

**23-15-10 Private fish pond.**

- (1) A private fish pond is not required to obtain a certificate of registration from the division to receive an aquatic animal from an aquaculture facility.
- (2) A private fish pond may not be developed on:
  - (a) a natural lake;
  - (b) a natural flowing stream; or
  - (c) a reservoir constructed on a natural stream channel.
- (3) A person who owns or operates a private fish pond may receive an aquatic animal from an aquaculture facility if:
  - (a) the aquaculture facility has a health approval number required by Section 4-37-501;
  - (b) the species, strain, and reproductive capability of the aquatic animal is authorized by the Wildlife Board in accordance with Subsection (4) for stocking in the area where the private fish pond is located;
  - (c) the private fish pond is screened in accordance with the Wildlife Board's rule to prevent an aquatic animal from moving into or out of the private fish pond;
  - (d) the aquatic animal is not:
    - (i) released from the private fish pond; or
    - (ii) transported live to another location; and
  - (e) the person provides the aquaculture facility with a signed statement that the private fish pond is in compliance with this section.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Wildlife Board may make rules that:
  - (a) specify the screen requirements to prevent the movement of an aquatic animal into or out of the private fish pond;
  - (b) specify the aquatic animal species that may not be stocked in a private fish pond located in the state; and
  - (c) establish a location or region where a specified species, strain, and reproductive capability of aquatic animal may be stocked in a private fish pond.
- (5) The division may inspect a private fish pond to verify compliance with this section.

Amended by Chapter 69, 2008 General Session