

TITLE 10 Conservation and Development APPENDIX

§ 123. Commercial Angling Rule

1.0 Authority

1.1 This rule is adopted pursuant to 10 V.S.A. § 4083 and 10 V.S.A. § 4611. This rule implements the policy established by the General Assembly that the protection, propagation, control, management, and conservation of fish, wildlife and fur-bearing animals in this State is in the interest of the public welfare and that the safeguarding of this valuable resource for the people of the State requires a constant and continual vigilance.

1.2 In accordance with 10 V.S.A. § 4083 and 10 V.S.A. § 4611 this rule establishes requirements related to purchase and sale of fish including, but not limited to, prohibiting fish species, seasons, limits, reporting requirements and possible permit requirements.

2.0 Purpose

The purpose of this rule is to:

2.1 Establish the conditions for anglers to sell legally harvested approved fish species.

2.2 Establish the process and requirements for businesses and/or individuals to purchase fish legally harvested by anglers.

2.3 Establish a list of fish species in addition to those listed in 10 V.S.A. § 4611 that are prohibited for sale by anglers.

3.0 Definitions

3.1 Angler – Any person engaged in the take or attempted take of fish, by any method.

3.2 Buyer – Any person engaged in the purchase of fish harvested within this state.

3.3 Legally Harvested – Any fish species harvested by any lawful methods approved under the provisions of this part.

3.4 Seller – Any person engaged in the sale of fish harvested within this state.

4.0 Selling Fish

4.1 No angler shall sell fish species which are not legally harvestable or are listed in 10 V.S.A. § 4611 or in Section 6.0 of this rule.

4.2 Anglers shall provide information about their commercial fishing activity to the Department as required by the Commissioner.

5.0 Buying Fish

5.1 No person or business shall buy fish for resale without a Fish Buyer Permit issued by the Commissioner.

5.2 No person or business shall buy fish species which are not legally harvestable or are listed in 10 V.S.A. § 4611 or in Section 6.0 of this rule.

5.3 A Fish Buyer Permit shall be effective from January 1 through December 31.

5.4 A holder of Fish Buyer Permit must submit quarterly reports as required by the Commissioner. Reports shall include but not limited to pounds purchased for each size group by species (Jan-Mar; April-June; July-Sep; Oct-Dec). The reports will include information from all species purchased. Additionally, the percentage of purchased amount from Lake Champlain shall be broken out and reported separately.

5.5 The Fish Buyer's reports shall be submitted within 30 days of the last day of the quarter (March 31, June 30, September 30, December 31).

5.6 The Fish Buyer Permit provides Fish Buyer an exemption from specific creel/possession limits. This exemption to creel and possession limits is restricted to the address specified above under "Business Location", which is defined as an established immobile place of business (not directly on the ice or on any public waters or public access areas), and the transport of legally bought and/or sold fish within the State of Vermont, from the Permitted Fish Buyer's Business Location.

5.7 Failure to comply with these rules, including submission of quarterly reports, may result in the revocation of a Fish Buyer Permit.

6.0 List of Species Prohibited for sale and purchase.

- Species listed in 10 V.S.A. § 4611