

**RULES
OF
TENNESSEE WILDLIFE RESOURCES AGENCY**

**CHAPTER 1660-1-22
PEARL CULTURE**

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1660-1-22-.01 CULTURING FRESHWATER PEARLS IN PUBLIC WATERS.

- (1) Before any person or firm shall engage in the business of culturing freshwater pearls in public waters, they must obtain necessary permission for a pearl culturing site from Tennessee Wildlife Resources Agency and other agencies having jurisdiction (TVA, Corps of Engineers, etc.) and obtain necessary licenses and permits as required.
 - (a) The following general provisions apply:
 1. Definitions of a pearl culturing site: An area of public water set aside for the purpose of culturing freshwater pearls which may include facilities on adjacent land used for the propagation of freshwater mussels to be used in pearl culture.
 2. Definition of pearl culturing: The rearing of freshwater mussels obtained through purchase or propagated on site for the purpose of producing pearls.
 3. Each site shall be considered a separate business requiring a separate license.
 4. Priority for a pearl culturing site approval will be given those located or co-locating within an existing commercial business such as boat dock or barge port.
 5. Maximum acreage of water per site shall not exceed 10 acres.
 6. Pearl culturing sites shall be adequately posted around the perimeter at intervals not exceeding 200 feet.
 7. Pearl culturing rafts will be placed at least 50 feet from shore.
 8. Any disease treatment involving adding any chemical to public water must be approved by appropriate state and federal regulatory authorities.
 9. No fertilizer or any other unapproved substance shall be added to the water.
 10. Aeration within pearl culturing site is permissible.
 11. Mussels used in the pearl culturing business shall be restricted to native species unless other species are authorized in writing by TWRA.
 12. Implanted mussels must be placed in retainers suspended from piers, docks, or floats within the pearl culturing site.
 13. Mussels smaller than the size legal for harvest from Tennessee waters may be used in culturing pearls under the following conditions:

(Rule 1660-1-22-.01, continued)

- (i) Mussels legally imported may be used. These mussels may be placed directly into pearl culture retainers, or they may be placed on the lake bottom in an area of the pearl culturing site designated for such purpose by TWRA in writing. Such area shall not exceed 0.5 acre in size, and will be marked by the licensee with floats approved by the TWRA.
 - (ii) A written record showing the date and the number of imported undersized mussels by species placed in the designated area and the date and number by species removed shall be maintained and kept current. The record shall be available for immediate inspection by TWRA personnel.
 - (iii) Mussels propagated at a pearl culture site may be used. Records as described in subsection (ii) must be kept. Mussel propagated at a pearl culture site must be placed in an area separate from other mussels and must be uniquely marked to differentiate them from wither implanted or purchased mussels.
 - (iv) The propagated mussels can be used only at the associated pearl culture site and for the purpose of being the host mussel in pearl or pearl like products. Propagated mussels can not be sold, bartered, or exchanged.
 - (v) All mussels propagated at a pearl culture site must be held within a designated area in retainers having a standard number of shells. Retainers shall be marked to identify the year the mussels were placed in each retainer. Such an area must be accessible for inspection by TWRA personnel during normal business hours.
14. Implanted mussels shall not be placed on the bottom of any public water in Tennessee.
- (b) Violation of these rules and regulations can result in revocation of the permit by the Executive Director of the Tennessee Wildlife Resources Agency, as well as other penalties.

Authority: T.C.A. §70-2-220. **Administrative History:** Original rule filed September 1, 1988; effective October 16, 1988. Amendment filed March 30, 1994; effective June 13, 1994.