VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES
APPLICATION FOR PERMIT TO HOLD AND SELL CERTAIN FISH, SNAKES, SNAPPING TURTLES, & HELLGRAMMITES FOR SALE (20 & 21 - HOLD)
(Under Authority of § 29.1-412, and 417 of the Code of Virginia, 4 VAC 15-360-50)
PERMIT PERIOD IS OCTOBER 1ST THROUGH SEPTEMBER 30TH (or part thereof)

Non-refundable Application Fee: (See below)

Permit (Check One): ____ NEW ____ RENEWAL Previous VDWR Permit No._____

____Mr. ____Mrs. ____Ms. ____Miss.

Name of Applicant _____

Address _____

_____ _____ _____ County _____
City State Zip

Phone Number _____ Email _____

Date of Birth _____Last four of SSN _____Last 4 of Driver's Lic# _____

Business Name _____

Business
Address_____

_____ _____ _____ _____
City State Zip County

Phone Number _____

Name and location of facility if different from above, where animal(s) will be sold:

_____County_____

Type of business: **(Non-refundable Application Fee - Check those that apply)**

AF [ ] Aquaculture Facility ($10.00)

BS [ ] Retail or wholesale bait store ($10.00)

PS [ ] Retail or wholesale pet store ($10.00)

TN [ ] Trout catch-out pond ($50.00) **[Fishing license not required]**
*** Permit** required only if fish are being sold by weight (e.g. by the pound)

CN [ ] Catfish catch-out pond ($50.00) **[Fishing license not required]**
*** Permit** required only if fish are being sold by weight (e.g. by the pound)

Indicate Species (√) to be held and sold (check all that apply): **No threatened or endangered species can be held or sold**.

The following captive-bred species may be held and sold **by AF, BS, PS, TN and CN** for stocking private ponds, for bait, for aquarium use, for human consumption and for use in catch-out ponds.

[ ] Catfish (Family Ictaluridae except Madtoms & Blue Catfish and its hybrids) **(List specific species on the attached sheet)**

[ ] Trout (including all Salmonidae) **(List specific species on the attached sheet)**

[ ] Yellow Perch (*Perca flavescens*)

The following captive-bred species may be held and sold **by AF** for stocking private ponds.

[ ] All Sunfish Family Members (Including largemouth bass, smallmouth bass, spotted bass, rock bass, bluegill, crappie) **(List specific species on the attached sheet)**

[ ] Walleye (*Stizostedion vitreum*)

[ ] White Bass (*Morone chrysops*)

[ ] Chain Pickerel (*Esox niger*)

[ ] Muskellunge (*Esox masquinongy*)

[ ] Northern Pike (*Esox lucius*)

The following species may be held and sold **by AF** for human consumption only and for sale to other facilities that **possess a valid Hold and Sell or Propagation Permit and a permit to Import and Possess Certain Non-native (Exotic) Wildlife**. **Annual Report Required for Tilapia.**

[ ] Mossambique Tilapia (*Tilapia mossambicuss*)

[ ] Nile Tilapia (*Tilapia nilotica*)

[ ] Blue Tilapia (*Tilapia aurea*)

[ ] Zanzibar Tilapia (*Tilapia hornorum*)

The following species may be held and sold **by AF, BS and PS** for stocking private ponds, for bait, and for aquarium use.

[ ] Minnows and Chubs (Family Cyprinidae) **(List specific species on the attached sheet)**
(No permit required for holding and selling goldfish)

[ ] Triploid Grass Carp (Ctenopharyngodon idella) An Import and Possess Certain Non-Native (Exotic) Wildlife in Virginia permit must also be obtained to import and sell this species.

Only captive-bred Red Cornsnakes and Eastern Kingsnakes may be held and sold **by PS**. Maximum purchase size for Red Cornsnakes is sixteen (16) inches, Eastern kingsnakes is sixteen (16) inches and Northern Pinesnake is (16) inches.

[ ] Eastern Kingsnake (*Lampropeltis getula*)

[ ] Red Cornsnake (*Pantherophis guttatus*)

Snapping turtles may be held and sold by **AF** for human consumption. Turtles must be legally obtained from a permitted dealer or collector and the minimum shell size shall be thirteen (13) inches curved carapace length.

[ ] Snapping Turtles (*Chelydra serpentina)*

Hellgrammites may be held and sold **by AF, BS, and PS** to individuals for bait and for aquarium use.

[ ] Hellgrammites

Applicant signature _____ Date_____

By my signature above, I hereby certify that all entries made on this application are true and complete, and I agree and understand that any falsification of information herein, regardless of time of discovery, may result in denial or revocation of my permit.

TYPED SIGNATURE IS AUTHORIZED AND BINDING PER CODE OF VIRGINIA §59.1, CHAPTER 42.1, ET SEQ.

Make non-refundable application fee check payable to: **Treasurer of Virginia** and return to:
Virginia Department of Wildlife Resources, Permits Section, P.O. Box 3337, Henrico, VA 23228-3337

Common Name	Scientific Name

VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES
PERMIT TO HOLD AND SELL CERTAIN FISH, SNAKES, SNAPPING TURTLES, AND HELLGRAMMITES
PERMIT CONDITIONS

As provided for in § 29.1-412 and 417 of the Code of Virginia, the Hold and Sell for Commercial Use permit shall be required by any person or establishment which sells for the specified purposes any of the species listed below in subsection "A" (e.g., bait stores, pet stores, trout catch-out ponds, or for human consumption).

A. **Permitted Species:**

1. **Reptiles** (4 VAC 15-360-50)

Eastern Kingsnake (*Lampropeltis getula getula*) (captive bred only – sixteen (16) inch maximum purchase size)
Red Corn Snake (*Pantherophis guttatus*) (captive bred only – sixteen (16) inch maximum purchase size)

2. **Game fish**

Gamefish can only be held and sold for stocking private ponds (without Department stocking authorization) (4 VAC 15-320-60 of the Virginia Administrative Code) with the exception of trout (brown trout, brook trout, or rainbow trout [4 VAC 15-330-190 of the Virginia Administrative Code]) which can be sold for any purpose, with the exception of bait as stated below. Gamefish species authorized for holding and for sale as outlined above, include trout (including all Salmonidae), all of the sunfish family (including largemouth bass, smallmouth bass and spotted bass, rock bass, bluegill and crappie), walleye, white bass, chain pickerel, muskellunge and northern pike (4 VAC 15-320-40, Virginia Administrative Code and §29.1-100, Code of Virginia).

Artificially raised rainbow trout may be sold as bait for use in impoundments (ponds, lakes and reservoirs), except impoundments listed as designated stocked trout waters, Lake Moomaw, and Philpott Reservoir. Persons possessing purchased rainbow trout for bait must have a valid invoice or bill of sale specifying date of purchase, the number of trout purchased, and name of an individual or business permitted to sell trout. (4 VAC 15 330-190.D. of the Virginia Administrative Code)

Holding and stocking of striped bass or hybrid striped bass are not covered under this permit. A permit must be obtained from the Virginia Marine Resources Commission.

3. **Non-game fish**

a. Minnows and chubs (family Cyprinidae) (4 VAC 15-360-20 of the Virginia Administrative Code) (examples - fathead minnows, golden shiners, creek chubs), catfish (family Ictaluridae - channel, blue, flathead, white and bullheads, except madtoms & Blue Catfish and its hybrids) (4 VAC 15-320-40 of the Virginia Administrative Code), and yellow perch (*Perca flavescens*).

b. Tilapia * (4 VAC 15-30-40)
Mossambique Tilapia (*Tilapia mossambicuss*)
Nile Tilapia (*Tilapia nilotica*)
Blue Tilapia (*Tilapia aurea*)
Zanzibar Tilapia (*Tilapia hornorum*)
*** Must also obtain a permit to Import and Possess Certain Non-Native (Exotic) Wildlife**
c. Triploid Grass Carp** (Ctenopharyngodon idella)
**Certified Triploid Grass Carp; An Import and Possess Certain Non-Native (Exotic) Wildlife in Virginia permit must also be obtained to import and sell this species.

4. **Snapping turtles**

Eastern Snapping Turtle (*Chelydra serpentina*); Snapping turtles may be held and sold by **AF** for human consumption. Turtles must be legally obtained from a permitted dealer or collector and the minimum shell size shall be thirteen (13) inches curved carapace length.

5. **Aquatic invertebrates**

Hellgrammites may be held and sold per the authorities of this permit.

B. **Possession Limits:**

Commercial operations may possess and sell unlimited quantities when possession is accompanied by a valid invoice or bill of sale from an individual permitted by this Department or from a properly permitted aquaculture facility in Virginia or out-of-state.

C. **Exceptions and Restrictions:**

It is unlawful for any person to introduce into or stock in waters of the Commonwealth, including private ponds or lakes, the blue catfish or its hybrids or to release any blue catfish or any such hybrid into any water body other than that in which it was caught (§29.1-543.1, Code of Virginia).

The law shown above makes it illegal to stock/restock blue catfish in any waters in the Commonwealth. Blue catfish may still be caught in waters in the Commonwealth and either thrown back into that same body of water or killed before the fish is transported off the premises.

Catch-out ponds that already had blue catfish stocked in their ponds prior to the establishment of this law are considered grandfathered and may operate under the above conditions.

1. **Catfish &\or Trout Catch-out Ponds** (no fishing license required) $50.00

a. Commercially operated catfish or trout fishing ponds shall have a continuous open season for taking catfish or trout in any department authorized commercially operated fishing ponds without creel or hours restricted. (§29.1-531D, Code of Virginia, 4 VAC 15-330-10, Virginia Administrative Code)

b. The operator of a commercial catfish or trout fishing pond shall be required to furnish each fisherman taking catfish or trout therein a bill of sale, which shall include the name of the fisherman, date, species and number of catfish or trout creeled. The fisherman shall retain this bill of sale as long as the fish are in his possession and a duplicate thereof shall remain with the operator of the commercially operated fishing pond and be made available for inspection by all authorized department personnel (4 VAC 15-330-180, Virginia Administrative Code).

c. A stream may not be used as a catch-out-pond. If a person wants to stock a stream and charge people to fish, he needs a Fish Stocking Authorization Letter from a Regional Fisheries Biologist. The customers must go by the state length and creel limits and have a fishing license. They do not need a trout license if the area of stream is not designated stocked water.

2. **Trout Artificially Raised**

Any person who shall artificially raise brown trout, brook trout or rainbow trout for sale shall keep a record of the number and species, the number raised or, if imported, from whom purchased (4 VAC 15-330-190B, Virginia Administrative Code).

3. **Native Snakes**

Maximum purchase size refers to wholesale purchases and does not apply to retail sales. Snakes

larger than the maximum purchase size can be sold by the permittee if obtained under the conditions of the permit. (4 VAC 15-360-50, Virginia Administrative Code)

4. **Goldfish**
   No permit is required to hold and sell goldfish. (4 VAC 15-360-10-A.3., Virginia Administrative Code)

5. **Threatened & Endangered Species**
   No species listed as threatened or endangered shall be possessed or sold (4 VAC 15-20-130-C., Virginia Administrative Code).

6. **Salamanders** (a.k.a. "spring lizards") **& Madtoms**
   It shall be unlawful to sell any species of madtom (*Noturus* sp.) and any species of salamander with the exception of nonnative newts (Salamandridae) and Mexican Axolotls (*Ambystoma mexicanum*). (4 VAC 15-360-60, Virginia Administrative Code)

D. **Term of Permit:**

Permits are issued for a one-year period beginning October 1st and expiring September 30th. (§29.1-413, Code of Virginia). All permits will expire September 30th, regardless of date of issuance. It shall be the responsibility of the permittee to initiate any and all renewals.

E. **Inspections:**

Authorized representatives of the Virginia Department of Wildlife Resources may make periodic inspections of the facility and stocks of each operation, and permittee shall allow such inspections at any reasonable time.

F. **<u>Compliance/Violation/Revocation</u>:**

1. 4 VAC 15-290-130 of the Virginia Administrative Code requires that a permit holder shall comply with all terms and conditions of any permit issued by the Department of Wildlife Resources pursuant to Title 29.1 of the Code of Virginia and the regulations of the board pertaining to hunting, fishing, trapping, attempting to take, possession, sale, offering for sale, transporting or causing to be transported, importing or exporting, propagating, exhibiting, and rehabilitating of any wild bird, wild animal or fish. The penalty for violation of this section is a Class 3 misdemeanor unless another penalty is specified. Further, any violation of state or federal wildlife laws related to the permitted activities by the permittee, his/her agents or employees, or guests will constitute a violation of the conditions of the permit.

2. As provided by 4 VAC 15-30-5 of the Virginia Administrative Code, failure to comply with the provisions of a permit may result in the revocation or suspension of the permit for a period up to but not to exceed five (5) years. Any person whose permit is revoked, or suspended may appeal that decision in writing, to the Executive Director, Virginia Department of Wildlife Resources, P. O. Box 3337, Henrico, VA 23228.

G. **Permit Renewal Procedures:**

4 VAC 15-30-7 of the Virginia Administrative Code requires that provided that the issuance of a permit renewal has been delayed past the expiration date of the permittee's previous permit at no fault of the applicant, the permittee may continue the specific activities authorized by the expired permit until the Department has acted on such person's application for renewal. To qualify for this allowance, applicants must submit a completed renewal application to the Department at least thirty (30) days prior to the expiration date of the permit. The Department may deny renewal of a permit to any applicant who fails to meet the issuance criteria set forth by the Department.

H. **Federal, State, or Local Laws:**

This permit does not absolve the permittee of any responsibilities or conditions of any other Federal, State, or Local laws and regulations, including those that apply to Threatened/Endangered (T&E) Species.

I. **Collection from Wild:**

1. Commercial collection of snapping turtles and hellgrammites from the wild requires a Permit to Collect Snapping Turtles and Hellgrammites for Sale.