

South Carolina Department of Natural Resources Marine Resources Division  
**Summary of Commercial Fishing Laws for Other Equipment/Trotlines**  
and  
Information on Horseshoe Crabs

**This document is a legal reference to regulations, not to supersede knowledge of the pertinent laws.**

	<u>Resident</u>	<u>Non-Resident</u>
Commercial Saltwater License	\$25.00	\$300.00
Trotline license	\$10.00 per 50 hooks/line	\$50 per 50 hooks/line
Cast net license	\$10.00	\$50.00
Gig license	\$10.00	\$50.00
Hook and Line license	\$10.00	\$50.00
Other Equipment (specify)	\$10.00	\$50.00

**Definitions:**

**Cast Net-** means non-baited circular webbing having a weighted peripheral line which is thrown by hand and retrieved by a central line connected to radiating tuck lines attached to the peripheral line.

**Commercial Saltwater License** – Historically called “land and sell” license; Only one license per person per year is needed; This license allows the fish to be sold to a licensed wholesale dealer. Commercial saltwater fisherman can only sell their catch to a SC licensed wholesale dealer. This license is needed before you can purchase any additional commercial license types (i.e. channel net, crab, eel, herring, shad, shellfish, trawl, other equipment (including cast net, gig, set hook, hook and line, dip net), trotlines and seine/gill nets.

**Commercial Equipment-** any trawl, haul seine, gill net, channel net, bull rake, seed fork, grabs, escalator, or dredge; and any net, seine, trap, pot, tongs, rake, fork, trotline, or other device or appliance when used for taking or attempting to take fish for a commercial purpose.

**Commercial Purpose-** (a) being engaged in buying or selling fish; (b) taking or attempting to take fish in order to derive income or other consideration; (c) using commercial equipment; and (d) otherwise being engaged in the fisheries industry with the intent to derive income.

**Gig-** means a device used to spear fish by hand; to take fish by hand by use of a prong, spear, or similar device and includes bow and arrow.

**Hook and Line-** rod and reel.

**Salt Waters-** means all waters of the rivers and their tributaries, streams, and estuaries lying seaward of the dividing line between salt water and freshwater and all impounded waters seaward of the dividing line between salt water and freshwater which are intermittently filled or drained by the action of the tide.

**Short lines-** fishing lines containing 50 or fewer hooks and measuring less than 500 yards in length.

**Trotline-** means a single line or wire having numerous hooks or baits and is also called long line.

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### **General**

For the privilege of taking or landing anadromous fish, saltwater fish, or fisheries products for commercial purposes, a nonresident must obtain a nonresident commercial saltwater fishing license for a fee of three hundred dollars unless specifically exempted in this article. A nonresident must also obtain a commercial saltwater fishing license for the privilege of selling, exchanging, or bartering such fish or product taken or landed by the nonresident. To act as a striker, a nonresident need not acquire a commercial saltwater fishing license. **50-5-310**

Except as provided in subsection (G), a person or entity who buys, receives, or handles any live or fresh saltwater fish or any saltwater fishery products landed in this State regardless of where taken and packs, processes, ships, consigns, or sells such items at other than retail, and not solely as bait, must first obtain a wholesale seafood dealer license. A person who buys or receives such product solely from licensed wholesale seafood dealers is not required to obtain a wholesale seafood dealer license. The fee for a resident wholesale seafood dealer license is one hundred dollars, and the fee for a nonresident license is five hundred dollars. Each location at which products are to be packed, processed, shipped, consigned, or bought, or to be sold at wholesale must be a permanent, nonmobile establishment, and must be separately licensed. The department may require applicants to specify the activities in which the applicant intends to engage. The department may provide information provided in the application to the South Carolina Department of Agriculture and the South Carolina Department of Health and Environmental Control. **50-5-360**

A person or entity who:

- (1) offers for sale any live or fresh fish or any saltwater fishery products, other than a licensed commercial saltwater fisherman licensed as a wholesale seafood dealer; or
- (2) transports live or fresh fish or any saltwater fishery products, other than a licensed commercial saltwater fisherman transporting his catch to a licensed wholesale seafood dealer;

must have in his possession dated bills of lading, invoices, receipts, bills of sale, or similar documents showing the quantity of each species and type of saltwater fishery product being offered for sale or transported and the name of the licensed commercial saltwater fisherman or licensed wholesale seafood dealer from whom the products were purchased or received.

(B) A person or entity including a licensed commercial saltwater fisherman who takes saltwater

fishery products and sells the catch must sell the catch only to a wholesale seafood dealer licensed under this section or else he must be licensed as a wholesale seafood dealer under this section. **50-5-365**

### **Trotline**

A trotline used in the inshore salt waters of this State must have at least one end buoy, international orange in color, which shows the name and license number of the owner. Recreational trotlines must be marked by the name and address of the owner in lieu of a license number. Any trotline used in the territorial sea must be marked with a buoy not less than twenty inches in diameter at each end, international orange in color, which floats in a manner to be clearly visible at all times. **50-5-505 B**

### **Cast Net.**

Cast nets may be used for herring and shrimp. When using a cast net for herring, you must have your commercial salt water license and a commercial herring cast net permit obtained through the DNR permitting office.

### **Herring catch limits.**

A person not licensed as a commercial saltwater fisherman taking or attempting to take herring by cast net or by hook and line, including rod and reel, may take or possess no more than an aggregate of one bushel of herring in any one day. In freshwaters, a person must hold a freshwater fishing license. **[Section 50-5-1520]**

### **Gigging**

You cannot gig for flounder in saltwaters during day light hours.

It is unlawful to gig for sharks.

Unlawful to gig for red drum or spotted sea trout during December, January and February.

It is unlawful in Georgetown County to gig for fish in saltwaters from the northern tip of North Island to the northern tip of Magnolia Beach during daylight hours.

### **Hook and Line**

Federal highly migratory species permit required when fishing for tuna, bill fish, sword fish, and sharks in federal waters. The same federal permit is also required for possession of these species in state waters with the exception of sharks.

Landings using hook and line (rod and reel) and trotlines (long lines) are considered "directed" and during open seasons, permittees may keep up to 33 non-sandbar large coastal sharks per vessel per trip and there are no retention limits on pelagic or small coastal sharks per vessel per

Commercial Fisherman using a hook and line or a trotline to catch sharks must sell to a wholesale dealer who is federally permitted to receive sharks.

## Horseshoe Crabs

Fisherman must obtain a commercial saltwater license before obtaining permit. In order to obtain a permit you must have a "sponsor". This sponsor will notify the department if you are an authorized harvester.

### **Horseshoe crab permits, taking and handling requirements; penalty.**

Taking or possessing horseshoe crabs (*Limulus polyphemus*) is unlawful except under permit granted by the department. A permit is not required to possess a cast off or molted shell (exoskeleton) of a horseshoe crab. **[Section 50-5-1330 (A)]**

The department may permit the taking or possession of horseshoe crabs. Permits granted under this section may include provisions as to lawful fishing areas; minimum size requirements for horseshoe crabs; mesh size and dimensions of nets and other harvesting devices; by catch requirements; fishing times or periods; catch reporting requirements; holding facilities, conditions, and periods; and other conditions the department determines. **[Section 50-5-1330 (B)]**

Horseshoe crabs from which blood is collected for production of amebocyte lysate may be held in facilities approved by the department and must be handled so as to minimize injury to the crab. Horseshoe crabs collected in this State must be returned unharmed to state waters of comparable salinity and water quality as soon as possible after bleeding unless subsequent retention is permitted. **[Section 50-5-1330 (C)]**

The taking of horseshoe crabs incidentally during legal fishing operations does not violate this section if the crabs are returned immediately to the water unharmed. **[Section 50-5-1330 (D)]**

No horseshoe crab collected in South Carolina may be removed from this State. **[Section 50-5-1330 (F)]**

The department may grant permits to institutions and persons engaged in science instruction or curation to possess horseshoe crabs or parts thereof for such purposes, and permittees are not required to be licensed under this chapter. **50-5-1330 E**

\*If a fisherman wants to obtain a horseshoe crab permit, he needs to obtain a sponsor (dealer who sells horseshoe crabs). The sponsor must contact the DNR permitting office to request a permit for the horseshoe crab harvester.

Trawlers must not keep horseshoe crabs at any time of the year.

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Commercial Fisherman using a trotline, cast net, gig, or hook and line must sell their catch to a licensed wholesale seafood dealer or be a licensed wholesale seafood dealer themselves.

\* If you no longer need your license please be sure to surrender it to the Commercial License office in Charleston (PO Box 12559 Charleston, SC 29422). If you have questions about surrendering your license please call (843)953-9311.

If your license/ permit is suspended or revoked, you are entitled to an administrative appeal pursuant to the South Carolina Administrative Procedures Act. The review must be scheduled by the Administrative Law Court in accordance with the division's procedural rules. The scope of the hearing is limited to the issues set out by the Administrative Procedures Act and the division's procedural rules. Appeals must be filed and served within 30 days of suspension/ revocation notice with the Clerk of Court of Administrative Law Court 1205 Pendleton Street Suite 224 Columbia, SC 29201, telephone (803)734-0660.