

SUBJECT: Landing commercial catches of catfish in Toledo Bend Reservoir

COMMITTEE: State Cultural and Recreational Resources — committee substitute recommended

VOTE: 4 ayes — Hilderbran, Geren, B. Cook, Kuempel
0 nays
3 absent — Dukes, Bailey, Phillips

WITNESSES: For — None
Against — None
On — Larry E. Young, Texas Parks and Wildlife Department

BACKGROUND: Texas Parks and Wildlife Department (TPWD) rules (TAC, Title 31, sec. 65.72) make it unlawful to land by boat or in person any fish within a protected length limit or in excess of the daily bag limit or possession limit established for those fish.

DIGEST: CSHB 1414 would exempt catfish caught by commercial fishermen on the Louisiana side of Toledo Bend Reservoir from any limits on catfish caught in Texas, including length, possession, or number.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2003.

SUPPORTERS SAY: CSHB 1414 would allow a commercial fisherman to bring catfish caught on the Louisiana side of Toledo Bend Reservoir back to Texas by boat. A recently implemented TPWD regulation forced commercial fishermen to unload catfish caught on the Louisiana side of the reservoir in Louisiana and then drive the catch back to Texas. Before the regulation, commercial fishermen could launch from a Texas boat ramp, fish on the Louisiana side of the reservoir, and return to the Texas boat ramp with a full catch. Depending

on the location of the nearest bridge, what once was a short drive to a Texas boat ramp for some commercial fishermen has become an hour-long trek to Louisiana.

The bill would ensure that Louisiana rules applied to cajun catfish caught in Toledo Bend and that the Texas rules applied to Texas catfish caught in the reservoir. Each state has a right to determine the best rules and regulations to manage its fisheries. A state should not impose its own restrictions on fish caught in another state.

Game wardens patrolling the reservoir would ensure that catfish caught on the Texas side were not unloaded in Texas under the guise of having been caught in Louisiana. Texas wardens monitoring the reservoir are skilled professionals with years of experience and can spot commercial boats that have not fished in Louisiana waters.

**OPPONENTS
SAY:**

The bill would carve out an exception from TPWD's regulation only for commercial fishermen on Toledo Bend. A commercial fisherman could pull up to the boat ramp with three or four hundred catfish caught on the Louisiana side next to a sport fisherman that had to comply with the Texas bag limit of 25, regardless of where they were caught. Similarly, commercial fishermen catching fish on the Louisiana side of Sabine Lake would have to comply with Texas limits if they landed their boats in Texas, while their counterparts catching catfish on the Louisiana side of Toledo Bend would not.

The bill could allow commercial fishermen to catch hundreds of catfish from anywhere in the reservoir and bring them back to Texas under the guise of having caught them on the Louisiana side. Texas' daily bag limit for catfish is 25, whereas Louisiana imposes no bag limit on commercially caught catfish. Moreover, Louisiana allows the use of hoop nets at certain times of the year on Toledo Bend, whereas Texas does not. Because hoop nets can have a destructive impact on fisheries, Texas does not allow their use.

NOTES:

The committee substitute deleted a provision in HB 1414 as filed that would have required a commercial fisherman to tag catfish caught on the Louisiana side of the Toledo Bend Reservoir before unloading the fish in Texas.