

A GUIDE TO THE LAWS AND REGULATIONS ON COMMERCIAL FRESHWATER FISHING

Commercial fishing is defined by Georgia Code Title 27 as fishing for the purpose of sale, or the sale or offering for sale of fish by the person taking such fish or fishing with commercial gear. This summary of information is intended as a popular guide to the laws and regulations which govern commercial freshwater fishing in Georgia. You should reference Georgia Code Title 27 for the exact wording of the law and Chapter 391-4-3 and 391-2-4, Rules and Regulations of the State of Georgia published by the Secretary of State for exact copies of the regulations.

LICENSES

Anyone engaged in commercial freshwater fishing must have a valid commercial fishing license. Licenses are available from the Department of Natural Resources, License Unit, 2065 U.S. Hwy. 278, SE, Social Circle, GA 30025 (1-800-366-2661) and from some Wildlife Resources Division offices. Information concerning seasons and licenses may be obtained from the Licensing Unit, any Fisheries Management office or any Law Enforcement office of the Department of Natural Resources. Fees for commercial fishing licenses are as follows:

- Resident commercial fishing license Season - \$20.00
- Non-resident commercial fishing license Season - \$200.00

Licenses are valid from April 1 to March 31 of the following year. Any commercial license holder is required by law to make his business premises and records available for inspection by authorized agents of the Department of Natural Resources during normal business hours or any other time when the licensed commercial activity is being conducted on such premises. Business premises means any place of business operation including, but not limited to, offices, sheds, warehouses, vessels, boats, houses, ponds and other such locations where commercial activity takes place, and specifically includes the equipment used in conducting such activity.

There are no bag or possession limits on fish taken legally during freshwater commercial fishing.

Download a commercial fishing license [here](#).

SALTWATER DEMARCATIION LINE

The line established in this state as the separation point between salt and fresh water for fishing licenses, commercial fishing, and sport fishing is as follows:

- a) The point at which U.S. Highway 17 crosses the following bodies of water and their tributaries shall be the line of demarcation: St. Marys River, Satilla River, South Altamaha River, Champney River, Butler River, Darien River, Little Ogeechee River System (except Salt Creek), North Newport River, Medway River, Big Ogeechee River and Savannah River. All water seaward of these points is considered salt water;

- b) The following streams and their tributaries are designated as salt water for their entire length: Crooked River, Little Satilla River, South Brunswick River, Turtle River, Sapelo River, South Newport River, Salt Creek (Little Ogeechee System), and all other rivers, streams and tributaries in the six coastal counties which are not covered in a).

Freshwater ponds on the seaward side of the demarcation line are not considered salt waters. Commercial fishermen fishing in salt waters seaward of the saltwater demarcation line must have a commercial boat license as well as a commercial fishing license.

PROTECTED SPECIES

Nothing in these regulations allows the taking or disturbing of State and Federally protected fish, turtles, mussels, or other wildlife. There are currently 57 fish species, 8 salamander species, 14 mussel species, and 13 turtle species on the state protected list. Additionally, all nonvenomous snakes are protected. Many of these species may be encountered while fishing. It is unlawful to capture, kill, or sell any of these protected species.

For a complete list of protected species, see Chapter 391-4-10 of the Rules and Regulations of the State of Georgia, or contact the Nongame/Natural Heritage Section, 2065 U.S. Hwy 278 SE, Social Circle, GA 30025, phone (770) 918-6411.

STURGEON

All Atlantic coastal states, including Georgia, have enacted a closure or moratorium on the harvest of Atlantic sturgeon in addition to the moratorium on harvest of shortnose sturgeon. It is unlawful to harvest or possess Atlantic or shortnose sturgeon in Georgia.

CLOSED AREAS

It is illegal to commercial fish in the public fishing areas operated by the Department of Natural Resources; within one-half mile below any lock or dam; in the Coosa River from the confluence of the Etowah and Oostanaula Rivers to the Georgia-Alabama boundary line and all streams flowing into the Coosa River between those two points; in the Oostanaula River from State Highway 156 Bridge to the confluence of the Oostanaula and Etowah Rivers and all streams flowing into the Oostanaula River between those two points; in the Etowah River from U.S. Highway 411 Bridge downstream to the confluence of the Etowah and Oostanaula Rivers and all streams flowing into the Etowah River between those two points; or in that portion of Lake Weiss located in Georgia.

The waters listed above are closed to all commercial freshwater fishing. Other areas may be closed to certain types of gear or fishing. Be sure to check for additional restrictions under the type of fishing you plan to do.

GAME FISH

Throughout this section you will see references to game fish. Game fish are: largemouth bass, smallmouth bass, spotted bass, redeye (Coosa) bass, shoal bass (Flint River smallmouth), Suwannee bass, white bass, striped bass, striped-white bass hybrid, rainbow trout, brown trout, brook trout, white crappie, black crappie, American shad, hickory shad, flier, spotted sunfish (stumpknockers), rock bass (goggleeye), redbreast sunfish, redear sunfish, bluegill (bream), warmouth, walleye, sauger, muskellunge, chain pickerel, grass pickerel, redbfin pickerel, channel catfish and flathead catfish.

LIMITS

There are no bag or possession limits on fish taken legally during freshwater commercial fishing.

FISHING GEAR

It is illegal to use any fishing gear in Georgia that is not specifically mentioned as being legal. Descriptions of legal gear and the use of that gear may be found under different headings in this guide.

It is illegal to use any firearm; battery, generator or other similar device; dynamite or other explosive; or any destructive substances, including poisons, walnut hulls and lime, for the purpose of catching, killing, taking or harming fish. The possession of any of the foregoing devices or substances, except firearms or batteries used to operate motors or lights, will be deemed prima facie evidence of guilt.

Any commercial fishing gear being used illegally will be seized and held until the illegal gear is claimed. If after a reasonable time the illegal gear is not claimed, it will become the property of the Department and disposed of as directed by the Commissioner.

TROT LINES

A commercial trotline is one line which has more than 50 hooks in any combination or a combination of lines with more than 50 hooks in use by one person. Commercial trotlines must be tagged with the name, address and commercial freshwater fishing license number of the person using the gear; submerged at least three (3) feet below the surface of the water; marked with visible buoys; attended regularly; and removed after the completed fishing trip. It is illegal to keep game fish taken with trotlines except American shad and hickory shad taken during shad season, channel catfish and flathead catfish.

TURTLE TRAPS

Turtle traps must be constructed of netting and shaped as hoop nets. They must also have one open muzzle or throat at least 32 inches wide and a ring 10 inches in diameter made into the rear of the trap to permit fish to escape. Turtle traps must have a tag attached to them with the name, address and commercial freshwater fishing license number of the person using the trap. It is illegal to retain game fish taken in turtle traps or to fish turtle traps in the Chattahoochee River and its impoundments lying between Georgia and Alabama.

BASKETS

- Baskets must be constructed of one inch (1") mesh wire and must not be more than 72 inches in length or more than 60 inches in circumference. The basket shall have two throats. One throat must be located at the extreme front of the basket and the second throat must be 17 inches behind the first. The second throat must have a trap door seven and one-half inches (7 1/2") square, where fish may enter but not return. Such baskets shall be constructed of wire having not less than 1" mesh. Any basket deviating from these specifications shall be considered illegal.
- Baskets fished in the Georgia portion of Clarks Hill Reservoir, Hartwell Reservoir, Richard B. Russell Reservoir, Lake Yonah, Lake Tugaloo (Toogaloo), Stevens Creek Reservoir or the impounded waters of the New Savannah Bluff Lock and Dam may have a second throat (in place of the one with the trap door) made of one inch (1") square mesh webbing attached so that when the mesh is drawn taut by cords attached to each side, a horizontal opening is created which is not more than one inch (1") in height.
- Baskets must also have tags attached to them which bear the name, address and commercial freshwater fishing license number of the person using the gear.
- It is illegal to fish baskets in freshwater flowing streams. You must notify the conservation ranger in the area of the time and place you plan to use a basket. It is unlawful to take any game fish except channel catfish and flathead catfish with baskets.
- No person may fish more than five (5) baskets in Sinclair and Oconee lakes.
- Also, no person can fish the baskets of another person unless that person is with them.

It is illegal to possess any basket capable of use in taking fish unless you have a commercial fishing license and the basket is marked with your name, address and commercial fishing license number. You may, however, possess baskets constructed as described above without having a commercial license if you are holding them for sale and at a regularly established place for such sale. You may also possess and use a basket or trap for taking fish from your private pond without having a commercial fishing license ('private pond' means a body of water being wholly on or within the lands of one title where fish cannot go upstream or downstream or to the lands of another).

Each person using such basket must obtain from Wildlife Resources Division a commercial license for basket used. License holder must tag basket(s). License good for one year beginning April 1, and valid until March 31, succeeding year.

Game & Sport fish taken from baskets must be released immediately into the water from which they came.

Baskets may only be used in impounded waters. No running stream: i.e. creek or river.

Baskets may be used in your private pond without commercial license.

SHAD NETS AND COMMERCIAL SHAD FISHING REGULATIONS

RULES OF GEORGIA DEPARTMENT OF NATURAL RESOURCES COASTAL RESOURCES DIVISION 391-2-4-.02
Shad Fishing.

- 1) Purpose. The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the commercial and recreational seasons, days and places; methods of fishing and disposition; and size, creel, and possession limits for shad.
- 2) Areas Open to Commercial Shad Fishing.
 - a) Nets shall be set or fished only in flowing water within the banks of the stream channels. Nets may not under any circumstances be set or fished in waters that are not flowing such as in sloughs or dead oxbow lakes.
 - b) Waters of the Savannah River system open to commercial shad fishing are the Savannah River downstream of the U.S. Highway 301 bridge, Collis Creek, Albercorn Creek, Front River, Middle River, Steamboat River, McCoy's Cut, Hometown Cut, Back River upstream from Corps of Engineers New Savannah Cut, New Savannah Cut, North Channel Savannah River downstream to a line running due south of the easternmost tip of Oyster Bed Island, South Channel Savannah River downstream to a line running from the southeast tip of Cockspur Island to the mouth of Lazaretto Creek, and Elba Island Cut between North and South Channels of the Savannah River.
 - c) Reserved.
 - d) Waters of the Altamaha River system open to commercial shad fishing are the Ochoopee River upstream to the U.S. Highway 1 bridge; the Altamaha River downstream of the from U.S. Highway 1 bridge including Cobb Creek Oxbow, Beards Creek from its mouth upstream to the Long-Tatnall County line (Big Lake), Sturgeon Hole from the Altamaha River to the lower mouth of Harper Slough, Old Woman's Pocket, South Branch, General's Cut, South Altamaha River, Champney River, Butler River, One Mile Cut, Wood Cut, Darien River upstream to the confluence Darien Creek and Cathead Creek, Buttermilk Sound upstream to the mouth of Hampton River, Hampton River, Altamaha sound to the sound/beach boundary (see 391-2-4-.03), Rockdedundy River, Little Mud River, South River, Back River, North River upstream to Hird Island Creek and Dobby Sound from the sound/beach boundary upstream to a line from range F1 R4 sec A across buoy R "178" to Sapelo Island. Old River and Mid Slough of the Penholoway River and Ellis Creek are closed to commercial shad fishing.
 - e) Reserved.
 - f) Reserved.
- 3) Commercial Shad Fishing Seasons. The commercial shad fishing season shall be open as provided in subparagraphs (a), (b) and (c) of this paragraph from 1 January to 31 March; however, the Commissioner of Natural Resources, in accordance with current, sound principles of wildlife research and management, may at his discretion open or close the season 30 days after 31 March on any or all areas open to commercial shad fishing.
 - a) The Altamaha River system downstream from the Seaboard Coastline Railroad bridge (at Altamaha Park) will be open to commercial shad fishing Monday through Friday each week. Upstream of this point will be open Tuesday through Saturday each week.
 - b) The Savannah River system downstream from the I-95 bridge will be open to commercial shad fishing Tuesday through Friday each week. Upstream of the I-95 bridge it will be open Wednesday through Saturday each week.
 - c) Reserved.
- 4) Commercial Gear and Methods for Taking Shad.

- a) 1. Set nets and drift nets of at least four and one-half inch stretched mesh or trot lines (in accordance with O.C.G.A. 27-4-91) may be used to commercially fish for shad, provided, however, that only drift nets may be used in the Savannah River system downstream of a line between the mouth of Knoxville Creek and McCoy's Cut at Deadman's Point; Altamaha Sound; and Dobby Sound. 2. Nothing in this section shall preclude the commercial use of pole and line gear.
 - b) 1. Set nets must be placed at least six hundred (600) feet apart and shall be limited to one hundred (100) feet in length. All set nets must have one end secured to the stream's bank and be buoyed at the outer (streamward) end so as to be clearly visible to boaters. 2. Set and drift nets must be situated so as to follow one-half the stream width open and free for the passage of fish. 3. Drift nets shall not be fished closer than three hundred (300) feet apart and shall be limited to a maximum of one thousand (1,000) feet in length in saltwaters.
 - c) This Rule applies only to American and hickory shad. Game fish other than American shad and hickory shad, and all species of catfish taken in shad nets must be released unharmed into the waters from which they were taken.
 - d) Notwithstanding any other provision to the contrary, there shall be no possession or creel limit on commercially harvested American shad or hickory shad
- 5) Recreational Shad Fishing.
- a) Recreational shad fishermen are restricted to two poles and lines. Fishermen using more than two poles and lines shall be considered to be fishing commercially.
 - b) Bow nets shall be considered recreational fishing gear and shall have a minimum legal size of 3 ½ inches stretched mesh.
 - c) The maximum recreational daily creel and possession limit shall be eight (8) for any one or a combination of American shad or hickory shad.

GILL NETS ON LAKE SEMINOLE

From November 1 through January 31, gill nets may be fished on Lake Seminole in the Flint River Arm from Faceville Landing upstream to, but not including, the mouth of Big Slough; in the Spring Creek arm from State Route 253 upstream to U.S. Route 84; and in Fish Pond Drain from State Route 253 upstream to County Road 1659 at the north end of Ray's Lake. Nets may be set only in water eight (8) feet deep and shallower. Nets may not be set in stream channels. Fishermen are limited to a total of 300 linear feet of netting. Gill net mesh must be two inches (2") on the square. All nets must be marked by visible buoys and, in addition, the nets must be clearly labeled with the name and commercial fishing license number of the fisherman. All game fish and catfish taken in gill nets must be released.

EEL TRAPS AND EEL FISHING

- 1) Purpose. The purpose of these Rules is to implement the authority of the Board of Natural Resources to promulgate rules and regulations based on sound principles of wildlife research and management, establishing the commercial and recreational seasons, days, and places; methods of fishing and disposition; and size, creel, and possession limits for eel.
- 2) Areas Open to Commercial Eel Fishing. It shall be lawful to fish commercially for adult eels in the following areas:
 - a) In any salt waters of this state except as specifically prohibited below;

- b) In the Savannah River from the saltwater demarcation line to a point one-half mile below the Stevens Creek Reservoir Dam;
 - c) In the Ogeechee River from the saltwater demarcation line to the U.S. Highway 25 bridge at Millen;
 - d) In the Altamaha River from the saltwater demarcation line to the confluence of the Oconee and Ocmulgee Rivers provided; however, it shall be unlawful to fish commercially for eel in the North Altamaha River, except on the ocean side (downstream) of the mouth of, but not including, Lewis Creek. Such fishing shall also be unlawful in the South Altamaha River, except on the ocean side (downstream) of the uppermost entrance of Hammersmith Creek;
 - e) In the Oconee River from the confluence of the Oconee and Ocmulgee Rivers to a point one-half mile below Lake Sinclair Dam;
 - f) In the Ocmulgee River from the confluence of the Oconee and Ocmulgee Rivers to a point one-half mile below Juliette Dam;
 - g) In the Satilla River from the saltwater demarcation line to the U.S. Highway 84 bridge at Waycross;
 - h) In the St. Marys River from the saltwater demarcation line to Georgia Highway 94 bridge near St. George;
- 3) Seasons. Fishing for eels shall be open year-round.
 - 4) Gear for Taking Eels. It shall be lawful to fish commercially for adult eels as follows:
 - a) With rectangular pots no larger than 24 inches x 24 inches x 15 inches or with cylindrical traps no larger than 15 inches nor smaller than 9 inches in diameter and no greater than 36 inches in length. Each gear type must have:
 1. A mesh size no smaller than 1 inch x ½ inch, except for the throat or muzzle and the end opposite the throat or muzzle of cylindrical traps;
 2. A round opening, the size of which shall be limited by a steel ring 2 inches in diameter securely attached to the material of which the muzzle or throat is constructed; and
 3. Attached thereto a tag bearing the name, address and commercial fishing license number of the person using such pot or trap and non-green colored float bearing the corresponding commercial fishing license number in one inch letters of contrasting color.
 - 5) Possession of Fish Other than Eels. All fish other than eels, caught in any trap set for eels shall be returned to the waters of the state immediately after and at the place the trap has been fished. Possession of any fish other than adult eels shall be prima-facie evidence of fishing illegally.
 - 6) Commercial Harvest Limits. Commercial harvest of eels is limited to adult eels which shall mean eels at least nine inches in length. Except as otherwise provided, there shall be no commercial creel limit for the harvest of adult eels.

FRESHWATER MUSSELS

The following waters are open from sunrise to sunset on Monday through Friday of each week from April 1 to August 31 each year, except Memorial Day and Independence Day, to the lawful harvest of mussels:

- Fresh waters of all streams are open to the lawful harvest of mussels that will not pass through a round ring with an inside diameter of four inches; and
- Reservoirs over 500 acres in size which are not owned or operated by the Department are open to the lawful harvest of washboard mussels (Megaloniais sp.) that will not pass through a round

ring with an inside diameter of four inches and to the harvest of all other mussels whose longest dimension will not pass through said ring.

It shall be unlawful to harvest mussels in fresh water by any form of dredging, brailing, pumping, any form of mechanical scooping or by dragging any material over the mussels. Any person violating this provision is subject to the civil penalty provisions of O.C.G.A. 27-1-36.