

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Revisions Regarding Freshwater Permits

The Wildlife and Fisheries Commission does hereby give notice of its intent to adopt the following changes:

Title 76

WILDLIFE AND FISHERIES

PART VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

§159. Repealed

Chapter 9. Aquaculture

§907 Game Fish Fingerling Aquaculture-Rules and Regulations

A. A fish farmer raising and selling live game fish fingerlings must obtain an annual Domesticated Aquatic Organism license ~~fish farmers certificate (license) and game fish farmers permit~~ issued by the Department of Wildlife and Fisheries ~~on a calendar year basis~~.

B. Live game fish fingerlings sold from an approved fish farm shall be subject to all applicable statute and rule limitations if any.

C. A fish farmer raising and selling live game fish fingerlings must maintain a record of all sales and shipments of fish and

these records must be open for inspection by designated employees of the Department of Wildlife and Fisheries.

~~D. A fish farmer raising and selling live game fish fingerlings must submit an annual report delineating the total numbers of fishes stocked statewide by species and total acreage. This report will be sent to the Louisiana Cooperative Extension Service, where data will be compiled and remitted to the secretary of the Department of Wildlife and Fisheries. The deadline for submission of the annual report will be no later than one month after the reporting year has ended.~~

D. ~~E.~~ Game fish farmers transporting game fish fingerlings for sale must possess a bill of lading which shall accompany each shipment showing species of fish contained in the shipment, number, the origin of the payload, destination of the shipment, the name of the consignee and consignor, and the grower's name and Domesticated Aquatic Organism ~~fish farmer's~~ license number.

E. ~~F.~~ All trucks transporting game fish fingerlings for sale must have the words "GAME FISH FARMER" prominently displayed with a minimum of 3-inch block letters.

F. ~~G.~~ Fish farmers holding a Domesticated Aquatic Organism license ~~permits~~ are not granted any fishing privileges greater than those stated in Title 56 of the Louisiana Revised Statutes

and must abide by all statutes pertaining to domestic fish farming.

G H.The department shall have the authority to cancel sales or to confiscate and destroy shipments of game fish fingerlings that are determined by department personnel to have fish diseases or parasites that would endanger native fish populations. Game fish farmers must agree to allow department personnel or a department approved contractor to conduct unannounced random inspections of the transport vehicle. Those individuals may remove or take fish samples for analysis and/or inspection.

H I.Genetic purity shall be maintained and game fish fingerlings produced shall not be genetically manipulated or altered in any way without prior approval of the department, except for hybrid crosses within the genera of *Lepomis*, *Pomoxis*, *Micropterus*, or *Morone*, or fish produced with polyploid chromosomes.

I J.The secretary may revoke any or all licenses ~~permits~~ issued for the raising and selling of game fish fingerlings if the licensee ~~permittee~~ fails to adhere to any of the above regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:327 (A)(2), R.S. 56:411 and R.S. 56:412.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:893 (September 1991) and amended by LR 24:2155 (November 1998).

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the Final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

In accordance with Act #1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent: This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Interested persons may submit written comments of the Notice of Intent to Mr. Randy Myers, Biologist DCL-B, Office of Fisheries, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Thursday, January 2, 2013.

Ronald Graham

Chairman