

Tennessee Wildlife Resources Commission

Proclamation 08-16
Amendment To Proclamation 08-01
Statewide Proclamation On The
Commercial Taking Of Fish And Turtles

Pursuant to the authority granted by Title 70, Tennessee Code Annotated, and Sections 70-4-107 and 70-4-119 thereof, the Tennessee Wildlife Resources Commission proclaims the following amendment to Proclamation 08-01:

In Section III., Subsection B:

Delete: "Paddlefish or parts thereof shall not be taken during the periods in the table below, nor shall they be possessed during these periods unless they were previously taken during a legal taking season."

Delete table below regarding paddlefish seasons:

Waterbody	Closed Period
Mississippi River	April 1 to November 14
All other waters open to commercial paddlefish harvest	April 8 to November 14

Delete "paddlefish or" and "these" from: "Those persons possessing paddlefish or sturgeon or parts thereof during these closed periods must have in their possession receipts denoting pounds of flesh or eggs (or both if applicable) in their possession, name and address of supplier/fishermen, the name of the water body from which fish were harvested, and date of harvest or date obtained."

Delete: "From November 15, 2005 through April 7, 2008 paddlefish must be 36" or larger eye to fork length, from April 8, 2008 through November 14, 2009 paddlefish must be 37" or larger eye to fork length, and after November 15, 2009 paddlefish must be 38" or larger eye to fork length to be legal for harvest from all waters except the Mississippi River. Paddlefish must be 34 inches or larger eye to fork length to be legal for harvest from the Mississippi River."

Delete "Paddlefish less than the appropriate minimum eye to fork length limit and" from "Paddlefish less than the appropriate minimum eye to fork length limit and shovelnose sturgeon smaller than 24 inches or greater than 32 inches must be returned immediately to the water."

Delete Section III., Subsection K in its entirety and renumber the remaining subsections accordingly:

- K. Paddlefish larger than the appropriate minimum eye to fork length limit can be blocked (with the tail remaining on the fish) prior to sale if the fish also meets the appropriate minimum block length (as measured along side of the fish from the fork of the tail to the edge of the skin behind the gill arch) limit. The minimum block length limit for each minimum eye to fork length limit is reported in the table below. Blocked fish must be larger than both the minimum eye-to-fork length limit and the minimum block length limit. Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed

out-of-state, paddlefish carcasses may not be altered in such a manner that the eye to fork length or the block length of the fish can not be determined.

If the minimum eye to fork length is:	Then the minimum block length is:
34 inches	25 inches
36 inches	27 inches
37 inches	27 inches
38 inches	28 inches
40 inches	30 inches

So that, as amended, Section III reads:

SECTION III. GENERAL PROVISIONS

- A. Fish and turtles classified as endangered, threatened, or in need of management as proclaimed by the Wildlife Resources Commission may not be taken.
- B. The following fish species may be taken and sold commercially year-round unless otherwise restricted by this proclamation, other Tennessee Wildlife Resources Commission proclamations or rules, or Tennessee Code Annotated.

<u>Common Name</u>	<u>Scientific Name</u>
▲ Shovelnose sturgeon	Scaphirhynchus platyrhynchus (Rafinesque)
◆ ▲ Paddlefish	Polyodon spathula (Walbaum)
Spotted gar	Lepisosteus oculatus (Winchell)
Longnose gar	Lepisosteus osseus (Linnaeus)
Shortnose gar	Lepisosteus platostomus Rafinesque
Bowfin	Amia calva Linnaeus
Skipjack herring	Alosa chrysochloris (Rafinesque)
Gizzard shad	Dorosoma cepedianum (Lesueur)
Threadfin shad	Dorosoma petenense (Guenther)
Grass carp	Ctenopharyngodon idella (Valenciennes)
Common carp	Cyprinus carpio Linnaeus
Silver carp	Hypophthalmichthys molitrix (Valenciennes)
Bighead carp	Hypophthalmichthys nobilis (Richardson)
River carpsucker	Carpionodes carpio (Rafinesque)
Quillback	Carpionodes cyprinus (Lesueur)
White sucker	Catostomus commersoni (Lacepede)
Smallmouth buffalo	Ictiobus bubalus (Rafinesque)
Bigmouth buffalo	Ictiobus cyprinellus (Valenciennes)
Black buffalo	Ictiobus niger (Rafinesque)
Spotted sucker	Minytrema melanops (Rafinesque)
Silver redhorse	Moxostoma anisurum (Rafinesque)
Golden redhorse	Moxostoma erythrurum (Rafinesque)
Black bullhead	Ameiurus melas (Rafinesque)
Yellow bullhead	Ameiurus natalis (Lesueur)
Brown bullhead	Ameiurus nebulosus (Lesueur)
◆ Blue catfish	Ictalurus furcatus (Lesueur)
Channel catfish	Ictalurus punctatus (Rafinesque)
Flathead catfish	Pylodictis olivaris (Rafinesque)
Freshwater drum	Aplodinotus grunniens Rafinesque
Yellow bass	Morone mississippiensis Jordan, Eigenmann

- ◆ The taking and possession of blue catfish and paddlefish from Cherokee Reservoir by commercial fishing methods is prohibited.
- ▲ Shovelnose sturgeon or parts thereof shall not be taken during the period from May 16 through October 14, nor shall they be possessed during this period unless they were previously taken during a legal taking season. Those persons possessing sturgeon or parts thereof during closed periods must have in their possession receipts denoting pounds of flesh or eggs (or both if applicable) in their possession, name and address of supplier/fishermen, the name of the water body from which fish were harvested, and date of harvest or date obtained. Shovelnose sturgeon must be larger than 24 inches and smaller than 32 inches from the tip of the snout to the fork of the tail to be legal for harvest. Shovelnose sturgeon smaller than 24 inches or greater than 32 inches must be returned immediately to the water. Paddlefish may not be possessed alive away from the harvested waters. Any paddlefish and/or shovelnose sturgeon from which eggs are taken must be kept. The cutting or mutilation of paddlefish to check for eggs is prohibited except that a stainless steel 12-gauge needle may be inserted into the abdomen between the pectoral and pelvic fins to determine the presence of eggs. This needle and syringe device must be on board every roe fishing vessel and kept in a sanitary manner. A 2-inch portion of ovary (including some eggs) must remain attached to each harvested paddlefish until the fish and eggs are received by a licensed Wholesale Roe Fish Dealer. Paddlefish eggs removed from ovaries must be kept in separate containers - eggs from one fish only per container. Shovelnose sturgeon must remain whole and the eggs must remain in each harvested shovelnose sturgeon while on the water or immediately adjacent to the water where harvested.
- C. Only the Common Snapping Turtle, *Chelydra serpentina serpentina*, with a carapace (upper shell) length of at least 12 inches, measured front to back, may be taken year-round and statewide without limit by any legal commercial fishing method.
- D. Only at Reelfoot Wildlife Management Area, all sizes and species of turtles except the box turtles and those covered in Item A. above may be taken by any legal commercial fishing method.
- E. Commercial fishing gear is prohibited within 1,000 yards downstream of any TVA or Corps of Engineers Dam, within 300 yards of any commercial boat dock or resort, or within 100 yards of the mouth of any stream, river, or inlet at any time. For purposes of this proclamation, wingwalls and lock walls are considered to be a part of the "dam", and measurements will be made from their downstream end.
- F. No catfish less than 8 inches in length may be kept alive. The commercial harvest of catfish greater than 34 inches in length is restricted to those commercial fishers holding license types 100, 101, and 103 and may not exceed one (1) catfish per day greater than 34 inches in length. The possession limit of catfish greater than 34 inches is two (2).
- G. Gill nets, trammel nets, turtle traps, and trotlines must be checked at least once every 24 hour period. Other types of commercial fishing gear must be checked at least once every 72 hour period. Each time a gear is checked, any and all species must be removed from the net.
- H. Hoop nets, fyke nets, trap nets, and pound nets with a mesh size of one (1) inch or smaller on the square may be fished only during the months of October, November, December, January, February, March, and April, except the Mississippi River, which is open year-round.
- I. A fish seine may be used in private waters and in waters which are replenished by overflows from the Mississippi, Tennessee, Obion, Hatchie, Wolf, Loosahatchie, and

Forked Deer rivers, but which during the dry season of the year have no outlet to these rivers. Fish seines as defined in this proclamation may be used in the dewatering areas of Kentucky Reservoir.

- J. No commercial fishing gear shall be set so as to extend more than three-quarters (3/4) across any stream, river, chute, or embayment.
- K. Prior to sale to an in-state wholesale fish dealer's business or prior to being marketed out-of-state, shovelnose sturgeon carcasses may not be altered in such a manner that the length of the fish may not be determined.
- L. Commercially harvested paddlefish and sturgeon or parts thereof taken from the waters of the state and sold in-state must be marketed to a licensed wholesale fish dealer who has a valid Wholesale Roe Fish Permit, Supplemental.

Proclamation 08-16 received and recorded this 8th day of October, 2008 to be effective this 7th day of November, 2008. (FS 10-06-08; DBID 10-06)