

## NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: January 25, 2008

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

001 Commercial Put and Take Fisheries Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in accordance with Neb. Rev. Stat. §§ 37-301, 37- 304, 37-314 and 37-4,108. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-213 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.

001.01 State laws provide the following requirements:

001.01A No regular state fishing permit shall be required for fishing in any duly licensed Commercial Put and Take Fishery operating under the rules and regulations prescribed by the Nebraska Game and Parks Commission.

001.01B The permit fee shall be payable in advance

001.01C No person shall operate such an establishment without first obtaining such permit.

001.01D Before issuing a permit the Fisheries Division, Nebraska Game and Parks Commission shall investigate each establishment annually and be satisfied that the fishery will operate within applicable state and federal laws.

001.02 The fee shall cover a period from January 1 to December 31, inclusive, or any fractional period thereof. All permits shall expire at midnight on December 31 of the year in which issued.

001.03 A written application, furnished by the Fisheries Division, Nebraska Game and Parks Commission, must be submitted and must be complete in all respects.

001.04 On commercial put-and-take fishery ponds that have natural outlets to other waters on other land, permanent screens shall be installed so that no fish may enter from flood waters or leave waters of the commercial put-and-take fishery. Screens must be approved by the Fisheries Division, Nebraska Game and Parks Commission and the mesh of such screens shall be not greater than one-half inch wire mesh screen. Permits shall not be issued unless screens can effectively keep fish in or out of the commercial put-and-take pond.

001.05 All waters for such purposes shall be entirely within the exterior boundaries of the land owned or leased by the applicant for such purposes.

001.06 A legal description must accompany the application. If land is leased, a copy of the lease must accompany the application.

001.07 All fish used in said fishery shall be legally acquired from legal fish dealers or private hatcheries aquaculture facilities inside or outside the state. All species of fish to be used must be approved by the Fisheries Division, Nebraska Game and Parks Commission. The permit to operate such fishery shall not confer upon the operator the right to take wild fish from the natural resources of the state.

001.07A It shall be unlawful to import all live fish of the salmonid family (trout, char, and salmon).

001.07B It shall be unlawful to import any live fish without being inspected and found free of Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). Largemouth bass shall have been inspected and found free of Largemouth Bass Virus (LMBV) and live yellow perch shall have been inspected and found free of Heterosporis.

001.07C An "Application for Importation" fertilized eggs, gametes, or live fish, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

001.07C1 All disease inspections shall be conducted by methods and procedures acceptable to the Commission. The most recent publication "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" published by the Fish Health Section of the American Fisheries Society should be used as a guideline. Inspections shall be conducted by an individual certified as a Fish Health Inspector or Fish Pathologist or as approved by the Commission.

001.08 The permit shall be posted or displayed in a conspicuous place on the fishery premises described in the application.

001.09 Before any fish are removed from the fishery premises, the operator of said fishery must furnish a statement or invoice to each person removing fish from the hatchery premises. The invoice shall state the name and address of the person removing fish, the number and kind of fish removed, and shall be signed by the operator. All entries on the invoice shall be in ink.

001.10 There is no state bag or possession limit or hook and line limits on licensed put and take fisheries.

001.11 Operator of such fishery may set his own bag or possession limits or make other regulations regarding the operation of the fishery that do not conflict with state or federal laws and regulations.

001.012 Any agent or officer of the Nebraska Game and Parks Commission may enter upon fisheries premises for the purposes of inspecting the same or for the purpose of enforcing state laws and regulations.

001.12A If the agent or officer finds evidence that one of the listed diseases (Section 001.12B) may be present an adequate sample of fish shall be surrendered for a diagnostic inspection.

001.12B Upon identification of any of the following diseases (Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), infectious Hematopoietic Necrosis (IHN), Renibacterium salmoninarum (Bacterial Kidney Disease - BKD), Yersinia ruckeri (Enteric Redmouth Disease - ERM), Aeromonas salmonicida (Furunculosis), Myxobolus (Myxosoma) cerebralis (Whirling Disease - WHD), Largemouth Bass Virus (LMBV), and Heterosporis), the Director of the Commission shall impose an immediate prohibition of moving any fish for up to 30 days. During the prohibition a compliance agreement stating the appropriate procedures for the disposal of the infected fish and the disinfection of the facility shall be determined by the Commission's representative and the owner/operator.

The agreement shall be designed to bring the least amount of economic hardship to the affected party while affording maximum protection to other operators, growers, and the fishery resources of the state.

001.013 It shall be unlawful for commercial put and take operators to fail to provide a written report by January 15 of the year following the permit expiration.

001.13A It shall be unlawful to fail to report the date, number, species, size and source of the fish purchased. Reports shall be on approved forms or as furnished by the Fisheries Division, Nebraska Game and Parks Commission.

001.13B Failure to comply with this regulation will disqualify the permittee for issuance of subsequent permit.

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Chapter 2 – Fisheries Regulations

002 Non-resident Fish Dealers and Exportation, Importation and Possession Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37-316, 37-468, 37-482.01, 37-524, 37-545, 37-546, 37-547, and 37-548.. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-234 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.

002.01 It shall be unlawful for any person, except employees of the Nebraska Game and Parks Commission to stock any species of fish, mollusks, amphibians and crustaceans in any public waters of this state or lands in the state, without written approval of the Commission, or to stock any nongame fish in any private waters of this State which overflows into or connects in any way to public waters.

002.02 It shall be unlawful to sell or offer any carp, carpsucker, buffalo, gar, quillback, or bowfin for use as bait.

002.03 No person, either resident or nonresident, shall import or transport in any manner live amphibians, (as listed in Section 009) any live fish, mollusks and crustaceans into this State for any purpose without prior written authorization from the Fisheries Division of the Nebraska Game and Parks Commission:

002.03A It shall be unlawful to buy, sell, trade, or barter any aquatic organism not listed on the non-resident fish dealer permit.

002.03B It shall be unlawful to import all live fish of the Salmonid family (trout, char, and salmon) except as stated in 02.03B1. An "Application for Importation" form for fertilized eggs or gametes, of the Salmonid family, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission, not less than 10 days prior to each importation. Any facility from which eggs or gametes of the Salmonid family are to be imported must be inspected annually and found to be free of Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), Infectious Hematopoietic Necrosis (IHN), Epizootic Epitheliotropic Disease (EED), Virus Disease of Oncorhynchus masau (OMV), Spring Viremia of Carp (SVCV), Renibacterium salmoninarum (Bacterial Kidney Disease - BKD), or Myxobolus (Myxosoma) cerebralis (Whirling Disease - WHD).

002.03B1 Research facilities approved by the Fisheries Division, Nebraska Game and Parks Commission may import live fish of the Salmonid family, provided they meet the requirements listed in 002.03B, including the "Application for Importation" requirements. No live fish may be removed and/or stocked from the research facility.

002.03C It shall be unlawful for anyone to buy, sell, trade, barter or possess live fish species of the family Channidae (snakeheads).

002.03D All facilities from which fertilized eggs, gametes or live fish are imported into the state shall be inspected and found free of Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). Largemouth bass shall be inspected and found free of Largemouth Bass Virus (LMBV) and live yellow perch shall be inspected and found free of Heterosporis.

002.03E An "Application for Importation" fertilized eggs, gametes, or live fish, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

002.03E1 Legal bait fish as listed in Section 009 may be imported into this State for use as bait provided the facility from which they are being imported meets the following criteria. 1) Licensed facility must provide a fish health inspection report with a disease free status to the Fisheries Division of the Nebraska Game and Parks Commission. 2) Testing shall be conducted for Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). 3) An "Application for Importation of Bait" form shall be submitted prior to any importation to the Fisheries Division of the Nebraska Game and Parks Commission. An approval for importation will be granted for a specified period of time up to six months. 4) Approval and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

Failure to comply with these criteria shall result in the non-resident fish dealer permit being revoked.

002.03E2 All disease inspections shall be conducted by methods and procedures acceptable to the Commission. The most recent publication of the "Suggested Procedures for the Detection and Identification of Certain Finfish and Shellfish Pathogens" published by the Fish Health Section of the American Fisheries Society should be used as a guideline. Inspections

shall be conducted by an individual certified as a Fish Health Inspector or Fish Pathologist or as approved by the Commission.

002.04 It shall be unlawful for nonresident fish dealers to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

002.04A It shall be unlawful to fail to report the date, number, species, size and name of the purchaser for all fish mollusks, amphibians and crustaceans transported into Nebraska. Reports shall be on approved forms or as furnished by the Fisheries Division, Nebraska Game and Parks Commission.

002.04B Failure to comply with this regulation will disqualify the permittee for issuance of a subsequent permit for three years following failure to report.

002.05 The following live fish, mollusks, amphibians and crustaceans and their viable gametes have been determined by the Commission to not cause economic or ecological harm or be injurious to human beings, agriculture, horticulture, forestry or wildlife resources. They, therefore, may be imported into the state by permitted non-resident fish dealers, bait dealers and/or private aqua culturists, but not intentionally released to the wild.

Family	Scientific Name	Common Name
<b>FISH</b>		
Paddlefish	<i>Polyodon spathula</i>	paddlefish
Catfish	<i>Ictalurus furcatus</i>	blue catfish
	<i>Ictalurus punctatus</i>	channel catfish
	<i>Pylodictis olivaris</i>	flathead catfish
	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Pike	<i>Esox americanus</i>	grass pickerel
	<i>Esox lucius</i>	northern pike
	<i>Esox masquinongy</i>	muskellunge
Trout*	<i>Oncorhynchus clarki</i>	cutthroat trout
*(Eggs only	<i>Oncorhynchus mykiss</i>	rainbow trout
except as	<i>Oncorhynchus tshawtscha</i>	chinook salmon
listed in	<i>Salmo trutta</i>	brown trout
<u>002.03B1)</u>	<i>Salvelinus fontinalis</i>	brook trout
Temperate bass	<i>Morone chrysops</i>	white bass
	<i>Morone saxatilis</i>	striped bass
Sunfish	<i>Ambloplites rupestris</i>	rock bass

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	<i>Lepomis cyanellus</i>	green sunfish
	<i>Lepomis gibbosus</i>	pumpkinseed
	<i>Lepomis humilis</i>	orangespotted sunfish
	<i>Lepomis macrochirus</i>	bluegill
	<i>Lepomis microlophus</i>	redear sunfish
	<i>Micropterus dolomieu</i>	smallmouth bass
	<i>Micropterus punctulatus</i>	spotted bass
	<i>Micropterus salmoides</i>	largemouth bass
	<i>Pomoxis annularis</i>	white crappie
	<i>Pomoxis nigromaculatus</i>	black crappie
Perch	<i>Sander vitreus vitreus</i>	walleye
	<i>Sander canadensis</i>	sauger
	<i>Perca flavescens</i>	yellow perch
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennius</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace
Gar	<i>Lepisosteus osseus</i>	longnose gar
	<i>Lepisosteus platostomus</i>	shortnose gar
Sucker	<i>Carpionodes carpio</i>	river carpsucker
	<i>Carpionodes cyprinus</i>	quillback
	<i>Ictiobus bubalus</i>	smallmouth buffalo
	<i>Ictiobus cyprinellus</i>	bigmouth buffalo
	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killfish
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
	<i>Alsoa pseudoharengus</i>	alewife
<b>NOTE:</b>	This includes all hybrids of the above species.	
<b>CRUSTACEANS</b>		

Crayfish	<i>Orconectes neglectus</i>	ringed crayfish
	<i>Orconectes immunis</i>	papershell crayfish
	<i>Orconectes virilis</i>	northern crayfish
	<i>Cambarus diogenes</i>	devil crayfish

002.06 Request for additions to list of fish, mollusks, amphibians and crustaceans for importation into Nebraska (list 002.05). The above list of species approved for import may be amended or modified upon showing of substantial evidence that additional species will not cause economic or ecological harm. Any person desiring to add a species to this list must provide written responses to the following questions:

002.06A What species are you proposing to be added to the import list? Common and scientific names must be provided.

002.06B What is the purpose of the importation? What native species are available that could serve the purpose?

002.06C What safeguards against the importation of disease or parasites that could harm native species have been instituted? Would any diseases or parasites affect domestic species?

002.06D Would the species be able to establish a self-sustaining population in Nebraska? If no, explain.

002.06E What positive and negative ecological impacts are there? What could the impact be if the species escaped to the wild? Would it harm other wild or domestic species?

002.06F List all consequences of the importation of this species that would be positive and negative to humans?

002.06G Would the benefits of the importation exceed the risks? In what ways?

002.06H Provide evidence that the species is being acquired legally for importation into Nebraska. Such evidence can include a receipt from the legal sale of a commercially raised species or, in the case of a species acquired from the wild in another state, a copy of the laws or regulations indicating that such take and export is legal.

002.07 Request for deletions from the list of fish, mollusks, amphibians and crustaceans for importation into Nebraska (list 002.05). Any person desiring that a species be deleted from this list must provide written responses to the following questions:



002.07A What species do you wish to be deleted from list 002.05? Common and scientific names must be provided.

002.07B For what reason(s) do you feel the species should be removed from the importation list? For example, is the species causing economic or ecological harm?

002.08 The following dead or live fish, mollusks, amphibians and crustaceans meet the criteria in 002.09 and may be taken from the wild and commercially exploited within the state or exported from the state, provided that a permit is first obtained from the Fisheries Division, Nebraska Game and Parks Commission as outlined in 002.8A through 002.8D.

Family	Scientific Name	Common Name
<b>FISH</b>		
Catfish	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Drum	<i>Aplodinotus grunniens</i>	freshwater drum
Gar	<i>Lepisosteus osseus</i>	longnose gar
	<i>Lepisosteus platostomus</i>	shortnose gar
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
Minnow	<i>Cyprinus carpio</i>	common carp
	<i>Ctenopharyngodon idella</i>	grass carp
	<i>Hypophthalmichthyes molitris</i>	silver carp
	<i>Hypophthalmichthyes nobilis</i>	bighead carp
Perch	<i>Perca flavescens</i>	yellow perch
Sucker	<i>Carpodes carpio</i>	river carpsucker
	<i>Carpodes cyprinus</i>	quillback
	<i>Catostomus commersoni</i>	white sucker
	<i>Ictiobus bubalus</i>	smallmouth buffalo
	<i>Ictiobus cyprinellus</i>	bigmouth buffalo
<b>AMPHIBIANS</b>		
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander
	(now recognized as <i>Ambystoma mavortium</i> )	barred salamander)

002.08A Application shall be made on a form furnished by the Fisheries Division, Nebraska Game and Parks Commission in order to obtain a Commercial Fishing Permit (Chapter 2, Section 003) for fish species and a Bait Dealer Permit (Chapter 2, Section 009) for the amphibians listed above.

002.08B The permit shall expire on December 31 following the date of issuance.

002.08C The permittee shall report the sale, take or export of any species listed above to the Fisheries Division, Nebraska Game and Parks Commission quarterly on forms provided by the Fisheries Division.

002.08D The Fisheries Division, Nebraska Game and Parks Commission may refuse to issue or may revoke a permit if the permittee fails to supply the required information or if false information is provided on the application or report forms.

002.09 Any person desiring to add a species to the list in 002.08 must provide written responses to the following questions:

002.09A What species do you wish to take from the wild for commercial purposes or for export from the state? Common and scientific names must be provided.

002.09B Provide evidence that the proposed species meets the criteria for S-4 or S-5 as outlined in 002.11.

002.09C Provide evidence that the proposed species can be commercially exploited or exported without detrimental impact to the population in Nebraska.

002.10 Requests for deletions from the lists of fish, mollusks, amphibians and crustaceans approved for commercial exploitation and export from Nebraska (002.08). Any person desiring that a species be deleted from these lists must provide substantial evidence in writing as follows:

002.10A What species are you recommending to be deleted from list 002.08? Common and scientific names must be provided.

002.10B Is evidence available to indicate that the commercial exploitation or export of the species is detrimental to the population in Nebraska? If available, provide such evidence.

002.10C If removal from lists 002.08 is for the purpose of prohibiting commercial exploitation or export, provide evidence that the species meets criteria S-1, S-2, or S-3 in 002.11.

002.11 The following criteria were used to develop list 002.08.

S1 = Critically imperiled in state because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extirpation from the state.

S2 = Imperiled in state because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extirpation from the state.

S3 = Rare or uncommon in state (on the order of 21 to 100 occurrences).

S4 = Apparently secure in state, with many occurrences.

S5 = Demonstrably secure in state under present conditions.

002.12 This shall not prevent the commercial exploitation of commercial or nongame fish taken under the authority of a commercial fishing permit outlined in 37-543 and 37-4,104 and Commission Fisheries Regulations (Chapter 2, Section 003), nor shall it prevent the commercial exploitation of baitfish, crayfish or tiger salamanders (now recognized as barred salamanders) taken under the authority of a bait dealers permit as specified in 37-546 and 37-4,105 and Commission regulations (Chapter 2, Section 009), nor shall it prevent the commercial exploitation of game species propagated or raised under the authority of an aquaculture permit as specified in 37-471, 37-472, and 37-474 and Commission regulations (Chapter 2, Sec. 005), nor shall it prevent the legal activities of a valid nonresident fish dealer outlined in 37-505, 37-4,106 and Commission regulations (Chapter 2, Section 002).

NEBRASKA ADMINISTRATIVE CODE

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Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

003 COMMERCIAL 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, 37-314, 37-315, 37-322, 37-4,104, 37-543, and 37-545. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 212 through 234 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.

003.01 MISSOURI RIVER – AREA OPEN: All that portion of the Missouri River within Nebraska below or downstream from the U.S. Hwy. 81 bridge at Yankton, South Dakota, to the Nebraska-Kansas state line. Provided, that it shall be illegal to use hoop nets, trammel nets, seines, wing nets, trap nets, and dip nets within 300 yards (900 feet) in any direction from the mouth of any stream emptying into the Missouri River.

Provided, that it shall be illegal to use seines, hoop nets, trammel nets, wing, dip or trap nets, or any similar device in that portion of the Missouri River above or upstream from the U.S. Hwy. 81 bridge at Yankton, South Dakota to the boat ramp at Santee such described area to include the Lewis and Clark Lake (Gavins Point Reservoir).

Provided, also, that it shall be unlawful to use any seines, trammel nets, wing, dip or trap nets or any similar device, except that not more than six (6) hoop nets per licensed commercial permittee may be used in that portion of the Missouri River upstream from the boat ramp at Santee to the Nebraska-South Dakota state line.

003.01A RECIPROCAL AGREEMENT WITH IOWA: Under a legal reciprocal agreement between the states of Iowa and Nebraska, commercial permittees holding a valid Commercial Fishing Permit from either the state of Nebraska or Iowa may fish in the entire main channel of the Missouri River bordering the two states. No commercial fishing gear shall be attached to the bank except in the state where the license is issued. All commercial permittees shall conform with the regulations of the state in which they are licensed.

003.01B RECIPROCAL AGREEMENT WITH MISSOURI: Under a legal reciprocal agreement between the states of Nebraska and Missouri, commercial permittees duly licensed by either the state of Nebraska or the state of Missouri may fish with commercial gear on the flowing portion of the Missouri River bordering the two states. Commercial gear shall not be used in any cutoffs, chutes, bayous, or tributaries of the Missouri River. Commercial permittees shall not fish

from nor attach any device or equipment to land under the jurisdiction of the state in which they are not licensed.

Each commercial permittee shall conform to the creel limits, size limits, methods, mesh sizes, and all other laws and regulations on commercial fishing of the state in which they are fishing and operating such commercial gear.

003.01C MISSOURI RIVER BORDER WATER WITH SOUTH DAKOTA: It shall be unlawful to use any commercial fishing gear in the Missouri River on the South Dakota side from the U.S. Hwy. 81 bridge at Yankton, South Dakota downstream to the Big Sioux River.

It shall be unlawful to use hoop nets on the South Dakota side of that portion of the Missouri River upstream from the boat camp at Santee to the Nebraska-South Dakota state line.

The above agreements apply only to the main channel of the Missouri River. All cutoffs formed by straightening or changing the main channel of the river are not a part of the Missouri River; even though one or both ends are open, commercial gear cannot be used in such waters.

003.02 INLAND WATERS OPEN AREA: Open inland waters are defined as those lentic water bodies that are totally privately owned or controlled and have not been stocked by the Nebraska Game and Parks Commission within the last ten (10) years.

003.03 OPEN SEASON: Open from January 1 through December 31 on fish species listed below, except in that portion of the Missouri River upstream from the boat ramp at Santee to the South Dakota-Nebraska state line the season shall be May 1 through October 31.

003.04 SPECIES: Commercial fish shall be defined as the following species:

Family	Scientific Name	Common Name
Catfish	Ameiurus melas	Black bullhead
Drum	Aplodinotus grunniens	Freshwater drum
Perch	Perca flavescens	Yellow perch

Under the authority of a Commercial Fishing Permit it shall be unlawful to take any species of fish with commercial gear except commercial fish and the following:

Family	Scientific Name	Common Name

Herring	Dorosoma cepedianum	Gizzard shad
Gar	Lepisosteus osseus	Longnose gar
	Lepisosteus platostomus	Shortnose gar
Minnow	Ctenopharyngodon idella	Grass carp
	Cyprinus carpio	Common carp
	Hypophthalmichthyes molitrix	Silver carp
	Hypophthalmichthyes nobilis	Bighead carp
Sucker	Carpionodes carpio	River carpsucker
	Carpionodes cyprinus	Quillback
	Catostomus commersoni	White sucker
	Ictiobus bubalus	Smallmouth buffalo
	Ictiobus cyprinus	Bigmouth buffalo

003.05 DAILY BAG AND POSSESSION LIMIT: None.

003.06 LEGAL COMMERCIAL NETS: It shall be lawful to fish with and use only hoop nets, trammel nets, seines, wing nets, trap nets, and dip nets, in the Missouri River and open inland waters, but only when such nets or traps have been properly licensed and tagged in accordance with state law, and only when such nets or traps comply with state law and regulations, and used at such times, such places and in such manner as provided by these regulations. Not more than a total of 100 lineal feet of wings or leads shall be used on any one trap or wing net. The use of 100 lineal feet of wing or lead, or fraction thereof, on any net or trap, shall be considered as part of one net or trap. Other gear-types may be authorized by the Fisheries Division, Nebraska Game and Parks Commission for use on inland waters.

003.06A All nets, or traps used on the Missouri River shall be made of non-metallic mesh.

003.07 FISHING METHODS: Trammel nets must be personally attended by permittee's at all times and all nets must be raised and all fish removed every one-half hour. Hoop, wing, and trap nets shall not be left set and unattended for more than twenty-four hours. It shall be unlawful for any Commercial Fishing Permit holder to have in his or her possession, or in his or her boat any sport fishing gear while using or transporting any commercial nets or devices.

003.08 LAWFUL MESH SIZE: On the Missouri River, all mesh on seines, hoop nets, and all leads and wings, and dip nets, shall be one and one-half (1½) inches square or bar measure or larger. Provided, that all mesh in the inner panel of trammel nets shall be two (2) inches square or bar measure or larger. For inland waters all mesh on seines, hoop nets, and all leads and wings, dip nets and other gear as authorized by the Fisheries Division, Nebraska Game and Parks Commission shall be one-half (½) inch square or bar

measure or larger. All measurements shall apply to meshes of all netting when in use, and no allowance shall be made for shrinkage due to any cause.

003.09 SALE OF FISH: Fish legally taken from the Missouri River under a Commercial Fishing Permit may be sold by the Commercial Fishing Permit holder to restaurants, food markets, commercial processing plants and individuals, and may be resold only by restaurants and food markets; provided that the purchasers must have a valid invoice or bill of sale from the Commercial Fishing Permit holder. Fish legally taken from inland waters under a Commercial Fishing Permit may be sold by the Commercial Fishing Permit holder to restaurants, food markets, commercial processing plants and individuals. The burden of proof shall be upon every such purchaser to show by competent and satisfactory evidence that any fish in his possession was lawfully acquired.

003.10 ANNUAL REPORT: All persons holding a Commercial Fishing Permit shall keep an accurate daily record of the date, number, species, and weight of all fish caught from the Missouri River and inland waters with the latter to include the water body name and legal description, and a separate daily record of the date, number, species, and weight of all fish sold during the calendar year. A separate record shall be kept for each month, and an annual report shall be sent to the Fisheries Division of the Nebraska Game and Parks Commission by January 15 following the permit expiration. Such records shall be open at all reasonable times to inspection by Commission agents. Report forms will be furnished by the Fisheries Division, Nebraska Game and Parks Commission.

**FAILURE TO COMPLY WITH THIS REGULATION WILL DISQUALIFY THE PERMITTEE FOR ISSUANCE OF A SUBSEQUENT PERMIT.**

003.11 PERMITS: Application for a Commercial Fishing Permit must be made to the Fisheries Division, Nebraska Game and Parks Commission. All permits shall expire at midnight on December 31 following their issuance.

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: July 25, 2003

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

004 Regulations For The Take of Fish or Snapping Turtles From Privately Owned Waterbodies and Fish Salvage. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to Statutes in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37,316, 37-321, 37-322, 37-418, 37-4,104, and 37-545. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 212-241 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.

004.01 When authorized by the Fisheries Division, Nebraska Game and Parks Commission, the owner(s) of an approved privately-owned waterbody may take or cause to be removed fish or snapping turtles, for proper fish management purposes, from waters they own and control by methods and means approved by the Commission.

004.01A Such owner(s) or consultants shall apply to the Fisheries Division, Nebraska Game and Parks Commission, for a Private Waterbody Management Authorization.

004.01A1 The owner or consultant of a private waterbody shall provide all requested information on an application form prescribed by the Fisheries Division, Nebraska Game and Parks Commission for each affected waterbody. The application form shall include, but not necessarily be limited to: the signature of the applicant, a description of the waterbody (legal description and size), authorized time-period, species and number of aquatic organisms to be taken, devices and methods of take, name and address of person(s) conducting the take, and disposition of fish or snapping turtles taken.

004.01A2 A Commercial Fishing Permit is required for the use of nets other than legal dip nets and seines as specified in baitfish regulations 009.06A and 009.06B or the sale of nongame fish or bullheads. Commercial fishing permit regulations 003.06, 003.06A, 003.08 and 003.09 shall apply.

004.01A3 Traps may be used to take snapping turtles provided they are floating or supported so that the entrance into the trap is possible only from above the water surface.



004.01A4 It shall be unlawful to stock, transport, or cause to be stocked or transported any fish or snapping turtle taken under the authority of this authorization to another body of water, whether public or private, without prior written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.01A5 It shall be unlawful to take fish with any equipment emitting electricity or radio frequencies unless specifically authorized by the Fisheries Division, Nebraska Game and Parks Commission.

004.01A6 The use of explosives, poisons or chemicals other than registered fish toxicants is prohibited. The use of registered fish toxicants may be authorized provided that the applicant is properly certified through the Nebraska Department of Agriculture.

004.01A7 It shall be unlawful for the approved applicant or consultant to fail to report, on a form prescribed by the Commission, within 30 days of the take of fish or snapping turtles. The report form shall include, but not necessarily be limited to: date taken, waterbody description (legal description and size), species and number of aquatic organisms taken, disposition of fish or snapping turtles taken, and signatures of the waterbody owner and permitted individuals that conducted the take.

004.01A8 It shall be unlawful for persons operating under the authority of this authorization to fail to carry and present upon demand to a Commission employee, a copy of the approved application.

004.01A9 It shall be unlawful to sell, offer for sale, trade or barter any sport fish or snapping turtle taken or held under the authority of this authorization.

004.01A10 It shall be unlawful to take any fish or snapping turtle under this authorization without notifying the area conservation officer, district law enforcement supervisor, or if the officer and supervisor are not available the Law Enforcement Division headquarters, at least 24 hours prior to the take or removal of any aquatic organism.

004.01A11 Failure to comply with all conditions of this authorization may result in the revocation or non-renewal of this authorization in addition to possible legal prosecution.

004.02 When permitted by the Fisheries Division, Nebraska Game and Parks Commission, a consultant or company may take fish for private wildlife management purposes from privately-owned waterbodies by methods and means approved by the Commission.

004.02A A consultant or company shall apply to the Fisheries Division, Nebraska Game and Parks Commission for a Private Fish Management Permit.

004.02A1 The applicant shall provide all requested information on an application form prescribed by the Fisheries Division, Nebraska Game and Parks Commission. The application form shall include, but not necessarily be limited to: education and work background; chemical and equipment certification; equipment and methods to be used; name, address and signature(s) of permit holder and employee(s).

004.02A2 All approved nets must be tagged with tags supplied by the Fisheries Division, Nebraska Game and Parks Commission. Exceptions would be legal dip nets and seines as specified in baitfish regulations 009.06A and 009.06B. All electrofishing equipment must be registered. It shall be unlawful to use or possess any fish sampling equipment not listed on the application form.

004.02A3 It shall be unlawful to fail to report within 72 hours to the Fisheries Division, Nebraska Game and Parks Commission any changes to the original application form (i.e. employee change, lost/stolen or newly purchased equipment, etc.).

004.02A4 The use of explosives, poisons or chemicals other than registered fish toxicants is prohibited. The use of registered fish toxicants may be permitted provided that the applicant is properly certified through the Nebraska Department of Agriculture.

004.02A5 A Private Fish Management Permit shall remain valid through the calendar year provided that the applicant adheres to the conditions of this permit; to continue permitted activities, a new application must be submitted and approved for each calendar year.

004.02A6 All persons holding a Private Fish Management Permit shall keep an accurate record, as described in 004.02A7, of all activities involving the take of fish and shall remit an annual report to the Fisheries Division, Nebraska Game and Parks Commission by January 15<sup>th</sup> following permit expiration.

004.02A7 The annual report shall include, but not necessarily be limited to: the landowner(s) name(s) and address(es), descriptions of waterbodies (legal description and size) where fish were sampled and/or removed, list of fish species and number taken from each waterbody, and methods used on each waterbody.

004.02A8 It shall be unlawful for any person(s) operating under the authority of this permit to fail to carry and present upon demand to a Commission employee, a copy of the approved permit.

004.02A9 It shall be unlawful to take any fish under authority of this permit without notifying the area conservation officer, district law enforcement supervisor, or if the officer and supervisor are not available the Law Enforcement Division headquarters, at least 24 hours prior to the take of any fish.

004.02A10 It shall be unlawful to sell, offer for sale, trade or barter nongame fish and bullheads taken or held under the authority of this permit without a Commercial Fishing Permit. The sale, offer for sale, trade or barter of sport fish taken or held under the authority of this permit is prohibited.

004.02A11 It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this permit to another body of water, whether public or private, without prior written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.02A12 Failure to comply with any of the conditions or terms of this permit may result in revocation or nonrenewal of this permit in addition to possible legal prosecution.

004.03 The Commission may authorize the taking of fish by any means and in any numbers when declared by the Secretary of the Commission resulting from an emergency created by the drying up of any waterbody inhabited by fish in accordance with the following regulations:

004.03A Fish may be taken by any method except the following:

004.03A1 Electricity, explosives, poisons, chemicals or other fish toxicants.

004.03A2 Seines or nets, other than legal baitfish seines, dip, or landing nets.

004.03A3 Firearms

004.03B Daily bag and possession limits shall apply, unless specifically modified by the authority of the Secretary.

004.03C It shall be unlawful to buy, sell, trade or barter any sport fish.

004.03D It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this authorization to another body of water, whether public or private, without written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.04 Resulting from the dewatering of irrigation canal systems, the Commission may authorize the methods, means, and numbers of fish which may be taken.

004.04A The take of fish shall be restricted to the following areas:

<b>Platte River Drainage</b>	
Buffalo County:	Kearney Canal
Dawson County:	Buffalo Creek Supply Canal, Cozad Irrigation Canal, Dawson County Irrigation Canal, Farmers & Merchants Canal
Dawson and Buffalo Counties:	Elm Creek Canal
Dawson and Lincoln Counties:	Gothenburg Canal, Orchard & Alfalfa Canal, Six Mile Irrigation Canal, Thirty-Mile Irrigation Canal
Gosper County:	E67 Canal System
Gosper and Phelps Counties:	E65 Canal System
Gosper, Phelps and Kearney Counties:	Phelps County Canal System
Keith and Lincoln Counties:	Sutherland Supply Canal
Lincoln County:	Maloney Supply Canal
<b>Republican River Drainage</b>	
Franklin County:	Franklin Pump Canal
Franklin and Harlan Counties:	Naponee Canal
Franklin, Harlan and Webster Counties:	Franklin Canal
Furnas and Harlan Counties:	Cambridge Canal
Hitchcock and Red Willow Counties:	Culbertson Canal, Driftwood Canal System, Meeker Canal System
Red Willow County:	Red Willow Canal
Red Willow and Furnas Counties:	Bartley Canal, Frenchman-Campbridge Canal
Webster and Nuckolls Counties:	Courtland Canal, Superior Canal
<b>Loup River Drainage</b>	
Custer, Valley and Sherman Counties:	Middle Loup Public Power & Irrigation District 1, 2, 3, & 4
Sherman and Howard Counties:	Farwell Canal System – Main and Central

Valley and Sherman Counties:	Sherman Feeder Canal
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004.04B Individuals desiring to take fish from the preceding areas shall make application on a form prescribed by the Commission. This application form shall include, but not necessarily be limited to: applicants name and address, location of fish salvage activity, specific time of salvage, method of take and disposition of salvaged fish.

004.04C It shall be unlawful for persons operating under the authority of this authorization to fail to carry and present upon demand to a Commission employee, a copy of the approved application.

004.04D It shall be unlawful to stock, transport, or cause to be stocked or transported any fish taken under the authority of this authorization to another body of water, whether public or private, without written approval from the Fisheries Division, Nebraska Game and Parks Commission.

004.04E It shall be unlawful to buy, sell, trade or barter any sport fish taken under this authorization.

004.04F Salvaged sport fish taken for human consumption are restricted to any statewide length, daily bag or possession limits.

004.04G Salvaged baitfish must comply with bait collection regulations (Section 009).

004.04H It shall be unlawful to fail to report within 30 days following salvage, on a form prescribed by the Commission. The report form shall include, but not necessarily limited to: number by species salvaged, number by species stocked and the preapproved stocking location, date stocked and any other methods of disposal. Failure to submit a report will disqualify the individual for issuance of a subsequent authorization.

PRIVATE FISH MANAGEMENT PERMIT REQUEST  
Fisheries Division, Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> St. / P.O. Box 30370 / Lincoln, NE 68503-0370

This application is required for consultants and companies to receive permission from the Nebraska Game and Parks Commission to take fish from privately owned waterbodies for fish management purposes, in accordance with state law and Commission regulations. Each question must be answered fully and the application signed. Failure to do so may mean disqualification.

1. Applicant's name \_\_\_\_\_  
(First) (Middle Initial) (Last)  
Home address \_\_\_\_\_  
Business name/address \_\_\_\_\_  
\_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
Educational background \_\_\_\_\_  
Work background \_\_\_\_\_  
Name(s) and address(s) of employee(s) \_\_\_\_\_  
\_\_\_\_\_

2. Type of Permit Requested:  New  Renewal

3. List of equipment intended to be used:  
Electrofishing (type/serial number) \_\_\_\_\_  
Seines Number: Mesh Size: Length: Depth:  
Gill Nets Number: Mesh Size: Length: Depth:  
Frame Nets Number: Mesh Size: Length: Depth:  
Dip Nets Number: Mesh Size: Length: Depth:  
Location where equipment is stored/maintained \_\_\_\_\_  
\_\_\_\_\_

4. Do you currently possess a:  
Nebraska Certified Aquatic Pesticide Applicator Permit  Yes  No  
Nebraska Commercial Fishing Permit  Yes  No

5. General description of intended aquatic management practices to be provided and area of the state where work will take place \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Are you planning to sell removed nongame fish/bullheads  Yes  No

7. \_\_\_\_\_  
Signature of applicant Date

\_\_\_\_\_  
Signature(s) of employee(s)



PRIVATE WATERBODY MANAGEMENT AUTHORIZATION REQUEST  
Fisheries Division, Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> St. / P.O. Box 30370 / Lincoln, NE 68503-0370

This application is for the owner(s) of a privately owned waterbody to obtain approval from the Commission to take fish and/or snapping turtles for fish management purposes from waters they own and control, in accordance with state law and Commission regulations. Each question must be answered fully and the application signed. Failure to do so may mean disqualification.

1. Applicant's name \_\_\_\_\_  
(First) (Middle Initial) (Last)  
Home address \_\_\_\_\_  
Business address \_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
Educational background \_\_\_\_\_  
Work background \_\_\_\_\_  
Name(s) and address(s) of helper(s) \_\_\_\_\_

Are there other owners of the waterbody:  Yes  No If yes, how many \_\_\_\_\_

**All owners must be in concurrence with this request or the application will be denied.**

2. Name of water body \_\_\_\_\_ Size (acres) \_\_\_\_\_ Max. depth (ft.) \_\_\_\_\_  
Location of waterbody: County \_\_\_\_\_ Quarter \_\_\_\_\_ Section \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_  
Distance (miles) and directions (N, S, E, W) from nearest town \_\_\_\_\_

Source of water \_\_\_\_\_

4. Briefly describe: 1) current aquatic community problems; 2) intended management activity; and 3) management goals \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Species and numbers of fish and/or snapping turtle numbers to be taken \_\_\_\_\_

Method of take \_\_\_\_\_

Who will conduct the operation:

- Self and helper(s)  
 Commercial Fishing Permit holder  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

- Consultant  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

Disposition method for fish or snapping turtles taken \_\_\_\_\_

Proposed time to conduct the operation \_\_\_\_\_

6. Signature of applicant \_\_\_\_\_  
Date \_\_\_\_\_





**ACTIVITY REPORT**  
for  
**PRIVATE WATERBODY MANAGEMENT AUTHORIZATION**  
NEBRASKA GAME AND PARKS COMMISSION

This form is to be used to report results for an authorized fish management operation. Numbers of fish taken should be reported by individual species, grouped in increments of no larger than 5 inches (e.g., 0-5 inches; 5-10 inches; 10-15 inches; 15-20 inches, etc.). Return this form within 30 days following completion of the operation to: **Fisheries Division, Nebraska Game and Parks Commission, P.O. Box 30370, Lincoln, NE 68503-0370.**

1. Name of waterbody owner \_\_\_\_\_  
Address of waterbody owner \_\_\_\_\_  
\_\_\_\_\_
2. Size of waterbody (acres) \_\_\_\_\_  
Location of waterbody: County \_\_\_\_\_ Quarter \_\_\_\_\_ Section \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_
3. Method(s) of take \_\_\_\_\_  
Date(s) of take \_\_\_\_\_
4. What was taken:

Date	Species	Number	Size	Disposition Method

Use reverse side if additional space is needed.

\_\_\_\_\_  
Signature of waterbody owner Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Commercial Fishing Permit holder Date \_\_\_\_\_

\_\_\_\_\_  
Signature of consultant Date \_\_\_\_\_



**ANNUAL ACTIVITY REPORT for PRIVATE FISH MANAGEMENT PERMIT HOLDERS**  
NEBRASKA GAME AND PARKS COMMISSION

Permit holder's name and company \_\_\_\_\_ Permit Number \_\_\_\_\_  
 \_\_\_\_\_ Calendar Year \_\_\_\_\_

Date	Waterbody Owner(s) Name, Address, Phone Number	Waterbody Description County, Sec. T.R., Surface Acres	Method of Take	Fish Sampled Species, Number	Fish Removed Species, Number

Use reverse side if additional space is needed.

Return to: Fisheries Division, Nebraska Game and Parks Commission  
 P.O. Box 30370  
 Lincoln, NE 68503-0370

**This annual report is due by January 15<sup>th</sup> following permit expiration.**



NEBRASKA GAME AND PARKS COMMISSION  
**FISH SALVAGE APPLICATION**  
August 2006

**Party Requesting Fish Salvage:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ (Home)  
Address: \_\_\_\_\_ (Work)  
City: \_\_\_\_\_ Zip: \_\_\_\_\_ (Cell)

**Fish Salvage Plan:**

Name of water body (lake, river, canal, etc.): \_\_\_\_\_  
Location of water body (from nearest town): \_\_\_\_\_  
County: \_\_\_\_\_ Legal Description: Section \_\_\_\_\_ Township \_\_\_\_ Range \_\_\_\_  
Method of Take: \_\_\_\_\_  
Species of Fish to be Salvaged: \_\_\_\_\_

**Disposition of Salvaged Fish (check all that apply):**

Consumption: \_\_\_\_\_ Stocking \_\_\_\_\_ Bait \_\_\_\_\_  
Other (please describe): \_\_\_\_\_

**Proposed waterbody(s) where fish will be stocked (fill out separate forms as needed):**

Name of water body (lake, river, canal, etc.): \_\_\_\_\_  
Location of water body (from nearest town): \_\_\_\_\_  
County: \_\_\_\_\_ Legal Description: Section \_\_\_\_\_ Township \_\_\_\_ Range \_\_\_\_  
Surface Acres: \_\_\_\_\_ Fish Species in pond: \_\_\_\_\_

Name of water body (lake, river, canal, etc.): \_\_\_\_\_  
Location of water body (from nearest town): \_\_\_\_\_  
County: \_\_\_\_\_ Legal Description: Section \_\_\_\_\_ Township \_\_\_\_ Range \_\_\_\_  
Surface Acres: \_\_\_\_\_ Fish Species in pond: \_\_\_\_\_

Name of water body (lake, river, canal, etc.): \_\_\_\_\_  
Location of water body (from nearest town): \_\_\_\_\_  
County: \_\_\_\_\_ Legal Description: Section \_\_\_\_\_ Township \_\_\_\_ Range \_\_\_\_  
Surface Acres: \_\_\_\_\_ Fish Species in pond: \_\_\_\_\_

**FOR STATE USE ONLY:**

Date application received \_\_\_\_\_

Salvage and restocking approved \_\_\_\_\_ denied \_\_\_\_\_

Time Frame Fish Salvage Allowed: \_\_\_\_\_ to \_\_\_\_\_  
Mo/Day/Yr Mo/Day/Yr

Commission Authorization: \_\_\_\_\_

PRIVATE WATERBODY MANAGEMENT AUTHORIZATION REQUEST  
Fisheries Division, Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> St. / P.O. Box 30370 / Lincoln, NE 68503-0370

This application is for the owner(s) of a privately owned waterbody to obtain approval from the Commission to take fish and/or snapping turtles for fish management purposes from waters they own and control, in accordance with state law and Commission regulations. Each question must be answered fully and the application signed. Failure to do so may mean disqualification.

1. Applicant's name \_\_\_\_\_  
(First) (Middle Initial) (Last)  
Home address \_\_\_\_\_  
Business address \_\_\_\_\_  
Telephone: Home \_\_\_\_\_ Business \_\_\_\_\_  
Educational background \_\_\_\_\_  
Work background \_\_\_\_\_  
Name(s) and address(s) of helper(s) \_\_\_\_\_

Are there other owners of the waterbody:  Yes  No If yes, how many \_\_\_\_\_

**All owners must be in concurrence with this request or the application will be denied.**

2. Name of water body \_\_\_\_\_ Size (acres) \_\_\_\_\_ Max. depth (ft.) \_\_\_\_\_  
Location of waterbody: County \_\_\_\_\_ Quarter \_\_\_\_\_ Section \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_  
Distance (miles) and directions (N, S, E, W) from nearest town \_\_\_\_\_

Source of water \_\_\_\_\_

4. Briefly describe: 1) current aquatic community problems; 2) intended management activity; and 3) management goals \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Species and numbers of fish and/or snapping turtle numbers to be taken \_\_\_\_\_

Method of take \_\_\_\_\_

Who will conduct the operation:

- Self and helper(s)  
 Commercial Fishing Permit holder  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

- Consultant  
Name, address, phone and permit number \_\_\_\_\_  
\_\_\_\_\_

Disposition method for fish or snapping turtles taken \_\_\_\_\_

Proposed time to conduct the operation \_\_\_\_\_

6. Signature of applicant \_\_\_\_\_  
Date \_\_\_\_\_

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: May 20, 2013

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

005 Aquaculture Regulations

The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, 37-465, 37-466, 37-468, 37-469, 37-470, 37-471, 37-475, 37-476, and 37-547 to 37-550. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 203-241 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.

005.01 Aquaculture permits shall be issued to applicants who raise and propagate aquatic organisms to be sold commercially, in accordance with section 37-468 R.R.S., 1998 which added the specific requirement that such permits could be issued only to an applicant who qualifies as an aqua culturist.

005.02 On aquaculture facilities that have natural inlets and outlets to other waters on other lands permanent screens shall be installed so that no aquatic organisms may enter from the natural stream or from flood waters or leave the hatchery waters. Screens must be approved by the Fisheries Division, Nebraska Game and Parks Commission and shall be made of one-half inch mesh screen or smaller. Permits shall not be issued unless screens can effectively keep aquatic organisms in or out of the aquaculture facility pond.

005.03 It shall be unlawful to raise or import for commercial purposes within the state aquatic organisms without a current aquaculture permit from the Fisheries Division of the Nebraska Game and Parks Commission. Only those species listed in 005.03C and 005.03D may be raised, imported, possessed or sold under the authority of an aquaculture permit.

005.03A There shall be no stocking into public or private waters without prior written authorization from the Fisheries Division of the Nebraska Game and Parks Commission of salmonids infected with *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), or *Aeromonas salmonicida* (Furunculosis). There shall be no stocking of fish infected with Viral Hemorrhagic Septicemia (VHS), Infectious Pancreatic Necrosis (IPN), Infectious Hematopoietic Necrosis (IHN), Epizootic Epitheliotropic Disease (EED), Virus Disease of *Oncorhynchus masau* (OMV), Spring Viremia of Carp (SVCV), *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD), or Heterosporis. There shall be no transport between culture facilities of any fish exhibiting clinical symptoms or mortality caused by the diseases listed in this Section.



005.03B It shall be unlawful to release into public waters any aquatic organism without prior written authorization from the Fisheries Division, Nebraska Game and Parks Commission. Any request to stock public waters must include a current disease inspection report with a three year disease history of the facility supplying the organisms.

005.03C It shall be unlawful for aquaculture facilities to sell *Gambusia affinis* (mosquitofish) that would be stocked into Nebraska waters.

005.03D The following list of aquatic organisms are approved for importation under an aquaculture permit.

Family	Scientific Name	Common Name
<b>FISH</b>		
Paddlefish	<i>Polyodon spathula</i>	paddlefish
Catfish	<i>Ictalurus furcatus</i>	blue catfish
	<i>Ictalurus punctatus</i>	channel catfish
	<i>Pylodictis olivaris</i>	flathead catfish
	<i>Ameiurus melas</i>	black bullhead
	<i>Ameiurus natalis</i>	yellow bullhead
Pike	<i>Esox americanus</i>	grass pickerel
	<i>Esox lucius</i>	northern pike
	<i>Esox masquinongy</i>	muskellunge
Trout*	<i>Oncorhynchus clarki</i>	cutthroat trout
*(Eggs only	<i>Oncorhynchus mykiss</i>	rainbow trout
except as	<i>Oncorhynchus tshawtshca</i>	chinook salmon
listed in	<i>Salmo trutta</i>	brown trout
<u>002.03B1)</u>	<i>Salvelinus fontinalis</i>	brook trout
Temperate bass	<i>Morone chrysops</i>	white bass
	<i>Morone saxatilis</i>	striped bass
Sunfish	<i>Ambloplites rupestris</i>	rock bass
	<i>Lepomis cyanellus</i>	green sunfish
	<i>Lepomis gibbosus</i>	pumpkinseed
	<i>Lepomis humilis</i>	orangespotted sunfish
	<i>Lepomis macrochirus</i>	bluegill
	<i>Lepomis microlophus</i>	redeer sunfish
	<i>Micropterus dolomieu</i>	smallmouth bass
	<i>Micropterus punctulatus</i>	spotted bass
	<i>Micropterus salmoides</i>	largemouth bass

	<i>Pomoxis annularis</i>	white crappie
	<i>Pomoxis nigromaculatus</i>	black crappie
Perch	<i>Sander vitreus vitreus</i>	walleye
	<i>Sander canadensis</i>	sauger
	<i>Perca flavescens</i>	yellow perch
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennioides</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
	<i>Rhinichthys cataractae</i>	longnose dace
	<i>Cyprinus carpio</i>	common carp
	<i>Cyprinus carpio</i>	koi
Sucker	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killfish
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
	<i>Alsoa pseudoharengus</i>	alewife
<b>NOTE:</b>	This includes all hybrids of the above species.	
<b>CRUSTACEANS</b>		
Crayfish	<i>Orconectes neglectus</i>	ringed crayfish
	<i>Orconectes immunis</i>	papershell crayfish
	<i>Orconectes virilis</i>	northern crayfish
	<i>Cambarus diogenes</i>	devil crayfish
<b>AMPHIBIANS</b>		
Frogs	<i>Lithobates catesbeianus</i>	american bullfrog
Salamander	<i>Ambystoma tigrinum</i>	tiger salamander
	(now recognized as <i>Ambystoma mavortium</i> )	<i>barred salamander</i> )

<b>MOLLUSKS</b>		
Freshwater mussels	<i>Actinonaias ligamentina</i>	mucket
	<i>Anodontooides ferussancianus</i>	cylindrical papershell
	<i>Arcidens confragosus</i>	rock pocketbook
	<i>Fusconaia flava</i>	Wabash pigtoe
	<i>Lasmigona complanata</i>	white heelsplitter
	<i>Lasmigona compressa</i>	creek heelsplitter
	<i>Leptodea fragilis</i>	fragile papershell
	<i>Ligumia recta</i>	black sandshell
	<i>Obovaria olivaria</i>	hickorynut
	<i>Potamilus alatus</i>	pink heelsplitter
	<i>Potamilus ohioensis</i>	pink papershell
	<i>Potamilus purpuratus</i>	bleufer
	<i>Pyganodon grandis</i>	giant floater
	<i>Quadrula quadrula</i>	mapleleaf
	<i>Strophitus undulatus</i>	creeper
	<i>Toxolasma parvus</i>	lilliput
<i>Truncilla donaciformis</i>	fawnsfoot	
<i>Truncilla truncata</i>	deertoe	
<i>Unionomerus tetralasmus</i>	pondhorn	
<i>Utterbackia imbecillis</i>	paper pondshell	

005.03E Persons possessing a valid aquaculture permit may import, propagate, possess and sell additional aquatic species under special circumstances with written authorization from the Fisheries Division of the Nebraska Game and Parks Commission.

005.04 Operators of aquaculture facilities shall secure all their stock from licensed aquaculture facilities or dealers in the state, or from lawful sources outside the state. Commission approval of an application for importation is required for all species of aquatic organisms.

005.04A An "Application for Importation" form for fertilized eggs, gametes of live fish, and live aquatic organisms, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than ten (10)

days prior to each importation. Importation of live fish of the salmonid family is not allowed.

005.04A1 Legal bait fish as listed in Section 009 may be imported into this State for use as bait provided the facility from which they are being imported meets the following criteria: 1) Licensed facility must provide a fish health inspection report with a disease free status to the Fisheries Division of the Nebraska Game and Parks Commission; 2) Testing shall be conducted for Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV); 3) An "Application for Importation of Bait" form shall be submitted prior to any importation to the Fisheries Division of the Nebraska Game and Parks Commission. An approval for importation will be granted for a specified period of time up to six months; 4) Approval and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

005.04B All facilities from which fertilized eggs, gametes or live fish are imported into the state shall have been inspected and found free of Viral Hemorrhagic Septicemia (VHS) and Spring Viremia of Carp (SVCV). Largemouth bass shall also be inspected and found free of LMBV (largemouth bass virus) and yellow perch shall also be inspected and found free of Heterosporis.

005.04C All facilities and broodstocks from which fertilized eggs or gametes of the salmonid family are imported into the state shall have been inspected for (VHS), (IPN), (IHN), (SVCV) *Renibacterium salmoninarum* (Bacterial Kidney Disease - BKD), *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), *Aeromonas salmonicida* (Furunculosis), and *Myxobolus (Myxosoma) cerebralis* (Whirling Disease - WHD) prior to said importation. These facilities and broodstocks and their eggs and gametes shall be found free of VHS, IPN, IHN, SVCV, and BKD.

Importation of eggs and gametes from facilities and broodstocks testing positive for ERM, Furunculosis, and WHD will be permitted, when disinfected according to the Nebraska Game and Parks Commission's Fish Health Policy. Verification of proper disinfection is required.

005.05 If the agent or officer finds evidence that one of the listed diseases in Sections 005.04B and 005.04C may be present an adequate sample of fish shall be surrendered for a diagnostic inspection.

005.05A Upon identification of any of the listed diseases, the Director of the Commission shall impose an immediate prohibition of moving any fish for up to 30 days (a holding action). During the prohibition a compliance agreement stating the appropriate procedures for the disposal of the infected fish and the disinfection of

the facility shall be determined by the Commission's representative and the owner/operator. The agreement shall be designed to bring the least amount of economic hardship to the affected party while affording maximum protection to other operators, growers, and the fishery resources of the state.

005.05B Upon identification and confirmation of VHS, IPN, IHN, SVCV, or WHD the facility shall be depopulated within 60 days. A facility will not be re-permitted until complete disinfection and modification of the facility is completed.

005.05C Upon identification and confirmation of *Yersinia ruckeri* (Enteric Redmouth Disease - ERM), *Aeromonas salmonicida* (Furunculosis) the facility shall initiate the appropriate treatments for the pathogen. No movement between facilities or stocking in public water are allowed until the positive lots are tested and found negative for the pathogens.

005.06 Operators of aquaculture facilities may purchase and own seines and dip nets for removing or handling their fish; provided, however, that all seines and dip nets shall be used only on the property covered by the aquaculture permit and shall not be used in any other waters of the State. All nets must be tagged with tags supplied and approved by the Nebraska Game and Parks Commission, if they are to be transported off the facility or between facilities. Hoop nets, trammel nets, gill nets, fyke nets, traps, electrofishing devices, and other type nets shall not be lawful for use under a private fish culture permit without special written approval from the Nebraska Game and Parks Commission.

005.07 Operators of aquaculture facilities may propagate and sell baitfish, amphibians and crustaceans as listed in Section 009 for use as bait and for stocking purposes without a bait dealer permit.

005.08 Applicants for aquaculture permits shall submit with their application detailed drawings showing the present and proposed layout of the aquaculture facility. Drawings shall be drawn to scale and shall be a true representation of actual measurements made on the ground.

The following shall be shown on the drawings:

Boundary of area to be covered by the permit, showing total acreage and connected to land lines and corners.

County, section, township and range.

All present ponds.

All proposed ponds.

All streams and drainages.

Surface area of each present and proposed pond. Depths of each pond, showing maximum depth and average depth.

Source of water supply.

Volume of water.

Outlet works.

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005.09 It shall be unlawful for private aqua culturists to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

005.09A It shall be unlawful to fail to report the date, species, strain, source of fish, size, number, location stocked, nearest town, and state. All fish and aquatic organisms shall be reported.

005.09B Reports shall be on approved forms furnished by the Fisheries Division, Nebraska Game and Parks Commission. Failure to comply with this regulation will disqualify the permittee for issuance of subsequent permit.

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: September 22, 2021

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.

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](http://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 platyrhynchus</i>	Shovelnose sturgeon
Paddlefish	<i>Polyodon spathula</i>	Paddlefish
Mooneye	<i>Hiodon alosoides</i>	Goldeneye

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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> <i>Lepomis species</i> <i>Micropterus dolomieu</i> <i>Micropterus punctulatus</i> <i>Micropterus salmoides</i> <i>Pomoxis annularis</i> <i>Pomoxis nigromaculatus</i> <i>Pomoxis annularis</i> x <i>P. nigromaculatus</i>	Rock bass Green sunfish Pumpkinseed Orangespotted sunfish Bluegill Redear sunfish Sunfish hybrids Smallmouth bass Spotted bass Largemouth bass White crappie Black crappie Crappie hybrid
Perch	<i>Sander canadense</i> <i>Sander vitreus</i> x <i>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 SNAPPING TURTLES:

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

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

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 006.01E4.

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.

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

006.01F MUSSELS (clams):

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 Possess or transport any live white perch, black carp, silver carp, bighead carp, and yellow bass.

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

006.02A3 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.

006.02A4 Possess bullfrogs while frogging with more than the viscera removed.

006.02A5 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.

006.03B The use of crossbows is not allowed from the Gavins Point Dam downstream to the U.S. Hwy. 81 bridge.

PADDLEFISH:

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.

006.03C1 Applications: Anglers applying for a paddlefish permit or purchasing a preference point 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.

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

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 20<sup>th</sup>. Successful applicants will have until April 5<sup>th</sup> 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 made available to the next resident unsuccessful applicant(s).

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

006.03C7 Preference Points: Any eligible person who properly applies for a preference point or is denied a paddlefish permit during the application period, shall receive a preference point. 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.

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

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.

006.03C10 An individual must be 12 years old by June 1<sup>st</sup> to apply for an archery paddlefish permit.

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.

006.03C12 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.

006.03C13 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.

006.03C14 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.

006.03C15 In the waters of the Missouri River, South Dakota resident tag/permit is valid immediately below Gavins Point Dam to 0.6 miles downstream but South Dakota non-resident tag/permit is not valid in that area.

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 or purchasing a preference point 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.

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

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 20<sup>th</sup>. Successful applicants will have until August 5<sup>th</sup> 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 made available to the next resident unsuccessful applicant(s).

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

006.07D7 Preference points: Any eligible person who properly applies for a preference point or is denied a paddlefish permit during the application period shall receive a preference point. 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.

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

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.

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

006.07D11 In the waters of the Missouri River, South Dakota resident tag/permit is valid immediately below Gavins Point Dam to 0.6 miles downstream but South Dakota non-resident tag/permit is not valid in that area.

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.

006.07E 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 006.01E.

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 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 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

006.12 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
Crystal 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
Kramper Lake	Dakota County
Kirkpatrick Lake	Dawson County
Lake Helen	Dawson County
Lexington City Lake	Dawson County
West Cozad WMA	Dawson County
Bennington Lake	Douglas County
Flanagan Lake	Douglas County
Glenn Cunningham Lake	Douglas County
Standing Bear Lake	Douglas County
Rock Creek Lake SRA	Dundy County
Avocet WMA	Grant County
Defair Lake WMA	Grant County
Frye Lake WMA	Grant County

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Bethphage Pond	Kearney County
Conestoga Lake SRA	Lancaster County
Hedgefield Lake WMA	Lancaster County
Holmes Lake	Lancaster County
Olive Creek Lake SRA	Lancaster County
Stagecoach Lake SRA	Lancaster County
Wagon Train Lake SRA/WMA	Lancaster County
Wildwood Lake	Lancaster County
Yankee Hill Lake WMA	Lancaster County
East Sutherland WMA	Lincoln County
North Platte I-80 City Lake	Lincoln County
Skyview Lake	Madison County
Ta-Ha-Zouka Park Lake	Madison County
Duck Creek Recreation Area	Nemaha County
Iron Horse Trail Lake	Pawnee County
Holdrege City Lake	Phelps County
Wilbur Reservoir	Saline County
Big Elk Lake (WP 7)	Sarpy County
Prairie Queen Recreation Area	Sarpy County
Wehrspann Lake	Sarpy County
Portal Lake (WP 6)	Sarpy County
Lake Wanahoo	Saunders County
Meadowlark Lake	Seward County
Bowman Lake	Sherman County
Pibel Lake	Wheeler County

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: May 20, 2013

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

007 General Regulations Governing The Administration And Use Of Property. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §§ 37-301 through 37-308, 37-310, 37-313, 60-1993, and 60-6190. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-213 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.

007.01 CAMPING

007.01A Overnight camping is not permitted on State Fish Hatchery Areas without prior written approval from the Fisheries Division.

007.01B For purposes of these regulations camping is defined as temporary lodging out-of-doors for hunting, fishing, or other outdoor activities, and presupposes the occupancy of a shelter designed for such purposes, such as a sleeping bag, tent, trailer, or other vehicle modified for such use.

007.02 FIRES, FIREWORKS

007.02A Fires are permitted in fireplaces, grills, or fire rings where provided by the Commission; or in privately owned devices such as gasoline or propane stoves, charcoal grills, or similar devices. No permission is given for open fires not contained in the above mentioned facilities or devices.

007.02B Management personnel of the Game and Parks Commission are specifically authorized to temporarily revoke permission for fires of any kind on State Fish Hatchery Areas when it is determined that the use of fires could be hazardous to health, safety, or welfare of persons, property or wildlife resources.

007.02C No permission is granted for the use of fireworks of any kind on State Fish Hatchery Areas, provided that management personnel are authorized to use fireworks, scare devices, or similar materials for control or management of wildlife species.

007.03 PETS AND OTHER ANIMALS

007.03A It is unlawful to permit dogs, cats, or other pets to range at large on any State Fish Hatchery Area, except by specific provisions as listed below.

007.03B Dogs, cats and other household type pets are generally permitted on State Fish Hatchery Areas, provided that owners or handlers shall have control of such animals, except where restricted by the posting of appropriate signs.

007.03C Grazing or ranging domestic livestock or poultry is prohibited without prior written authorization by the Commission.

007.03D Horseback riding is permitted on State Fish Hatchery Areas, except where prohibited by appropriate signs.

#### 007.04 FISHING, HUNTING, TRAPPING

007.04A Fishing is prohibited on all State Fish Hatchery Areas, except as required by Commission personnel for the purpose of fish propagation.

007.04B Hunting is prohibited on all State Fish Hatchery Areas, provided that any area or portion thereof may be opened to hunting of certain species in accordance with the general state hunting regulations, by the posting of appropriate signs.

007.04C Trapping is permitted on State Fish Hatchery Areas, in accordance with general state trapping regulations; provided that any area or portion thereof may be closed to trapping by appropriate signs.

#### 007.05 TRAFFIC

007.05A It shall be unlawful for any person to operate any motorized vehicle on other than designated areas, roadways, parking areas, or trails specifically established for vehicle use. This shall include all trucks, automobiles, trail bikes, snowmobiles, mini-bikes, motorcycles, four-wheel drive vehicles, and all-terrain vehicles; provided that nothing in this section shall prohibit management personnel from using these vehicles for emergency or management purposes.

007.05B It shall be unlawful for any person to operate any vehicle within the boundaries of any State Fish Hatchery Area at a speed greater than is reasonable and prudent under the prevailing conditions, or in excess of maximum posted speed limits.

007.05C It shall be the duty of each vehicle operator to obey all traffic regulatory signs as posted on each area.

#### 007.06 PROPERTY

007.06A The possession, destruction, injury, defacement, removal, or disturbance in any manner of any building, sign, equipment, monument, statue, marker or other structure, or of any animal or plant matter and direct or indirect products thereof, including but not limited to petrified wood, flower, cane or other fruit, egg, nest, or nesting site, or of any soil, rock, or mineral formation, artifact, relic, historic, or prehistoric feature, or of any other public property of any kind without prior permission of the Superintendent is prohibited on State Fish Hatchery Areas.

NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: May 16, 2012

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

008 FISHING TOURNAMENTS, DERBIES OR CONTESTS 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, 37-314, and 37-408. 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.

008.01 All fishing tournaments, derbies or contests held on waters owned, controlled, or managed by the Commission, that require an entry fee to participate, must be registered with the Commission's Fisheries Division 45 days prior to the event. Fishing tournament registration forms are available in the Fishing Guide and on the Commission's website.

008.02 A fishing tournament approval certificate and tournament results form will be provided by the Commission's Fisheries Division. The tournament results form must be completed and returned by fishing tournament organizers to the Commission's Fisheries Division within 30 days following the completion of the fishing tournament. Failure to return the form or provide the requested information will result in denial of future fishing tournament requests for at least one year.

008.03 It shall be unlawful to sponsor, organize, promote, or conduct fishing tournaments, derbies, or contests that involve tagged or otherwise marked fish on waters owned, controlled, or managed by the Nebraska Game and Parks Commission unless these events are sponsored or authorized by the Commission for scientific, educational, or angler recruitment/development/retention purposes.

008.04 Fishing tournament, derby, or contest applications may be denied if the date(s) and location(s) conflict with previously approved events. Applicant denial can also be based on safety concerns due to low water conditions or anticipated heavy use that could result in boat ramp congestion.

008.05 The Commission's Fisheries Division may impose special conditions not specifically covered herein for a fishing tournament, derby, or contest if deemed necessary to protect the resource or to assure public safety. Special conditions may include, but are not limited to: aerated live wells, release of live fish, designated release areas, and on-the-water measurement and release of fish (without an on-shore weigh-in site).



NEBRASKA ADMINISTRATIVE CODE

Last Issue Date: May 28, 2013

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

009 Bail Collecting And Dealer Regulations. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. State. §§ 37-214, 37-301, 37-304, 37-310, 37-314, 37-482.01, 37-4,105, 37-4,106, 37-505, 37-511, 37-546, and 37-548. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 206-241 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.

BAITFISH shall be restricted to the following species.

Family	Scientific Name	Common Name
Minnow	<i>Semotilus atromaculatus</i>	creek chub
	<i>Cyprinella lutrensis</i>	red shiner
	<i>Notemigonus crysoleucas</i>	golden shiner
	<i>Notropis atherinoides</i>	emerald shiner
	<i>Notropis blennioides</i>	river shiner
	<i>Notropis stramineus</i>	sand shiner
	<i>Notropis dorsalis</i>	bigmouth shiner
	<i>Pimephales promelas</i>	fathead minnow
	<i>Carassius auratus</i>	goldfish
	<i>Campostoma anomalum</i>	stoneroller
	<i>Hybognathus hankinsoni</i>	brassy minnow
	<i>Phenacobius mirabilis</i>	suckermouth minnow
<i>Rhinichthys cataractae</i>	longnose dace	
Sucker	<i>Catostomus commersoni</i>	white sucker
Topminnow	<i>Fundulus zebrinus</i>	plains killifish
Herring	<i>Dorosoma cepedianum</i>	gizzard shad
	<i>Alosa pseudoharengus</i>	alewife

The following regulations in Section 009 will pertain to the above baitfish and the following amphibians and crustaceans:

Family	Scientific Name	Common Name
Amphibians		
Salamander	<i>Ambystoma tigrinum</i> (now recognized as <i>Ambystoma mavortium</i> ,	tiger salamander barred salamander)
Crustaceans		
Crayfish	<i>Orconectes neglectus</i> <i>Orconectes immunis</i> <i>Orconectes virilis</i> <i>Cambarus diogenes</i>	ringed crayfish papershell crayfish northern crayfish devil crayfish

009.01 BAIT USE: Bait may be possessed and utilized by: 1) individuals for fishing; 2) licensed bait dealers; 3) licensed aquaculturists; and, 4) licensed nonresident fish dealers.

009.01A It shall be unlawful:

009.01A1 for anyone to sell, import, transport, or offer for sale as bait any live species not defined as baitfish in this section, except live alewife and gizzard shad may not be sold, imported, or transported from the water body in which they were taken. Live black bullhead, yellow bullhead, buffalo, carp, carpsucker, gar, gizzard shad, alewife, yellow perch or quillback and legal sport fish may be used for bait only in the same waters from which they are legally taken.

009.01A2 to sell sport fish for bait except sport fish may be resold as bait by a bait dealer if they have been lawfully acquired, 1) from an aquaculturist who lawfully propagated or acquired them, or 2) from a licensed nonresident fish dealer who lawfully acquired them. Any bait dealer who lawfully acquires sport fish for which the Nebraska Game and Parks Commission has established bag limits, and resells them as bait, must provide to the customer a legible receipt or invoice with the following information: Invoice or receipt number; date of transaction; seller name and address; buyer name and address; and the number and size of each species sold.

009.01A3 for any resident 16 years of age or older and all nonresidents, regardless of age, to sell baitfish, amphibians and crustaceans, listed in Section 009, without a valid bait dealer permit.

009.01A4 for anyone to import any live species of fish without meeting the following criteria:

An "Application for Importation of Bait" form shall be submitted, plus a current (within previous 12 months) disease inspection report of the supplying facility and its fish shall be submitted to the Fisheries Division, Nebraska Game and Parks Commission not less than 10 days prior to each importation.

The approval for importation and a copy of the latest fish health inspection report shall be carried on the transport vehicle during any importations into the state.

Importations may be subject to random inspections by employees of the Nebraska Game & Parks Commission. An adequate sample shall be surrendered for testing if requested.

Failure to comply with these criteria shall result in the bait dealer permit being revoked.

009.02 TAKING, USE AND POSSESSION – INDIVIDUAL ANGLERS:

009.02A It shall be unlawful for any individual to take baitfish except gizzard shad, alewife, amphibians, or crustaceans as listed in 009 as well as plains and northern leopard frogs for personal use as bait by any method except by legal baitfish dip net or by legal cast net as specified in 009.06D and 009.06D1 in lakes, ponds, and reservoirs.

009.02B It shall be unlawful for any individual to take baitfish, except gizzard shad or alewife as specified in 009.06D and 009.06D1, by any method except by legal baitfish dip net within a 200 yard distance below any dam or spillway.

009.02C It shall be unlawful for any individual to transport away from the Missouri River any baitfish from the Missouri River below Gavins Point Dam to the Kansas border and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.02D It shall be unlawful for any individual to take baitfish, amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps in streams, rivers, and canals including those on state-owned areas except those listed in Section 009.04.

009.02E It shall be unlawful for any individual to take amphibians or crustaceans listed in Section 009 as well as plains and northern leopard frogs by any method except by legal baitfish seines, baitfish dip nets, or bait traps from non-state owned

or controlled lakes and ponds with written permission from the owner or lessee for personal use as bait.

009.02F It shall be unlawful for any individual to possess more than 100 baitfish and or 100 amphibians as listed in Section 009 as well as plains and northern leopard frogs in combination.

009.02G It shall be unlawful for individuals to possess cultured sport fish for bait unless they are accompanied by an invoice or receipt as specified in Section 009.01A2. This restriction allows sport fish caught on hook and line to be used for bait provided they meet length and bag limits and are used for bait in the waterbody from which they were captured.

009.02H It shall be unlawful for individuals to import live baitfish for use in inland waters.

### 009.03 TAKING, USE AND POSSESSION – BAIT DEALERS

009.03A Application for a bait dealers permit must be made to the Fisheries Division, Nebraska Game and Parks Commission.

009.03B Bait dealers may possess baitfish, crustaceans and amphibians, listed in Section 009, in unlimited numbers.

009.03C Bait dealers may take gizzard shad, alewife, crustaceans and amphibians, listed in Section 009, for commercial purposes by legal baitfish dip net in any numbers in lakes, ponds and reservoirs.

009.03D Bait dealers may take baitfish, amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps in rivers and streams except those listed in 009.05 in any number provided they do not take, or attempt to take, within 200 yards of any dam or spillway.

009.03E Bait dealers may take amphibians and crustaceans, listed in Section 009, for commercial purposes using legal baitfish seines, baitfish dip nets, or baitfish bait traps from non-state owned or controlled lakes and ponds, with written permission from the owner or lessee, in any number.

009.03F It shall be unlawful for bait dealers to take amphibians, listed in Section 009, from lands administered by the U. S. Forest Service without appropriate authorization from the Service.

009.03G It shall be unlawful for bait dealers to take baitfish from the Missouri River downstream below Gavins Point Dam and all other rivers and streams located east of Highway 81 from the South Dakota border to York, north of Interstate 80 from York to Lincoln, and east of Highway 77 from Lincoln to the Kansas border.

009.03H It shall be unlawful for the holder of a bait dealer permit to use more than one helper in seining for bait.

009.03I It shall be unlawful for any bait dealer or their designee to fail to display a current Bait Dealers permit while in the possession of any baitfish, crustacean or amphibian.

009.03J It shall be unlawful for bait dealers to possess cultured sport fish or other legally acquired sport fish for bait unless they are accompanied by a receipt with the same information as in Section 009.01A2.

009.03K Bait dealers may be subject to inspections by employees of the Nebraska Game and Parks Commission. Adequate samples shall be provided for testing if requested.

009.03L It shall be unlawful for bait dealers to fail to provide a written report by January 15<sup>th</sup> of the year following the permit expiration.

009.03M It shall be unlawful to fail to include in the report the date, species, location of the collection of baitfish, amphibians and/or crustaceans and quantity collected or purchased. Report forms will be furnished by the Fisheries Division, Nebraska Game and Parks Commission.

009.03N Failure to comply with this reporting regulation will disqualify the permittee for issuance of subsequent permit.

#### 009.04 STREAMS CLOSED TO BAIT HARVEST

009.04A It shall be unlawful for anyone to use a seine, baitfish dip net or baitfish bait trap in any of the following streams:

009.04A1 ANTELOPE COUNTY: Verdigre Creek and all tributaries.

009.04A2 BROWN COUNTY: Long Pine Creek and all tributaries; Bone Creek and all tributaries; Plum Creek and all tributaries; and Fairfield Creek.

009.04A3 BOX BUTTE COUNTY: Niobrara River.

009.04A4 CHERRY COUNTY: North Loup River and all tributaries; Schlagel Creek; Fairfield Creek; Snake River and all tributaries; Plum Creek and all tributaries; and Middle Loup River and all tributaries; Brush Creek west of Brownlee; and Gordon Creek west of Highway 61.

009.04A5 CHEYENNE COUNTY: Lodgepole Creek and all tributaries west of State Spur #230 at Brownson.

009.04A6 DAWES COUNTY: Chadron Creek; Big Bordeaux Creek; White River above Crawford; Little Bordeaux Creek; Niobrara River west of Highway 385 to the Wyoming line, and all tributaries; Dead Horse Creek; White Clay Creek; and Squaw Creek.

009.04A7 GARDEN COUNTY: Blue Creek.

009.04A8 HOLT COUNTY: Steel Creek; and all tributaries of Verdigre Creek.

009.04A9 HOOKER COUNTY: Dismal River and all tributaries.

009.04A10 KEYA PAHA COUNTY: Cottonwood Creek, East Holt Creek and Holt Creek.

009.04A11 KEITH COUNTY: Otter Creek; White Tail Creek; and Lonergan Creek and all tributaries.

009.04A12 KIMBALL COUNTY: Lodgepole Creek and all tributaries.

009.04A13 KNOX COUNTY: North, Middle and South Verdigre, and all tributaries above the town of Verdigre, and Steel Creek.

009.04A14 LOUP COUNTY: Gracie Creek.

009.04A15 MADISON COUNTY: Taylor Creek west of Highway 81.

009.04A16 MORRILL COUNTY: Red Willow Creek, Cedar Creek, Greenwood Creek, Wildhorse Creek, Lawrence Fork Creek, Silvernail Drain, Stuckenhole Creek and Pumpkin Creek below Highway 88.

009.04A17 ROCK COUNTY: Long Pine Creek.

009.04A18 SCOTTS BLUFF COUNTY: The following creeks and drains: Nine Mile, Winters, Tub Springs, Wet Spotted Tail, Dry Spotted Tail, Spotted Tail, Sheep, Dry Sheep, Stuckenhole, Akers Draw, Mitchell Drain, Moffett Drain, Alliance Drain and Bayard Drain.

009.04A19 SHERIDAN COUNTY: Snake River; Larrabee Creek; White Clay Creek; Pine Creek; Deer Creek; and Little Bordeaux Creek.

009.04A20 SIOUX COUNTY: Sheep Creek Drain; Dry Spotted Tail Creek; Spotted Tail Creek; Niobrara River and all tributaries; White River and all tributaries; Monroe Creek; Sowbelly Creek; and Hat Creek.

009.04A21 WEBSTER COUNTY: Elm Creek.

009.05 LEGAL NETS, TRAPS AND OTHER DEVICES: It shall be unlawful to possess or harvest baitfish, crustacean or amphibian with any device except the following:

009.05A Baitfish seines of non-metallic mesh, one-fourth inch square measure only and not over twenty feet long and four feet deep.

009.05B Legal baitfish dip nets of one-fourth inch square mesh of non-metallic mesh, neither length nor width to exceed 36 inches.

009.05C Baitfish and bait traps of one-fourth inch square mesh only, with a length not to exceed twenty-four inches, and a diameter not to exceed sixteen inches, with the opening in the throat of the trap not larger than two and one-quarter inches in diameter. All baitfish traps shall be raised and fish removed from them at least every twenty-four hours.

009.05D Cast nets up to ten feet in diameter with a mesh size no larger than three-eighths inches square measure, can be used during the months of July, August, September, October and November for capturing gizzard shad and alewife only. Live gizzard shad and alewife captured may only be used for bait the same day they are captured at the same water body where they are captured.

009.05D1 Water bodies where cast nets may be used are limited to the following: Calamus Reservoir, Davis Creek Reservoir, Elwood Reservoir, Enders Reservoir, Farwell Reservoir, Gallagher Canyon reservoirs, Harlan County Reservoir, Jeffrey Reservoir, Johnson Reservoir, Lake McConaughy, Lake Maloney, Medicine Creek Reservoir, Midway Complex reservoirs, Phillips Canyon Reservoir, Plum Creek Reservoir, Red Willow Reservoir, Sherman Reservoir, Sutherland Reservoir, Swanson Reservoir and the Tri County Canal from the diversion dam in Lincoln County to the J-2 Return.

009.06 STATE-OWNED OR CONTROLLED AREAS: Digging, seining, trapping, or dipping for bait or for any other purpose is prohibited. (Exceptions see Sections 009.03A, 009.03C, 009.04C, 009.06D1).

NEBRASKA ADMINISTRATIVE CODE

Last Issue Date: January 25, 2008

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

010 Special Fishing Permits for Residents Who Are Severely Physically or Developmentally Disabled and Who Require Assistance in Angling. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §§ 37-301, 37-304, 37-314, and 37- 424. 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.

010.01 Eligibility. To be eligible for this special permit, the applicant must be unable to operate a fishing rod and reel, attach terminal tackle, bait a hook and remove fish from a hook(s).

010.02 Application form and permit issuance. Applications for this special permit are available from the Fisheries Division, Nebraska Game and Parks Commission, Box 30370, Lincoln, NE 68503. The applicant must secure the signature of a licensed physician attesting to the fact that the person meets the requirements listed in 010.01. The application must then be submitted with \$5 to the Fisheries Division. Eligible applicants will be issued annual permits from the Fisheries Division.

010.03 Assistance allowed. This special permit is issued in the name of the disabled person and necessitates the permit holder to be assisted by one person. The person assisting the permit holder is allowed to help the permit holder to take, hunt, fish, catch, kill, harvest or possess any aquatic organism in compliance with the Game Law without possessing a fishing permit or aquatic habitat stamp.

010.04 Daily bag and possession limit. If the person assisting the permit holder does not have a current Nebraska fishing permit and aquatic habitat stamp, the permit holder and assistant will be allowed to have one daily bag and one possession limit between them. If the person assisting the permit holder does have a current Nebraska fishing permit and aquatic habitat stamp, each person will be allowed to have a daily bag and possession limit.



Nebraska Game and Parks Commission  
**Application for a Special Fishing Permit**  
**for Severely Physically Disabled or Developmentally Disabled Persons**  
(33-339/6-22)

I am applying for a special permit which allows one person to help me fish. **I attest that I am unable to fish by myself in the normal manner because of a permanent physical impairment or a developmental disability.** Following is my true description:

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Social Security No. (last 4 digits) \_\_\_\_\_

Phone: \_\_\_\_\_ FEE: \$8.00 (includes issuing fee)

HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	DATE OF BIRTH	AGE	SEX

**(THE FOLLOWING IS TO BE COMPLETED BY A LICENSED PHYSICIAN)** If this is a renewal, it is not necessary to complete this section because we have the doctor's signature on file.

The above named individual has a permanent physical impairment or has a developmental disability **resulting in an inability to use fishing equipment unassisted.**

The above-named individual is unable to operate a fishing rod and reel, attach terminal tackle, bait a hook, and remove fish from a hook.  YES  NO

Is this a Permanent impairment or disability:  YES  NO

Name of Licensed Physician :(print) \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Signature of Physician \_\_\_\_\_

Date: \_\_\_\_\_

**RETURN TO:** Fisheries Division  
Nebraska Game and Parks Commission  
2200 N. 33<sup>rd</sup> St., P.O. Box 30370  
Lincoln, NE 68503-0370  
Phone: 402-471-5552

NEBRASKA ADMINISTRATIVE CODE

Last Issue Date: September 1, 2006

Title 163 - Nebraska Game and Parks Commission

Chapter 2 – Fisheries Regulations

011 Educational Fishing Project Permit. The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes, in accordance with Neb. Rev. Stat. §37-422, a special free fishing permit known as an Educational Fishing Project Permit. 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.

The Educational Fishing Project Permit may be granted with the following provisions:

011.01 Eligibility. Only accredited current teachers/instructors shall be eligible for an Educational Fishing Project Permit.

011.02 Application shall be made with the Fisheries Division of the Nebraska Game and Parks Commission on a form provided by the Commission. The application form shall include, but not be limited to: 1) a description of the education fishing project; 2) the specific time period for the project; 3) a list of students participating in the project, and 4) a permit expiration date.

011.03 This permit shall only exempt the holder and participants listed on the permit from having to possess a valid Nebraska fishing permit and shall not exempt any other rule or regulation.

011.04 This permit shall be available for display to any Commission employee while in effect.

011.05 Copies of the permit shall be provided to all participants who retain in their possession any aquatic organism requiring a valid fishing permit.



NEBRASKA ADMINISTRATIVE CODE

Last Approved Date: April 21, 2015

Title 163 - Nebraska Game and Parks Commission

Chapter 2 - Fisheries Regulations

012 AQUATIC INVASIVE SPECIES REGULATIONS

The following regulations are prescribed by the Nebraska Game and Parks Commission, State of Nebraska, in addition to State Statutes in accordance with Neb. Rev. Stat. 37-215.01, 37-301, 37-304, 37-309, 37-355, 37-524, 37-524.02, 37-524.03, 37-547, 37-548, and 37-1206. For purposes of these regulations, unless context otherwise requires, the definitions found in Chapter 37, sections 201-234 of the Game Law, are used.

012.01 DEFINITIONS

012.01A Aquatic Invasive Species are any exotic or non-native aquatic organisms that pose a significant threat to the aquatic resources, water supplies, or water infrastructure of this State. Since the current status and level of threat can be different for each species, four different categories are established:

- Category 1 - Potential Aquatic Invasive Species;
- Category 2 - Priority Aquatic Invasive Species;
- Category 3 - Established Aquatic Invasive Species;
- Category 4 - Aquatic Invasive Plant Species Listed as Noxious in Nebraska.

Category 1 – Potential Aquatic Invasive Species are those species that have not yet been sampled in Nebraska and are considered a high threat. Those organisms are as follows

Common Name	Scientific Name
Round Goby	<i>Apollonia melanostoma</i>
Snakehead	<i>Chana sp</i>
Black Carp	<i>Mylopharyngodon piceus</i>
Quagga Mussel	<i>Dreissena rostriformis bugensis</i>
New Zealand Mudsnail	<i>Potamopyrgus antipodarum</i>
Giant Reed	<i>Arundo donax</i>

Brazilian Waterweed, Elodea	<i>Egeria densa</i>
Hydrilla	<i>Hydrilla verticillata</i>
Didymo, Rock Snot	<i>Didymosphenia geminate</i>

Category 2 – Priority Aquatic Invasive Species are those species that are currently present in Nebraska but with limited distribution. They are considered highly unwanted species and all efforts should be taken to prevent the expansion of their populations. Those species include:

Common Name	Scientific Name
Silver Carp	<i>Hyopophthamichthys molitrix</i>
Bighead Carp	<i>Hyopophthamichthys nobilis</i>
White Perch	<i>Morone americana</i>
Yellow Bass	<i>Roccus mississippiensis</i>
Zebra Mussel	<i>Dreissena polymorpha</i>
Waterflea	<i>Daphnia lumholtzii</i>
Rusty Crayfish	<i>Orconectes rusticus</i>
Curly-leaf Pondweed	<i>Potamogeton crispus</i>
Flowering Rush	<i>Butomus umbellatus</i>
Eurasian Watermilfoil	<i>Myriophyllum spicatum</i>
Yellow Floating Heart	<i>Nymphoides peltata</i>
Creeping Water Primrose	<i>Ludwigia peploides</i>
Brittle Naiad	<i>Najas minor</i>
White River Crayfish	<i>Procambarus acutus</i>
Red Swamp Crayfish	<i>Procambarus clarkua</i>

Category 3 – Established Aquatic Invasive Species are those species that are well established in Nebraska and total elimination is impossible. Local removal and control is the best that can be expected and protocols established in sub-sections 012.02 to 012.04 below do not apply to the species on this list, which includes:

Common Name	Scientific Name
Common Carp	<i>Cyprinus carpio</i>
European Rudd	<i>Scardinius erythrophthalmus</i>
Chinese Mystery Snail	<i>Cipangopaludina chinensis</i>
Japanese Mystery Snail	<i>Cipangopaludina japonica</i>
Asian Clam	<i>Corbicula fluminea</i>
Common Watercress	<i>Nasturium officinale</i>
Reed Canary Grass	<i>Phalaris arundinacea</i>
Narrow-leaf Cattail	<i>Typha angustifolia and hybrids</i>
Western Mosquitofish	<i>Gambusia affinis</i>

Category 4 – Aquatic Invasive Species Listed as Noxious in Nebraska are regulated by the Nebraska Department of Agriculture as noxious plant species. Those species include:

Common Name	Scientific Name
Eurasian Common Reed	<i>Phragmites australis</i>
Saltcedar	<i>Tamarix ramosissima and hybrids</i>
Purple Loosestrife	<i>Lythrum salicaria</i>

012.01B An authorized inspector means a person who has completed Aquatic Invasive Species Level 1 training, or Conservation Officer or peace officer.

012.01C It shall be unlawful to possess or transport any category 1 or 2 invasive species.

012.01D It shall be unlawful to neglect or fail to prevent the possible possession, transfer or transport of any aquatic invasive species by:

012.01D1 Not removing the drain plug prior to leaving any water body launch area or potential launch area.

012.01D2 Arriving at, attempting to enter or leave any water body with equipment that contains any plant material.

012.01D3 Arriving at, attempting to enter or leave any water body posted as being infested with either Zebra or Quagga mussels with equipment holding live fish, live baitfish or any water other than from a domestic source that has not been used for holding fish.

012.01D4 Using any felt sole boots or waders in waters owned or operated by the Commission.

012.01E Decontaminate means to remove or destroy Aquatic Invasive Species from a conveyance.

012.01F Equipment means an article, tool, implement, or device capable of containing or transporting water or Aquatic Invasive Species.

012.01G Launch area means any ground along the shoreline of a water body where a conveyance may be launched into the water or loaded out of the water for transport, including but not limited to boat ramps.

## 012.02 INSPECTIONS

012.02A An authorized inspector has the authority and is approved by the Commission to require and conduct inspection of any conveyance that may contain or carry an Aquatic Invasive Species.

012.02B It shall be unlawful to fail or refuse to submit to an inspection of a conveyance upon request of an authorized inspector, pursuant to the Aquatic Invasive Species Act.

012.02C It shall be unlawful to refuse to permit or prevent proper decontamination of a conveyance as prescribed by an authorized inspector. It is the responsibility of the owner of the conveyance to reimburse any costs related to the decontamination procedure.

012.02D Any person operating a conveyance may be ordered to remove the conveyance from any water of the State or any conveyance launch area by any Conservation Officer or peace officer if there is a reason to believe the conveyance was not properly inspected prior to launch or may otherwise contain Aquatic Invasive Species. Once removed from the water or launch area, the conveyance

shall be subject to inspection for the removal and disposal of Aquatic Invasive Species.

012.02E Any authorized inspector who determines that Aquatic Invasive Species are present shall document the inspection, including but not limited to the type and number of Aquatic Invasive Species suspected or detected and identification of the conveyance, including license plate number and hull or vehicle identification number, if available. The authorized inspector shall advise the operator that the conveyance shall be required to be decontaminated according to Commission procedures as soon as possible.

012.02F It shall be unlawful to arrive at or leave any water body owned or operated by the Commission with water other than from a domestic source (e.g., water supply system, well, or bottled) except for fire-fighting purposes.

### 012.03 DECONTAMINATION

012.03A Decontamination of the exterior of a conveyance shall be accomplished by removing or destroying all Aquatic Invasive Species, soil, plants, and organisms. The entire exterior of the conveyance and all intakes shall be thoroughly washed with a high pressure power washer using water of at least 140 degrees Fahrenheit and a minimum pressure of five (5) gallons/minute with 3,000 pounds per square inch or psi. A high pressure water wash or scrubbing will be used as necessary.

012.03A1 All compartments, equipment and containers in a conveyance that hold water including, but not limited to live wells, ballast and bilge areas, shall be flushed with water of at least 130 degrees Fahrenheit but not at high pressure with contact time of 130 seconds. If a bilge pump is present, it shall be operated until the bilge appears to be empty. The lower unit of the engine shall be thoroughly flushed with water of at least 140 degree Fahrenheit.

012.03A2 After decontamination, an authorized inspector, Conservation Officer or peace officer shall re-inspect the conveyance to ensure complete decontamination has occurred prior to the release of the conveyance.

012.03B If decontamination with a high pressure power wash is not achieved, then removal of the conveyance from any water body or launch area is authorized for a length of time not to exceed thirty (30) days as determined by the Commission to allow for successful decontamination.

### 012.04 IMPOUNDMENT AND QUARANTINE



012.04A All conveyances are subject to impoundment and quarantine by a Conservation Officer or peace officer if:

012.04A1 The person transporting the conveyance refuses to allow an inspection of the conveyance by an authorized inspector;

012.04A2 An authorized inspector has reasonable suspicion to believe an Aquatic Invasive Species is present after conducting an inspection;

012.04A3 The person transporting the conveyance refuses to allow a decontamination of the conveyance when decontamination is ordered by an authorized inspector, or

012.04A4 An authorized inspector determines that a quarantine is necessary following decontamination.

012.04B If the person responsible for an impounded conveyance is not the registered owner, the registered owner shall be notified by mail, return receipt requested, within ten (10) days of the conveyance being impounded. Such notification shall also include contact information for the Conservation Officer or peace officer ordering the impoundment. If the registered owner is present when the conveyance is ordered impounded, then the same information shall be provided to the registered owner at the time the impound order is issued.

012.04C All impounded conveyances shall be held at the risk and expense of the owner. A conveyance held under impound for non-compliance with these regulations shall only be released after an authorized inspector is satisfied by inspection or quarantine that the conveyance is no longer a threat to the aquatic resources, water supplies, and water infrastructure of the State.

012.04D Duration of conveyance quarantine shall be determined by the Commission and shall not exceed thirty (30) days.

012.04E An impounded conveyance shall not be released until a Commission impound release form is signed and executed by a Conservation Officer. It is the responsibility of the owner to coordinate with the Commission for the release of the conveyance.

## 012.05 RESTRICTIONS

012.05A Waters of the State found to contain Category 1 or Category 2 Aquatic Invasive Species may be listed and posted by the Commission as Aquatic Invasive Species Infested Waters. The Commission may then establish site-specific protocols for such waters that could include inspection and decontamination. The Commission may require additional restrictions on launching and loading conveyances and restrictions on live baitfish leaving the area.