

**RULES
OF
TENNESSEE WILDLIFE RESOURCES AGENCY
FISHERIES**

**CHAPTER 1660-01-30
COMMERCIAL FISHING AND WHOLESALE FISH DEALERS**

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1660-01-30-.01 LICENSES AND PERMITS.

- (1) A commercial fishing license is required by anyone engaging in commercial fishing. A commercial fisher with a valid Commercial Fishing License must be on board the vessel while commercial fishing for fish or turtles. Commercial fishers must have a valid commercial helpers permit for each person on board the vessel that is aiding or assisting in the act of commercial fishing.
- ~~(2) A commercial fisher with a valid Commercial Fishing License and a valid Commercial Roe Fish Permit, Supplemental must be on board the vessel while any part of a paddlefish or bowfin is harvested from the waters of the state. A maximum of sixty three (63) Resident Commercial Roe Fish Permits was established as those sold on or before November 1, 2014 during the 2014-2015 license year. The maximum number of Nonresident Commercial Roe Fish Permits sold shall be five (5). An individual who purchased a Resident Commercial Roe Fish Permit between March 1, 2006, and March 31, 2006, shall have priority to renew that permit by March 15 of each license year until he/she fails to renew such permit. An individual who purchased a Resident Commercial Roe Fish Permit between March 1, 2014 and November 1, 2014 shall have priority to renew that permit by March 15 of each license year until he/she fails to renew such permit. Priority status does not apply to nonresident permits. Beginning March 15, 2015, the number of Resident Commercial Roe Fish Permits will be reduced on a year by year basis to a maximum of forty (40) when/if the current maximum number is not purchased by March 15 of each license year. A wholesale fish dealer must have a valid Wholesale Fish Dealer's License and a valid Wholesale Roe Fish Permit, Supplemental to buy, hold, or sell any part of a paddlefish or bowfin.~~
- (2) An individual who purchased a Resident Commercial Roe Fish Permit between March 1, 2006, and March 31, 2006, shall have priority to renew that permit by March 15 of each license year until he/she fails to renew such permit. An individual who purchased a Resident Commercial Roe Fish Permit between March 1, 2014, and November 1, 2014, shall have priority to renew that permit by March 15 of each license year until he/she fails to renew such permit. Beginning March 15, 2015, the number of Resident Commercial Roe Fish Permits were reduced on a year-by-year basis to a maximum of forty (40) when/if the current maximum number is not purchased by March 15 of each year. Priority status does not apply to nonresident permits. Beginning July 1, 2023 through September 30, 2023, a regional Resident Mississippi River Roe Fish Permit - Supplemental, Non-Resident Mississippi River Roe Fish Permit - Supplemental, Resident West/Middle Tennessee Roe Fish Permit - Supplemental, Non-Resident West/Middle Tennessee Roe Fish Permit - Supplemental, Resident East Tennessee Roe Fish Permit - Supplemental and Non-Resident East Tennessee Roe Fish Permit - Supplemental will be sold to replace the existing Resident and Non-Resident Commercial Roe Fish Permit - Supplemental. Current Resident Commercial Roe Fish Permit - Supplemental(s) permittees will have priority to purchases one (1), two (2) or all three (3) of the regional resident roe fish permits. If the maximum number of each regional resident roe permit - supplemental is not purchased by September 30, 2023, any unsold regional resident roe fish permit - supplement will be sold via a drawing to be held on a single date to be determined by TWRA between October 1, 2023, through October 15, 2023. On October 15, 2023, a priority list for a Resident Mississippi River Roe Fish Permit - Supplemental, Resident West/Middle Tennessee Roe Fish Permit - Supplemental, Resident East Tennessee Roe Fish Permit -

Supplemental will be established. An individual who purchased a Resident Mississippi River Roe Fish Permit - Supplemental, Resident West/Middle Tennessee Roe Fish Permit - Supplemental, Resident East Tennessee Roe Fish Permit - Supplemental on or before October 15, 2023, shall have priority to renew that permit by July 31 of each year until he/she fails to renew such permit. The maximum number of Non-Resident Mississippi River Roe Fish Permit - Supplemental, Non-Resident West/Middle Tennessee Roe Fish Permit - Supplemental and Non-Resident East Tennessee Roe Fish Permit - Supplemental sold shall be three (3) in total. Non-Resident Roe Fishers can only purchase one (1) permit per individual.

Beginning July 31, 2024, the number of regional resident permittees will be reduced on a year-by-year basis to a maximum of fourteen (14) for the Mississippi River Roe Fish Permit - Supplemental, twenty four (24) for the West/Middle Tennessee Roe Fish Permit - Supplemental and twelve (12) for the East Tennessee Roe Fish Permit - Supplemental when/if the maximum number of any of the three (3) regional resident roe fish permit - supplemental(s) is not purchased from July 1 through July 31 of each year. A commercial fisher with a valid Commercial Fishing License and a valid Mississippi River Roe Fish Permit - Supplemental, West/Middle Tennessee Roe Fish Permit - Supplemental and East Tennessee Roe Fish Permit - Supplemental must be on board the vessel while any part of a paddlefish or bowfin is harvested from the waters of the state. A wholesale fish dealer must have a valid Wholesale Fish Dealer's License and a valid Wholesale Roe Fish Permit - Supplemental to buy, hold, or sell any part of a paddlefish or bowfin.

~~(3) A commercial fisher with a valid Commercial Fishing License and a Commercial Turtle Permit, Supplemental must be on board the vessel while any part of a turtle is harvested from the waters of the state. The maximum number of Resident Commercial Turtle Permits sold shall be thirty five (35) and the maximum number of Nonresident Commercial Turtle Permits sold shall be five (5). An individual who purchased a Commercial Turtle Permit between March 1, 2012, and October 15, 2012, shall have priority to renew that permit by March 15 of each year thereafter until he/she fails to renew such permit. Priority status does not apply to nonresident permits. A wholesale fish dealer must have a valid Wholesale Fish Dealer's License to buy, hold, or sell any part of a turtle.~~

(3) The maximum number of Resident Commercial Turtle Permits issued shall be thirty-five (35) and the maximum number of Non-Resident Commercial Turtle Permits issued shall be three (3). An individual who purchased a Commercial Turtle Permit between March 1, 2012, and October 15, 2012, shall have priority to renew that permit by March 15 of each year thereafter until he/she fails to renew such permit.

Beginning July 1, 2023, through September 30, 2023, a Resident Commercial Turtle Permit - Supplemental and Non-Resident Commercial Turtle Permit - Supplemental may be obtained to replace the existing Resident/Non-Resident Commercial Turtle Permit - Supplemental. Current Resident Turtle Permit - Supplemental permittees shall have priority to obtain the Resident Commercial Turtle Permit - Supplemental. If the maximum number of each Resident Commercial Turtle Permit - Supplemental is not obtained by September 30, 2023, all remaining Resident Commercial Turtle Permit - Supplemental(s) will be issued via a drawing to be held on a single date to be determined by TWRA between October 1, 2023, through October 15, 2023. On October 15, 2023, a priority list for Resident Commercial Turtle Permit - Supplemental will be established. An individual who purchased a Resident Commercial Turtle Permit - Supplemental on or before October 15, 2023, shall have priority to renew that permit by July 31 of each year until he/she fails to renew such permit. Priority status does not apply to non-resident permittee(s). A commercial fisher with a valid Commercial Fishing License and a Resident Commercial Turtle Permit - Supplemental must be on board the vessel while any part of a turtle is harvested from the waters of the state. A wholesale fish dealer must have a valid Wholesale Fish Dealer's License to buy, hold, or sell any part of a turtle.

(4) Commercially harvested paddlefish 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.

Authority: T.C.A. §§ 70-1-206 and 70-2-301. **Administrative History:** Original rules filed July 14, 2017; effective October 12, 2017.

1660-01-30-.02 REPORT REQUIREMENTS.

- (1) Commercial fishers and wholesale fish dealers must have a valid phone number and street address on file with TWRA at all times. Commercial fishers and wholesale fish dealers are required to submit daily and/or monthly reports as requested to the TWRA, except for commercial fishers with a commercial bow license that are only required to submit an annual report as instructed.
- (2) Commercial fishers are required to provide TWRA with requested information and samples for all fish or turtles (or parts thereof) which they harvest from Tennessee waters or import into Tennessee.
- (3) Requested information shall be reported on report forms provided by TWRA. These forms must be completed within 24 hours of harvest or importation and/or a completed Daily Commercial Roe Fish Harvest Report must be submitted to the wholesale fish dealer at time of transaction.
- (4) Paddlefish and bowfin harvest are only documented on the Daily Commercial Roe Fish Harvest Report.
- (5) All other commercial fish harvested are only documented on the Monthly Commercial Fishing Report and turtles harvested are only documented on the Monthly Commercial Turtle Reports.
- (6) Commercial fishers must notify TWRA on the appropriate form if they did not harvest fish or turtles (or parts thereof) during a month.
- (7) Wholesale fish dealers are required to provide TWRA with requested information and samples for all fish or turtles (or parts thereof) which they receive from commercial fishers, wholesale fish dealers, or nonresident equivalents. Wholesale transactions are reported on the Monthly Wholesale Fish Dealer Report.
- (8) Wholesale fish dealers must indicate the quantity of fish or turtles (or parts thereof) that they receive from a commercial fisher on reports issued by the commercial fisher and/or reports issued by TWRA.
- (9) The wholesale fish dealer must record the raw drained egg weight (0.01 pounds) for each individual fish received with eggs indicated. The raw drained egg weight is the weight of the eggs after rinsing and draining that is used to calculate the percentage of salt added that would yield the salted processed weight.
- (10) Wholesale fish dealers must sign and date these reports within 24 hours of receiving the product.
- (11) Wholesale fish dealers must satisfy the commercial fishing reporting requirements as instructed by TWRA for nonresidents who supply them with fish or turtles (or parts thereof) harvested out-of-state.
- (12) Wholesale fish dealers must notify TWRA on the appropriate form if they did not receive fish or turtles (or parts thereof) during a month.
- (13) Commercial fishers and wholesale fish dealers must retain a copy of all reports and forms for a period of two years, and make them available for inspection by TWRA.
- (14) Commercial fishers and wholesale fish dealers must contact the Fisheries Division within 5 days upon purchasing a license and request the required forms.

(Rule 1660-01-30-.02, continued)

- (15) Commercial fishers importing or exporting commercial fish or turtles (or parts thereof) into or out of Tennessee must have bills of lading denoting the quantity of product, name and address of supplier, name of water body from which product was harvested, and date of import/export.
- (16) A copy of the bill of lading must be in the possession of the person importing or exporting the product. Commercial fishers must retain a copy of each bill of lading for a period of two years, and make it available for inspection by TWRA.

Authority: T.C.A. §§ 70-1-206 and 70-2-301. **Administrative History:** Original rules filed July 14, 2017; effective October 12, 2017.

1660-01-30-.03 RESIDENT ROE FISH PERMIT/SUPPLEMENT APPLICATION AND DRAWING.

- ~~(1) Resident Roe Fish Permit/Supplement(s) (Type 108) will only be available if the number of permits sold by TWRA through March 15 of a given license year is less than forty (40). The number of permits available in this drawing process will equal the difference between forty (40) and the number sold through March 15.~~
- (1) A Resident Mississippi River Commercial Roe Fish Permit, Supplemental - Resident West/Middle Tennessee Commercial Roe Fish Permit - Supplemental and Resident East Tennessee Commercial Roe Fish Permit - Supplemental will only be available beginning in the year 2024 if the number of permits sold from July 1 through July 31 of each year is less than the maximum number for a Resident Mississippi River Commercial Roe Fish Permit – Supplemental, Resident West/Middle Tennessee Commercial Roe Fish Permit - Supplemental and Resident East Tennessee Commercial Roe Fish Permit - Supplemental. The number of permits available in this drawing process will equal the difference between each regional resident roe fish permits maximum number and the number sold by July 31 of each year. Between August 1 and August 15 of each year, priority Regional Resident Roe Fish Permit - Supplemental permittee(s) shall have the ability through a drawing to obtain any remaining permits not purchased by July 31 of each year. When/if a Resident Regional Roe Fish Permit - Supplement fall below the maximum number then whichever of the available Regional Resident Mississippi River Commercial Roe Fish Permit - Supplemental, Resident West/Middle Tennessee Commercial Roe Fish Permit - Supplemental and Resident East Tennessee Commercial Roe Fish Permit - Supplemental will be available for any resident commercial license holder via a drawing to be held on a single date to be determined by TWRA between October 1 through October 15 of each year.
- (2) Applicants must be residents of the State of Tennessee, possess a valid commercial fishing license (Types 100 or 101) at the time of the drawing, ~~and have had a valid commercial license (Type 100 or 101) for 6 months of the previous license year.~~
- (3) ~~The Resident Roe Fish Permit/Supplement~~ Resident Roe Fishing Permit – Supplement drawing will be announced by TWRA. On drawing day, participating applicants must appear in person at TWRA's Nashville office and complete an application supplied by TWRA between 9 a.m. and 11 a.m. (central time). One application is permitted per person. If more than one application is submitted by a person, then all applications from that individual will be excluded from the drawing.
- (4) Applicants who are randomly selected by TWRA must purchase ~~the Resident Roe Fish Permit/Supplement (Type 108)~~ one (1), two (2), or all three of the Regional Resident Permit – Supplement(s) within one hour. Selected applicants will be removed from the applicant pool for the duration of the drawing. Those failing to meet the purchasing requirements will forfeit the right to purchase the permit/supplement. A subsequent random drawing for the unpurchased roe fish permit/supplement will then occur from the remaining application pool.
- ~~(5) Those individuals that possess a Resident Roe Fish Permit/Supplement (Type 108) shall~~

~~have priority to renew that permit by March 15 of each license year until he/she fails to renew the permit.~~ Those individuals that possess any of the Regional Resident Roe Fish Permit - Supplemental(s) shall have priority to renew that permit from July 1 through July 31 of each year until he/she fails to renew the permit.

Authority: T.C.A. §§ 70-1-206 and 70-2-301. **Administrative History:** Original rules filed July 14, 2017; effective October 12, 2017.

1660-01-30-.04 RESIDENT TURTLE PERMIT - SUPPLEMENT APPLICATION AND DRAWING.

- (1) Resident Commercial Turtle Permit - Supplement will only be available beginning in the year 2024 if the number of permits issued from July 1 through July 31 of each year is less than thirty five (35) Resident Commercial Turtle Permit - Supplement. The number of permits available in this drawing process will equal the difference between thirty-five (35) and the number issued by July 30. When/if a Resident Commercial Turtle Permit - Supplement falls below the maximum number then the available Resident Commercial Turtle Permit – Supplement will be available for any resident commercial license holder via a drawing to be held on a single date to be determined by TWRA between October 1 through October 15 of each year.
- (2) Applicants must be residents of the State of Tennessee, possess a valid commercial fishing license (Types 100 or 101) at the time of the drawing.
- (3) The Resident Commercial Turtle Permit - Supplement(s) drawing will be announced by TWRA. On drawing day, participating applicants must appear in person at TWRA's Nashville office and complete an application supplied by TWRA between 9 a.m. and 11 a.m. (central time). One application is permitted per person. If more than one application is submitted by a person, then all applications from that individual will be excluded from the drawing.
- (4) Applicants who are randomly selected by TWRA must purchase the Resident Commercial Turtle Permit - Supplement within one (1) hour. Selected applicants will be removed from the applicant pool for the duration of the drawing. Those failing to meet the purchasing requirements will forfeit the right to purchase the permit - supplement. A subsequent random drawing for the unpurchased roe fish permit supplement will then occur from the remaining application pool.
- (5) Those individuals that possess a Resident Commercial Turtle Permit - Supplement shall have priority to renew that permit from July 1 through July 31 of each year until he/she fails to renew the permit.

Authority: T.C.A. §§ 70-1-206 and 70-2-301.