



Arkansas Game and Fish Commission

Mussel, Baitfish and Fish Farmer Regulations

The Arkansas Game and Fish Commission's Code of Regulations is available from
Arkansas Game and Fish Commission • 2 Natural Resources Drive • Little Rock, AR 72205
or visit our Web site: www.agfc.com

Updated August 15, 2013

New for 2014

- As of Aug. 15, 2013, The Arkansas State Game and Fish Commission Code Book has been revised to eliminate unnecessary wording and redundant, confusing or irrelevant codes. As a result, the code numbers of many regulations have changed. In some cases, there may be a reference to the code addendum, which is not included in this publication (i.e. Code 35.11). The entire Code of Regulations and addendum are available at www.agfc.com or by calling the Communications Division of the AGFC, 501-223-6351.

The regulations featured in this publication are current as of Aug. 15, 2013. The Commission reserves the right to close seasons, and all regulations, dates and limits in this publication are subject to change. If any such change occurs, it will be widely publicized and available on www.agfc.com.

- Code 32.04: Baitfish can now be taken at night.
- Code 32.02: Deleted "Residents of states charging a higher non-resident fee shall be charged an equivalent amount".

FRESHWATER MUSSEL REGULATIONS

31.01 MUSSEL SHELL TAKER/SELLER AND SHELL BUYER LICENSE AND REPORTING REQUIREMENTS. 08-11

It is unlawful to take, attempt to take, buy, sell, or offer for sale freshwater mussels for commercial purposes without a current resident shell taker/seller's license, a resident shell buyer's license or a non-resident shell buyer's license. A person with a shell taker's helper permit may harvest or assist only in the immediate presence of a licensed shell taker. Licensed resident or non-resident shell buyers may purchase up to four shell buyer's agent permits which may be transferred between employees of the licensed shell buyer. Only residents can hold an agent permit, and agents can purchase only for their licensed buyer. For the purposes of this chapter, "resident" means any person who has established a bona fide residence in Arkansas for at least 12 months and declares themselves a citizen of Arkansas.

BUYERS: Quarterly reports of mussel-buying transactions must be submitted by shell buyers on or before the 1st of January, April, July and October on forms provided by the Commission.

SELLERS: Shell Taker/Seller's License holders shall furnish the Commission the number of pounds of each species of mussels taken in Arkansas and sold out of state on or before Feb. 1 on forms provided by the Commission.

Failure to maintain accurate reports will result in license revocation and no renewal. These records shall be maintained monthly and made available for inspection by authorized Commission personnel at any reasonable time.

PENALTY: Class 1

31.02 MUSSEL SHELL SIZE RESTRICTION. 08-11

It shall be unlawful to take, sell or offer for sale mussels or mussel shells of sizes less than minimum diameter or length.

- Mussel shells shall be measured by minimum diameter except for elongated shells.
- The minimum diameter shall be 4 inches for washboards, 2¾ inches for mapleleaf and threeridge, 2¼ inches for hickorynut, threehorn wartyback and monkeyface, and 2½ inches for all other round shells. Minimum length shall be 4 inches for bleufers, yellow sandshell, muckets, pistolgrip, spike, Ouachita kidneyshell and bankclimber.
- All undersized shells, western fanshell, black sandshell and rabbitsfoot must be immediately returned to the water.

PENALTY: Class 1

31.03 MUSSEL TAKER TACKLE RESTRICTIONS. 08-11

It is unlawful to take or attempt to take mussels with any method other than hand-picking and crowfoot bars 20 feet or less in length, or to possess any tackle or equipment on the water for taking mussels except as specified. It also is unlawful for any person to operate more than one boat while taking or attempting to take mussels. It also is unlawful for any person to operate a boat under power equipped with more than four crowfoot bars for the taking of mussels for commercial purposes.

EXCEPTION:

- Only hand-picking is allowed for mussel harvest in the St. Francis River, its tributaries and diversion ditches.

PENALTY: Class 1

31.04 NON-RESIDENT MUSSEL BUYER REQUIREMENTS. 08-11

It is unlawful for any non-resident to purchase mussels without a current non-resident shell buyer's permit (Code 30.02.).

PENALTY: Class 1

31.05 HARVEST OF MUSSELS RESTRICTED TO DAYLIGHT HOURS ONLY. 08-11

It is unlawful to take, attempt to take, or kill mussels from sunset to sunrise.

PENALTY: Class 1

31.06 DIVERS FLAG REQUIREMENT. 08-11

It is unlawful to take or attempt to take mussels by diving without displaying a standard divers flag (no less than 12 inches wide and 12 inches long, red and white diagonal stripe), from the boat or other flotation device at least 12 inches above the surface of the water. It also is unlawful for any person to take or attempt to take mussels by diving more than 300 feet from a divers flag.

PENALTY: Class 1

31.07 MUSSEL HARVEST RESTRICTIONS 01-13

- (A) Waters in the following counties (including Arkansas waters between the main levees of the Mississippi River) are open year-round to commercial musseling: Arkansas, Ashley, Bradley, Calhoun, Chicot, Cleveland, Clay, Columbia, Craighead, Crittenden, Cross, Dallas, Desha, Drew, Grant, Greene, Hempstead, Jackson, Jefferson, Lafayette, Lawrence, Lee, Lincoln, Little River, Lonoke, Miller, Mississippi, Monroe, Nevada, Ouachita, Phillips, Poinsett, Prairie, Pulaski, Randolph, St. Francis, Union, White and Woodruff, unless closed in (C) below.

- (B) The following counties are closed to commercial musseling: Baxter, Benton, Boone, Carroll, Clark, Cleburne, Conway, Crawford, Faulkner, Franklin, Fulton, Garland, Hot Spring, Howard, Independence, Izard, Logan, Johnson, Madison, Marion, Montgomery, Newton, Perry, Pike, Polk, Pope, Saline, Scott, Searcy, Sebastian, Sevier, Sharp, Stone, Van Buren, Washington and Yell.

EXCEPTION:

In the counties closed above, mussels may be taken year-round for commercial purposes in the following river/stream segments:

Arkansas River from the Pulaski County line upstream to the Oklahoma state line including all waters of Dardanelle Lake, Ozark Lake and Pool 13);

Petit Jean River from its mouth upstream (including Blue Mountain Lake) to Arkansas Highway 217;

Fourche La Fave River from its mouth (including Nimrod Lake) upstream to the Arkansas Highway 27 bridge;

Cadron Creek from its mouth upstream to Arkansas Highway 287 on its east fork in Faulkner County;

North Cadron Creek from its mouth upstream to Arkansas Highway 285 in Faulkner County;

Point Remove Creek from its mouth upstream to Kissire Bridge in Conway County;

White River from the Jackson/Independence County line upstream to 100 yards below Dam No. 1 at Batesville;

Strawberry River from the Lawrence/Sharp County line upstream to the Arkansas Highway 58 bridge in Sharp County; and, all lakes, bays or other bodies of water, other than tributary streams, connected to waters specified above, when accessible by boat from the main channel. When a river or stream forms the boundary between open and closed counties, that boundary segment shall be open.

- (C) The following waters are closed to commercial musseling:

Lake Erling including all tributaries upstream from 100 yards below Lake Erling Dam to Arkansas Highway 360 in Lafayette County;

All lakes owned and/or operated by the Arkansas Department of Parks and Tourism, the USDA Forest Service, Commission-owned waters (excluding Grand Lake and all natural channel scar lakes on WMAs in open counties);

Bayou Meto Bayou, in compliance with Code 38.01;

Columbia County Lake in Columbia County;

Horseshoe Lake in Crittenden County;

Lake Wallace in Drew and Chicot County;

Upper and Lower Lake Chicot (from Connerly Bayou Dam to the Ditch Bayou Dam) in Chicot County;

Lake Maumelle in Pulaski County;

Black River in Randolph County closed from 100 yards above Old Davidsonville State Park downstream to 100 yards below the park's lower boundary, and

All lakes in Hot Springs Village in Saline County.

- (D) NWRs may have further restrictions. Check with the refuge manager.

PENALTY: Class 1

31.08 MUSSEL SANCTUARY ZONE 08-11

It is unlawful to take, attempt to take, or possess mussels in the following areas:

Black River in Clay County from ¼ mile upstream to ¼ mile downstream of the U.S. Highway 62 bridge;

Ouachita River upstream from the U.S. Highway 79B bridge at Camden;

Spring River upstream of the U.S. Highway 62 bridge at Imboden;

St. Francis River in St. Francis County from I-40 bridge downstream to the Arkansas Highway 50 bridge at Madison;

St. Francis River from the mouth of the Tyronza River to the operational railroad bridge;

White River in Monroe County from the mouth of Roc Roe Bayou 3½ miles downstream to the mouth of Big Creek;

White River from Cooper Bend (river mile 232.3) in Jackson County for 2.3 miles downstream to Shaden Bend (river mile 230) in Woodruff County; and,

Cache River from the mouth of Bayou DeView to the confluence with the White River.

PENALTY: Class 1

BAITFISH REGULATIONS

32.01 COMMERCIAL BAITFISH TACKLE LICENSE REQUIREMENTS. 08-11

It is unlawful to take or attempt to take baitfish for sale from waters of the state without a tackle license and attaching a metal tag issued with license to tackle.

PENALTY: Class 1

32.02 FISH DEALER LICENSE REQUIREMENTS. 08-11

It is unlawful to offer for sale or sell live fish (including baitfish) without an Arkansas fish dealers license (resident or non-Resident) or an Arkansas fish farmers permit. A license is required for each separate business location. Game fish may not be taken from the wild and sold, in compliance with Code 26.20.

EXCEPTIONS:

- (1) Licensed fishing guides are not required to purchase a fish dealer's license when providing baitfish during the act of guiding.
- (2) Minnows may be sold at the permitted facility where grown in compliance with Code 35.01.
- (3) Marine and tropical aquatic wildlife commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed aquarium systems and not otherwise prohibited.

PENALTY: Class 1

32.03 EXPORTING BAITFISH FROM PUBLIC WATERS PROHIBITED. 08-11

It is unlawful to export any baitfish taken from waters of the state.

PENALTY: Class 1

32.04 BAITFISH TACKLE RESTRICTIONS. 08-11

It is unlawful to use tackle for taking or attempting to take baitfish from waters of the state other than as specified below. Only baitfish may be retained for bait, and all other species of fish must be immediately returned to the waters where taken. The tackle allowed for taking baitfish is as follows:

- (A) Seines not in excess of 50 feet long and 4 feet in depth with square mesh of 1/4 inch.
- (B) Square traps or lifts not exceeding 6 feet by 6 feet by 3 feet in depth, and round traps not exceeding 3 feet in diameter and 6 feet long with up to 1/2 inch wire or mesh and throat size of 2 inches square mesh.
- (C) Throw nets and casting nets with square mesh not larger than 1 inch, or shad trawl nets with square mesh not larger than 1 inch.
- (D) Plastic, glass or wire mesh minnow traps not in excess of 1 gallon capacity with throat size of not more than 1.5 inches.
- (E) Hand-operated dip nets or lifts with up to 1 inch square bar mesh used to take legal baitfish for personal use while in the act of sport fishing day or night, and all other species of fish are immediately returned to the waters where taken.

PENALTY: Class 1

32.05 TAKING BAITFISH IMMEDIATELY BELOW DAMS PROHIBITED. 01-13

It is unlawful to take or attempt to take baitfish within 100 yards below dams or similar constructions.

EXCEPTION:

- (1) Shad may be taken in compliance with Code 32.04, Exception C.

PENALTY: Class 1

32.06 TAKING BAITFISH FOR COMMERCIAL PURPOSES IN CERTAIN WATERS PROHIBITED. 08-11

It is unlawful to take or attempt to take baitfish for commercial purposes in: The Caddo River and that portion of the Little Missouri River and its tributaries above Ozan Creek in Pike County; all waters north of U.S. Highway 70 in Howard County; and all waters in Benton, Carroll, Clark, Crawford, Franklin, Lawrence, Madison, Montgomery, Newton, Polk, Sebastian, Sevier and Washington counties.

PENALTY: Class 1

FISH FARMER REGULATIONS

35.01 FISH FARMER PERMIT REQUIREMENTS 08-11

It is unlawful for fish farmers to possess, propagate or sell aquaculture species without a current fish farmer permit.

PENALTY: Class 1

35.02 FISH FARMER SALES RECORDS REQUIREMENTS 08-11

It is unlawful for fish farmers to fail to maintain legible records including those required by Code 35.03, indicating sales and shipments and to reveal records to an enforcement officer for inspection upon request. Records must be retained for a minimum of three years.

PENALTY: Class 1

35.03 FISH FARMER BILL OF LADING REQUIREMENTS 08-11

It is unlawful for fish farmers to fail to furnish bill of lading or bill of sale as specified below.

- (A) A bill of sale or true bill of lading must be immediately supplied to each purchaser of fish indicating the species, number or weight of fish sold, name of the purchaser, and name and permit number of the fish farmer making transaction and accompany shipment to final destination.
- (B) The name and address of the consignor and consignee must be indicated on a true bill of lading for fish shipped or transported in intrastate and interstate commerce.
- (C) The original fish farmer's permit number must be indicated on each and every bill of sale, invoice, or bill of lading covering each fish transaction.

PENALTY: Class 1

35.04 FISH FARMER TACKLE REQUIREMENTS 08-11

It is unlawful for fish farmers to use or transport illegal commercial tackle without first complying with Code 35.02.

PENALTY: Class 1

35.05 TRANSPORTATION OR SALE OF WHITE CRAPPIE PROHIBITED. 08-11

It is unlawful for fish farmers to transport, sell or deliver white crappie in excess of 6 inches in length.

PENALTY: Class 1

35.06 REARING OR PROPAGATING AQUATIC WILDLIFE IN CONFINEMENT RESTRICTED. 08-11

It is unlawful to rear or propagate aquatic wildlife in confinement in waters of the state without complying with Code 35.01

PENALTY: Class 1

35.07 FISHING IN CAGED FISH CONFINEMENTS PROHIBITED. 08-11

It is unlawful to fish or otherwise disturb aquaculture species contained in fish confinements for production or rearing of aquaculture species.

PENALTY: Class 1

35.08 OPERATING LAKES AS A FISH FARM PROHIBITED. 08-11

It is unlawful to operate a lake as a fish farm without control structures to prevent the inflow of water from adjacent streams, creeks, bayous, or rivers and without first removing all wild fish present in compliance with a plan approved by the Commission.

PENALTY: Class 1

35.09 POSSESSION, REARING, PROPAGATION OR SALE OF RESTRICTED AND UNLISTED AQUACULTURE SPECIES BY FISH FARMERS PROHIBITED 08-11

It is unlawful for fish farmers to possess, rear, propagate or sell aquaculture species not listed on the Approved Aquaculture Species List (Addendum Chapter J1.00) without a restricted species possession permit or an unlisted aquaculture species permit from the Commission.

EXCEPTIONS:

- (1) The sale of native crayfish and turtle species that naturally colonize in culture facilities is allowed if not otherwise prohibited.
- (2) Marine and tropical aquatic wildlife commonly distributed in the aquarium trade may be sold without special permit, as long as they are held only in closed aquarium systems and not otherwise prohibited.
- (3) The rearing and sale of turtles as allowed under Chapter 34.00.

PENALTY: Class 2

35.10 PADDLEFISH AND STURGEON ROE REGULATIONS. 01-13

It is unlawful for a fish farmer to sell, offer to sell, or buy paddlefish, sturgeon or their parts, including eggs (roe), without a resident roe taker/seller permit, resident roe buyer/exporter permit, or a non-resident roe buyer permit in compliance with Codes 30.17, 30.18 and 1.00 L. Fish farmers in possession of a resident roe buyer/exporter permit, or a non-resident roe buyer permit will be required to follow the reporting requirements as stated in Code 30.16 (Reference Code 1.00 L).

PENALTY: Class 3

35.11 VIRAL HEMORRHAGIC SEPTICEMIA VIRUS (VHSV) FISH IMPORTATION REGULATION. 08-11

It is unlawful to import, transport or otherwise receive into Arkansas live fish and/or fertilized eggs from any VHSV-positive state without a valid fish farm health inspection permit issued by the Commission and in compliance with the provisions of the permit. All persons wishing to ship live fish or fish eggs into Arkansas from VHSV-positive states must obtain the fish farm health inspection permit and a copy of the permit must accompany all shipments into the state, even if the fish are transported by a third party. Any person hauling live fish through Arkansas from VHSV-positive states are prohibited from discharging water from fish-hauling tanks in Arkansas. All shipments of live fish or eggs coming into Arkansas must be accompanied by an invoice or bill of lading that clearly describes the origin(s) of all fish and/or eggs in the shipment (Addendum I1.01).

PENALTY: Class 3

35.12 PERMIT REQUIRED TO POSSESS SILVER CARP, BIGHEAD CARP, DIPLOID BLACK CARP OR EUROPEAN RUDD 08-11

It is unlawful to possess live silver carp, bighead carp, diploid black carp or European rudd without a current restricted species possession permit.

PENALTY: Class 1

Special and Commercial Fishing Licenses and Costs

To find out more about commercial licenses call (501) 223-6386 during business hours or go to www.agfc.com.

License	Code	Cost	Renewal
Hoop Nets (with or w/o leads), Turtle Nets	HN	\$4	Dec. 31
Slat Traps and Fiddler Nets	FS	\$12.50	Dec. 31
Commercial Trotlines (inc. snaglines, throwlines, limb lines, set hooks) per 100 ft.	TL	\$5	Dec. 31
Box Traps Turtle Trap	TT	\$2	Dec. 31
Commercial Tackle (Seine, Trammel and Gill Nets) 100 yds. or fractional part thereof per tag	SNS	\$15	Dec. 31
Commercial Fisherman's Permit and Sportfishing License	CFS	\$25	Dec. 31
Commercial Fisherman's Helper Permit	CFH	\$25	Dec. 31
Junior/Senior Commercial Fishing Permit	JSC	\$14.50	Dec. 31
Alligator Farmer/Dealer Permit	AFP	\$200	June 30
Alligator Tags	n/a	\$4	June 30
Alligator Snapping Turtle Breeder/Dealer Permit	AST	\$100	June 30
Aquatic Turtle Harvest Permit	THP	\$100	Dec. 31
Aquatic Turtle Harvest Helper Permit	TH	\$50	Dec. 31
Junior Aquatic Turtle Harvest Permit	JTH	\$25	Dec. 31
Aquatic Turtle Dealer Permit	TDR	\$250	Dec. 31
Nonresident Aquatic Turtle Dealer Permit	TDN	\$500	Dec. 31
Aquatic Turtle Farmer Permit	TBP	\$100	Dec. 31
Resident Shell Taker and Seller	STS	\$100	Dec. 31
Shell Taker Helper Permit	SH	\$100	Dec. 31
Shell Buyer	SBR	\$1,000	Dec. 31
Nonresident Shell Buyer	SBN	\$2,000	Dec. 31
Shell Buyer's Agent Permit	SA	\$100	Dec. 31
Resident Fish Dealer	MD	\$10	Dec. 31
Nonresident Fish Dealer	FDN	\$250	Dec. 31
Minnow Dealer Tackle (Seine, Traps or Lifts)	MS	\$5	Dec. 31
*Fish Farmer (Aquaculturist) Permit	FF	\$ 25	Dec. 31
Bull Frog Permit (Must have valid Fish Farmer Permit)	BP	\$25	Dec. 31
Resident Roe Taker/Seller Permit	RTS	\$500	Dec. 31
Resident Roe Taker/Helper Permit	RH	\$100	Dec. 31
Resident Roe Buyer/Exporter Permit	RBE	\$1,000	Dec. 31
Resident Roe Buyer/Exporter Agent Permit	RRA	\$100.00	Dec. 31
Nonresident Roe Buyer Permit	RBN	\$2,000	Dec. 31
Commercial Boat Dock Permit	BDN	\$25	Dec. 31
Commercial Boat Dock (User Fee)	BPL	\$150	Dec. 31
Private Boat House/Irrigation (Single)	BHS	\$10	Dec. 31
Private Pier/Irrigation	DPS	\$10	Dec. 31
Irrigation Permit	IP	\$10	Dec. 31
Put-and-Take Pay Lake	PLO	\$150	Dec. 31
Fish Farm Health Inspection Permit	VHS	\$200	See **

* Fee applies to initial purchase. No fee for annual renewal.

**Permit is an annual permit issued in two 6 month intervals.