

Recommendation for Statutory Changes to 10 V.S.A. § 4611 Sale of salmon, trout, and black bass.

Eric Palmer, Fish Division Director, VT Fish & Wildlife, 2/11/16

The department proposes to amend 10 V.S.A. § 4611 to read:

10 V.S.A. § 4611. Sale of salmon, trout, and black bass

(a) A person shall not buy or sell a salmon, trout, lake trout, walleye, northern pike, muskellunge, or black bass or any other fish specified in the rules of the Board, taken in this state, or imported from another state or country where sale of such fish is prohibited, except such fish reared in licensed propagation farms within the state.

(b) No person shall buy or sell angler caught fish, without a permit from the Commissioner, as required in accordance with the rules of the Board and this subpart 4. A propagation farm with a valid permit issued in accordance with 10 V.S.A. Appendix 117 shall not be required to get another permit under this section.

Background

- A. Anglers may sell freshwater fish caught in Vermont waters, provided they are not listed in § 4611.
- B. Commercial fish buyers have reported an average of 390,000 pounds of Vermont fish being harvested and sold per year. The average annual economic "landed value" is estimated at \$742,000 (see table below).
- C. The volume and value of this commercial fishery is probably higher, due to inaccurate reporting by Vermont buyers, and Vermont fish being sold to New York buyers.
- D. The principal species sold are yellow perch, white perch, bluegill, pumpkinseed and black & white crappie.
- E. Most surrounding states (NH, MA, CT & PA) prohibit the sale of freshwater fish caught in state waters. NY prohibits the sale of fish species with season and length limits, including crappie. NY buyers can buy fish from NY and VT, including crappie, provided the angler claims they were caught in VT.
- F. The commercial sale of angler-caught fish in Vermont has long been a source of controversy, due to bad behavior among some commercial anglers, social conflicts, fights for fishing locations, enforcement issues, the exclusion of recreational anglers wanting to harvest fish for personal consumption, and the perception that commercial anglers are "catching all the fish".
- G. Results from the 2010 Vermont Statewide Angler Survey indicate that nearly 50% of resident Vermont respondents consider the sale of angler-caught fish to be a minor to serious problem.
- H. Rather than adding to the list of fish species, amending § 4611 as proposed will allow the department to more effectively manage commercial fish species through Fish & Wildlife Board rulemaking. The Board is well versed in fisheries regulations, and has a robust public process for reviewing and establishing new rules.

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Total annual weight and values of panfish sold to Vermont Commercial Fish Buyers, 1998 through 2014*. Numbers represent pounds of fish, live weight. 2014* only includes sales reported for January through September.

Year	Yellow Perch		Bluegill & Pumpkinseed		White Perch		Black & White Crappie		Total Pounds All Spp. By Year	Total Value All Spp. By Year
	Pounds	Landed Value	Pounds	Landed Value	Pounds	Landed Value	Pounds	Landed Value		
1998	259,693	\$787,980	128,242	\$188,697	18,945	\$13,131	13,280	\$36,428	420,160	\$1,026,236
1999	383,831	\$1,142,142	209,357	\$348,839	11,250	\$7,929	30,677	\$85,913	635,115	\$1,584,823
2000	298,693	\$893,399	91,352	\$129,365	22,088	\$14,860	13,891	\$42,938	426,024	\$1,080,562
2001	282,781	\$847,353	96,060	\$154,956	18,039	\$11,802	8,389	\$25,933	405,269	\$1,040,044
2002	87,958	\$255,166	67,586	\$117,694	24,872	\$12,409	8,176	\$25,691	188,592	\$410,960
2003	135,013	\$291,584	45,021	\$72,389	13,457	\$6,146	22,083	\$69,323	215,574	\$439,442
2004	190,380	\$357,033	97,497	\$121,277	15,553	\$7,279	25,015	\$70,865	328,445	\$556,454
2005	307,483	\$645,767	198,800	\$281,156	34,960	\$13,848	19,719	\$61,935	560,962	\$1,002,706
2006	132,853	\$261,034	49,381	\$84,831	28,482	\$10,380	11,983	\$36,114	222,699	\$392,359
2007	264,130	\$519,853	126,121	\$186,680	35,407	\$16,124	9,025	\$27,907	434,683	\$750,564
2008	91,296	\$122,552	97,306	\$150,475	27,075	\$12,821	8,445	\$26,367	224,122	\$312,215
2009	179,115	\$273,387	108,108	\$164,428	37,531	\$18,705	18,705	\$55,942	343,459	\$512,462
2010	247,305	\$523,667	178,279	\$271,160	59,786	\$31,990	12,551	\$39,906	497,921	\$866,723
2011	140,235	\$307,454	193,073	\$322,836	49,072	\$26,637	17,952	\$57,654	400,332	\$714,581
2012	218,940	\$508,578	197,607	\$331,992	48,624	\$26,788	19,770	\$65,016	484,941	\$932,374
2013	87,806	\$114,148	163,724	\$196,469	37,535	\$11,261	21,040	\$69,432	310,105	\$391,310
2014*	235,348	\$305,952	168,147	\$201,776	104,703	\$31,411	19,809	\$65,370	528,007	\$604,509
Total	3,214,444	\$7,724,731	1,867,847	\$2,899,995	444,794	\$230,664	235,704	\$714,927	6,626,410	\$12,618,324