

State of California
The Resources Agency
DEPARTMENT OF FISH AND GAME
1416 Ninth Street
Sacramento, California 95814

Inland Fisheries - Informational Leaflet No. 7

REGULATIONS GOVERNING CAPTURE, POSSESSION, TRANSPORTATION,
AND SALE OF LIVE FRESHWATER FISH FOR BAIT ¹

ANNUAL LICENSE REQUIRED

State laws require that all persons who, for profit, capture, possess, transport, or sell live freshwater fish, clams, or crayfish for bait obtain a Live Freshwater Bait Fish License. This license is not required for the possession and sale of dead bait.

The purpose of the bait fish laws and regulations is to safeguard California's fisheries resources and, at the same time, permit the use of minnows and invertebrates considered safe to the ecosystem. Undesirable bait fishes found outside of California pose a menace to our important fisheries resources. If established here, they compete for food with game and nongame fishes and prey on their eggs and young. The Department of Fish and Game expends large amounts of effort and resources to eradicate such fishes.

The use of minnows for bait is prohibited in all major trout areas.

In general, live fin fish for sale as bait must be obtained from registered aquaculturists, except for longjaw mudsuckers, staghorn sculpins, and yellowfin gobies, which may be taken from the wild under a commercial fishing license. Additionally, bait fish licensees located within a one-mile land zone around Lake Tahoe may take from Lake Tahoe only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe.

HOW TO APPLY FOR A LIVE FRESHWATER BAIT FISH LICENSE

New or renewal applications, together with the license fee, should be mailed to the License and Revenue Branch, 1740 N. Market Street, Sacramento, California 95834. The application will be forwarded to the appropriate region for approval. Please allow four to six weeks for processing.

¹ Prepared by Fisheries Branch, September 2001; revision June 2008.

Applications may be obtained from the offices listed below or on the Internet at <http://www.dfg.ca.gov/licensing/>. For licensing information call (916) 928-5822.

FISH AND GAME OFFICES (AND COUNTIES REPRESENTED)

NORTHERN REGION (1)	
601 Locust Street Redding, CA 96001 (530) 225-2300	Del Norte, Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou, Tehama, & Trinity
NORTH CENTRAL REGION (2)	
1701 Nimbus Road Rancho Cordova, CA 95670 (916) 358-2900	Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Nevada, Placer, Plumas, Sierra, Sutter, Yuba and the portions of Sacramento, San Joaquin and Yolo counties that are north of I-80 and east of I-5
BAY-DELTA REGION (3)	
7329 Silverado Road Napa, CA 94558 (707) 944-5500	Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Santa Cruz, San Francisco, Solano, Sonoma and the portions of Sacramento, San Joaquin and Yolo counties that are south of I-80 and west of I-5
CENTRAL REGION (4)	
1234 East Shaw Avenue Fresno, CA 93710 (559) 243-4005	Fresno, Kern, Kings, Madera, Mariposa, Monterey, Merced, San Benito, San Luis Obispo, Stanislaus, Tulare and Tuolumne
SOUTH COAST REGION (5)	
3883 Ruffin Road San Diego, CA 92123 (858) 467-4201	Los Angeles, Orange, San Diego, Santa Barbara and Ventura
INLAND DESERTS REGION (6)	
3602 Inland Empire Boulevard, Suite C-220, Ontario, CA 91764 (909) 484-0167	Imperial, Inyo, Mono, Riverside and San Bernardino
LICENSE AND REVENUE BRANCH	1740 N. Market Street, Sacramento, CA 95834 (916) 928-5805

Special Regulations Regarding The Commercial Take Of Crayfish For Bait. In addition to the Live Freshwater Bait Fish License, a special permit is required for the commercial take of crayfish for bait. For regulations concerning commercial crayfish fishing and an application for the permit, request a copy of Informational Leaflet No. 31, available at one of the office in the table above or on the Internet at <http://www.dfg.ca.gov/licensing/>.

IMPORTATION OF LIVE BAIT FISH

Permits Required. An Importation Permit is needed to import live aquatic plants or animals into California. The application for an Importation Permit must reach the Department at least 10 working days in advance of the arrival date of the shipment.

Disease Inspection. All live freshwater fish and other aquatic animals brought into California, whether wild-caught or produced by an aquaculturist, may be inspected by the Department for diseases and parasites. The inspections may take place at the border or at locations with suitable facilities for holding and sorting live bait. The importer must pay inspection costs (salary and travel expenses of the inspector while on the inspection) and is responsible for providing facilities for inspecting and sorting the animals.

For regulations concerning the importation of live freshwater fish and the applications and procedures for obtaining permits, request a copy of Inland Fisheries Informational Leaflet No. 36, available at Department Headquarters or any of the six regional offices.

What species may be approved on a Live Freshwater Bait Fish License?

Limitations on species are provided by Section 200.13 of Title 14, California Code of Regulations, which states that "...a live freshwater bait fish licensee may possess or sell only those legally acquired bait species approved for use by sport fishermen in the sport fishing district or portion of sport fishing district in which the licensee is located" (see sections 4.10 through 4.30). Consult these sections, which are presented verbatim in the Appendix of this leaflet, for further information. Also, the following table (pages 5 and 6) lists all bait fish species approved for live use in California, by area where they are approved. No other bait fish species may be transported or sold under the provisions of a Live Freshwater Bait Fish License.

CALIFORNIA SPORT FISHING DISTRICTS



**SUMMARY OF SECTIONS 4.10-4.30
(SPECIES ALLOWED FOR LIVE BAIT USE IN INLAND CALIFORNIA WATERS,
BY REGULATION DISTRICT)**

SPECIES	SOUTHERN DISTRICT	COLORADO RIVER DISTRICT	VALLEY AND SOUTH CENTRAL DISTRICTS *	NORTH CENTRAL DISTRICT**	SIERRA AND NORTH COAST DISTRICTS
golden shiner	Prohibited, except in San Diego County	Allowed	Allowed*	Allowed**	Prohibited, except in Shasta Lake
red shiner	Prohibited, except in San Diego County	Allowed	Prohibited, except in the Valley District north of I-580 and Hwy 132	Allowed**	Prohibited, except in Shasta Lake
fathead minnow	Prohibited	Allowed	Allowed*	Allowed**	Prohibited, except in Shasta Lake
mosquitofish	Prohibited	Allowed	Allowed*	Allowed**	Prohibited, except in Shasta Lake
longjaw mudsucker	Allowed	Allowed	Allowed*	Allowed**	Prohibited
threadfin shad	Allowed only at the location where taken	Allowed	Allowed only at the location where taken	Allowed only at the location where taken	Prohibited, except in Shasta Lake
inland silverside	Prohibited	Prohibited	Allowed only at the location where taken	Allowed only at the location where taken	Prohibited
lamprey	Prohibited	Prohibited	Allowed only at the location where taken	Allowed only at the location where taken	Prohibited
staghorn sculpin	Prohibited	Prohibited	Allowed*	Allowed**	Prohibited
yellowfin goby	Prohibited in all inland waters, except in the in the lower Feather, Yuba, San Joaquin and Sacramento rivers and the delta (see subsection (a) (4) of Section 4.20 for specific boundaries of this area). Also, in this area, anglers may use, in the water where taken, any other species, except trout and salmon, obtained by angling or other approved bait fish capture methods.				

SPECIES	SOUTHERN DISTRICT	COLORADO RIVER DISTRICT	VALLEY AND SOUTH CENTRAL DISTRICTS	NORTH CENTRAL DISTRICT	SIERRA AND NORTH COAST DISTRICTS
carp	Prohibited	Allowed only at the location where taken	Prohibited	Prohibited	Prohibited
goldfish	Prohibited	Allowed	Prohibited	Prohibited	Prohibited
sunfish	Prohibited	Allowed	Prohibited	Prohibited	Prohibited
molly	Prohibited	Allowed	Prohibited	Prohibited	Prohibited
sargo	Prohibited	Allowed	Prohibited	Prohibited	Prohibited
bairdiella	Prohibited	Allowed	Prohibited	Prohibited	Prohibited
tilapia	Prohibited in all inland waters, except (1) in the Salton Sea within the area bounded by Highway 111 on the north and east and Highway 86 on the west and south, and (2) in the Colorado River and its backwaters within the area bounded by Palo Verde Diversion Dam south to the Morelos Dam				
Lahontan redbside, tui chub, Tahoe sucker, Lahontan speckled dace, mountain sucker and Paiute sculpin	Prohibited, except that in all inland waters, except in Donner, Fallen Leaf and Tahoe lakes, where they allowed for use in the same lake where taken.				
crayfish	Allowed in all inland waters, except prohibited in the Pit River and all tributaries between Pit 3 Dam (Lake Britton) and the Fall River-Cassel Road Bridge at Fall River Mills, California (includes Hat Creek and Fall River and their tributaries).				
waterdogs	Use of waterdogs and other salamanders for bait is prohibited Statewide.				

* No fin fish may be used for bait in Keller Lake (Glenn County), Letts Lake (Colusa County), Merced Lake (San Francisco County), Upper and Lower Plaskett Meadow Ponds (Glenn County), and Whale Rock Reservoir (San Luis Obispo County)

** No live fin fish may be used in Stafford Lake (Marin County), the Eel River and its tributaries, or in any body of water in Mendocino County except Lake Mendocino.

PLEASE READ THESE REGULATIONS CAREFULLY BEFORE YOU APPLY FOR A LICENSE AND A PERMIT.

FISH AND GAME CODE SECTIONS REGARDING THE COMMERCIAL USE OF LIVE BAIT

8460. Any person engaged for profit in the taking, transporting, or selling of live fresh-water fish for bait shall first obtain from the department a live fresh-water bait fish license to possess the fish for those purposes. The commission may prescribe regulations governing these licenses. A license shall be issued for a calendar year, or, if issued after the beginning of such term, for the remainder thereof, and may be revoked for a violation of the terms thereof. Such a license is not required for the raising, possession, or sale of live fresh-water fish for bait under authority of Division 12 (commencing with Section 15000). The provisions of this code on commercial fishing, packing, or processing licenses, on reports by persons engaged in the commercial fish industry, and on statements required by owners or operators of fishing boats, do not apply to the taking, transporting, or selling of live fresh-water fish for bait.

8461. The annual license fee for a live freshwater bait fish license is fifty-five dollars (\$55) for each person.

8462. A license issued under Section 8460 shall authorize the taking of only golden shiners, fathead minnows and such other species as the department may designate, under such regulations as the commission may prescribe. The commission may prohibit in any part or all parts of the State the possession alive of any species of fish which it considers a potential threat to the fisheries of the State by reason of possible escape and establishment.

8463. Traps not over 24 inches in greatest length nor more than 12 inches in greatest depth or width, or seines of not over 1/2-inch mesh stretched measure and not more than 4 x 30 feet in size, may be used for the taking of fish of the carp and minnow family (family Cyprinidae), suckers (family Catostomidae), sculpins (family Cottidae), or mosquito fish (genus Gambusia). Such traps may be used only in lakes and impounded waters. Such seines may be used only in lakes, impounded waters, and conduits. Fish taken as provided in this section may be sold only as bait. Fish other than those named in this section that may be taken in such traps or seines shall be released and returned unharmed to the water wherein taken.

8475. Notwithstanding Section 200, the commission shall regulate the taking of freshwater clams for commercial purposes.

8490. No crayfish taken from Lake Tahoe or the Lake Tahoe Basin may be sold or purchased.

8491. The taking of crayfish shall be subject to such regulations as the commission may prescribe.

8492. The department shall take the steps it determines are necessary to prevent overfishing of crayfish in the Sacramento-San Joaquin Delta. Those steps may include, but are not limited to, submitting to the Legislature proposed legislation to place limitations on the commercial crayfishing in that area.

9020. (a) Subject to Section 8400, California killifish (*Fundulus parvipinnis*), mudsuckers (*Gillichthys mirabilis*), yellowfin gobies (*Acanthogobius flavimanus*), shiner perch (*Cymatogaster aggregata*), and staghorn sculpin (*Leptocottus armatus*) may be taken with baitfish traps under a general trap permit issued pursuant to Section 9001.

(b) A baitfish trap shall not exceed 12 inches in width, 12 inches in height, and 36 inches in greatest length with entrance at small ends of funnels or fykes not to exceed 2 inches in diameter.

9022. (a) Notwithstanding Section 9000, traps used to take fin fish may not be used in Districts 10, 11, and 12, except for bait fish traps as provided for in Sections 8400 and 9020.

(b) Except as otherwise provided in subdivision (a), all marine species of fin fish subject to Section 8403

may be taken with one or more fin fish traps as prescribed by the commission under a general trap permit issued pursuant to Section 9001.

9023. (a) Traps may be used throughout the year to take carp in any district under the restrictions set forth in subdivision (b).

(b) Traps shall not exceed six feet in greatest dimension. They shall be made of cotton or nylon twine. Meshes shall not be less than three and one-half inches in length, except that fyke and bait bags may be any size mesh. Traps shall have only a single vertical fyke opening at the top of the trap. They shall be baited only with grain or grain products. Fish other than carp taken in traps subject to this section shall be immediately returned to the water.

9024. Crayfish traps may be used at any time in any district to take crayfish only. Traps shall not exceed three feet in greatest dimension. Any other species taken with crayfish traps shall be returned to the water immediately. The commission may prohibit the use of crayfish traps which will injure fish or which will entrap unnecessarily large numbers of fish other than crayfish.

TITLE 14 SECTIONS REGARDING THE USE OF BAIT

4.00. Bait - General.

Legally acquired and possessed invertebrates, mollusks, crustaceans, amphibians (except salamanders), fish eggs and treated and processed foods may be used for bait, except:

- (a) No species specified as endangered, threatened, candidate, fully-protected, or otherwise protected under state and federal law may be used as bait.
- (b) No salamander may be used as bait. See section 5.05 for other amphibians that may be used as bait.
- (c) See Section 5.35 for restrictions on crayfish;
- (d) See Section 7.50(b)(74) for restriction on bait collecting on Hat Creek;
- (e) No trout may be maintained or possessed in a live condition in any container on or attached to any boat;
- (f) Except for restrictions listed under special regulations, dead ocean fish may be used as bait statewide. This section supersedes the provisions of sections 4.10, 4.15, 4.20, 4.25 and 4.30.

4.10. Bait Fish Use in the Southern District.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Southern District:

- (a) Dead threadfin shad and live or dead longjaw mudsucker may be used in all Southern District waters.
- (b) Live threadfin shad may be used only at the location where taken.
- (c) Golden shiner and red shiner may be used in San Diego County.

4.15. Bait Fish Use in the Colorado River District.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Colorado River District:

- (a) Live or dead golden shiner, fathead minnow, red shiner, mosquitofish, longjaw mudsucker, threadfin shad, goldfish, sunfish, molly, and dead carp may be used in all Colorado River District waters.
- (b) Live carp may be used only at the location where taken.
- (c) Tilapia may be used in the Salton Sea, and may be taken for bait only within the area bounded by Highway 111 on the north and east and Highway 86 on the west and south (except as in subsection (d) below).
- (d) Tilapia may be taken and used for bait in the Colorado River and its associated backwaters only within the area bounded by Palo Verde Diversion Dam south to the Morelos Dam.

4.20. Bait Fish Use in the Valley and South Central Districts.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Valley

or South Central District:

- (a) Live or dead golden shiner, fathead minnow, mosquitofish, longjaw mudsucker, and staghorn sculpin, and dead threadfin shad, Mississippi silverside and lamprey may be used in all Valley and South Central District waters except those listed in subsection (f) below.
- (b) Red shiner may be used only in the Valley District north of Interstate 580 and Highway 132.
- (c) Yellowfin gobies may be used in the Valley District only in those areas described in subsections (d)(1)-(3) below.
- (d) In addition, except for trout and salmon, fin fish lawfully taken in the following waters by angling or with bait fish methods approved in Section 4.05 may be used only in the waters where taken:
 - (1) Carquinez Strait and Suisun Bay and their tributaries and saltwater tributaries.
 - (2) Sacramento River and tidewater of tributaries downstream from the Highway 32 bridge near Hamilton City, Feather River downstream from the Oroville Hatchery Fish Barrier Dam, Yuba River downstream from Daguerre Point Dam, and American River downstream from Nimbus Dam.
 - (3) San Joaquin River and tidewater of tributaries downstream from Interstate 5 bridge.
- (e) Live threadfin shad, Mississippi silverside and lamprey may be used only at the location where taken.
- (f) Fin fish may not be used in Keller Lake (Glenn Co.), Letts Lake (Colusa Co.), Merced Lake (San Francisco Co.), Upper and Lower Plaskett Meadow Ponds (Glenn Co.), Whale Rock Reservoir (San Luis Obispo Co.).

4.25. Bait Fish Use in the North Central District.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the North Central District:

- (a) Golden shiner, fathead minnow, red shiner, mosquitofish, longjaw mudsucker and staghorn sculpin may be used in Napa and Sonoma counties, in Marin County except for Stafford Lake, in Lake County except for the Eel River and its tributaries, and in Lake Mendocino (Mendocino Co.).
- (b) Live threadfin shad, Mississippi silverside and lamprey may be used only at the location where taken.

4.30. Bait Fish Use in the Sierra and North Coast Districts.

Except as provided below, live or dead fin fish shall not be used or possessed for use as bait in the Sierra and North Coast Districts.

- (a) In Donner, Fallen Leaf and Tahoe lakes Lahontan redbreast, tui chub, Tahoe sucker, Lahontan speckled dace, mountain sucker and Paiute sculpin may be used only in the same lake where taken.
- (b) In Shasta Lake only golden shiner, red shiner, fathead minnows, mosquitofish and threadfin shad may be used or possessed for use as bait.
- (c) Crayfish shall not be used for bait in the Pit River and all tributaries between Pit 3 Dam (Lake Britton) and the Fall River-Cassel Road Bridge at Fall River Mills, California (includes Hat Creek and Fall River and their tributaries).

5.20. Clams, Freshwater.

- (a) Open season: All year, except for closures listed under special regulations.
- (b) Limit: Fifty pounds (in the shell).
- (c) Methods of take: Freshwater clams may be taken only by hand, or by spade, shovel, hoe, rake or other appliance operated by hand.
- (d) The season closures in Chapter 3 (District Trout and Salmon Special Regulations) do not apply to freshwater Clam fishing (see sections 7.00 and 7.50(a)(2)).

5.35. Crayfish.

- (a) Open season: All year, except for closures listed in subsection (d) of this Section.
- (b) Limit: No limit.
- (c) Methods of take: Crayfish may be taken only by hand, hook and line, dip net or with traps not over three feet in greatest dimension. Any other species taken shall be returned to the water immediately. Traps need not be closely attended.

(d) Closures for Protection of Shasta Crayfish: Fall River upstream of Spring Creek Bridge, Lava Creek, Tule River and all connected waters upstream of Little Tule River, Sucker Springs Creek, Crystal Lake, Rising River and Rising River Lake are closed to take and possession of crayfish. (See Section 4.30 for prohibition against crayfish use for bait in sections of the Pit River).

(e) The season closures in Chapter 3 (District Trout and Salmon Special Regulations) do not apply to crayfish fishing with methods other than hook and line (see sections 7.00 and 7.50(a)(2)).

5.40. Lamprey.

(a) Open season: All year, except for closures listed under special regulations.

(b) Limit: No limit.

(c) Methods of take: Lamprey may be taken only by hand, hook, spear, bow and arrow fishing tackle, dip net or traps not over three feet in greatest dimension. Any other species taken shall be returned to the water immediately. Traps need not be closely attended.

(d) The season closures in Chapter 3 (District Trout and Salmon Special Regulations) do not apply to lamprey fishing with methods other than hook and line (see sections 7.00 and 7.50(a)(2)).

Trout and Salmon Regulation for Hat Creek, subsection (b)(74) of Section 7.50:

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag and Possession Limit</i>
Hat Creek (Shasta Co.) from Lake Britton upstream to Baum Lake, exclusive of the concrete Hat No. 2 intake canal between Baum Lake and the Hat No. 2 Powerhouse.	Last Saturday in Apr. through Nov.15. Minimum size limit: 18 inches total length. Only artificial lures with barbless hooks may be used. Aquatic invertebrates of the orders Plecoptera (stoneflies), Ephemeroptera (mayflies) and Trichoptera (caddisflies) may not be taken or possessed.	2

200. Application Procedure for Live Freshwater Bait Fish License.

Application for live freshwater bait fish license shall be made on the departmental form and submitted with the statutory fee to one of the department's regional offices (Redding, Rancho Cordova, Yountville, Fresno and San Diego and Ontario).

200.10. Sale and Transfer of Live Freshwater Bait Fish License.

Live freshwater bait fish licenses shall not be resold or transferred.

200.11. Requirements for Obtaining Live Freshwater Bait Fish License.

A live freshwater bait fish license shall not be issued unless the application contains a statement signed by the applicant stating that he has read, understands, and agrees to be bound by these regulations and by all the terms of the license.

200.12. Live Freshwater Bait Fish License for Retail Live Bait Outlets.

A live freshwater bait fish license is required for each live bait outlet and the specific location must be shown on the license. Such license is required in order to possess or sell live freshwater fin fish, live waterdogs (as defined in subsection 200.31(c)) and live freshwater crayfish for use as bait in inland waters.

200.13. Species Which Live Freshwater Bait Fish Licensees May Possess or Sell.

Except as provided below, a live freshwater bait fish licensee may possess or sell live only those legally acquired bait species approved for use by sport fishermen in the sport fishing district or portions of sport fishing district in which the licensee is located (see sections 4.10 through 4.30). Licensees located in districts adjacent to ocean waters and within five miles of ocean waters may possess and sell live bait species which may be used in ocean districts.

Bait fish licensees located within a one-mile wide land zone around Lake Tahoe may possess and sell only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe. Such fish shall not be transported from this Lake Tahoe zone.

200.29. Sources of Live Freshwater Bait Fish for Commercial Purposes.

(a) Sources of live fin fish for bait are limited to the following:

(1) Fish reared by a registered aquaculturist.

(2) The following species taken under the authority of a commercial fishing license:

(A) Longjaw mudsucker (*Gillichthys mirabilis*)

(B) Staghorn sculpin (*Leptocottus armatus*)

(C) Yellowfin gobies

(3) Bait fish licensees located within a one-mile wide land zone around Lake Tahoe may take from Lake Tahoe only those species of fin fish which sport fishermen may take directly from Lake Tahoe and use for bait in Lake Tahoe.

(b) Freshwater clams and freshwater crayfish for live bait purposes may be taken only under the authority of a live freshwater bait fish license. Crayfish taken for live bait purposes shall be taken pursuant to Section 116, Title 14, CCR.

200.31. Species Prohibited for the Purpose of Commercial Bait Sales.

The following species are prohibited for the purpose of commercial bait sales:

(a) Yellowfin gobies, except that yellowfin gobies may be sold as bait only in those areas within the Valley District described in Section 4.20(a)(4)(A), (B) and (C) of these regulations.

(b) Tilapia, except that tilapia may be sold as bait only in that area of the Colorado River District bounded by Highway 111 on the north and east and Highway 86 on the west and south.

(c) Salamanders.