

**Inland Fisheries - Informational Leaflet No. 40**  
**COLLECTION OF WILD BROODSTOCK FOR USE IN AQUACULTURE <sup>1</sup>**

This leaflet tells how registered California aquaculturists can obtain a permit to collect aquatic plants or animals from the wild for use in developing a domestic broodstock. Section 243, Title 14, California Code of Regulations (CCR), regulates this activity. Be sure to read it carefully.

The Department may not issue a Wild Broodstock Collection Permit, if California aquaculturists have domestic stock available for sale. One permit is necessary for each species collected. An application form is attached to this leaflet. You can get additional forms from the Aquaculture Development Section, Department of Fish and Game, 1416 Ninth Street, Sacramento, CA 95814.

The required written reports on the wild broodstock should be sent to the Aquaculture Development Section at the above address.

Before collecting broodstock, you must also give 48 hours notice to the Department's regional office in whose region you plan to collect. The mailing addresses and counties of responsibility of the regions are listed below.

**Department of Fish and Game Offices (and counties represented)**

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| <b>NORTHERN REGION (1)</b>   | Del Norte, Humboldt, Lassen, Mendocino, Modoc, Shasta, Siskiyou, Tehama, & Trinity   |
| 601 Locust Street<br>Redding, CA 96001<br>(530) 225-2300                     |  |
| <b>NORTH CENTRAL REGION (2)</b>  | Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lake, Nevada, Placer, Plumas, Sierra, Sutter, Yuba and the portions of <b>Sacramento, San Joaquin and Yolo counties</b> that are north of I-80 and east of I-5 |
| 1701 Nimbus Road<br>Rancho Cordova, CA 95670<br>(916) 358-2900               |  |
| <b>BAY-DELTA REGION (3)</b>  | Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Santa Cruz, San Francisco, Solano, Sonoma and the portions of <b>Sacramento, San Joaquin and Yolo counties</b> that are south of I-80 and west of I-5          |
| 7329 Silverado Road<br>Napa, CA 94558<br>(707) 944-5500                      |  |
| <b>CENTRAL REGION (4)</b>  | Fresno, Kern, Kings, Madera, Mariposa, Monterey, Merced, San Benito, San Luis Obispo, Stanislaus, Tulare and Tuolumne  |
| 1234 East Shaw Ave.<br>Fresno, CA 93710<br>(559) 243-4005                    |  |
| <b>SOUTH COAST REGION (5)</b>  | Los Angeles, Orange, San Diego, Santa Barbara and Ventura  |
| 3883 Ruffin Road<br>San Diego, CA 92123<br>(858) 467-4201                    |  |
| <b>INLAND DESERTS REGION (6)</b>   | Imperial, Inyo, Mono, Riverside and San Bernardino   |
| 3602 Inland Empire Blvd., Suite C-220<br>Ontario, CA 91764<br>(909) 484-0167 |  |
| <b>LICENSE AND REVENUE BRANCH</b>  | 1740 N. Market Street, Sacramento, CA 95834<br>(916) 928-5805  |

<sup>1</sup> Prepared by Fisheries Branch, October 1985; revision July 2008.

**PLEASE READ THESE REGULATIONS CAREFULLY  
BEFORE YOU APPLY FOR A PERMIT.**

**FISH AND GAME CODE SECTIONS REGARDING THE WILD BROODSTOCK PERMIT**

**5503.** It is unlawful to take any fish for the sole purpose of removing its eggs except for the purpose of developing a brood stock for aquaculture purposes under Division 12 (commencing with Section 15000) pursuant to regulations promulgated by the Fish and Game Commission. The commission shall also determine ownership and regulate distribution of progeny taken from wild brood stock, other than those obtained pursuant to Section 15300.

**15300.** Aquatic plants or animals may be legally obtained for use as brood stock from all of the following sources:

- (a) A holder of a commercial fishing license.
- (b) A registered aquaculturist.
- (c) The department.
- (d) Imported sources authorized by Chapter 7 (commencing with Section 15600).

**15301.** (a) The department may sell wild aquatic plants or animals, except rare, endangered, or fully protected species, for aquaculture use at a price approximating the administrative cost to the department for the collection or sale of the plants or animals. The commission shall set this price.

- (b) Aquatic plants and animals may be collected by a registered aquaculturist only with the written approval of the department. The department may specify the time, place, and manner of collection and may collect a fee from the aquaculturist in an amount sufficient to cover the cost of processing the approval.
- (c) Notwithstanding subdivision (a), the fee for collecting sturgeon or striped bass broodstock shall be five hundred dollars \$500).

**TITLE 14 SECTIONS REGARDING THE WILD BROODSTOCK PERMIT**

**243. Take of Aquatic Plants, Invertebrates, Fishes and Bullfrogs from the Wild for Use as Broodstock for Aquaculture Purposes.**

Pursuant to sections 5503 and 15300, Fish and Game Code, aquatic plants, invertebrates, fishes and bullfrogs (*Rana catesbeiana*) may be taken from the wild for aquaculture purposes only in accordance with the following regulations:

- (a) Exceptions. This section does not apply to the following:
  - (1) The take of live freshwater fish for sale as bait (See Section 8460, Fish and Game Code and Section 200, Title 14, CCR).
  - (2) The take of aquatic animals by commercial fishermen (See Section 226.7, Title 14, CCR).
- (b) Permits. The department may issue a revocable, nontransferable permit to collect aquatic plants, invertebrates, fishes and bullfrogs from the wild for use in developing a domesticated broodstock for aquaculture purposes. Permits shall not be issued for striped bass or white sturgeon except by specific commission authorization. The permit shall be valid for one year

from the issue date listed on the permit unless the expiration date on the permit specifies a shorter time period. No permits shall be issued for golden trout, steelhead trout, chinook salmon or coho salmon, or for those animals listed by the state or federal government as endangered, threatened or fully protected. Permits shall state the name, mailing and business addresses and phone of permittee, permittee's aquaculture registration number, name of the collector(s) if different from permittee, collector(s) phone number, collector(s) driver's license, or DMV identification number, name of assistant(s), assistant(s) phone number, assistant(s) driver's license, or DMV identification number, species to be collected, number or total weight to be collected, collection locations and methods, and collection dates. Any special notifications, requirements and conditions shall attached to the permit on a separate page.

- (1) Who May Obtain Permits. Permits shall be issued only to the owner or operator of an aquaculture facility currently registered pursuant to Section 15101, Fish and Game Code and Section 235, Title 14, CCR. The aquaculturist must be authorized by said registration to possess the species to be taken. The aquaculturist may designate, on the permit application, a person to collect for him.
- (2) Cost of the Permit. An administrative fee of \$500 shall be charged for processing the permit and initial site inspection. The department shall assess an additional fee, equal to the actual costs to the department in salaries, travel expenses and equipment use, if any department personnel are required to assist in the collection or inspection of the wild broodstock.
- (3) How to Apply for the Permit. The permit application, FG 794 (Rev. 07/08), is available on request from the Aquaculture Coordinator at the address provided on the application. Completed and signed application forms and the \$25 nonrefundable application fee shall be submitted to the Aquaculture Coordinator.

- (c) Who May Collect Wild Broodstock. Wild broodstock shall be collected only by the permittee or those persons listed as collectors on the permit. The permittee or one of the collectors designated by the permit shall be present when animals are collected. Collectors shall have the collection permit in their possession while engaged in collection activities and while transporting species collected to the permittee's registered facility. Any person listed on the permit as a collector and who is attempting to take broodstock, shall have a commercial fishing license in their possession. All collectors and assistants must have a driver's license or DMV identification in their possession.

Persons assisting the collector, and under their direct supervision, need not have a broodstock collection permit, but they shall be listed as assistants on the permit. The assistant may only assist in the landing of the broodstock or assist with equipment such as boat operation. The assistant is not allowed to take or collect broodstock independently.

The department may require that an employee of the department be present to monitor collection operations, or that the broodstock be collected by department personnel. All costs to the department for monitoring or collecting shall be borne by the permittee. Any special conditions applied to the collection of wild broodstock shall be stated on the permit or attached page(s).

- (d) Collection Methods and Gear. All aquatic plants and animals authorized to be taken by the permit shall be captured only in those waters and only with those types of gear specified in the permit. All species other than those specified in the permit shall be returned immediately in good condition to the water of origin.

The permittee shall comply with department requirements concerning construction and deployment of collection gear. Locations and times of collecting and the amount taken may be restricted by the department to protect the wild populations of authorized species or other

species found in the collecting area, or to reduce interference with angling.

No recreational take of any kind may be done by the person(s) listed on the permit while taking the wild plants and animals authorized under the permit.

- (e) Notification of Department. Before making any collection, the permittee and/or the other persons listed on the permit shall notify the department's regional office having responsibility for the area where the permittee wishes to collect or any other department office specified in the permit. Unless otherwise specified in the permit, the notification shall reach the regional office or other specified office by letter, telephone or personal contact at least 48 hours in advance of the collection date(s) and shall include the locality, dates and time(s) during which collecting is to be done.
- (f) Written Reports and Logbooks.
  - (1) Permittee shall submit a written report to the Aquaculture Coordinator and the department office specified on the permit within six months of the permit's expiration date or prior to application for any additional broodstock collection permits, whichever is earlier. The report shall state the number of plants or animals collected, the location and condition of the wild broodstock and the number or amount of progeny cultured and provide other information as specified in the permit.
  - (2) When the logbooks are required to be filled out as a condition on the permit, the logbooks shall be in the immediate possession of the permittee and/or the collector working under the authority of the permit. The logbook shall be accurate and complete at all times and shall contain the require information as prescribed by the department.
- (g) Disposition of Wild Broodstock and Their Cultured Progeny. Wild plants and animals taken under the authority of this permit remain the property of the state and shall not be sold, bartered or traded without written permission of the department. Wild broodstock shall be held only at an aquaculture facility registered by the permittee and may be required to be held separate from non-wild broodstock. The department will determine the final disposition of all wild broodstock. Any wild broodstock taken and possessed shall be marked in a manner specified in the permit. The cultured progeny of plants and animals lawfully obtained under the authority of a broodstock collection permit are the exclusive property of that person who cultured them, or that person's successor in interest.
- (h) Inspections. Permittees shall allow authorized department employees to inspect any and all wild broodstock authorized by this permit and their holding facilities, vehicles, vessels or other places that the broodstock may be held. Inspections may be made at any time with or without prior notification.
- (i) Permit Denial or Revocation. The department may deny or revoke a permit to take wild plants and animals for use in developing a domesticated broodstock for any of the following reasons:
  - (1) To protect an aquatic resource.
  - (2) To protect public safety.
  - (3) A commercial source is available.
  - (4) The applicant does not have facilities or experience necessary to develop a domesticated broodstock from wild plants or animals.
  - (5) The applicant or permittee has demonstrated repeated failure to develop a domesticated broodstock from wild plants or animals.
  - (6) The applicant or permittee, his designated collector or an employee or assistant has

violated the terms of a wild broodstock collection permit issued pursuant to this section, or has been convicted by a court of competent jurisdiction of any violation of the Fish and Game Code or commission regulations as determined by the department.

(7) Any person who currently has a permit under revocation or suspension by the department or commission.

(j) Violations. All permit requirements and conditions shall be followed. Any violation of any provision of the permit is a violation of this section and may lead to immediate permit revocation or suspension.

(k) Appeal. Any denial, suspension or revocation may be appealed to the commission.