

# PROPOSALS TO BE CONSIDERED FOR ESTABLISHING MODEL FRESHWATER COMMERCIAL FISHING REGULATIONS IN THE SOUTHERN STATES

By JOHN R. CONDER and DR. GLENN GENTRY  
*Tennessee Game and Fish Commission*

In the states where freshwater commercial fishing is valuable as an industry that utilizes a renewable natural resource and also serves as a fish management tool, existing regulations need to be more uniform and liberal, especially in regard to rough fish removal projects in areas that are normally closed to all commercial fishing.

Proposals to be considered for the establishment of uniform regulations are confined to the more expensive and efficient types of commercial fishing gear and to the manner in which this gear should be fished.

Restrictions on trammel and gill nets, such as the maximum length of any one net, should be a distance that would correspond with the length (100-yard sections) in which such gear is normally purchased by fishermen from net companies. The leads and wings of fyke nets should be given similar consideration in respect to maximum length and minimum mesh size. Webbing mesh size for both trammel and gill nets should be the same, since the major difference between the two in freshwater areas is the presence of the large mesh walling on trammel nets. The mesh size of this walling should also have the same minimum mesh size as the webbing in trammel and gill nets, with no restriction on its maximum mesh size.

This uniformity in commercial fishing gear will enable a commercial fisherman to operate more efficiently by allowing him to use his gear, in which he has invested several thousand dollars, in harvesting commercial fishes in different states at the time they are most available.

The distance commercial fishing gear must be kept away from levees, stream mouths, below dams, and the portion of stream mouths that may be obstructed by commercial gear should also be uniformly regulated.

Adaptation of more uniform regulations through the south will result in a liberalization of commercial fishing regulations for some states, which will enable them to more fully realize the value of commercial fishing in rough fish removal projects.

The following recommended regulations are based on the information in Tables I through VI that contain the more important excerpts from the commercial fishing regulations of eighteen states actively involved in commercial fishing programs.

*Trammel Nets.* The minimum mesh size is three and one-half ( $3\frac{1}{2}$ ) inches \* for webbing and walling; no maximum mesh size for either webbing or walling.† The maximum length of net is 300 yards.

*Gill Nets.* The minimum mesh size is three and one-half ( $3\frac{1}{2}$ ) inches \*; no maximum mesh size.† The maximum length of net is 300 yards.

*Leads and wings.* The maximum length of leads and wings is 300 yards.

*Restricted Areas to Commercial Gear.* Below dams—300 yards; from stream mouths and levees—100 yards. Commercial fishing gear is not to obstruct more than one-half of any stream mouth.

*Rough Fish Removal Projects.* Non-resident commercial fishermen may be allowed to participate in rough fish removal projects in states normally closed to non-resident commercial fishermen.

\* Bar measure.

† A restriction on the maximum mesh size for trammel and gill nets often reduces the efficiency of this gear in taking large buffalo and catfish.

TABLE I

Table No. 1 - Trammel net regulations and charges required by states actively involved in commercial fishing programs for the year 1960.

State	Mesh Sizes (Bar Measure)		Maximum Length		Manner in which Gear is Fished	Distance Gear Must Remain From Special Areas or Structures	Charge for Each Piece of Gear			
	Min.	Max.	Yd.	Ft.			Resident		Non-Resident	
							Unit	Cost	Unit	Cost
Alabama	3 in.	None	None	None	8 (c)(d)	$\frac{1}{2}$ mi. below dams 100 yds. <sup>2</sup>	None	None	None	None
Arkansas	4 in.	None	None	None	8 (d) <sup>7</sup>	100 yd./dam <sup>1</sup>	100 yd.	\$12.50 <sup>3</sup>	None	None
Illinois	2 in.	None		100	8 (d)	300 yds. <sup>1</sup>	100 ft.	\$ 3.00	100-300 ft.	\$40.00
Indiana					Not Used in State					
Kansas	2 in.	None	None	None	8 (d)	300 yds. from stream mouth	None	None	None	None
Kentucky	3 $\frac{1}{2}$ in.	None	None	None	8 (d)	200 yds. <sup>2</sup>	100 ft.	\$ 1.00	100 ft.	\$ 1.00
Louisiana	3 in.	None	None	None	8 (d)	1,000 yds.	100 yds.	\$ 5.00	None	None
Minnesota					Not Used in State					
Mississippi	3 in.	4 in.	1,000		8 (d)	150 feet from shore	1-200 yds.	\$12.50 5.00 <sup>3</sup>	None	None
Missouri	2 $\frac{1}{2}$ in.	2 $\frac{1}{2}$ in.	None	None	8 (d)	300 yds.	Each	\$20.00	Each	\$40.00
Montana					Contract Only					
Nebraska	1 $\frac{1}{2}$ in.	None	None	None	8 (d)	300 yds. <sup>2</sup>	None	None	None	None
North Dakota					Not Used in State					
Oklahoma	3 in.	None	None	None	8 (a)	300 ft.	None	None	None	None
South Dakota	3 in.	None	None	None	8 (d)	Below dams <sup>5</sup>	None	None	None	None
Tennessee	3 in. 4 in.	16 in. None	300		8 (d)	300 yds. 1,000 yds. <sup>6</sup>	License Fee Only			
Texas					Regulations set up by Counties and locale					

1. Nets are not to obstruct half of stream mouth.
2. Below dams and stream mouth.
3. Each additional unit or fraction thereof.
4. Must be attended at all times.
5. Approximately five miles below dams.
6. One thousand yards below Tennessee Valley Authority Dams.
7. Drift sets in large rivers.
8. Manner in which gear is fished: (a) stationary sets (b) drift sets (c) whip or driven sets (d) no restrictions.

TABLE II

Table No. 2 - Gill net regulations and charges required by states actively involved in commercial fishing programs for the year 1960.

State	Mesh Sizes (Bar Measure)		Maximum Length		Manner in which Gear is Fished	Distance Gear Must Remain From Special Areas or Structures	Charge for Each Piece of Gear			
	Min.	Max.	Yd.	Ft.			Resident		Non- Resident	
							Unit	Cost	Unit	Cost
Alabama	3 in.	None	None	None	<sup>1</sup> (d)	$\frac{1}{2}$ mile 100 yds.	None	None	None	None
Arkansas	4 in.	None	None	None	<sup>1</sup> (d)	100 yds. below dams	100 yd.	\$12.50	None	None
Illinois	4 in.	None		100	<sup>1</sup> (a)(c)	300 yds. <sup>2</sup> * stream	100 ft.	\$ 3.00	100- 300 ft.	\$0.00
Indiana						Not Used in State				
Kansas	2 in.	None	None	None	<sup>1</sup> (d)	None	None	None	None	None
Kentucky	3 $\frac{1}{2}$ in.	None	None	None	<sup>1</sup> (d)	200 yds. <sup>4</sup>	100 ft.	\$ 1.00	100ft.	\$ 1.00
Louisiana	3 in.	None	None	None	<sup>1</sup> (d)	1,000 yds. 300 yds.	100 yd.	\$ 5.00	None	None
Minnesota	3 $\frac{1}{2}$ in.	None		1,000	<sup>1</sup> (a)	below dams	500 or 1,000	\$ 2.50 5.00	None	None
Mississippi	3 in.	4 in.	1,000		<sup>1</sup> (a)(c)	None	100- 200 yd.	\$12.00	None	None
Missouri						Not Used in State				
Montana						Contract Only				
Nebraska	1 $\frac{1}{2}$ in.	None	None	None	<sup>1</sup> (d)	300 yds. <sup>4</sup>	None	None	None	None
North Dakota						Not Used in State				
Oklahoma	3 in.	None	None	None	<sup>1</sup> (a)	300 ft. <sup>4</sup>	None	None	None	None
South Dakota	3 $\frac{1}{2}$ in.	None	None	None	<sup>1</sup> (d)	5 miles <sup>4</sup> 300 yds.	By Contract Only			
Tennessee	4 in.	None	300		<sup>1</sup> (a)(c)	1,000 yds. <sup>5</sup>	None	None	None	None
Texas						Regulations set up by Counties and Locale				

1. Manner in which gear is fished: (a) stationary sets (b) drift sets (c) whip sets (d) no restrictions.
2. Amount of stream mouth commercial gear is allowed to obstruct.
3. Amount charged for each additional unit or fraction thereof.
4. Distance gear must be below levees, dams and from stream mouths.
5. One thousand yards below Tennessee Valley Authority Dams.
6. Drift sets permitted in the Mississippi River and large rivers.

TABLE III

Table No. 3 - Hoop net regulations and charges required by states actively involved in commercial fishing programs for the year 1960.

State	Mesh Sizes (Bar Measure)		Maximum Length		Distance Gear Must Remain From Special Areas or Structures	Charge for Each Piece of Gear			
	Min.	Max.	Yds.	Ft.		Resident		Non-Resident	
						Unit	Cost	Unit	Cost
Alabama	2 in.	None	None	None	$\frac{1}{2}$ mile 100 yds.	None	None	None	None
Arkansas	2 $\frac{1}{2}$ in.	None	None	None	100 yds.	Each	\$ 2.50	Each	\$ 2.50
Illinois	1 $\frac{1}{2}$ in. <sup>1</sup>	None	None	None	300 yds.	First	\$ 5.00	First	\$10.00
Indiana	1 $\frac{1}{2}$ in.	None	None	None	100 feet	Each	\$ 3.00	Each	\$ 3.00
Kansas	2 in.	None	None	None	None	None	None	None	None
Kentucky	None	None	None	None	None	Each	\$ 1.00	Each	\$ 1.00
Louisiana	2 in.	None	None	None	None	Set of 15 nets	\$ 5.00	None	None
Minnesota					Not Used in the State				
Mississippi	3 in.	None	None	None	None	1-15 <sup>3</sup> Nets	\$ 5.00	None	None
Missouri	2 $\frac{1}{2}$ in.	2 $\frac{1}{2}$ in.	None	None	300 yards	First	\$ 5.00	First	\$12.00
Montana					By Contract Only				
Nebraska	1 $\frac{1}{2}$ in.	None	None	None	500 yards	None	None	None	None
North Dakota	None	None	None	None	300 yards 300 feet below dams	Each	\$ 5.00		
Oklahoma	3 in.	None	None	None	5 miles below dams	None	None	None	None
South Dakota	None	1 $\frac{1}{4}$ in.	None	None	300 yds. <sup>4</sup> below dams	Each	\$ 0.75	None	None
Tennessee	3 in.	None	None	None	1,000 yds. <sup>4</sup>	None	None	None	None
Texas					Regulations set up by Counties and Locals				

1. Minimum mesh size on Wabash River.
2. Charge for each additional piece of gear.
3. Plus one trot line and one snag line.
4. Commercial gear of any type is not to be fished within one thousand yards below Tennessee Valley Authority Dams.

**TABLE IV**

**Table No. 4 - Fyke net lead and wing regulations and charges required by states actively involved in commercial fishing programs for the year 1960.**

State	Mesh Sizes (Bar Measure)		Maximum Length		Manner in which Gear is Fished	Distance Gear Must Remain From Special Areas or Structures	Charge For Each Piece of Gear			
	Min.	Max.	Yd.	Ft.			Resident		Non-Resident	
							Unit	Cost	Unit	Cost
Alabama	2 in.	None	None	None	2 (a)	$\frac{1}{2}$ mile <sup>3</sup> 100 yds.	None	None	None	None
Arkansas	2 $\frac{1}{2}$ in.	None	None	None	2 (d)	100 yd. / dam	100 yd.	\$ 5.00	None	None
Illinois	1 $\frac{1}{2}$ in.	None	None	None	2 (a)(c)	300 yds.	First	\$ 5.00	First	\$10.00
Indiana	1 in.	None	200	None	2 (a)	100 ft.	Each	\$ 1.00	None	None
Kansas	2 in.	None	None	None	2 (a)	None	None	None	None	None
Kentucky	2 in.	None		20 ft.	2 (d)	2 yds.	Each	\$ 1.00	None	None
Louisiana						Not Used in the State				
Minnesota						Not Used in the State				
Mississippi	3 in.	None	35	None	2 (d)	None	1-15 nets <sup>5</sup>	\$ 5.00	None	None
Missouri						Not Used in the State				
Montana						By Contract Only				
Nebraska	1 $\frac{1}{2}$ in.	None	None	None	2 (d)	300 yds.	None	None	None	None
North Dakota	None	None	None	None	2 (d)	1,000 ft.	Each	\$ 5.00	None	None
Oklahoma	3 in.	None	None	None	2 (a)	300 ft.	License Fee	Not Allowed		
South Dakota	None	1 $\frac{1}{2}$ in.	None	None	2 (d)	5 miles <sup>3</sup>		By Contract Only		
Tennessee	3 in. <sup>6</sup>	None	None	50	2 (a)(c)	300 yds. <sup>4</sup> 1,000 yds.		License Fee Only		
Texas						Regulations set up by Counties and Locale				

1. Maximum wing length 20 feet, maximum lead length 100 feet.
2. Manner in which gear is fished: (a) stationary sets (b) drift sets, (c) whip or drive sets, and (d) no restrictions.
3. Below dams.
4. Commercial gear of any type is not to be fished within 1,000 yards of Tennessee Valley Authority Dams.
5. Plus one trot line and one snag line.
6. Twine size used in leads and wings must not be less than No. 7 in nylon and No. 9 in cotton.
7. Distance gear must be from stream mouth.
8. Amount charged for each additional unit or fraction thereof.

TABLE V

Table No. 5 - Seines, trot line, and snag line regulations and changes required by states actively involved in commercial fishing programs for the year 1960. Regulations governing where gear can be fished and similar to those controlling trammel and gill nets.

STATE	SEINE		TROT LINES		SNAG LINES
	Mesh-Size <sup>1</sup> (Bar Measure)	Charge per Unit of Gear	Number of Hooks	Distance Between Hooks	
Alabama	Not Listed		No Restrictions		
Arkansas	2½ in. <sup>3</sup>	100 yds. - \$12.00 <sup>2</sup>	Restricted 100 yds. below dams		
Illinois	1½ in. <sup>4</sup> 2½ in.	100 yds. - \$10.00 Non-resident \$20.00	100 or more	None	Not Listed
Indiana	2½ in.	100 yds. - \$10.00	Not Listed		
Kansas	2 in.	Not Listed	No Restrictions		Not Used
Kentucky	2 in.	100 ft. - \$1.00	No Restrictions		100 ft. - \$1.00
Louisiana	2 in.	100 yds. - \$5.00	Unlimited	2½ inches	Illegal
Minnesota	None	500 ft. - \$20.00	100 - Four Lines Only	None \$1.25 Each	Not Used
Mississippi	Not Listed		1,000 \$2.50 <sup>6</sup>	None	Same as Trot Line
Missouri	2½ in.	Non-Resident \$10.00	100 - \$5.00 \$2.00 <sup>2</sup>	2½ inches	Illegal
Montana	Contract Only				
Nebraska	1½ in.	None	Not Used		Not Used
North Dakota	None	50 ft. - \$5.00	10 - \$1.00	None	Illegal
Oklahoma	Not Legal		100	2½	Illegal
South Dakota	None	None <sup>5</sup>	Unlimited	None .25 Each Tag	.25 Each Tag
Tennessee	3/8 in.	None - Maximum Length - 10 ft.	No Restrictions		
Texas	Regulations Established by Individual Counties				
Virginia	3 in.	\$5.00 Permit	Not Listed	None	Illegal

1. Minimum mesh sizes.
2. For each unit of gear or fraction thereof.
3. Used during daylight only.
4. Seines of 1½ inch mesh have a maximum length of 100 feet, 2½ inch mesh seines have a maximum length of 1,500 feet.
5. Seine is not to exceed 30 feet in length or 4 feet in depth.
6. Charge for each line over two 100 hook lines.

TABLE VI

Table No. 6 - Commercial fishing license fees charged resident and non-resident fishermen desiring to fish in states actively involved in commercial fishing programs for the year 1960.

STATE	COMMERCIAL FISHING LICENSE			
	Resident	Fees <sup>1</sup>	Tags <sup>2</sup>	Non-Resident
Alabama	\$10.00	None	None	\$20.00
Arkansas	2.50	Yes	Yes	Open to Residents Only
Illinois		Yes	Yes	Special <sup>4</sup>
Indiana	2.50	Yes	Yes	16.00
Kansas	12.50	None	None	25.00
Kentucky	5.50	Yes	Yes	25.50
Louisiana	5.00	Yes	Yes	Issued for Marine Fishing Only
Minnesota		Yes	Yes	Open to Residents Only
Mississippi		Yes	Yes	Open to Residents Only
Missouri		Yes	Yes	Special <sup>4</sup>
Montana		Contract	Only	
Nebraska	15.00	Yes	Yes	15.00
North Dakota		Yes	Yes	
Oklahoma	50.00	None	None	Open to Residents Only
South Dakota		Yes	Yes	Contract <sup>3</sup>
Tennessee	15.00	None	Yes	50.00
Texas	2.00	Tags on Nets	Only	Contract <sup>3</sup>

1. Fees are charged for individual gear types.
2. Tags are required for each peice of gear.
3. Open to contract fishing of trammel and gill nets.
4. Special charges on individual gear for non-resident fishermen.

#### ACKNOWLEDGMENT

We wish to express our sincere appreciation to the states that have provided us with information that has been incorporated in this report, and to those states which also cooperated but are not mentioned.