



COMMERCIAL FISHING LAW DIGEST

General information only is provided herein. The Ohio Administrative Code that contains the details of these regulations is available for review in the Clerk of Common Pleas Court in each county. Regulations may be changed by the legislature and/or the chief of the Division of Wildlife with the approval of the Wildlife Council.

COMMERCIAL FISHING LICENSES and PERMITS are issued annually by the Division of Wildlife, Lake Erie Office, 305 East Shoreline Drive, Sandusky, Ohio 44870.

SEASON: March 1 to December 10 of each calendar year for all fishing devices; except the seine season is from March 1 to June 14, and the first Wednesday following Labor Day to December 10 each year. Provided further, it shall be unlawful for any person to take or attempt to take yellow perch (*Perca flavescens*), with any commercial fishing device in the Lake Erie Fishing District except from May 1 to December 10 of each year.

LIMITED ENTRY: The main provisions of limited entry are as follows: Only persons holding a license in reserve or licensed to fish in the previous season or holders of a transferred license will be licensed to fish, provided they have complied with Chapters 1531. and 1533. of the Ohio Revised Code and with the Ohio Administrative Code in the previous fishing seasons. Trotline, dip net, and carp apron licenses are not limited. All licenses except trotline, dip net, and carp apron licenses must be acquired or put in reserve by March 1. A license may be put in reserve for a maximum of five years. Licenses may be placed in reserve or taken out between December 11 and March 1. New applicants and current licensees must place their names on a waiting list if they wish to obtain a first time or additional license.

ROYALTY FEES: Royalty fees will be paid only on white bass, yellow perch, and channel catfish. The fee is five cents per pound for species for which a quota has been set; the fee shall be two cents per pound for species for which a quota has not been set. All royalty fees due for the preceding fishing season must be paid in full before the opening date of the following fishing season. A new fishing license will not be issued to a previous licensee or a transferee until the royalty fee is paid in full.

GILL NETS: It is unlawful for any person, except bona fide manufacturers and dealers, to possess or transport gill nets or netting. Manufacturers and dealers may possess and transport gill nets and netting when done as a necessary part of their business.

TRAP AND FYKE NETS: The backs of all trap and fyke nets must measure not less than 1/4 inch or more than four inches stretched mesh. A commercial orange uphaul buoy must be attached to each net. The name of the owner or operator of every net must be painted, branded, stamped, or burned on the uphaul buoy in letters not less than one inch in height and be legible at all times. Numbered tags issued by the Division of Wildlife must be attached by the licensee to the uphaul buoy line within 36 inches of the uphaul buoy. If any tags are lost, the licensee must immediately report in writing the number(s) of the tag(s) lost to the Sandusky office of the Division of Wildlife; when the report is made, the tags will be replaced. Each licensee must accurately and legibly maintain a net location form furnished by the Division. On this form the licensee must show the net location by grid number and subgrid letter, date it was set, date of removal, and tag number. A separate entry must be made for each net and must be entered on the form by noon of the day following the day that the net was set or removed. This form must be aboard the boat when lifting, setting, or pulling nets. Each trap and fyke net set singly, or the first and last net in a string of nets, in Lake Erie must display one red flag on the inshore end and two flags on the offshore end. The top flag on the offshore end must be red. The second flag may be any color except orange. The flag on the inshore end must be at least three feet above the water line and the flag on the offshore end must be at least six feet above the water. All flags must measure no less than 18 inches on a side.

SEINES: The wings of all seines must measure no less than 4-inch mesh. In the Inland Fishing District where carp, buffalo fish, mullet, suckers, sheepshead, goldfish, bowfin, and gizzard shad only may be taken, no part of the seine may contain less than 4-inch mesh. In the Lake Erie Fishing District a smaller mesh bag may be used, but such small mesh cannot exceed 350 feet in length, of which 200 feet cannot be less than 3-inch mesh. The name of the licensee and the metal license tag must be placed on either brail of the seine. No person may place, set, locate, pull, or maintain a seine, except a minnow seine, in the Lake Erie Fishing District from one-half hour after sunset until one-half hour before sunrise, except upon prior notification to the Sandusky office of the Division of Wildlife. Each notification will be good for only one week and it must be mailed in time so that the Sandusky office receives it prior to the first date covered by the notification. The notification must be in writing and state the licensee's name and address, date and time of fishing, and location of fishing grounds. Such written notice should

be sent to: Division of Wildlife, 305 East Shoreline Drive, Sandusky, Ohio 44870. Seining in Sandusky Bay is not permitted on Sundays or holidays, or between one hour after sunset and one hour before sunrise.

CARP APRON: No carp apron may be more than 100 feet in length or more than 75 feet in depth. No less than 3-1/2 inches stretched mesh may be used in the apron. Only carp, suckers, sheepshead, goldfish, bowfin, and gizzard shad may be taken by a carp apron. The metal license tag must be on either end of the line running across the top of the net. The user's name must be on a metal plate or board which is attached to either end of the line running across the top of the net. Carp aprons may be used only in marshes bordering the Lake Erie Fishing District or bordering rivers and streams flowing into such district in Lucas, Ottawa, Sandusky, and Erie counties.

GENERAL LAW

It is unlawful to set a net within 1/4 mile of an island or the mainland bordering Lake Erie from June 15 through September 15.

No person may lay out or set a net of any kind in any channel between islands or an island and the mainland at a distance from the shore of such islands or mainland greater than one-fourth the distance across such channel.

It is unlawful to set a net within 1/4 mile of a reef from March 1 through May 10. Set fishing gear may not be left unattended for more than five days.

It is unlawful to set a net or seine within 1/2 mile of a river mouth or United States government pier or breakwall.

It is unlawful to set a net or trotline on a reef at any time.

Commercial fishing gear is not permitted in the following limited fishing zones of Lake Erie: Camp Perry Firing Area in Ottawa County; Ruggles Reef Area in Erie County; Maumee Bay Area and West Sister Area in Lucas County; Bass Islands Area in Ottawa County; Kelleys Island Area in Erie County (See special zone charts); between May 15 and October 15 in that portion of Lake Erie beginning 1/2 mile north of the Lakeside Association dock to a point 1/2 mile northeast of the Marblehead light to a point extending 1/2 mile off the Sandusky Pier light; in an area extending one mile offshore from the water tower of the Ford Plant located west of Lorain and running east to the east bank of the Chagrin River; and within four nautical miles of navigational lights located near the mouths of the rivers in the ports of Huron, Vermilion, Lorain, Cleveland, Fairport Harbor, Ashtabula, and Conneaut from May 15 to October 15 of each year. If buoy J is not placed in the southwest corner of the Camp Perry fishing zone, then the Davis-Besse cooling tower will form the southwest corner.

No trap net, crib net, fyke net, or other fishing device, except a seine that has been authorized to be hauled during the nighttime, may be lifted, pulled, hauled, set, or have fish removed from it from one-half hour after sunset to one-half hour before sunrise. Each net or other device set, maintained, placed, pulled, lifted, or hauled in violation of this section will constitute a separate offense.

All fish taken from a net or other fishing device, except a seine that has been authorized to be hauled during the nighttime, must be brought ashore during the time from one-half hour before sunrise to one-half hour after sunset on the same day in which the fish were taken.

All live cars and other fish holding devices, except ponds, must have the owner or user's name and address either branded, painted, or stamped in a clearly visible place on the top of said devices.

All undersized fish and species that cannot be taken commercially must be released immediately with as little injury as possible while the fishing device is lifted, pulled, or hauled.

It is unlawful to release an undersized fish into a privately owned pond, live car, or other enclosure.

It is unlawful for any commercial fisherman to take walleye, sauger, sturgeon, burbot, mooneye, cisco, or brook, brown, rainbow, or lake trout, or coho, chinook, or pink salmon from Lake Erie or its tributaries or to possess any of the aforementioned species while on Lake Erie or its tributaries.

It is unlawful for any licensed commercial fisherman to take, possess, buy, sell, transport, deliver, or trade walleye, or any part thereof including roe, from Lake Erie or its tributaries, or to possess such fish or part thereof aboard a boat while lifting or attending a net or when going to or returning from nets.

Any wildlife officer or other Division of Wildlife employee designated by the chief to inspect commercial fishing operations may enter upon any property used, owned, or leased by the holder of a commercial fishing license and may inspect any boat, net, seine, or other equipment used in commercial fishing; any building or premises used to hold, store, repair, or build commercial fishing gear or equipment; and any building or premises used in boxing, storing, or processing fish. No person may assault, threaten, abuse, or interfere with any wildlife officer or designated inspector when carrying out an inspection nor may any person prohibit such inspection.

Every licensed commercial fisherman must keep an accurate record of each day's catch on a monthly report form furnished by the Division of Wildlife. Such forms must be submitted to the Sandusky office no later than the 5th day of the month following the end of the calendar month in which the fish were taken, except December's report must be submitted no later than December 20. Trapnetters will, beginning May 1st of each year, submit reports for fish taken between the 1st and the 15th of the month; these reports shall be submitted by the 20th of the month. Reports of fish taken between the 16th of the month and the end of the month shall be submitted by the 5th of the following month.

Fishermen reporting daily fishing information on the monthly report forms **must use a separate line for each grid fished**. When fish are removed from more than one grid in the same day, it is important to record the following data for each grid: date, grid number and subgrid letter(s), latitude and longitude, type of gear, quantity of gear, mesh size, mesh material, depth fished, and pounds of each species landed. To comply with the requirement for reporting pounds landed, **when fishing in more than one grid an estimate of the pounds of each species caught in each grid must be made** and recorded by 12:00 noon of the day following the day in which the fish were taken. However, **these estimates must accurately add up to the actual total number of pounds of each species taken in that day**.

All licensees except seiners must keep the monthly report form aboard their boat when actively fishing. Seiners must keep their report forms at the seine grounds where actively fishing. When a trap netter uses more than one boat, a catch report must be maintained for each boat's activity and kept aboard each boat when actively fishing. At the end of the month, each trap net boat's catch report must be submitted to the Division.

All fishing gear and equipment used in a commercial fishing violation are subject to forfeiture to the state of Ohio as provided in Section 1531.20 of the Ohio Revised Code.

COMMERCIAL FISH - LEGAL SIZE NOTICE

The following commercial fish have minimum weights or lengths:

	Minimum Size
Yellow perch (<i>Perca flavescens</i>) and (<i>Perca fluviatilis</i>) round	8-1/2 inches
Yellow perch fillet	5-5/8 inches
Yellow perch headless	6-7/8 inches
*Walleye (<i>Stizostedion vitreum vitreum</i>)	15-1/2 inches
Walleye fillet	9-1/2 inches
Walleye headless	12-1/4 inches
Channel catfish (<i>Ictalurus punctatus</i>)	14-1/2 inches
Bullhead (<i>Ictalurus nebulosus</i> , <i>I. melas</i> , <i>I. natalis</i>)	9 inches
White bass (<i>Morone chrysops</i>) and white bass hybrid	11 inches
White bass fillet and white bass hybrid or part thereof	6-1/2 inches
White bass and white bass hybrid headless	8-3/4 inches
*Sauger (<i>Stizostedion canadense</i>)	11 inches
*Sauger fillet	3 ounces
*Sauger fillet part	1-1/2 ounces
*Cisco (<i>Coregonus spp.</i> except <i>C. artedii</i>)	11 inches
*Sturgeon (<i>Acipenser spp.</i> except <i>A. fulvescens</i>)	48 inches
Whitefish (<i>Coregonus spp.</i>)	17 inches

*These fish may not be taken from Ohio waters, but may be imported and sold if they are legally obtained and are of legal size and form.

It is unlawful for any person to sell, buy, offer for sale, possess, or transport for sale fish which have a length or weight limit in any form other than round, headed and gutted, or filleted; except that salmon (*Oncorhynchus spp.*) originating from outside of Ohio and whitefishes (*Coregonus spp.*) may be sold in steak or chunk form or canned, and catfish may be sold in steak, chunk, strip or nugget form.

Other commercial fish which may be sold and possessed of any size are: alewife, American eel, bowfin, carp, sheepshead, gar, gizzard shad, lamprey, quillback, smelt, goldfish, suckers, buffalo, and white perch; white perch may not be sold alive for stocking in inland waters.

Salmon of any size may not be taken in Ohio, but when legally taken out of state may be sold dead or alive in Ohio.

SALE AND TRANSPORTATION OF FISH

All persons transporting or causing to be transported 500 pounds or more, in one truck load, of freshwater fish, except minnows, or parts thereof into or out of Ohio to another person who resells them must obtain an annual fish transportation permit. The fee for this permit is \$65.00.

All persons handling freshwater fish at wholesale on premises in Ohio must obtain an annual wholesale fish permit. The fee for this permit is \$65.00.

All wholesale and transport permit holders must keep records of all sales and purchases of freshwater fish. The record must include the name and address of the buyer and seller, name of the fish, amount of fish in pounds, and date of sale or purchase. Records for trout, bullhead, herring, whitefish, sauger, walleye, yellow perch, white bass, sturgeon, and channel catfish, all of which have some type of restrictions in Ohio, must be kept on forms provided by the ODNR Division of Wildlife unless a permittee applies to the chief for an exemption to using these forms and asks for permission to use his standard business records instead. All records must be maintained for at least one year and be open to inspection by Division of Wildlife officers at all reasonable hours. A buyer who purchases fish for his own consumption is not required to keep records; persons selling fish for personal consumption are not required to record the names and addresses of persons purchasing such fish.

All fish being transported must bear a label stating number or weight of fish, name and address of consignee and consignor, a statement for those fish with size limits denoting that the undersized fish contained therein are more or less than 10% by weight, and species name. Species may be designated in any manner, but when the common name is different from the one mentioned in the Ohio Revised Code, the scientific name must accompany it. See the back of the Transportation and Wholesale Permit application for additional information. The vehicle transporting fish which are for sale or sold must have the word "FISH" in the English language at least eight inches high on each side of the vehicle body and be legible at all times.

Live-fish haulers, in lieu of a label on each compartment, may carry in the vehicle a written statement identifying each compartment and containing the same information required on a label.

Drivers of vehicles transporting fish must stop and allow inspection of the fish by any state wildlife officer or other officer having similar authority.

It is unlawful to take, possess, sell, buy, transport, or cause to be transported a quantity or container of any species of fish prescribed in this publication containing more than 10% by weight of undersized round, filleted, or headless fish.

It is unlawful to take fish from Ohio waters directly to a point outside Ohio.

No person may buy, sell, offer for sale, or possess a fish caught or taken unlawfully outside or inside Ohio.

All fish brought into Ohio from another state or country are subject to the laws of Ohio.

Walking catfish (*Clarias batrachus*), diploid white amur or diploid grass carp (*Ctenopharyngodon idella*), silver carp – white bream (*Hypophthalmichthys molitrix*), black amur – black carp (*Mylopharyngodon piceus*), bighead carp – bighead amur (*Aristichthys nobilis*), ruffe (*Gymnocephalus cernuus*), round goby (*Neogobius melanostomus*), tubenose goby (*Proterorhynchus marmoratus*), snakeheads (*Channa spp.* and *Parachanna spp.*), white perch (*Morone Americana*), three spine stickleback (*Culaea aculeatus*), sea lamprey (*Petromyzon marinus*), eastern banded killifish (*Fundulus diaphanus diaphanus*), Australian crayfish (*Cherax Spp.*), Zebra mussel (*Dreissena polymorpha*), Quagga mussel (*Dreissena bugensis*), Rudd (*Scardinius erythrophthalmus*) or a hybrid of such species may not be imported into or sold in the state of Ohio, except triploid white amur (*Ctenopharyngodon idella*) may be imported into Ohio after authorization is received from the Division of Wildlife.

White perch (*Monrone americana*) may not be sold alive for stocking in inland waters.

ENDANGERED SPECIES: No person may import, transport, sell, or possess the following endangered species of fish or parts thereof: Ohio lamprey (*Ichthyomyzon bdellium*), Northern brook lamprey (*Ichthyomyzon fossor*), mountain brook lamprey (*Ichthyomyzon greeleyi*), lake sturgeon (*Acipenser fulvescens*), shovelnose sturgeon (*Scaphirhynchus platyrhynchus*), spotted gar (*Lepisosteus oculatus*), cisco or lake herring (*Coregonus artedii*), pugnose minnow (*Opsopoeodus emiliae*), blackchin shiner (*Notropis heterodon*), popeye shiner (*Notropis ariommus*), blacknose shiner (*Notropis heterolepis*), longnose sucker (*Catostomus catostomus*), blue sucker (*Cycleptus elongatus*), Scioto madtom (*Noturus trautmani*), Northern madtom (*Moturus stigmatosus*), mountain madtom (*Noturus eleutherus*), pirate perch (*Aphredoderus sayanus*), blue catfish (*Ictalurus furcatus*), Western banded killifish (*Fundulus diaphanus menona*), spotted darter (*Etheostoma maculatum*), Mississippi silvery minnow (*Hybognathus nuchalis*), speckled chub (*Macrhybopsis aestivalis*), shortnose gar (*Lepisosteus platostomus*), and goldeye (*Hiodon alosides*).