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## **TITLE 312 NATURAL RESOURCES COMMISSION**

LSA Document #02-330(E)

### **DIGEST**

Temporarily modifies 312 IAC 9-6-1 and 312 IAC 9-6-7 governing fish and fishing activities. Modifications are made to the list of fish species that are illegal to import, possess, or release into public or private waters without a license issued by the department. Included are the exotic nuisance species black carp, bighead carp, silver carp, white perch, all species of snakeheads in the family Channidae, and any hybrid of these fish. Effective December 1, 2002.

**SECTION 1. In addition to the definitions contained in 312 IAC 9-6-1, the following are added and apply throughout 312 IAC 9-7, 312 IAC 9-8, 312 IAC 9-10, and this document:**

- (1) "Bighead carp" means the species *Hypophthalmichthys nobilis*.
- (2) "Black carp" means the species *Mylopharyngodon piceus*.
- (3) "Exotic fish" means an exotic catfish, bighead carp, black carp, silver carp, white perch, snakehead, rudd, ruffe, tubenose goby, round goby, or a hybrid of any of these fish.
- (4) "Silver carp" means the species *Hypophthalmichthys molitrix*.
- (5) "Snakehead" means all species of the family Channidae, including the genera *Channa* and *Parachanna*.
- (6) "White perch" means the species *Morone americana*.

**SECTION 2. (a) This SECTION supercedes 312 IAC 9-6-7.**

**(b) Except as otherwise provided under this SECTION, a person must not import, possess, propagate, buy, sell, barter, trade, transfer, loan, or release into public or private waters, any of the following live fish:**

- (1) Exotic catfish.
- (2) Bighead carp.
- (3) Black carp.
- (4) Silver carp.
- (5) White perch.
- (6) Snakehead.
- (7) Rudd.
- (8) Ruffe.
- (9) Tubenose goby.
- (10) Round goby.
- (11) A hybrid of any of these fish.

**(c) A person who takes a fish listed in subsection (b) does not violate this SECTION if a fish listed in subsection (b) is killed immediately upon capture.**

**(d) This SECTION does not apply:**

- (1) to the use of a fish by a properly accredited zoological park as defined in 312 IAC 9-5-8(i);
- (2) during the lawful interstate shipment of fish through the state of Indiana;
- (3) to the use of a fish authorized by a permit issued by the U.S. Department of the Interior; or
- (4) to a person who lawfully possesses an exotic fish under a permit issued under 312 IAC 9-10-17 for medical, educational, or scientific research purposes.

**(e) A person who possesses federally listed injurious species must also comply with 18 U.S.C. 42 and 50 CFR 16.**

**SECTION 3. SECTIONS 1 and 2 of this document expire November 30, 2003.**

*LSA Document #02-330(E)*

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