

TITLE 800. DEPARTMENT OF WILDLIFE CONSERVATION

CHAPTER 15. COMMERCIAL HARVEST RULES, AQUATIC SPECIES

SUBCHAPTER 11. COMMERCIAL AQUATIC PRODUCTION

800:15-11-1. Purpose

The purpose of this chapter is to designate restricted aquatic species used in commercial propagation of aquatic species pursuant to 2 O.S., Sections 6-311, 6-314, 6-317; 29 O.S. Sections 6-303.1, and 7-602. Penalties for violations of rules are also provided.

800:15-11-2. List of restricted aquatic species

The following is a list of restricted aquatic species which shall not, in whole or in part, be propagated or offered for sale, trade, or profit, in commercial aquatic production operations licensed by the Oklahoma Department of Agriculture:

- (1) Bighead carp (*Hypophthalmichthys molitrix*).
- (2) Silver carp (*Aristichthys nobilis*).
- (3) Black carp (*Mylopharyngodon piceus*).
- (4) Alewives (*Alosa pseudoharengus*).
- (5) Rainbow smelt (*Osmerus mordax*).
- (6) Rudd and rudd hybrids (*Scardinius* spp.).
- (7) Paddlefish (*Polyodon spathula*)
- (8) Alligator snapping turtle (*Macrolemys temminckii*)
- (9) American Alligator (*Alligator mississippiensis*)
- (10) All other state and/or Federal endangered or threatened species, or species of special concern.

800:15-11-3. Inspection authority

Any duly authorized Oklahoma Department of Wildlife employee shall have the power to inspect, at reasonable times, records, facilities and operations of any person engaging in the commercial production of aquatic species licensed by the Oklahoma Department of Agriculture in accordance with provisions of 2 O.S., Section 6-314.

800:15-11-4. Penalties

Any person violating these Chapter provisions shall be subject to the penalties provided in 29 O.S., Section 8-104.

CHAPTER 20. RESTRICTION ON AQUATIC SPECIES INTRODUCTION

[Authority: 29 O.S., §§ 3-103, 6-504, and 7-801; OKLA.CONST. art XXVI, §§ 1 and 3

[Source: Codified 3-5-91]

SUBCHAPTER 1. RESTRICTED EXOTIC FISH

800:20-1-1. Purpose

The purpose of this chapter is to describe rules pertaining to possession and/or importation of restricted exotic fish and/or their eggs in Oklahoma pursuant to 29 O.S., Sections 7-602 and 8-104. Penalties for violations of rules are also provided.

800:20-1-2. List of restricted exotic species

(a) Until such time as is necessary for the Department of Wildlife Conservation to obtain adequate information for the determination of other harmful or potentially harmful exotic species, the importation into the State and/or the possession of the following exotic fish or their eggs is prohibited:

- (1) Walking Catfish: The Walking Catfish, (*Clarius batrachus*) and other members of the exotic catfish family Claridae, including but not limited to species of the genera *Clarias*, *Heteropneustes*, *Gymnallables*, *Channallabes*, and *Heterobranchus* are prohibited. Any live specimens of Walking Catfish or other Claridae species within the boundaries of the State of Oklahoma are contraband and subject to seizure by the Department of Wildlife Conservation.
- (2) Grass carp: Release of grass carp (diploid and/or triploid), also known as white amur or Chinese carp (*Ctenopharyngodon idella*) or their hybrids into public waters is prohibited in accordance with 29 O.S., Section 6-504. Only certified triploid grass carp may be imported, possessed, or introduced for the purpose of stocking private waters. Possession and transportation of diploid grass carp is permitted for the control of vegetation on licensed aquaculture facilities, the export to states allowing use of diploid grass carp and for production for sale to the human food market.
- (3) Boney-tongue group: *Osteoglossum* spp., and *Arapaima* spp.
- (4) Piranha group: *Serrasalmus* spp., *Pygocentrus* spp., *Rooseveltiella* spp., *Catopriion* spp., *Hydrocynus* spp., and *Salminus* spp.
- (5) Electric Eel (*Electrophorus electricus*).
- (6) Electric catfish (*Malapterus electricus*).
- (7) Gar-pike topminnow (*Belonesox belizanus*).
- (8) Snakehead groups: *Opicephalus* spp., and *Channa* spp.
- (9) Pavon or Peacock Bass (*Chichla temensis* and *Chichia ocellaris*).
- (10) Parasitic South American Catfish group (Candiru), genera & species of the Trichomycteridae family. *Vandellia* spp., *Tridens* spp., and *Pygidium* spp.
- (11) Freshwater Stingray group: *Paratrygon* spp., *Potomotrygon* spp., and *Disceus* spp.
- (12) Hourii (from South America): *Macrodon* spp., and *Hoplias* spp.
- (13) Rudd and rudd hybrids (*Scardinius* spp.).
- (14) Bighead carp (*Hypophthalmichthys molitrix*). This shall not interfere with the possession of dead bighead carp when reporting the fish to ODWC personnel.
- (15) Silver carp (*Aristichthys nobilis*). This shall not interfere with the possession of dead silver carp when reporting the fish to ODWC personnel.
- (16) Black carp (*Mylopharyngodon piceus*).
- (17) Alewives (*Alosa pseudoharengus*).

- (18) Rainbow smelt (*Osmerus mordax*).
- (19) Blueback herring (*Alosa aestivalis*).

(b) Tilapia:

- (1) The sale and use of all Tilapia species as bait is prohibited.
- (2) The stocking of all Tilapia species in any heated-water reservoir including Sooner, Konawa and Boomer Reservoirs is prohibited.
- (3) This shall not interfere with the sale of dead and/or processed Tilapia for human food or the sale or transport of Tilapia species for the purpose of aquatic vegetation control in privately owned ponds.

(c) Crayfish:

- (1) Australian Red Claw (*Cherax quadricarinatus*)
- (2) Rusty (*Orconectes rusticus*)

[Source: Amended at 8 Ok Reg 2005, eff 5-13-91; Amended at 25 Ok Reg 2117, eff 7-1-08; Amended at 26 Ok Reg 2636, eff 1-1-10; Amended at 27 Ok Reg 539, eff 1-2-10 (emergency); Amended at 27 Ok Reg 2059, eff 7-1-10; Amended at 30 Ok Reg 734, eff 6-1-13]

800:20-1-3. Penalties

Any person violating these Chapter provisions shall be subject to the penalties provided in 29 O.S., Section 7-602 and 8-104.