

Changes to the Rules for the Permit to Possess or Sell Nongame Fish Taken from Public Fresh Waters

On April 13, 2017, changes to the regulations on the possession and sale of Gizzard and Threadfin shad collected from public waters became effective. Any permits applied for after the rule changes became effective will be authorized under the new rules.

This summary has been provided as information only; for a current copy of the rules for PERMITS TO POSSESS OR SELL NONGAME FISH TAKEN FROM PUBLIC FRESH WATER, see the Texas Administrative Code, Title 31, Part 2, Chapter 57, Subchapter E at: [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=31&pt=2&ch=57&sch=E&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=31&pt=2&ch=57&sch=E&rl=Y).

Change	Change Type	Explanation of the Change
Permit Required for Shad Harvest for Non-commercial Use	NEW Regulation	If a person is collecting shad for personal use (for use as bait or stocking in private ponds) and is transporting the shad from the public water body in a container or containers that total 82 quarts or more in volume, they will be required to get a permit. A TPWD-licensed fishing guide who catches shad ONLY for use as a part of the guide's services will not be required to possess a nongame fish permit. <i>A nongame fish permit and bait dealer-individual license is still required if a TWPD-licensed fishing guide is selling his catch in addition to using shad for guide services.</i>
Increase to Number of Assistants Allowed per Permit	Revised Regulation	Previously, the primary permit holder was allowed to add up to two assistants to their permit. Now, the number of assistants is increased up to a maximum of eight assistants per permit. As before, permit holder and assistants can only be listed on one nongame fish permit. Persons issued permits before April 13, 2017 can request to add assistants up to eight total by submitting the revised Permit to Possess and Sell Nongame Fish Taken from Public Waters application form (PWD-1027). The permit can be amended two times per year.
Supervision of Assistants	Revised Regulation	Assistants MUST be under the supervision of the primary permit holder while conducting activities authorized by the nongame fish permit. The rule changes more clearly define the range of the supervision. If fishing from a boat, the permit holder is required to be on the boat with the assistants. If not fishing from a boat, assistants are required to be within the line-of-sight of the permit holder.
Restrictions on Permitted Activities in Water Bodies with Aquatic Invasive Species	Revised Regulation	Given the increasing threat posed by aquatic invasive species and their spread, the rules now specify that TPWD may impose restrictions on activities covered by the permit to minimize these risks. As an example, to reduce the risk of transferring invasive species to new areas, TPWD restricts transfer of all species of live nongame fish by permit holders when zebra mussels have been repeatedly detected in a water body.

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