

Readopt with amendment Fis 402.08, effective 4-6-18 (Document #12510), to read as follows:Fis 402.08 Possession and Use of Live Fish for Bait.

(a) Only the following species shall be possessed and used as live fish for bait when fishing any freshwaters of the state:

- (1) Rainbow smelt (*Osmerus mordax*);
- (2) Longnose dace (*Rhinichthys cataractae*);
- (3) Blacknose dace (*Rhinichthys atratulus*);
- (4) Northern redbelly dace (*Phoxinus eos*);
- (5) Lake chub (*Couesius plumbeus*);
- (6) Creek chub (*Semotilus atromaculatus*);
- (7) Fallfish (*Semotilus corporalis*);
- (8) Golden shiner (*Notemigonus crysoleucas*);
- (9) Common shiner (*Luxilus cornutus*);
- ~~(10) Emerald shiner (*Notropis atherinoides*);~~
- (10¹) Spottail shiner (*Notropis hudsonius*);
- (11²) Eastern sSilvery minnow (*Hybognathus ~~regius~~^{muchalis}*);
- (12³) Eastern cCreek chubsucker (*Erimyzon oblongus*);
- (13⁴) Longnose sucker (*Catostomus catostomus*);
- (14⁵) White sucker (*Catostomus commersonii*); and
- (15⁶) Banded kKillifish~~to meed~~ (*Fundulus diaphanoussp.*).

Readopt Fis 402.12, effective 2-16-17 (Document # 12106), to read as follows:

Fis 402.12 Marking Prohibited. No person shall tag, brand, fin clip or otherwise mark any fish taken from the freshwaters of the state prior to release of that fish back into waters of the state without first receiving either a permit to release wildlife pursuant to Fis 805.05 or a scientific license issued pursuant to Fis 1106.01. The executive director and his employees shall not be subject to this restriction while acting in the performance of their official duties.

Readopt Fis 403.06, effective 4-18-17 (Document #12161), to read as follows:

Fis 403.06 Lake Whitefish (*Coregonus clupeaformis*).

- (a) The daily bag limit for lake whitefish shall be 2 fish.
- (b) There shall be no limits on length or weight of lake whitefish taken.

Readopt with amendment Fis 405.07, effective 4-6-18 (Document #12510), to read as follows:

Fis 405.07 Hooks or Other Devices for Attachment of Bait.

- (a) While ice fishing, only a single hook with a single hook point, per ice fishing device, shall be used for bait.
- (b) Except as specified in Fis 406.04(a) and 407.03~~(f)~~ while taking fish in open water, 2 hooks may be used with bait per line, one with a single hook point and the other with no more than 3 hook points.

Readopt with amendment Fis 406.04, effective 10-22-25 (Document #14418), to read as follows:

Fis 406.04 Lake Trout and Salmon Waters.

- (a) The taking of fish from this waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be subject to the following restrictions:
 - (1) This waterbody shall be managed for lake trout and salmon;
 - (2) The open season for taking fish shall be all year round subject to the following restrictions:
 - a. From January 1 to March 31, the waterbody shall be open to the taking of all species, except salmon and smelt, subject to the following restrictions:
 - 1. Fish shall only be taken by ice fishing;
 - 2. The combined daily bag limit for all trout species shall be 2 fish;
 - 3. The daily bag limit for lake trout shall be 2 fish;

4. Only one hook with bait, as described in Fis 405.07(a), or an artificial lure or flies may be used to take fish through the ice; and

5. No more than 2 ice fishing devices shall be used, except that in addition, a person may use 6 cusk fishing devices to take cusk as specified in Fis 405.04;

b. From April 1 through September 30, the waterbody shall be open to the taking of all species, except smelt, by all legal methods, subject to the following restrictions:-

1. The combined daily bag limit for salmon and trout shall be 2 fish; and

~~2. The daily bag limit for lake trout shall be 2 fish;~~

c. From October 1 through December 31, the waterbody shall be open to the taking of all species except lake trout, brook trout, salmon and lake whitefish;

d. From October 1 through December 31, trolling to take fish shall be prohibited;

e. From April 1 to December 31, no person shall take fish through the ice, from the ice, or supported by the ice;

f. The open season for taking smelt shall be from June 16 through March 14; and

g. When trolling to take fish:

1. Only one artificial lure, one fly, one tandem fly, or one bait shall be used per rod; and

2. Only a single hook with a single hook point shall be used with bait;

(3) The minimum length for trout and salmon shall be 15 inches;

(4) The minimum length for lake trout shall be 15 inches; and

(5) For all species other than trout, lake trout, and salmon, the limits and methods of taking shall be as provided in Fis 403 and Fis 405.

(b) The taking of fish from this waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be subject to the restrictions specified in Fis 406.04(a) except:

~~(1) The minimum length for lake trout shall be 15 inches; and~~

(12) The areas of the lake that lie within 500 feet of Cockermouth River and Fowler River shall be closed to all fishing from October 16 through December 31.

(c) The taking of fish from this waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be subject to the following restrictions:

(1) This waterbody shall be managed for lake trout, salmon, or both;

(2) The open season for taking fish shall be all year round subject to the following restrictions:

a. From January 1 to March 31, the waterbody shall be open to the taking of all species, except salmon and smelt, subject to the following restrictions:

1. Fish shall only be taken by ice fishing;

2. The combined daily bag limit for all trout species shall be 2 fish;

3. The daily bag limit for lake trout shall be 2 fish;

43. Only one hook with bait, as described in Fis 405.07(a), or an artificial lure or flies may be used to take fish through the ice; and

54. No more than 2 ice fishing devices shall be used, except that in addition, a person may use 6 cusk fishing devices to take cusk as specified in Fis 405.04;

b. From April 1 through September 30, the waterbody shall be open to the taking of all species, except smelt, by all legal methods. The combined daily bag limit for salmon and trout shall be 4 fish, of which no more than 2 fish may be salmon. The ———daily bag limit for lake trout shall be 2 fish;

c. From October 1 through December 31, the waterbody shall be open to the taking of all species except lake trout, trout, salmon, and lake whitefish;

d. From October 1 through December 31, trolling to take fish shall be prohibited;

e. From April 1 to December 31, no person shall take fish through the ice, from the ice, or supported by the ice; and

f. The open season for taking smelt shall be from June 16 through March 14;

(3) The minimum length for salmon shall be 15 inches;

(4) The minimum length for lake trout shall be 15 inches; and

~~(5) Yellow perch shall not be used for bait; and~~

~~(56)~~ For all species other than trout, lake trout, and salmon, the limits and methods of taking shall be as provided in Fis 403 and Fis 405.

(d) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of Paugus Bay which lies between the railroad trestle which crosses Paugus Bay at its south end and the Lakeport Dam in the city of Laconia shall be closed to all fishing October 1 to March 31.

(e) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of open water that is not normally covered by ice in winter at the Weirs channel shall be closed to all fishing from October 1 to March 31.

(f) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both, and, in addition to the restrictions in Fis 406.04(a), the following areas of the lake shall be closed to all fishing October 16 through December 31:

- (1) The lake area within 500 feet of Gunstock River, Poor Farm Brook, Melvin River, Merrymeeting River, Mink Brook, and Smith River; and
- (2) The lake area of Lake Winnepesaukee 500 feet on either side of the Main Street bridge in Wolfeboro.

(g) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of the lake that lies within 500 feet of Barville Brook shall be closed to all fishing from October 16 through December 31.

(h) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of the lake that lies within 500 feet of Winnepesaukee River shall be closed to all fishing from October 16 through December 31.

(i) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of the lake that lies within 500 feet of Otter Brook shall be closed to all fishing from October 16 through December 31.

(j) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of the lake that lies within 500 feet of Bearcamp River shall be closed to all fishing from October 16 through December 31.

(k) This waterbody as referenced in Table 400.1 in Fis 406.01(b) shall be managed for lake trout, salmon, or both and, in addition to the restrictions in Fis 406.04(a), the area of the lake that lies within 500 feet of the outlet dam shall be closed to all fishing from October 16 through December 31.

Adopt Fis 408.17, previously effective 1-1-16 (Document #10936) and expired 1-1-26, to read as follows:

Fis 408.17 River Herring. The Connecticut River and tributaries shall be closed to the taking of alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis*).

Readopt Fis 408.18, effective 4-18-17 (Document #12161), to read as follows:

Fis 408.18 Round Whitefish (*Prosopium cylindraceum*). Round whitefish (*Prosopium cylindraceum*) taken by any method shall be immediately released back into the waters from which it was taken.

Adopt Fis 410.02, previously effective 1-1-16 (Document #10936) and expired 1-1-26, to read as follows:

Fis 410.02 Ice Fishing Restrictions.

(a) The open season for ice fishing except on Great East Lake as specified in Fis 410.06 and Salmon Falls River as specified in Fis 410.05, shall be January 1 to March 31 for all species except salmon.

- (b) No person shall take a salmon or cusk through the ice.
- (c) The daily bag limits shall be as follows:
 - (1) Two lake trout, also known as togue, 2 rainbow trout, 2 brown trout or 2 brook trout except in Lake Umbagog as specified in Fis 410.07;
 - (2) Pickerel shall be 10 fish;
 - (3) Black bass shall be 2 fish with only one over 14 inches;
 - (4) Smelt shall be 2 quarts; and
 - (5) There shall be no bag limits on all other species of fish.
- (d) The minimum total lengths shall be as follows:
 - (1) Lake trout, also known as togue, shall be 18 inches, except in Great East Lake as specified in Fis 410.06;
 - (2) Brook trout shall be 6 inches, except in Lake Umbagog as specified in Fis 410.07;
 - (3) Brown trout and rainbow trout shall be 10 inches in lakes and ponds; and
 - (4) There shall be no length or weight limits on all other species of fish.
- (e) No person shall use more than 5 lines to take fish except in Great East Lake as specified in Fis 410.06.
- (f) No dead or living pickerel, goldfish, yellow perch, white perch, black bass, sunfish, crappie, horned pout, carp or any spiny finned fish shall be taken, sold or possessed for use as bait for fishing in New Hampshire-Maine interstate waters.
- (g) Smelt shall be taken only by angling in all interstate waters and their tributaries except in the tributaries of Great East Lake the taking of smelt shall be closed.
- (h) The following restrictions shall apply to ice fishing shacks on the Maine/New Hampshire interstate waters:
 - (1) No person who owns any shack or temporary structure used for ice fishing shall place, or allow the shack or structure to be placed, on the ice more than 3 days before the waters on which the shack or structure is located are open to ice fishing;
 - (2) All ice fishing shacks while on the ice shall be labeled on the outside in 2 inch letters with the name and address of the owner; and
 - (3) Ice fishing shacks shall be removed from the ice within 3 days after those waters close to ice fishing.

Adopt Fis 410.03, previously effective 1-1-16 (Document #10936) and expired 1-1-26, to read as follows:

Fis 410.03 Open Water Restrictions.

(a) The open water fishing season, except on the Salmon Falls River, shall be April 1 to December 31 except that in all lakes and ponds between October 1 and December 31, all trout, landlocked salmon, and lake trout shall be released alive at once.

(b) From May 15 to June 30, black bass shall be taken only with artificial lures and flies.

(c) The daily bag limits shall be as follows:

(1) Two lake trout, also known as togue, 2 salmon, 2 rainbow trout, 2 brown trout, or 2 brook trout except in Lake Umbagog as specified in Fis 410.07;

(2) For pickerel the limit shall be 10 fish;

(3) For black bass the limit shall be:

a. Two fish from April 1 to May 14;

b. Catch and immediate release from May 15 to June 30; and

c. Two fish from July 1 to December 31;

(4) For smelt the limit shall be 2 quarts; and

(5) There shall be no bag limits on all other species of fish.

(d) The minimum total length shall be as follows:

(1) For salmon the minimum total length shall be 14 inches;

(2) For lake trout also known as togue, the minimum total length shall be 18 inches, except in Great East Lake pursuant to Fis 410.06;

(3) For brook trout the minimum total length shall be 6 inches, except in Lake Umbagog pursuant to Fis 410.07;

(4) For brown trout and rainbow trout the total minimum length shall be 10 inches in lakes and ponds and 6 inches in rivers and streams;

(5) Only one black bass shall be greater than 14 inches; and

(6) There shall be no length or weight limits on all other species of fish.

(e) No person shall use more than 2 lines to take fish.

(f) No dead or living pickerel, goldfish, yellow perch, white perch, black bass, sunfish, crappie, horned pout, carp or any spiny finned fish shall be taken, sold, or possessed for use as bait for fishing in New Hampshire-Maine interstate waters.

(g) In all interstate waters and their tributaries smelt shall be taken only by angling except as follows:

(1) In Lower Kimball Pond dip nets not over 18" in diameter shall be permitted between sunset and 12 midnight during the open water season; and

(2) In the tributaries of Great East Lake the taking of smelt shall be closed.

Adopt Fis 410.05, previously effective 1-1-15 (Document #10674) and expired 1-1-25, to read as follows:

Fis 410.05 Salmon Falls River.

(a) In the Salmon Falls River the exceptions to the general ice fishing and open water restrictions as specified in Fis 410.02 and Fis 410.03 shall be as follows:

- (1) The open water fishing season for the Salmon Falls River shall be January 1 to December 31; and
- (2) The Salmon Falls River shall be closed to ice fishing.

Adopt Fis 410.06, previously effective 1-1-16 (Document #10936) and expired 1-1-26, to read as follows:

Fis 410.06 Great East Lake.

(a) In Great East Lake the exceptions to the general ice fishing and open water restrictions as specified in Fis 410.02 and Fis 410.03 shall be as follows:

- (1) Only 2 lines may be used to take fish during the ice fishing season: and
- (2) Lake trout also known as togue, shall be 16 inches total minimum length.

Adopt Fis 410.07, previously effective 1-1-16 (Document #10936) and expired 1-1-26, to read as follows:

Fis 410.07 Umbagog Lake.

(a) In Umbagog Lake the exceptions to the general ice fishing and open water restrictions as specified in Fis 410.02 and Fis 410.03 shall be as follows:

- (1) Brook trout shall be 18 inches minimum total length; and
- (2) Brook trout daily bag limit shall be one fish.

(b) That portion of Umbagog Lake north of a straight line between Molls Rock, Errol, New Hampshire and the red post between Spillman and Glassy Coves, Magalloway Plantation, Maine shall be closed to ice fishing.

(c) In the Magalloway River in the state of New Hampshire there shall be no size or bag limit for black bass.

Readopt with amendment Fis 502.07, effective 11-1-23 (Document # 13798), to read as follows:

Fis 502.07 Importation of Finfish for Bait.

(a) No person shall import fin fish for bait, unless the person is a licensed retail or wholesale bait dealer in accordance with Fis 1104.04, who is also in possession of a permit to import bait fish, issued in accordance with Fis 1104.07.

(b) A permit to import bait fish shall be issued to import only the following species:

- (1) White sucker (*Catostomus commersonii*);
- (2) Eastern creek chubsucker (*Erimyzon oblongus*);
- (3) ~~Banded Tomeod-er~~ killifish (*Fundulus diaphanous*~~sp.~~);
- (4) Golden shiner (*Notemigonus crysoleucas*);
- (5) Common shiner (*Luxilis cornutus*);
- (6) Spot-tail shiner (*Notropis hudsonius*);
- (7) Eastern silvery minnow (*Hybognathus regius*);
- ~~(8) Emerald shiner (*Notropis atherinoides*);~~
- (89) Lake chub (*Couesius plumbeus*);
- (949) Creek chub (*Semotilus atromaculatus*);
- (104) Fallfish (*Semotilus corporalis*); and
- (112) Rainbow smelt (*Osmerus mordax*).

(c) All permits to import bait fish shall be issued with the following additional conditions and restrictions:

- (1) Live fish imported for use as freshwater fishing bait shall only be imported from states with an aquatic invasive species monitoring program, approved in advance of the importation by the executive director, and meeting the testing criteria contained in Fis 803.09 and the reporting requirements of Fis 803.10;
- (2) The date of importation from an approved hatchery source shall be within 6 months of the inspection;
- (3) No species of aquatic invertebrate shall be imported for use as bait or otherwise;
- (4) Freshwater smelt shall not be imported, except that all bait fish and freshwater smelt that are natal to the state of Maine and free of pathogens, in accordance with Fis 803.09, may be imported without a prior inspection of the source;
- (5) No dealer shall import a greater quantity of bait fish than the quantity specified on that person's import permit;
- (6) Each shipment of imported fish for bait received by a licensed bait dealer shall be accompanied with a dated bill of sale, signed by the source of purchase, indicating the quantity by species and the name and address of the source of said fish; and
- (7) The bill of sale and all documents showing the results of any inspection or testing of imported fish shall be open for inspection by the executive director or designee at any time.

Readopt with amendment Fis 503.05, effective 1-2-26 (Document #14445), to read as follows:**Fis 503.05 General Restrictions for Fishing Tournaments.**

(a) No fishing tournaments, except as specified in paragraph (k) below, shall be held on waterbodies managed for trout as specified in Fis 406.02, Fis 406.03, Fis 406.07, Fis 407.02, and Fis 407.04.

(b) No fishing tournaments shall be held on waterbodies stocked for lake trout and salmon by the department, except:

(1) Black bass tournaments permitted under Fis 503.06;

(2) Tournaments that have been conducted with valid permits prior to January 1, 1999, provided the permit is renewed annually; and

(3) Open water tournaments that target rock bass (*Ambloplites rupestris*) that have been conducted with valid permits prior to January 1, 2008, provided the permit is renewed annually.

(c) No fishing tournaments that target black bass shall be held from ice-in to March 31.

(d) A fishing tournament permit application shall be denied by the executive director if:

(1) It would be biologically detrimental to the fish populations in the water body;

(2) A fisheries research or management program on the waterbody would be affected;

(3) It would cause a conflict with another permitted tournament; or

(4) The sponsoring organization has not submitted a report in accordance with Fis 503.04 for a previously held fishing tournament.

(e) Fishing tournaments shall be no longer than 3 consecutive days.

~~(f) The minimum length for lake trout and salmon in fishing tournaments, permitted under paragraph (b) above, shall be 22 inches for lake trout and 18 inches for salmon.~~

~~(fg)~~ Culling shall be prohibited, except as specified in Fis 503.06(a).

~~(fh)~~ No tournament weigh-ins shall occur at department-controlled access facilities.

~~(hi)~~ When a permitted fishing tournament uses a department-controlled boat access facility, no more than 50 percent of the facility's designated parking spaces shall be used by participants in the tournament.

~~(ij)~~ The department shall provide trout only to kids' derbies.

~~(jk)~~ Kids' derbies shall be subject to the following restrictions:

(1) Effective January 1, 2027, the department may provide trout on a 50-50 matching basis, not

to exceed 250 state fish for any one derby, and matching state fish shall only be available for stocking between April 1 and June 30;

(2) Fish imported into the state shall be in compliance with Fis 803;

(3) These derbies shall be held on public fishing waters or on private waters that shall remain open to the public for fishing for the remainder of the open season for trout;

(3) When ~~a derby~~ ~~ies is~~ ~~are~~ held on private waters, and the Department provided fish for the derby the land owner shall provide written assurance of public use to the department;

(5) The derby sponsor shall complete the on-line form “Application to Conduct a Kids Fishing Derby, Rev 01/26, available on line at <https://www.wildlife.nh.gov/fishing-new-hampshire/tournaments>, at least 30 days prior to the date of the derby;

(6) A permit fee shall not be required for kids’ derbies; and

(7) If the derby sponsor charges an entry fee, the department shall not provide matching fish.

Readopt Fis 1104.07, effective 2-23-24 (Document # 13874), to read as follows:

Fis 1104.07 Importing Bait Fish.

(a) Applicants for an annual permit to import bait fish shall complete and submit a “N.H. Fish and Game Department Application to Import Fin Fish for Bait” form, Rev. 12/2022, available at [import-bait-fish.pdf \(nh.gov\)](#), to the fish and game department at 11 Hazen Drive, Concord, NH 03301.

(b) All permits to import bait fish shall expire on December 31 of the year noted on the permit.

(c) No permit to import bait fish under RSA 214:34-d shall be issued to an applicant if:

(1) That person, as a holder of a permit for a previous year, has failed to file all of the reports required by Fis 502.08;

(2) The applicant has failed to pay the required fee;

(3) The applicant does not already possess a valid annual New Hampshire bait dealer license; or

(4) The applicant’s bait dealer license is under suspension or revocation in accordance with Fis 502.09.

Readopt Fis 1203.01, effective 2-16-17 (Document # 12106), to read as follows:

Fis 1203.01 Free Fishing Day. No fishing license shall be required to take fish, by angling, in any public waters within the jurisdiction of the state on the first Saturday of June and the third Saturday in January, except that those anglers participating in a fishing tournament on either day shall be required to possess a valid fishing license.

APPENDIX

Rule	State or Federal Statute the Rule Implements
Fis 402.08	RSA 206:10, I; RSA 212:19
Fis 402.12	RSA 206:10, I
Fis 403.06	RSA 206:10, I
Fis 405.07	RSA 206:10, I; RSA 212:19
Fis 406.04	RSA 206:10, I; RSA 212:19
Fis 408.17	RSA 206:10, I; RSA 211:5
Fis 408.18	RSA 206:10, I; RSA 211:5
Fis 410.02	RSA 206:10, I; RSA 211:4
Fis 410.03	RSA 206:10, I; RSA 211:4
Fis 410.05	RSA 206:10, I; RSA 211:4
Fis 410.06	RSA 206:10, I; RSA 211:4
Fis 410.07	RSA 206:10, I; RSA 211:4
Fis 502.07	RSA 206:10, I; RSA 214:35
Fis 503.05	RSA 206:10, I; RSA 211:16-b
Fis 1104.07	RSA 214:34-d
Fis 1203.01	RSA 214:1-e