**Section 875.30 Permits**

a) Application Requirements

Permits to import live VHS-susceptible species may be issued by the Department of Natural Resources in accordance with Sections 10-100 and 20-100 of the Fish and Aquatic Life Code [515 ILCS 5/10-100, 20-100] for persons or businesses holding an Aquaculture Permit, Aquatic Life Dealer's License or Minnow Dealer's License, or research or educational institutions for scientific purposes, under the following provisions:

1) Applicants wishing to import live VHS-susceptible species must make application to the Department in writing, at the following address:

Aquaculture Specialist

Illinois Department of Natural Resources

Aquatic Nuisance Species and Aquaculture Program

One Natural Resources Way

Springfield IL 62702-1271

2) The Department may accept applications via fax or email if time permits and it is deemed to be in the best interest of the Department to do so.

3) Applications must contain the following minimum information:

A) name, address and telephone number of the applicant, including the business, research or educational institution;

B) the common and scientific name, size and total number (or pounds) of each VHS-susceptible species for which a permit is requested;

C) date of anticipated imports and number of shipments;

D) source of supply, including name, address and telephone number of the supplier; and

E) any other information requested by the Department (e.g., route of transportation, holding facility location, stocking locations, disposition of animals and federal permit, if required).

b) Issuance Criteria

The Department shall consider the following in determining whether to issue a permit to import live VHS-susceptible species:

1) whether the request is for persons or businesses holding an Aquaculture Permit, Aquatic Life Dealer's License or Minnow Dealer's License, or research or educational institutions for scientific purposes;

2) whether the supplier of the fish stocks has an acceptable Fish Health Inspection Report on file with the Department;

3) for importation of minnows and species commonly used as bait, whether the supplier/importer has submitted an officially recognized management plan (Hazard Analysis and Critical Control Points (HACCP)/Best Management Practices (BMP)) to minimize transfer of exotic species and potential pathogens; and

4) whether the Department approves of the live market stocking locations based upon the potential risk to the fishery resource of the State.

c) Permit Conditions

Permits issued to import live VHS-susceptible species shall be subject to the following conditions:

1) All specimens approved under the permit must be imported only to the facilities, and at the location approved on the permit.

2) A person in possession of VHS-susceptible species, at all times during shipment and stocking, shall allow the Department, its agents or authorized employees to inspect the shipment and pertinent records to ensure compliance with this Part.

3) Permits issued under this Part shall be valid only for the time periods and under the provisions designated by the Department on the permit or accompanying letter.

4) All importers shall maintain records documenting disposition of all VHS-susceptible species for a minimum of 2 years from date of disposition.

5) It is unlawful for any person to violate any condition stipulated on the permit or accompanying letter issued by the Department. Violation of any special condition will result in revocation of the permit.

6) Shipments found in violation of this Part shall be subject to confiscation, quarantine and/or seizure. Disposition of specimens confiscated, placed under quarantine (including conditions under which they may be sold, traded, bartered or transferred), or seized under this Part shall be as designated by the Department.

d) Permit Exceptions

The permits required by subsection (a) do not apply to:

1) Any licensed veterinarian, agent of a veterinary clinic, fish pathologist, or fish health inspector recognized by the American Fisheries Society providing diagnostic services subject to all of the following conditions:

A) the fish are in transit to an approved research or diagnostic laboratory authorized by the Department to work with VHS;

B) if entering from outside the State of Illinois, the fish must be accompanied by a valid Form VS 1-27 (Permit for Movement of Restricted Animals) issued by an APHIS area office; and

C) effluent and carcasses shall be considered medical waste and shall be disposed of at the receiving research or diagnostic facility according to all applicable EPA and State regulatory criteria.

2) Any person moving fish to a slaughter facility subject to all of the following conditions:

A) the fish are for human consumption;

B) the fish are accompanied by a valid Form VS 1-27 (Permit for Movement of Restricted Animals) issued by an APHIS area office;

C) the fish are being transported to a State-inspected slaughter facility that:

i) must discharge waste water to a municipal sewage system that includes waste water disinfection; or

ii) may discharge to either a non-discharging settling pond or a settling pond that disinfects according to all applicable EPA and State regulatory criteria;

D) offal, including carcasses, from the slaughter facility must be rendered or composted; and

E) VS 1-27 form only applies to fish entering the State of Illinois.

3) Persons involved in catch and release fishing activities in which VHS-susceptible fish will be released into the same water body where caught, except VHS-susceptible species used or intended to be used as bait.

4) Any shippers in interstate transport for lawful commercial purposes who do not buy, sell, barter, trade, transfer, loan or offer to do so in Illinois may transport live VHS-susceptible species across Illinois. Under no circumstances shall an interstate transporter:

A) transfer any VHS-susceptible species from one container to another; or

B) exchange or discharge water or other materials from a container containing VHS-susceptible species without first obtaining written permission from the Department.

5) Persons having a Salmonid Import Permit issued in accordance with 17 Ill. Adm. Code 870, provided that:

A) FHIR is issued in accordance with Section 875.40(a); and

B) lot inspections (60 fish each) were tested according to the Standard Procedures for Aquatic Animal Health Inspections section of the BlueBook.

6) Any licensed commercial fisherman moving fish to a live market subject to all of the following conditions:

A) the fish are for human consumption;

B) the facility is located on the same body of water where the fish are captured;

1. the fish are being transported to a State-inspected live market that:

i) must discharge waste water to a municipal sewage system that includes waste water disinfection; or

ii) may discharge to either a non-discharging settling pond or a settling pond that disinfects according to all applicable EPA and State regulatory criteria; or

iii) may discharge maintenance water into the same water body where the aquatic life originated according to all applicable EPA and State regulatory criteria;

D) offal, including carcasses, from the slaughter facility must be rendered or composted.

7) Any licensed Commercial Roe Harvester in possession of roe-bearing species that are captured and transported under a Commercial Roe Harvest Permit as defined in 17 Ill. Adm. Code 830.13, provided no susceptible species are commingled.

(Source: Amended at 39 Ill. Reg. 7690, effective May 18, 2015)