on CDT on the 3rd Monday in April.

006.03C6 The Secretary of the Nebraska Game and Parks Commission may refund or authorize permits or restore preference points to accommodate administrative issues.

006.03D3 006.03C7 Preference Points: Any eligible person who properly applies for and is denied a paddlefish permit during the application period, shall receive a preference point, and one additional point shall be added or awarded for each year he or she is unsuccessful in the drawing. Such preference points shall be used to determine priority in the permit drawing, with persons having the most points receiving the greatest priority. If two applicants submit a joint application (buddy permit), priority will be given based on the lowest number of points possessed by either applicant. Any person who is issued a paddlefish permit shall lose all accumulated preference points and any person who does not apply at least once during five consecutive years shall lose all accumulated points.

~~006.03D4~~ ~~006.03C8~~ An individual may not submit more than one application for an archery paddlefish permit during any archery paddlefish application period.

~~006.03D5~~ ~~006.03C9~~ Two anglers may submit a joint application (buddy permit) but both must be either residents or non-residents. A resident cannot submit a joint application with a non-resident.

~~006.03D6~~ ~~006.03C10~~ An individual must be 12 years old by ~~the second Saturday of July~~ ~~June 1st~~ to apply for an archery paddlefish permit.

~~006.03D7~~ ~~006.03C11~~ Ninety-five percent (95%) of the paddlefish permits available (rounded to the nearest whole number) will be reserved for residents. If the number of residents applying for permits exceeds the number of permits available, any of the five percent (5%) of the permits reserved for non-residents remaining after the first application period will be issued to resident anglers identified by the random draw.

~~006.03D8~~ ~~006.03C12~~ Any paddlefish landed must be tagged immediately in the dorsal fin with the angler's tag. Any paddlefish tag that is locked shut prior to attachment, altered, or modified shall be voided and not replaced.

~~006.03D9~~ ~~006.03C13~~ After completion of the fishing trip and upon leaving the Missouri River, an angler can process harvested paddlefish down to two (2) whole fillets. Both the closed paddlefish tag and permit would need to remain with the fillets.

~~006.03D10~~ ~~006.03C14~~ Paddlefish may be taken by archery on waters of the Missouri River only on that portion downstream from the Gavins Point Dam to the mouth of the Big Sioux River at mile marker 734, except for a closed area immediately below Gavins Point Dam downstream to a line that extends from the east end of the south cement wall of the discharge canal northwest to the east end of the north wall of the stilling basin.

006.04 SURFACE WATER SPEARFISHING:

006.04A Any device used for surface spearing shall be barbed.

006.05 UNDERWATER SPEARFISHING:

006.05A It shall be unlawful to underwater spearfish within 100 yards (300 feet) of any designated swimming or water ski jump area, boat dock, boat ramp, or spillway.

006.05B Only hand spears, rubberband-powered spear guns, compressed air, and spring-loaded power spear guns are legal. Spear guns may be attached to a float or buoy using any length of line.

006.05C All spears shall be attached to a shooting line with a maximum length of twenty feet.

006.05D The Diver's Flag shall be displayed on the water on a float or buoy during any diving or underwater spearfishing. Any diver or underwater spear fisherman shall not exceed a distance of greater than 150 feet from the Diver's Flag. The flag shall be square and not less than 12" square. The color shall be red background and with white diagonal stripe one-fifth (1/5) of the flag width. The diagonal stripe shall extend from the top of the hoist to the bottom of the flag.

006.05E It is unlawful to display the Divers Flag when diving or underwater spearfishing is not in progress.

006.05F Recognition of the Divers Flag by regulation will not be construed as conferring any rights or privileges on its users nor be construed as restricting the use of the water so marked. Operators of boats shall exercise precaution commensurate with conditions indicated.

006.05G Underwater spearfishing regulations shall not apply to authorized agents of the Nebraska Game and Parks Commission when engaged in experimental studies or fish management projects.

006.05H Upon written approval of the Director, specified species and specified waters may be opened for a limited time to underwater spearfishing for special events, and for fish management purposes.

006.06 SET LINES, LIMB LINES AND ICE FISHING

JUG LINES shall be defined as a free-floating line that contains fishing hooks entirely supported by flotation.

LIMB AND/OR SET LINES shall be defined as a fishing line that contains up to five (5) fish hooks attached to a fixed object in a river, stream or canal.

006.06A It shall be unlawful to use jug lines in any waters of the state.

006.06B It shall be unlawful to use set lines or limb lines in any pond, lake or reservoir and within one-half mile of an inlet or outlet.

006.06C The angler's name, address, fishing permit number and/or driver's license number shall be attached legibly to all limb and set lines.

006.06C1 Limb and set lines need to be checked every twenty-four (24) hours and unused lines removed.

006.06D It shall be unlawful to use more than five (5) lines while ice fishing and it shall be unlawful to use more than two (2) hooks on each line while ice fishing.

006.06E Each ice fishing line used must be under the direct supervision and within the unaided observation of the angler.

006.07 SNAGGING:

006.07A Paddlefish harvested by snagging may be possessed only on that section of the Missouri River where paddlefish harvest is allowed during the open season.

006.07B Only one (1) hook per line may be used when snagging. Hook size must be no larger than one-half ($\frac{1}{2}$) inch from point to shank.

006.07C It shall be unlawful to use a gaff hook or other penetrating device while landing snagged paddlefish.

006.07D All snaggers must obtain, and have in their possession while fishing, a paddlefish permit and an open paddlefish tag in addition to a valid Nebraska fishing permit to be actively snagging. Those anglers with a non-resident paddlefish permit must also possess a valid non-resident Nebraska fishing permit.

006.07D1 Applications: Anglers applying for a paddlefish permit must provide the following information: legal name, address, daytime telephone number, last four digits of their Social Security number, date of birth, gender, hair color, eye color, height, and weight. Application forms to submit such information to the Commission are available at the Commission headquarters, at all District Offices, on the Commission website, and in the Fishing Guide. The application period will run from 1 p.m. CDT July 1 to July 14. Mail applications must be received in the Lincoln office, Nebraska Game and Parks Commission, by 5 p.m. CDT on July 14; internet applications must be received by 11:59 p.m. CDT on July 14. If there are permits remaining after the drawing the remaining permits will be sold on a first-come, first-served basis, with sales starting at 1:00 p.m. CDT on the first working day of September.

006.07D2 Permits will be distributed to eligible applicants through a random drawing based on preference points earned.

006.07D3 Applicants supplying valid email addresses will be notified when the draw is complete. Those not providing valid email addresses

will be responsible to monitor their status on-line. Results of the draw will be made available by July 20th. Successful applicants will have until August 5th to complete the purchase of their awarded permits.

006.07D4 Permits awarded but unpaid will result in the applicant losing their preference points and forfeiting the permit.

006.07D5 Unpaid or unawarded permits remaining after the drawing will be sold on a first-come, first-served basis to residents only starting at 1:00 p.m. CDT on the 3rd Monday in August.

006.07D6 The Secretary of the Nebraska Game and Parks Commission may refund or authorize permits or restore preference points to accommodate administrative issues.

006.07D3 006.07D7 Preference points: Any eligible person who properly applies for and is denied a paddlefish permit during the application period beginning in 2007 shall receive a preference point, and one additional point shall be added or awarded for each year he or she is unsuccessful in the drawing. Such preference points shall be used to determine priority in the permit drawing, with persons having the most points receiving the greatest priority. If two applicants submit a joint application (buddy permit), the priority will be given based on the lowest number of points possessed by either applicant. Any person who is issued a paddlefish permit shall lose all accumulated preference points, and any person who does not apply at least once during five (5) consecutive years shall lose all accumulated points.

006.07D4 006.07D8 An individual may not submit more than one application for a paddlefish snagging permit during any paddlefish snagging application period.

006.07D5 006.07D9 Two anglers may submit a joint application (buddy permit) but both must be either residents or non-residents. A resident cannot submit a joint application with a non-resident.

006.07D6 006.07D10 An individual must be 12 years old by October 1 to apply for a paddlefish snagging permit.

006.07E Ninety-five percent (95%) of the paddlefish permits available will be reserved for residents. If the number of residents applying for permits exceeds the number of permits available, any of the five percent (5%) of the permits reserved for non-residents remaining after the application period, will be issued to resident anglers identified by the random draw.

006.07F A paddlefish must be tagged immediately in the dorsal fin upon addition to the creel with the anglers paddlefish tag. Any paddlefish tag that is locked shut prior to attachment, altered, or modified shall be voided and not replaced.

006.07F1 A snagger must cast for and hook their own fish.

006.07F2 After completion of the fishing trip and upon leaving the Missouri River, an angler can process the harvested paddlefish down to two (2) whole fillets. Both the closed paddlefish tag and permit would need to remain with the fillets.

006.08 REFUGE LAKES:

VALENTINE NATIONAL WILDLIFE REFUGE LAKES (Cherry County):

006.08A The possession or use of live or dead baitfish and the possession of any fish not taken from these waters is unlawful. However, frozen or dead smelt and legal fish harvested from these waters may be used for bait.

CRESCENT LAKE NATIONAL WILDLIFE REFUGE LAKES (Garden County):

006.08B The possession or use of live or dead baitfish and the possession of any fish not taken from these waters is unlawful. However, frozen or dead smelt and legal fish harvested from these waters may be used for bait.

006.08C DESOTO NATIONAL WILDLIFE REFUGE: Sport fishing by hook and line and archery is permitted as designated by refuge regulations. The use of trot lines and float lines is unlawful. All fishermen shall conform with the regulations of the State in which they are licensed, either Nebraska or Iowa.

006.09 BORDER WATERS:

006.09A Any person possessing a valid fishing license or permit issued by the state of South Dakota, Iowa or Missouri, or who is legally exempted from those license or permit requirements, without further permit or license, may fish for any species except paddlefish with hook and line, bow and arrow and surface spears in the flowing portions and backwaters, sloughs and chutes that draw water from the Missouri River proper within the boundary of Nebraska adjacent to the state where they possess a valid fishing license or permit or are exempted from having one. These anglers may also fish with hook and line, bow and arrow, and surface spears in the Nebraska portion of any oxbow lakes through which a state boundary passes for a state where they possess a valid fishing license or permit or are exempted from having one. Any person possessing a valid fishing license or permit issued by the state of Iowa or Missouri or is legally exempted from those license or permit requirements without further permit or license, may fish all waters of the Hamburg Bend WMA and the Nebraska portion of the Missouri

River between the Hamburg Bend chute entrance structure (River Mile 555.5) and chute exit structure (River Mile 552.1).

Except that in the tailwaters of Gavins Point Dam from the dam to 0.6 miles downstream, a non-resident Nebraska fishing permit is required of persons who are not residents of Nebraska or South Dakota when fishing from boat or either bank.

006.09A1 All reciprocal privileges in Section 006.09A shall be contingent upon a grant of like privileges by the appropriate neighboring state to the permitted, licensed or exempted hook and line, bow and arrow, or surface spearfishing anglers of Nebraska.

006.09A2 Regulations regarding method of take, size, bag and possession limits of the more restrictive state between the licensing state and the State of Nebraska shall apply in South Dakota, Iowa and Missouri boundary waters.

006.09A3 Anglers fishing the border waters between Nebraska and South Dakota, Iowa, or Missouri are allowed one (1) daily bag limit of fish from these border waters per day as defined in regulations regardless of the number of permits held or state(s) in which they are held.

006.09A4 Anglers licensed, permitted, or exempted in South Dakota, Iowa or Missouri may fish from or attach devices or equipment to land under the jurisdiction of Nebraska adjacent to the state where they possess a valid fishing license or permit or are exempted from having one.

006.10 LEGAL NETS, TRAPS AND OTHER DEVICES: It shall be unlawful to possess or use any and all nets, traps, electrical gear capable of stunning fish, or other devices except legal baitfish methods of take described in Section 009.04 or under authorization of special permits as follows:

006.10A Commercial Fishing Permit

006.10B Private Pond Authorization

006.10C Salvage

006.10D Scientific Collections

006.10E Landing nets, made of non-metallic mesh used only for the landing of fish caught on hook and line.

006.10F Legal turtle traps as described in Section 006.01F 006.01E.

006.11 SPECIAL AREAS: Special area regulations are in effect on the following areas:

006.11A TWO RIVERS SRA (Douglas County)

006.11A1 A daily trout fishing tag is required to possess trout on the Two Rivers SRA (fee \$6.00).

006.11A2 FEE FISHING AREA: Lake No. 5 within the Two Rivers SRA (Douglas County) is designated as a special trout fishing area, subject to the following regulations:

006.11A2a Each angler shall wear the trout tag or tags, on his their person in a conspicuous place while fishing during the time period of March 1 through June 30.

006.11A2b Each angler shall be limited to the use of one (1) rod and reel or fishing pole. Archery fishing, snagging and spearing are prohibited.

006.11A2c All fish, live or dead, are prohibited as bait.

006.11A2d Each angler shall keep their fish on a separate stringer or container under his their control.

006.11A2e Each trout caught shall be counted in the bag limit, and no trout caught shall be returned to the water.

006.11A2f Each angler shall report their catch at the Administration Building and return their tag or tags each day when finished.

006.11B TROUT SPAWNING STREAMS tributary to the North Platte River and McConaughy Reservoir (Sioux, Scotts Bluff, Morrill, Garden and Keith counties): it shall be unlawful to possess a net or seine of any type except legal landing nets that shall have a maximum diameter of 12 inches, a maximum depth of 15 inches and a maximum handle length of three (3) feet on the following streams.

Dry Sheep Creek	Cedar Creek
Wildhorse Creek	Spotted Tail Creek
Stuckenhole Creek	Dry Spotted Tail Creek
Nine Mile Creek	Otter Creek
Tub Spring Creek	Clear Creek
Winters Creek	Lonergan Creek

~~006.11C — EUGENE T. MAHONEY STATE PARK, BARIGHT LAKE (Case County)~~

~~It shall be unlawful to fish in the lake EXCEPT:~~

~~006.11C1 — Children under 16 years of age, handicapped adults, and adults (parents or guardians) assisting children fishing under their supervision are permitted to fish the entire lake, except the immediate marina area.~~

~~006.11D — PLATTE RIVER STATE PARK, JENNY NEWMAN LAKE (Cass County)~~

~~006.11D1 — Children under 16 years of age and adults (parents or guardians) assisting children fishing under their supervision are permitted to fish the entire lake, except the immediate marina area.~~

006.12 On the following fishing areas it shall be unlawful to have in possession or use live baitfish, while fishing on that waterbody. While on that waterbody, it shall also be unlawful to have in possession any live fish other than those legally harvested from that water body, which may be also used for bait. These waterbodies are as follows:

LAKE	COUNTY
Heartwell Park Lake	Adams County
Clear Lake	Brown County
Cottonmill Lake	Buffalo County
Ravenna Lake	Buffalo County
Yanney Park Lake	Buffalo County
Chalkrock Lake WMA	Cedar County
Rat and Beaver WMA	Cherry County
Ansley City Lake	Custer County
Arnold Lake	Custer County
Melham Lake	Custer County
Victoria Springs Lake SRA	Custer County
Kramper Park Lake	Dakota County
Kirkpatrick Lake	Dawson County
Lake Helen	Dawson County

Title 163
Chapter 2

Lexington City Lake	Dawson County
Bennington Lake	Douglas County
<u>Flanagan Lake</u>	<u>Douglas County</u>
<u>Glenn Cunningham Lake</u>	<u>Douglas County</u>
Frye Lake WMA	Grant County
<u>Grand Island Such's Lake</u>	<u>Hall County</u>
Bethphage Pond	Kearney County
<u>Conestoga Lake SRA</u>	<u>Lancaster County</u>
Hedgefield Lake WMA	Lancaster County
Holmes Lake	Lancaster County
Olive Creek Lake SRA	Lancaster County
<u>Stagecoach Lake SRA</u>	<u>Lancaster County</u>
Wildwood Lake	Lancaster County
Yankee Hill Lake WMA	Lancaster County
North Platte I-80 City Lake	Lincoln County
Skyview Lake	Madison County
Ta-Ha-Zouka Park Lake	Madison County
<u>Duck Creek Recreation Area</u>	<u>Nemaha County</u>
Lincoln Park Pond	Nuckolls County
Iron Horse Trail Lake	Pawnee County
Holdrege City Lake	Phelps County
Prairie Queen Recreation Area	Sarpy County
<u>Wehrspann Lake</u>	<u>Sarpy County</u>
Lake Wanahoo	Saunders County
<u>Independence Landing Lake</u>	<u>Seward County</u>
Meadowlark Lake	Seward County
Bowman Lake	Sherman County
Pibel Lake	Wheeler County

