

## CHAPTER Fis 800 THE IMPORTATION, POSSESSION AND USE OF ALL WILDLIFE

Statutory Authority: RSA 207:14, RSA 211:62-e, RSA 211:64 and RSA 212:25

REVISION NOTE:

Document #6889, effective 11-21-98, made various changes by moving and renumbering various subsections and restructuring of Chapter Fis 800.

Document #5507 effective 11-20-92, made extensive changes to the wording, format, and structure of Chapter Fis 800. Document #5507 replaces all prior filings for the sections in this chapter. The prior filings for former Fis 800 include the following documents:

#745, eff 1-25-76; #1670, eff 11-20-80; #2079, eff 7-5-82; #2839, eff 8-31-84; EXPIRED 8-31-90; #4934, eff 9-19-90; #5414, Interim, eff 6-19-92; EXPIRED 10-17-92

## PART Fis 801 CHAPTER DEFINITIONS

Fis 801.01 "Aquaculturist" means any person who is engaged in aquaculture as defined in RSA 211:62-e.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.02 "Aquatic species" means "aquatic species" as defined in RSA 211:62-e.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.03 "Closed system" means a type of water system where the water is re-circulated, and no water is discharged into the environment and the wildlife or marine species held in the system can not escape.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.04 "Controlled" means that the wildlife species or activity such as the collection, importation, transportation, possession, sale, transfer or release of that wildlife is restricted.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.05 "Department" means the fish and game department.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.06 "Endangered species" means "endangered species" as defined in RSA 212-A:2, IV.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.07 "Exhibitor" means any person engaged in the showing, displaying or training of wildlife for the purpose of public viewing of the wildlife whether or not a fee is collected, and who possesses, if applicable, a current United States Department of Agriculture exhibitor's permit and/or US Fish and Wildlife Service permit to exhibit.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8893, eff 6-5-07

Fis 801.08 "Exotic species" means wildlife that are non-indigenous species.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.09 "Extirpated indigenous species" means wildlife species that were known to be indigenous to the state but are presently not found within the state.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.10 "Fishing preserve" means a privately owned or leased body of water which provides an opportunity, upon the payment of a fee, for taking fish in a fee fishing operation where fish have been placed on the property for such purposes, whether operated commercially or non-profit.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.11 "Import" means bringing or causing wildlife to be transported into the state by any means.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.12 "Indigenous" means wildlife species that are naturally occurring or naturalized in New Hampshire.

Source. (See Revision Note at chapter heading for Fis 800) #5507,

eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.13 "Individual person" means a one natural person.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.14 "Marine species" means "marine species" as defined in RSA 207:1, XV.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.15 "Naturalized species" means an exotic or an introduced species of wildlife that has become established in New Hampshire.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.16 "Non-controlled" means that the wildlife species or activity such as the collection, importation, transportation, possession, exhibition or the sale, transfer or release of that wildlife is not subject to regulation by the department.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.17 "Person" means "person" as defined in RSA 207:1, XX.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.18 "Possess" means "possession" as defined in RSA 207:1, XXI, and includes the keeping, holding or restricting of wildlife.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.19 "Prohibited" means that the wildlife species or activity such as the collection, importation, transportation, possession, sale, transfer or release of that wildlife is not allowed.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.20 "Propagate" means the raising, possessing or reproduction of wildlife for the purposes of sale or other pecuniary gain.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.21 "Propagator" means a person engaged in the activity of propagating wildlife.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.22 "Regulated shooting area" means a hunting preserve as described in RSA 212:25, and an operation on privately owned or leased property which provides an opportunity for taking wildlife that have been placed on the property for such purposes, whether operated commercially or non-profit.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.23 "Take or taking" means "take or taking" as defined in RSA 207:1, XXVII.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.24 "Threatened species" means "threatened species" as defined in RSA 212-A:2, V.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.25 "Venomous reptile" means a reptile normally found in a venomous state in the wild and includes those reptiles in which the venom glands have been surgically removed.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 801.26 "Wildlife" means "wildlife" as defined in RSA 207:1, XXXV.

Source. #8893, eff 6-5-07 (from Fis 801.25)

## PART Fis 802 GENERAL CHAPTER REQUIREMENTS

### Fis 802.01 Permittee Categories.

(a) For purposes of this chapter the permittee categories shall be as follows:

- (1) An individual person shall be permittee category 1;
- (2) A propagator shall be permittee category 2;
- (3) An individual training and shooting permittee shall be category 3.
- (4) The person operating a regulated shooting area shall be permittee category 4;
- (5) An exhibitor shall be permittee category 5; and
- (6) An aquaculturist shall be permittee category 6;
- (7) A field trial permittee shall be permittee category 7.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07; amd by #9790-A, eff 1-1-11

Fis 802.02 Applicants. Applicants for permits under this Chapter shall make application subject to the penalties for making unsworn falsification under RSA 641:3.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

### Fis 802.03 Exemptions.

(a) The executive director and his employees shall be excluded from the requirements of this chapter while acting in the performance of their official duties.

(b) While the aquaculture and sale of bait fish shall be in accordance with Fis 800, the importation and possession of fin fish for bait in accordance with RSA 214:34-d and Fis 502 shall be exempt from the requirements of this chapter.

(c) Birds for falconry in accordance with RSA 209-A and Fis 1108 shall be exempt from the provisions of this chapter.

(d) Rehabilitators may possess indigenous species of wildlife for the purpose of rehabilitating under Fis 812.

(e) Persons possessing wildlife legally taken and possessed under other licenses under this title shall not be required to obtain a permit to possess wildlife under this chapter.

(f) The provisions of this chapter shall not apply to an owner or person possessing a wolf hybrid as defined in RSA 466-A, or a domesticated show or pet cat registered with a nationally or internationally recognized breeding

association or registry which certifies the pedigree and registration of such cat to be without any wild felid parentage for a minimum of three generations.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

#### Fis 802.04 Power to Revoke. - RESERVED

Source. #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

Fis 802.05 Expiration. All annual permits shall expire on December 31 of the year of issuance and the permittee shall be responsible for requesting renewal.

Source. #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07 (from Fis 802.06)

### PART Fis 803 IMPORTATION OF WILDLIFE

#### Fis 803.01 Part Definitions.

(a) "Salmonids" means all species and hybrids of the family Salmonidae, a list of which is available in the American Fisheries Society, Special Publication No. 34, "A List of Common and Scientific Names of Fishes from the United States, Canada and Mexico", Seventh Edition 2013.

(b) "Warmwater species of fish" means those species of fish that usually inhabit warm or cool waters such as but not limited to:

- (1) Black bass;
- (2) Pickerel;
- (3) Walleye;
- (4) Sunfishes;
- (5) Muskellunge; and
- (6) Channel catfish and other catfish in the Family Ictaluridae.

(c) "Zone 1" means the area that includes the continental United States and Canada excluding the states or provinces listed in zone 2.

(d) "Zone 2" means the area that includes the states of Washington, Oregon, California, Idaho, Alaska, British Columbia or any European country.

Source. (See Revision Note at chapter heading for Fis 800) rpld by #5507, eff 11-20-92; ss by #6889, eff 11-21-98; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07; amd by #10541, eff 4-1-14

#### Fis 803.02 Compliance Requirements.

(a) All wildlife imported into the state shall be in compliance with any requirements of the New Hampshire

department of agriculture, US Department of Agriculture and the US Fish and Wildlife Service.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; amd by #8431, eff 9-20-05; EXPIRED: 11-21-06 (except paragraph (b)(5)c.); ss by #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 803.03 Non-controlled Species - Importation.

(a) A permit to import wildlife shall not be required for any person to import wildlife designated as non-controlled as specified in Fis 803.03(b).

(b) For purposes of this part, the following species or groups of wildlife shall be designated as non-controlled:

- (1) Ornamental aquarium fish, both fresh and marine, that shall be kept in a closed system;
- (2) Non-indigenous amphibians;
- (3) Non-venomous reptiles, except the following:
  - a. Indigenous reptile species listed in Table 800.1;
  - b. Alligator (*Alligatoridae*, spp. );
  - c. Crocodile (*Crocodylidae*, spp.);
- (4) Non-living indigenous amphibians and reptiles, listed in Table 800.1 for category 1;
- (5) The following birds:
  - a. Cockatiel (*Nymphieus hollandicus*);
  - b. Canaries (*Serinus* spp);
  - c. Parrotts (*Psittaciformes*);
  - d. Parakeets (*Budgerigar*);
  - e. Mynah Birds (*Acridotheres* spp.);
  - f. Finches (*Estrildidae*);
  - g. Pekin robins (*Leiothrix lutea*);
  - h. Weavers (*Placeidae*);
  - i. Toucans (*Ramphastiske*);
  - j. Button quail (*Turnicidae*)
  - k. Pigeons and doves (*Columbiformes*), exotic;
  - l. Feral pigeons (*Columba domestica* and *C. livia*);
  - m. Emu (*Dromaius novaehollandire*);
  - n. Ostrich (*Struthio camelus*);
  - o. Rhea (*Rheidae*);
  - p. Exotic migratory, except mute swans;

- q. Mallard (*Anas platyrhynchos*);
- r. Gallinaceous Birds, except:
  - 1. Grouse, Ruffed (*Bonasa umbellus*);
  - 2. Grouse, Spruce (*Dendragapus canadensis*); and
- (6) The following mammals:
  - a. Bison (*Bison bison*; *B. bonasus*);
  - b. Wild Boar (*Sus scrofa*);
  - c. Camel (*Camelus* spp.)
  - d. Caribou/Reindeer (*Rangifer tarandus*);
  - e. Chinchillas, domesticated (*Chinchilla* spp);
  - f. Degus (*Octodon degus*);
  - g. Deer, Fallow (*Dama dama*);
  - h. Deer, Red (*Cervus elaphus*);
  - i. Deer, Sika (*Cervus nippon*);
  - j. Elk (*Cervus elaphus canadensis*);
  - k. Gerbils, domesticated (*Cavia* spp);
  - l. Guanaco (*Lama guanicoe*);
  - m. Guinea pigs, domesticated (*Cavia* spp);
  - n. Hamsters, domesticated (*Cricetus cricetus*);
  - o. Mice, domesticated (*Mus musculus*);
  - p. Rats, domesticated (*Rattus norvegicus* and *Rattus rattus*);
  - q. Ferrets, domesticated (*Mustela putorius furo*);
  - r. Llamas (*Lama glama*);
  - s. Alpacas (*Lama pacos*);
  - t. Pot belly pigs, domesticated;
  - u. Rabbits, domesticated;
  - v. African pigmy hedgehog;
  - w. Sugar glider (*Petaurus breviceps*);
  - x. Tenrec (*Tenrec ecaudatus*);
  - y. Yak (*Bos grunniens*); and
  - z. Zebra (*Equus burchelli*, *E. grevyi*, *E. zebra*).
  - aa. Asian water buffalo (*Babalis bubalis*)

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6191, eff 2-22-96; ss by #6889, eff 11-21-98,



EXPIRED 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07New. #8893, eff 6-5-07 (from Fis 803.02); amd by #10541, eff 4-1-14Fis 803.04 Prohibited Species - Importation.

- (a) No person shall import wildlife that has been designated as prohibited pursuant to Fis 803.04(b).
- (b) For the purposes of this part, the following species or groups of wildlife shall be designated as prohibited:
- (1) The following invertebrates:
    - a. Zebra mussels (*Dreissena polymorpha*, *D. bugensis*);
    - b. Spiny waterflea (*Bythotrephes cederstroemi*);
    - c. Fishhook waterflea (*Cercopagis pengoi*);
    - d. All non-indigenous crayfish; and
    - e. Asiatic clam (*Corbicula fluminea*).
  - (2) The following fish:
    - a. Walking catfish (*Clarias batrachus*);
    - b. White amur/grass carp (*Ctenopharyngodon idella*);
    - c. Black carp (*Mylopharyngodaon piceus*);
    - d. European rudd (*Scardinius erythrophthalmus*); and
    - e. Round goby (*Neogobius melanostomus*);
    - f. Tubenose goby (*Proterhinus marmoratus*);
    - g. Ruffe (*Gymnocephalus cernuus*); and
    - h. Snakeheads (Family: Channidae).
  - (3) The following mammals and their hybrids:
    - a. Deer, white-tailed (*Odocoileus virginianus*);
    - b. Moose (*Alces alces*); and
    - c. Raccoon dog (*Nyctercutes procyonides*).

Source. #5721, eff 10-14-93 (renumbered by #6889, formerly Fis 803.041), EXPIRED: 10-14-99

New. #8893, eff 6-5-07 (from Fis 803.03); amd by #10541, eff 4-1-14

Fis 803.05 Permits to Import Wildlife.

(a) No live wildlife or their hybrids, designated as controlled, the eggs or progeny thereof, shall be imported into the state for any purposes without a permit to import wildlife or except as otherwise permitted under RSA 207:1-a, RSA 214:34-d, RSA 209-A:3, IV and Fis 810.07(d).

(b) All species not specifically designated and listed under the categories of non-controlled, prohibited or controlled shall be designated as controlled and shall require a permit to import.

(c) The executive director shall review each application to import wildlife and shall make a determination as

to whether such importation shall be permitted. No permit shall be issued if there is any significant disease, genetic, ecological, environmental, health, safety or welfare risks to the public or other wildlife species.

(d) In order to make such a determination for any species not designated and listed as described in (b), the executive director shall consider the following criteria such as, but not limited to:

- (1) Life cycle;
- (2) Life history;
- (3) Reproduction habits;
- (4) Habitat requirements;
- (5) Interaction with indigenous species for food/habitat;
- (6) The ability of the species to survive in New Hampshire's environment;
- (7) Geographic distribution in the wild; and
- (8) Source of wildlife;

(e) An application for a permit to import wildlife for any species not designated and listed as described in (b), shall be submitted to the department no less than 30 days in advance of the requested importation date.

(f) Applicants for a permit to import wildlife who already hold a permit to possess, propagate, exhibit or other special permit shall provide such permit number on the application to import as evidence that the applicant holds the necessary permits to possess and/or release wildlife.

(g) A permit to import wildlife shall expire December 31 of the year issued.

(h) Wildlife determined by the United States Fish and Wildlife Service to be endangered or threatened and those treated as endangered or threatened because they are sufficiently similar in appearance to endangered or threatened species shall be prohibited from importation into New Hampshire without first obtaining the appropriate federal permit pursuant to 50 CFR 17.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; amd by #5721, eff 10-14-93; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

#### Fis 803.06 Controlled Species - Importation.

(a) A permit to import wildlife shall be required for all species, including hybrids, designated as controlled as cited in Table 800.01 under (b).

(b) A permit shall be issued only to a person in the permittee category(ies), as defined in Fis 802.01, and cited in Table 800.1 below:

Table 800.1 Controlled Species Table

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
Amphibians	1,5	American toad	<i>Bufo americanus</i>
	5	Fowler's toad	<i>Bufo fowleri</i>
	1,5	Gray treefrog	<i>Hyla versicolor</i>
	1,5	Spring peeper	<i>Pseudacris crucifer</i>
	1,5	American bullfrog	<i>Rana catesbeiana</i>

	1,5	Green frog	<i>Rana clamitans</i>
	1,5	Pickerel frog	<i>Rana palustris</i>
	5	Northern leopard frog	<i>Rana pipiens</i>
	1,5	Mink frog	<i>Rana septentrionalis</i>
	1,5	Wood frog	<i>Rana sylvatica</i>
	5	Jefferson salamander	<i>Ambystoma jeffersonianum</i>
	5	Blue-spotted salamander	<i>Ambystoma laterale</i>
	5	Jefferson X blue-spotted salamander hybrids	<i>Ambystoma jeffersonianum X laterale</i>
	1,5	Spotted salamander	<i>Ambystoma maculatum</i>
	5	Marbled salamander	<i>Ambystoma opacum</i>
	1,5	Northern two-lined salamander	<i>Eurycea bislineata</i>
	1,5	Northern dusky salamander	<i>Desmognathus fuscus</i>
	5	Spring salamander	<i>Gyrinophilus porphyriticus</i>
	5	Four-toed salamander	<i>Hemidactylum scutatum</i>
	1,5	Eastern red-backed salamander	<i>Plethodon cinereus</i>
	5	Northern slimy salamander	<i>Plethodon glutinosus</i>
	5	Common Mudpuppy	<i>Necturus maculosus</i>
	1,5	Red-spotted newt	<i>Notophthalmus viridescens</i>
Reptiles			
	5	Alligator	Alligatoridae, spp
	5	Crocodile	Crocodylidae, spp
	5	All venomous reptiles	
	5	Blanding's turtles	<i>Emydoidea blandingii</i>
	5	Eastern box turtles	<i>Terrapene carolina carolina</i>
	5	Spotted turtles	<i>Clemmys guttata</i>
	5	Wood turtles	<i>Glyptemys insculpta</i>
	1,5	Musk turtle	<i>Sternotherus odoratus</i>
	1,5	Painted turtle	<i>Chrysemys picta</i>
	1,5	Snapping turtle	<i>Chelydra serpentina</i>
	5	Black racer	<i>Coluber constrictor</i>
	1,5	Ring-necked snake	<i>Diadophis punctatus</i>
	5	Eastern hognose snake	<i>Heterodon platirhinos</i>
	1,5	Eastern milksnake	<i>Lampropeltis triangulum triangulum</i>
	1,5	Northern watersnake	<i>Nerodia sipedon</i>
	5	Smooth greensnake	<i>Opheodrys vernalis</i>
	1,5	Brown snake	<i>Storeria dekayi</i>
	1,5	Red-bellied snake	<i>Storeria occipitomaculata</i>
	5	Ribbon snake	<i>Thamnophis sauritus</i>
	1,5	Garter snake	<i>Thamnophis sirtalis</i>
Fish			
	1,6	All fish except those listed As Prohibited or non-controlled	

	1, 6	Channel catfish	
	1, 6	Talapia	
	1, 6	Hybrid striped bass	
Birds			
	5	All native species	
	1, 2, 5	All waterfowl, indigenous and naturalized, except:	
	5	Mute swans	<i>Cygnus olor</i>
		Mallard, listed as noncontrolled in Fis 803.02(b)(4)q.	
	5	Grouse, Ruffed	<i>Bonasa umbellus</i>
	5	Grouse, Spruce	<i>Dendragapus canadensis</i>
	5	Crow, Pied	
	5	Buzzard, European	
Mammals			
	5	Agouti, Red rumped	
	5	Anteater, Lesser	
	5	Armadillo	
	5	Badger, American	<i>Taxida taxus</i>
	5	Barbary Sheep	
	5	Bat, Big Brown	<i>Eptesicus fuscus</i>
	5	Bat, Hoary	<i>Lasiurus cinereus</i>
	5	Bat, Red	<i>Lasiurus borealis</i>
	5	Bat, Silver-haired	<i>Lasionycteris noctivagans</i>
	5	Bear, Black	<i>Ursus americanus</i>
	5	Bear, Grizzly	<i>Ursus horribilis</i>
	5	Beaver	<i>Castor canadensis</i>
	5	Binturong	<i>A. binturong</i>
	5	Bobcat	<i>Felis rufus</i>
	5	Caracal	<i>Felis caracal</i>
	5	Chipmunk, Eastern	<i>Tamias striatus</i>
	5	Coatimundi	<i>Nasua nasua</i>
	5	Cottontail, Eastern	<i>Sylvilagus floridanus</i>
	5	Cottontail, New England	<i>Sylvilagus transitionalis</i>
	5	Cougar	<i>Felis concolor</i>
	5	Coyote	<i>Canis latrans</i>
	5	Dama Wallaby	
	5	Elephant	<i>Elaphus maximus, Loxodonta africans</i>
	5	Fisher	<i>Martes pennanti</i>
	5	Fox, Fenec, Arctic	
	5	Fox, gray	<i>Urocyon cinereoargenteus</i>
	5	Fox, red	<i>Vulpes vulpes</i>
	5	Genet	<i>Genetta spp</i>
	5	Giraffe	
	2, 4, 5	Hare, snowshoe	<i>Lepus americana</i>
	5	Hyena	

	5	Kangaroo	
	5	Kinkajou;	<i>Potos flavus</i>
	5	Jaguar, Black, Spotted	<i>Panthera onca</i>
	5	Lemming, Northern Bog	<i>Synaptomys borealis</i>
	5	Lemming, Southern Bog	<i>Synaptomys cooperi</i>
	5	Leopard, Snow, Black, Spotted, Clouded	<i>Panthera uncia, P. pardus, P.neofelis, P. nebulosa</i>
	5	Lion	<i>Panthera leo</i>
	5	Lynx, Canada/	<i>Lynx canadensis</i>
	5	Lynx, Eurasian/ Siberian	<i>Lynx lynx</i>
	5	Marten	<i>Martes americana</i>
	5	Mink	<i>Mustela vison</i>
	5	Mole, Hairy-tailed	<i>Parascalops breweri</i>
	5	Mole, Star-nosed	<i>Condylura cristata</i>
	5	Mongoose	<i>H. pulverulentus</i>
	5	Mouse, Deer	<i>Peromyscus maniculatus</i>
	5	Mouse, Meadow Jumping	<i>Zapus hudsonius</i>
	5	Mouse, White-footed	<i>Peromyscus leucopus</i>
	5	Mouse, Woodland Jumping	<i>Napaeozapus insignis</i>
	5	Muskrat	<i>Odontra zibethicus</i>
	5	Myotis, Keen's	<i>Myotis keenii</i>
	5	Myotis, Little Brown	<i>Myotis lucifugus</i>
	5	Myotis, Small-footed	<i>Myotis leibii</i>
	5	Opossum, Virginia	<i>Didelphis virginiana</i>
	5	Otter, River	<i>Lutra canadensis</i>
	5	Patagonian Cavy	<i>Doli salincola</i>
	5	Peccaries, Collared	
	5	Pipistrelle, Eastern	<i>Pipistrellus subflavus</i>
	5	Porcupine	<i>Erethizon dorsatum</i>
	5	Porcupine, African Crested	<i>Hystrix cristata</i>
	5	Porpoise	<i>Phocaena spp.</i>
	5	Prairie Dog	<i>Cynomys spp.</i>
	5	Primates, to include:	
		Chimpanzee	<i>Pan troglodytes</i>
		Gorilla	<i>Gorilla gorilla</i>
		Orangutan	<i>Pongo pygmaeus</i>
		Baboons	<i>Papio spp</i>
		Spider Monkey	<i>Ateles spp</i>
		Squirrel Monkey	<i>Saimiri, spp</i>
		Capuchin	<i>Cebus, spp</i>
		Rhesus	<i>Macaca mulatta</i>
	5	Marmoset, Guenon(s), Celebes macaque,	<i>Cercopithecus spp.</i>
	5	Raccoon	<i>Procyon lotor</i>
	5	Seal, Harbor	<i>Phoca vitulina</i>
	5	Serval, African	<i>Felis serval</i>
	5	Shrew, Long-tailed	<i>Sorex dispar</i>
	5	Shrew, Masked	<i>Sorex cinereus</i>

	5	Shrew, Pygmy	<i>Sorex hoyi</i>
	5	Shrew, Short-tailed	<i>Blarina brevicauda</i>
	5	Shrew, Smoky	<i>Sorex fumeus</i>
	5	Shrew, Water	<i>Sorex palustris</i>
	5	Skunk, striped	<i>Mephitis mephitis</i>
	5	Springhare	
	5	Squirrel, Gray	<i>Sciurus carolinensis</i>
	5	Squirrel, Northern Flying	<i>Glaucomys sabrinus</i>
	5	Squirrel, Red	<i>Tamiasciurus hudsonicus</i>
	5	Squirrel, Southern Flying	<i>Glaucomys volans</i>
	5	Tenrec, Giant Lowland streaked	
	5	Tigers	<i>Panthera tigris</i>
	5	Two-Toed Sloth	<i>Choloepus didactylus</i>
	5	Vole, Meadow	<i>Microtus pennsylvanicus</i>
	5	Vole, Northern Red-backed	<i>Clethrionomys gapperi</i>
	5	Vole, Rock	<i>Microtus chrotorrhinus</i>
	5	Vole, Woodland	<i>Microtus pinetorum</i>
	5	Wallaby Tamar, Bennett, Dama	
	5	Weasel, Least	<i>Erminea rixosa</i>
	5	Weasel, Long-tailed	<i>Mustela frenata</i>
	5	Weasel, Short-tailed	<i>Mustela erminea</i>
	5	Wolf	<i>Canis lupus</i>
	5	Wolverine	
	5	Woodchuck	<i>Marmota monax</i>

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6191, eff 2-22-96; ss by #6889, eff 11-21-98; amd by #8431, eff 9-20-05; EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, 6-5-07; amd by #9880-A, eff 3-1-11

#### Fis 803.07 Importation of Wildlife, Other Than Fish.

(a) Persons holding a current permit to import for a specific wildlife species, other than fish, may import such wildlife which has a health certificate that meets:

- (1) USDA requirements pursuant to 9 CFR 2.78; or
- (2) Any other health inspection requirements pursuant to the laws and rules of the NH department of agriculture.

(b) A copy of the health certificate shall be sent to the fish and game department.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; amd by #6177, eff 1-27-96; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, 6-5-07

#### Fis 803.08 Importation of Warmwater Fish.

(a) Warmwater species of fish shall receive a pathological inspection as described in Fis 803.10 so as to insure that the fish being imported are free of disease.

(b) No warmwater species of fish shall be imported from zone 2.

(c) No fish shall be imported from states known to have waters infested with zebra mussels or from states which allow the importation of fish from states infested with zebra mussels unless the source of fish is approved free of zebra mussels as specified in Fis 502.09.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; amd by #6177, eff 1-27-96; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, 6-5-07

Fis 803.09 Importation of Salmonids. - Repealed

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; ss by #8120, eff 7-16-04; ss by #8893, eff 6-5-07; rpld by #10279, eff 2-28-13

Fis 803.10 Pathological Inspections for Fish.

(a) Pathological inspections of fish shall be conducted annually, and the most recent within one year prior to the date of import and at least 3 or 10 consecutive annual inspections shall be conducted, prior to the date of import, depending on the source zone as specified in (f).

(b) The inspection shall be conducted only by an accredited, licensed veterinarian, a certified fish health inspector, a fish pathologist or persons recognized by federal or state agencies with responsibility for fish health in the state from which the fish or gametes originate. No owner or employee with direct supervisory authority over a facility shall serve as an inspector for their fish culture facility. . A copy of the certification shall be sent to the executive director.

(c) The methods of disease diagnosis and the fish culture facility inspections shall follow the procedures and the methods as described in the " Suggested Procedures for the Detection and Identification of Certain Fish and Shellfish Pathogens", developed by the Fish Health Section (FHS) of the American Fisheries Society, 2010 Edition. If more sensitive or more definitive published procedures are available, they may be used, but any departures from the basic procedures set forth by the FHS shall be noted on all associated inspection reports.

(d) No fish shall be imported from states known to have waters infested with zebra mussels or from states which allow the importation of fish from states infested with zebra mussels unless the source of fish is approved free of zebra mussels as specified in Fis 502.09.

(e) Pathological inspections of fish shall include results of the examinations for family specific pathogens listed as specified in Table 800.1.1, below.

Table 800.1.1 Family Specific Pathogens Table

Family Group	Viral pathogens	Bacterial pathogens	Parasitic pathogens
Salmonidae (e.g., trout, salmon, char)	Infectious salmon anemia virus Viral hemorrhagic septicemia virus Infectious pancreatic necrosis virus Infectious hematopoietic necrosis virus	<i>Aeromonas salmonicida</i> <i>Yersinia ruckeri</i> <i>Renibacterium salmoninarum</i>	<i>Myxobolus cerebralis</i>

<p>Salmonidae (e.g., salmon)</p> <p>Cyprinidae (e.g., carp) and Percidae (e.g., bass) fishes.</p>	<p>Spring viremia of carp virus</p> <p>Viral hemorrhagic septicemia virus</p> <p>Infectious pancreatic necrosis virus</p> <p>Infectious hematopoietic necrosis virus</p>	<p><i>Aeromonas salmonicida</i></p> <p><i>Yersinia ruckerii</i></p> <p><i>Renibacterium salmoninarum</i></p>	
<p>Trachidae (e.g., rock bass)</p> <p>Cichthyidae (e.g., striped bass)</p> <p>Clariidae (e.g., bluegill, yellow perch)</p> <p>Siluridae (e.g., catfish)</p>	<p>Spring viremia of carp virus</p> <p>Viral hemorrhagic septicemia virus</p> <p>Infectious pancreatic necrosis virus</p> <p>Infectious hematopoietic necrosis virus</p> <p>Largemouth bass virus</p>	<p><i>Aeromonas salmonicida</i></p> <p><i>Yersinia ruckerii</i></p> <p><i>Renibacterium salmoninarum</i></p>	
<p>Siluridae (e.g., catfish)</p>	<p>Channel catfish virus</p> <p>Viral hemorrhagic septicemia virus</p> <p>Infectious pancreatic necrosis virus</p> <p>Infectious hematopoietic necrosis virus</p>	<p><i>Aeromonas salmonicida</i></p> <p><i>Yersinia ruckerii</i></p> <p><i>Edwardsiella tarda</i></p> <p><i>Edwardsiella ictaluri</i></p>	
<p>Cichlidae (e.g., tilapia)</p>	<p>Tilapia Iridovirus</p> <p>Infectious pancreatic necrosis virus</p> <p>Viral hemorrhagic septicemia virus</p> <p>Infectious hematopoietic necrosis virus</p> <p>Spring viremia of carp virus</p>	<p><i>Aeromonas salmonicida</i></p> <p><i>Yersinia ruckerii</i></p> <p><i>Streptococcus iniae</i></p> <p><i>Streptococcus agalactia</i></p>	

(f) Sample collection and sample lots shall follow the specific family testing requirements:

- (1) Facility inspections require a minimum of 150 fish from the facility with no less than 60 of each species;
- (2) Facility inspections require 3 years of inspection of the facility;
- (3) Wild fish inspections require 60 fish per species; and require 3 years of inspection on source population;
- (4) Cichlidae fishes that are kept in a closed system shall require only one year of inspection; and
- (5) Salmonidae live fishes or eggs from zone 1 require 3 consecutive years of pathological inspection and Salmonidae fishes or eggs from zone 2 shall require 10 consecutive years of pathological inspection.

(g) Disinfected Salmonidae eggs from broodfish which are positive for the following list of pathogens that are disinfected prior to import and transported in pathogen-free water may be imported into the state:

- (1) *Myxobolus cerebralis*, whirling disease agent;
- (2) *Yersinia ruckerii*, enteric redmouth disease agent; and



(3) *Aeromonas salmonicida*, furunculosis agent.

(h) All Salmonidae eggs shall be disinfected upon receipt.

(i) No fish from a facility or water body known to be infected with infectious hematopoietic necrosis virus, viral hemorrhagic septicemia virus, *Heterosporis*, infectious salmon anemia virus, spring viremia of carp, *Myxobolus cerebralis*, *Ceratomyxa shasta*, *Tetracapsula bryosalmonae*, or epizootic epitheliotrophic disease virus (EEDV) shall be imported.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; ss by #8120, eff 7-16-04; ss by #8893, eff 6-5-07; amd by #9005, eff 1-1-08; ss by #10279, eff 2-28-13

Fis 803.11 Pathological Inspection Report for Fish.

(a) All fish imported into the state shall have a pathological inspection report.

(b) The inspection report shall include the following:

(1) Name of the hatchery source;

(2) Address of the hatchery source;

(3) Name of the hatchery manager/owner;

(4) Telephone number of the hatchery manager/owner;

(5) Inspection date;

(6) Name of inspection agent;

(7) Address of inspection agent;

(8) Whether the certification of the inspection agent is by the American Fisheries Society, Canadian department of fisheries and oceans, or the department;

(9) Type of fish;

(10) Type of water supply for the hatchery;

(11) The following information for each individual lot:

a. Lot number;

b. Species;

c. Age in months;

d. Number of fish in the lot;

e. Pathogens inspected for;

f. The number of fish used for examination;

g. Method of examination/detection method; and

h. The results; and

(12) The signature of inspection agent.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 803.12 Notification of Import of Wildlife.

(a) Notification shall be made in writing to the fish and game department that wildlife will be or has been brought into the state as follows:

- (1) Persons importing wildlife, including fish, pursuant to the requirements of Fis 803, shall notify the department prior to the importation into the state;
- (2) Exhibitors importing wildlife species listed as controlled for importation for category 5, other than fish, and the wildlife meets the USDA health certification requirements shall notify the department within 5 days after the importation.

(b) Notification shall include the following:

- (1) Permittee's import permit number;
- (2) Name and address of the permittee;
- (3) Date of import;
- (4) Species, number and sex of wildlife imported;
- (5) Location(s) to where wildlife are to be or were imported; and
- (6) Copy of health certificate for those wildlife where one was not submitted with the original permit application.

Source. #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 803.13 Permit to Import Wildlife Forms.

(a) The applicant for a permit to import wildlife shall provide the following:

- (1) Name of applicant;
- (2) Applicant's telephone number;
- (3) Applicant's street address and mailing address;
- (4) Species, number, and sex of wildlife to be imported whenever a species is not listed on the controlled list for the applicant's appropriate permit category;
- (5) Address or location and name of the facility where the wildlife is to be possessed;
- (6) Name, address and telephone number of the person from whom the wildlife is to be obtained;
- (7) Possession, propagation, exhibition, individual training and shooting, or release permit number, or regulated shooting area or aquaculture license, if applicable;
- (8) Pathological inspection report for fish;
- (9) Information about the species not listed on the controlled list being imported into the state to include the following:
  - a. Species distribution;
  - b. Physical description, such as fur, color, body length;

- c. Habitat and range/territory;
  - d. Shelter needs;
  - e. Diet;
  - f. Occurrence;
  - g. Breeding;
  - h. Life cycle;
  - i. Value;
  - j. Status;
  - k. Related species; and
- (10) Signature of the applicant.

Source. #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

Fis 803.14 Fees. The fee for a permit to import wildlife shall be \$15.00 and shall be submitted with each application.

Source. #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

## PART Fis 804 POSSESSION OF WILDLIFE

### Fis 804.01 Definitions.

- (a) "Cage" means an area enclosed on all sides and has a top and a bottom.
- (b) "Enclosure" means an area enclosed on all sides.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

### Fis 804.02 Non-controlled Species - Possession.

(a) A permit to possess wildlife shall not be required for any person to possess wildlife designated as non-controlled as specified in (b), below.

(b) For purposes of this part, the following species or groups of wildlife shall be designated as non-controlled:

- (1) Ornamental aquarium fish, both fresh and marine that shall be kept in a closed system;
- (2) Amphibians, exotic;
- (3) Amphibians, indigenous, listed in Table 800. 2 for category 1, for up to 5 specimens per species;
- (4) Reptiles, exotic, except:

- a. Alligator (*Alligatoridae*, spp);
  - b. Crocodile (*Crocodylidae*, spp); and
  - c. Venomous reptiles;
- (5) Indigenous reptiles listed in Table 800.2 for category 1, for up to 2 specimens of each species;
- (6) The following exotic birds:
- a. Cockatiel (*Nymphicus hollandicus*)
  - b. Canaries (*Serinus* spp.);
  - c. Parrots (*Psittaciformes*);
  - d. Parakeets (*Budgerigar*);
  - e. Mynah Birds (*Acridotheres* spp);
  - f. Finches (*Estrildidae* spp);
  - g. Pekin robin (*Leiothrip lutea*);
  - h. Weavers (*Ploceidae*);
  - i. Toucans (*Ramphastidae*);
  - j. Button quail (*Turnicidae*);
  - k. Pigeons and doves (*Columbiformes*), exotic; and
  - l. Feral pigeons (*Columba domestica* and *C. livia*);
  - m. Emu (*Dromaius novaehollandire*);
  - n. Ostrich (*Struthis camelus*);
  - o. Rhea (*Rheidae*);
  - p. Waterfowl, exotic migratory except mute swans;
  - q. Waterfowl, mallard by individuals in category 1;
  - r. Gallinaceous birds, except:
    1. Bobwhite quail, Northern (*Colinus virginianus*);
    2. Grouse, Ruffed (*Bonasa umbellus*);
    3. Grouse, Spruce (*Dendragapus canadensis*);
    4. Pheasant, Ring-necked (*Phasianus colchicus*);
    5. Partridge, Chuckar and Redleg (*Alectoris chuka*); and
    6. Partridge, Grey/Hungarian (*Perdix perdix*);
- (7) The following mammals:
- a. Chinchillas, domesticated, (*Chinchilla* spp);
  - b. Gerbils, domesticated;
  - c. Guinea Pigs, domesticated;

- d. Hamsters, domesticated (*Cricetus cricetus*);
- e. Mice, domesticated (*Mus musculus*);
- f. Rats, domesticated (*Rattus norvegicus* and *Rattus rattus*);
- g. Ferrets, domesticated (*Mustela putorius furo*);
- h. Llamas (*Lama glama*);
- i. Alpaca (*Lama pacos*);
- j. Pot belly pigs, domesticated;
- k. Rabbits, domesticated;
- l. African pigmy hedgehog;
- m. Sugar glider (*Petaurus breviceps*);
- n. Tenrec (*Tenrec ecaudatus*);
- o. Yak (*Bos grunniens*)
- p. Camel (Camelus spp.)
- q. Asian water buffalo (*Bubalus bubalis*); and
- r. Degaus (*Octodon degus*)
- s. Guanaco (*Lama quanicoe*)
- t. Bison (*Bison bison*, *B. bonasus*).

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98; amd by #8431, eff 9-20-05; EXPIRED: 11-21-06 (except paragraph (b)(4)p.); ss by #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07; amd by #9880-A, eff 3-1-11; amd by #10541, eff 4-1-14

#### Fis 804.03 Prohibited Species - Possession.

(a) No person shall be issued a permit to possess wildlife that has been designated as prohibited as specified in Fis 804.03(b).

(b) For the purposes of this part, the following species or groups of wildlife shall be designated as prohibited:

- (1) The following invertebrates:
  - a. Zebra mussel(*Dreissena polymorpha*, *D. bugensis*);
  - b. Spiny waterflea (*Bythotrephes cederstroemi*);
  - c. Fishhook waterflea (*Cercopagis pengoi*);
  - d. All non-indigenous crayfish; and
  - e. Asiatic clam (*Corbicula fluminea*); and
- (2) The following fish:
  - a. Walking catfish (*Clarias batrachus*);

- b. White amur/grass carp (*Ctenopharyngodon idella*);
- c. Black carp (*Mylopharyngodaon piceus*);
- d. European rudd (*Scardinius erythrophthalmus*);
- e. Round goby (*Neogobius melanostomus*);
- f. Tubenose goby (*Proterhinus marmoratus*);
- g. Ruffe (*Gymnocephalus cernuus*); and
- h. Snakeheads (Family: Channidae).

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6191, eff 2-22-96; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07; amd by #10541, eff 4-1-14

#### Fis 804.04 Permits To Possess Wildlife.

(a) No live wildlife, or their hybrids, designated as controlled, the eggs or progeny thereof, shall be possessed without a permit to possess wildlife or except as otherwise permitted under RSA 207:1-a, 214:34-d and 209-A:3, IV.

(b) All species not specifically listed under the categories of non-controlled, prohibited or controlled shall be designated as controlled and shall require a permit to possess.

(c) The executive director shall review each application to possess and shall make a determination as to whether such possession shall be permitted. No permit to possess shall be issued if there is any significant disease, genetic, ecological, environmental, health, safety or welfare risks to the public or other wildlife species.

(d) In order to make such a determination, the executive director shall consider the following criteria such as but not limited to:

- (1) Life cycle;
- (2) Life history;
- (3) Reproduction habits;
- (4) Habitat requirements;
- (5) Interaction with competing species for food/habitat;
- (6) The ability of the species to survive in New Hampshire's environment;
- (7) Geographic distribution in the wild;
- (8) Source of wildlife; and
- (9) Competition with indigenous species.

(e) No possession of wildlife shall take place until a permit is issued by the executive director.

(f) Permits to possess wildlife as specified in Fis 804.05(a) shall expire on December 31 of the calendar year of issuance, unless sooner revoked.

(g) The permit shall be valid only for the facilities or locations described in the application and the permit shall not be transferable or assignable.

(h) Application for a permit to possess shall be submitted no less than 30 days in advance of the requested date of possession.

(i) Health certificates shall meet standards set forth by the United States Department of Agriculture pursuant to 9 CFR, 2.78 and/or the New Hampshire department of agriculture.

Source. (See Revision Note at chapter heading for Fis 800) #5507, eff 11-20-92; ss by #6889, eff 11-21-98, EXPIRED: 11-21-06

New. #8767, INTERIM, eff 11-22-06, EXPIRED: 5-21-07

New. #8893, eff 6-5-07

#### Fis 804.05 Controlled Species - Possession.

(a) A permit to possess wildlife shall be required for all species, including hybrids, designated as controlled as cited in the controlled table under (b), below.

(b) A permit shall be issued only to a person in the permittee category(ies), as defined in Fis 802.01, and cited Table 800.2:

Table 800.2 Controlled Species Table - Possession

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
Amphibians	1,5	American toad	<i>Bufo americanus</i>
	5	Fowler's toad	<i>Bufo fowleri</i>
	1,5	Gray treefrog	<i>Hyla versicolor</i>
	1,5	Spring peeper	<i>Pseudacris crucifer</i>
	1,5	American bullfrog	<i>Rana catesbeiana</i>
	1,5	Green frog	<i>Rana clamitans</i>
	1,5	Pickerel frog	<i>Rana palustris</i>
	5	Northern leopard frog	<i>Rana pipiens</i>
	1,5	Mink frog	<i>Rana septentrionalis</i>
	1,5	Wood frog	<i>Rana sylvatica</i>
	5	Jefferson salamander	<i>Ambystoma jeffersonianum</i>
	5	Blue-spotted salamander	<i>Ambystoma laterale</i>
	5	Jefferson X blue-spotted salamander hybrids	<i>Ambystoma jeffersonianum X laterale</i>
	1,5	Spotted salamander	<i>Ambystoma maculatum</i>
	5	Marbled salamander	<i>Ambystoma opacum</i>
	1,5	Northern two-lined salamander	<i>Eurycea bislineata</i>
	1,5	Northern dusky salamander	<i>Desmognathus fuscus</i>
	5	Spring salamander	<i>Gyrinophilus porphyriticus</i>
	5	Four-toed salamander	<i>Hemidactylium scutatum</i>
	1,5	Eastern red-backed salamander	<i>Plethodon cinereus</i>
	5	Northern slimy salamander	<i>Plethodon glutinosus</i>
	5	Common Mudpuppy	<i>Necturus maculosus</i>
	1,5	Red-spotted newt	<i>Notophthalmus viridescens</i>
Reptiles			
	5	Alligator	Alligatoridae, spp
	5	Crocodile	Crocodylidae, spp
	5	All venomous reptiles	

	5	Blanding's turtles	<i>Emydoidea blandingii</i>
	5	Eastern box turtles	<i>Terrapene carolina carolina</i>
	5	Spotted turtles	<i>Clemmys guttata</i>
	5	Wood turtles	<i>Glyptemys insculpta</i>
	1,5	Musk turtle	<i>Sternotherus odoratus</i>
	1,5	Painted turtle	<i>Chrysemys picta</i>
	1,5	Snapping turtle	<i>Chelydra serpentina</i>
	5	Black racer	<i>Coluber constrictor</i>
	1,5	Ring-necked snake	<i>Diadophis punctatus</i>
	5	Eastern hognose snake	<i>Heterodon platirhinos</i>
	1,5	Eastern milksnake	<i>Lampropeltis triangulum triangulum</i>
	1,5	Northern watersnake	<i>Nerodia sipedon</i>
	5	Smooth greensnake	<i>Opheodrys vernalis</i>
	1,5	Brown snake	<i>Storeria dekayi</i>
	1,5	Red-bellied snake	<i>Storeria occipitomaculata</i>
	5	Ribbon snake	<i>Thamnophis sauritus</i>
	1,5	Garter snake	<i>Thamnophis sirtalis</i>
Fish	1, 6	All fish except those listed as prohibited or noncontrolled	
	1, 6	Channel catfish	
	1, 6	Talapia	
	1, 6	Hybrid striped bass	
Birds			
	5	All native species	
	1,2, 5	All waterfowl, indigenous and naturalized, except:	
	2, 3, 4, 5, 7	Mallard	<i>Anas platyrhynchos</i>
	1, 5	Mute Swans	<i>Cygnus olor</i>
	5	Crow, Pied	
	5	Buzzard, European	
		Gallinaceous Birds:	
	1, 2, 3, 4, 5, 7	Bobwhite Quail, Northern	<i>Colinus virginianus</i>
	5	Grouse, Ruffed	<i>Bonasa umbellus</i>
	5	Grouse, Spruce	<i>Dendragapus canadensis</i>
	1, 2, 3, 4, 5, 7	Pheasant, Ring-necked	<i>Phasianus colchicus</i>
	1, 2, 3, 4, 5, 7	Partridge, Chukar /Redleg	<i>Alectoris chuka</i>
	1, 2, 3, 4, 5, 7	Partridge, Grey/Hungarian	<i>Perdix perdix</i>
Mammals			
	5	Armadillo	
	5	Anteater, Lesser	
	5	Agouti, red rumped	
	5	Badger	<i>Taxida taxus</i>
	5	Barbary Sheep	
	5	Bat, Big Brown	<i>Eptesicus fuscus</i>
	5	Bat, Hoary	<i>Lasiurus cinereus</i>
	5	Bat Red	<i>Lasiurus borealis</i>



	5	Bat, Silver-haired	<i>Lasionycteris noctivagans</i>
	5	Bear, Black	<i>Ursus americanus</i>
	5	Grizzly	<i>Ursus horribilis</i>
	5	Beaver	<i>Castor canadensis</i>
	5	Binturong	
	5	Boar, wild	<i>Sus scrofa</i>
	5	Bobcat	<i>Felis rufus</i>
	5	Caracal Lynx	
	5	Caribou/Reindeer	<i>Rangifer tarandus</i>
	5	Cavy, Patagonian	<i>Doli salinicola</i>
	5	Chipmunk, Eastern	<i>Tamias striatus</i>
	5	Coatimundi	<i>Nasua nasua</i>
	5	Cottontail, Eastern	<i>Sylvilagus floridanus</i>
	5	Cottontail, New England	<i>Sylvilagus transitionalis</i>
	5	Cougar	<i>Felis concolor</i>
	5	Coyote	<i>Canis latrans</i>
	5	Dama Wallaby	
	2,5	Deer, Fallow	<i>Dama dama</i>
	2, 5	Deer, Red	<i>Cervuselaphus</i>
	2, 5	Deer, Sika	<i>Cervus nippon</i>
	5	Deer, White-tailed	<i>Odocoileus virginianus;</i>
	5	Elephant	<i>Elaphus maximus, Loredomta africans</i>
	2, 5	Elk	<i>Cervus elephus canadenois</i>
	5	Fisher	<i>Martes pennanti</i>
	5	Fox, Gray Fenec	<i>Urocyon cinereoargenteus</i>
	5	Fox, Red	<i>Vulpes vulpes</i>
	5		