

Part 3 Fee Fishing Facilities

4-37-301 Certificate of registration required to operate a fee fishing facility.

- (1) A person may not operate a fee fishing facility without first obtaining a certificate of registration from the department.
- (2)
 - (a) Each application for a certificate of registration to operate a fee fishing facility shall be accompanied by a fee.
 - (b) The fee shall be established by the department in accordance with Section 63J-1-504.
- (3) The department shall coordinate with the Division of Wildlife Resources:
 - (a) on the suitability of the proposed site relative to potential impacts on adjacent aquatic wildlife populations; and
 - (b) in determining which species the holder of the certificate of registration may possess or transport to or stock into the facility.
- (4) The department shall list on the certificate of registration the species which the holder may possess or transport to or stock into the facility.
- (5) A person holding a certificate of registration for an aquaculture facility may also operate a fee fishing facility without obtaining an additional certificate of registration, if the fee fishing facility:
 - (a) is in a body of water meeting the criteria of Section 4-37-111 which is connected with the aquaculture facility;
 - (b) contains only those aquatic animals specified on the certificate of registration for the aquaculture facility; and
 - (c) is designated on the certificate of registration for the aquaculture facility.

Amended by Chapter 183, 2009 General Session

4-37-302 Acquisition of aquatic animals for use in fee fishing facilities.

- (1) Live aquatic animals intended for use in fee fishing facilities may be purchased or acquired only from:
 - (a) aquaculture facilities within the state that have a certificate of registration and health approval number;
 - (b) public aquaculture facilities within the state that have a health approval number; or
 - (c) sources outside the state that are health approved pursuant to Part 5, Health Approval.
- (2)
 - (a) A person holding a certificate of registration for a fee fishing facility shall submit to the department an annual report of all live fish purchased or acquired.
 - (b) The report shall contain the following information:
 - (i) name, address, and certificate of registration number of the seller or supplier;
 - (ii) number and weight by species;
 - (iii) date of purchase or transfer; and
 - (iv) name, address, and certificate of registration number of the receiver.
 - (c) The report shall be submitted to the department before a certificate of registration is renewed or subsequent certificate of registration is issued.

Amended by Chapter 189, 2014 General Session

4-37-303 Transportation of live aquatic animals to fee fishing facilities.

- (1) Any person holding a certificate of registration for a fee fishing facility may transport the live aquatic animals specified on the certificate of registration to the facility.
- (2) Each transfer or shipment of live aquatic animals to a fee fishing facility within the state shall be accompanied by documentation of the source and destination of the fish, including:
 - (a) name, address, certificate of registration number and health approval number of the source;
 - (b) number and weight being shipped by species; and
 - (c) name, address, and certificate of registration number of the destination.

Amended by Chapter 378, 2010 General Session

4-37-304 Sale or transfer of live aquatic animals from fee fishing facilities prohibited.

Live aquatic animals may not be sold or transferred from fee fishing facilities.

Enacted by Chapter 153, 1994 General Session

4-37-305 Fishing license not required to fish at fee fishing facilities -- Transportation of dead fish.

- (1) A fishing license is not required to take fish from fee fishing facilities.
- (2) To transport dead fish from fee fishing facilities the fish shall be accompanied by the seller's receipt containing the following information:
 - (a) species and number of fish;
 - (b) date caught;
 - (c) certificate of registration number of the fee fishing facility; and
 - (d) name, address, and telephone number of the seller.

Amended by Chapter 378, 2010 General Session