

Readopt with amendment Fis 803.03 and Fis 803.04, eff. 1-26-16 (Document #11029), to read as follows:Fis 803.03 Non-controlled Species - Importation.

(a) A permit to import wildlife shall not be required for any person to import wildlife designated as non-controlled as specified in Fis 803.03(b).

(b) For purposes of this part, the following species or groups of wildlife shall be designated as non-controlled:

- (1) Ornamental aquarium fish, both fresh and marine, that shall be kept in a closed system;
- (2) Non-indigenous amphibians;
- (3) Western Hognose Snake.
- (4) Non-venomous reptiles, except the following:
 - a. Indigenous reptile species listed in Table 800.1;
 - b. Alligator (*Alligatoridae*, spp.); ***and***
 - c. Crocodile (*Crocodylidae*, spp.);
- (5) Non-living indigenous amphibians and reptiles, listed in Table 800.1 for category 1;
- (6) The following birds:
 - a. Cockatiel (*Nymphicus hollandicus*);
 - b. Canaries (*Serinus* spp);
 - c. Parrots (*Psittaciformes*);
 - d. Parakeets (*Budgerigar*);
 - e. Mynah Birds (*Acridotheres* spp);
 - f. Finches (*Estrildidae*);
 - g. Pekin robins (*Leiothrix lutea*);
 - h. Weavers (*Placcidae*);
 - i. Toucans (*Ramphastiske*);
 - j. Button quail (*Turnicidae*);
 - k. Pigeons and doves (*Columbiformes*), exotic;
 - l. Feral pigeons (*Columba domestica* and *C. livia*);
 - m. Emu (*Dromaius novaehollandire*);
 - n. Ostrich (*Struthio camelus*);
 - o. Rhea (*Rheidae*);
 - p. Exotic migratory, except mute swans;
 - q. Mallard (*Anas platyrhynchos*);

r. Gallinaceous Birds, except:

1. Grouse, Ruffed (*Bonasa umbellus*); and
2. Grouse, Spruce (*Dendragapus canadensis*);

(7) The following mammals:

- a. Bison (*Bison bison*; *B. bonasus*);
- b. Wild Boar (*Sus scrofa*);
- c. Camel (*Camelus* spp)
- ~~[d. Caribou/Reindeer (*Rangifer tarandus*);]~~
- ~~[e]~~d. Chinchillas, domesticated (*Chinchilla* spp);
- ~~[f]~~e. Degus (*Octodon degus*);
- ~~[g]~~f. Deer, Fallow (*Dama dama*);
- ~~[h. Deer, Red (*Cervus elaphus*);]~~
- ~~[i. Deer, Sika (*Cervus nippon*);]~~
- ~~[j. Elk (*Cervus elaphus canadensis*);]~~
- ~~[k]~~g. Gerbils, domesticated (*Cavia* spp);
- ~~[l]~~h. Guanaco (*Lama guanicoe*);
- ~~[m]~~i. Guinea pigs, domesticated (*Cavia* spp);
- ~~[n]~~j. Hamsters, domesticated (*Cricetus cricetus*);
- ~~[o]~~k. Mice, domesticated (*Mus musculus*);
- ~~[p]~~l. Rats, domesticated (*Rattus norvegicus* and *Rattus rattus*);
- ~~[q]~~m. Ferrets, domesticated (*Mustela putorius furo*);
- ~~[r]~~n. Llamas (*Lama glama*);
- ~~[s]~~o. Alpacas (*Lama pacos*);
- ~~[t]~~p. Pot belly pigs, domesticated;
- ~~[u]~~q. Rabbits, domesticated;
- ~~[v]~~r. African pigmy hedgehog;
- ~~[w]~~s. Sugar glider (*Petaurus breviceps*);
- ~~[x]~~t. Tenrec (*Tenrec ecaudatus*);
- ~~[y]~~u. Yak (*Bos grunniens*);
- ~~[z]~~v. Zebra (*Equus burchelli*, *E. grevyi*, *E. zebra*); and
- ~~[aa]~~w. Asian water buffalo (*Babulus bubalis*); and

(8) All marine species originating in the western portion of the North Atlantic Ocean and connected saltwater bays and estuaries, except anadromous and catadromous species.

Fis 803.04 Prohibited Species - Importation.

(a) No person shall import wildlife that has been designated as prohibited pursuant to Fis 803.04(b) or Fis 803.05(b).

(b) For the purposes of this part, the following species or groups of wildlife shall be designated as prohibited:

(1) The following invertebrates:

- a. Zebra mussels (*Dreissena polymorpha*, *D. bugensis*);
- b. Spiny waterflea (*Bythotrephes cederstroemi*);
- c. Fishhook waterflea (*Cercopagis pengoi*);
- d. All non-indigenous crayfish; and
- e. Asiatic clam (*Corbicula fluminea*);

(2) The following fish:

- a. Walking catfish (*Clarias batrachus*);
- b. White amur/grass carp (*Ctenopharyngodon idella*);
- c. Black carp (*Mylopharyngodon piceus*);
- d. European rudd (*Scardinius erythrophthalmus*);
- e. Round goby (*Neogobius melanostomus*);
- f. Tubenose goby (*Proterhinus marmoratus*);
- g. Ruffe (*Gymnocephalus cernuus*);
- h. Snakeheads (Family: *Channidae*)
- i. Bighead carp (*Hypophthalmichthys nobilis*); and
- j. Silver carp (*Hypophthalmichthys molitrix*);

(3) The following mammals and their hybrids:

a. Caribou/Reindeer (*Rangifer tarandus*);

b. Deer, white-tailed (*Odocoileus virginianus*);

c. Deer, Red (*Cervus elaphus*);

d. Deer, Sika (*Cervus nippon*);

e. Elk (*Cervus elaphus canadensis*);

[b]f. Moose (*Alces alces*); and

[e]g. Raccoon dog (*Nyctercutes procyonides*).

Readopt with amendment Fis 804.05, eff. 1-26-16 (Doc # 11029), to read as follows:

Fis 804.05 Controlled Species - Possession.

(a) A permit to possess wildlife shall be required for all species, including hybrids, designated as controlled as cited in the controlled table under (b), below.

(b) A permit shall be issued only to a person in the permittee category(ies), as defined in Fis 802.01, and cited in Table 800.2:

Table 800.2 Controlled Species Table - Possession

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
Amphibians	1,5	American toad	Bufo americanus
	5	Fowler's toad	Bufo fowleri
	1,5	Gray treefrog	Hyla versicolor
	1,5	Spring peeper	Pseudacris crucifer
	1,5	American bullfrog	Rana catesbeiana
	1,5	Green frog	Rana clamitans
	1,5	Pickereel frog	Rana palustris
	5	Northern leopard frog	Rana pipiens
	1,5	Mink frog	Rana septentrionalis
	1,5	Wood frog	Rana sylvatica
	5	Jefferson salamander	Ambystoma jeffersonianum
	5	Blue-spotted salamander	Ambystoma laterale
	5	Jefferson X blue-spotted salamander hybrids	Ambystoma jeffersonianum X laterale
	1,5	Spotted salamander	Ambystoma maculatum
	5	Marbled salamander	Ambystoma opacum
	1,5	Northern two-lined salamander	Eurycea bislineata
	1,5	Northern dusky salamander	Desmognathus fuscus
	5	Spring salamander	Gyrinophilus porphyriticus
	5	Four-toed salamander	Hemidactylum scutatum

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	1,5	Eastern red-backed salamander	Plethodon cinereus
	5	Northern slimy salamander	Plethodon glutinosus
	5	Common Mudpuppy	Necturus maculosus
	1,5	Red-spotted newt	Notophthalmus viridescens
Reptiles			
	5	Alligator	Alligatoridae, spp
	5	Crocodile	Crocodylidae, spp
	5	All venomous reptiles	
	5	Blanding's turtles	Emydoidea blandingii
	5	Eastern box turtles	Terrapene carolina carolina
	5	Spotted turtles	Clemmys guttata
	5	Wood turtles	Glyptemys insculpta
	1,5	Musk turtle	Sternotherus odoratus
	1,5	Painted turtle	Chrysemys picta
	1,5	Snapping turtle	Chelydra serpentina
	5	Black racer	Coluber constrictor
	1,5	Ring-necked snake	Diadophis punctatus
	5	Eastern hognose snake	Heterodon platirhinos
	1,5	Eastern milksnake	Lampropeltis triangulum triangulum
	1,5	Northern watersnake	Nerodia sipedon
	5	Smooth greensnake	Opheodrys vernalis
	1,5	Brown snake	Storeria dekayi
	1,5	Red-bellied snake	Storeria occipitomaculata
	5	Ribbon snake	Thamnophis sauritus
	1,5	Garter snake	Thamnophis sirtalis

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
Fish			
	1, 6	Tilapia	
	1, 6	Alewife	<i>Alosa pseudoharengus</i>
	1, 6	American brook lamprey	<i>Lethenteron appendix</i>
	1, 6	American Eel	<i>Anguilla rostrata</i>
	1, 6	American Shad	<i>Alosa sapidissima</i>
	1, 6	Atlantic Salmon	<i>Salmo salar</i>
	1, 6	Banded Killifish	<i>Fundulus diaphanus</i>
	1, 6	Banded Sunfish	<i>Enneacanthus obesus</i>
	1, 6	Black Crappie	<i>Pomoxis nigromaculatus</i>
	1, 6	Blacknose Dace	<i>Rhinichthys atratulus</i>
	1, 6	Blacknose Shiner	<i>Notropis heterolepis</i>
	1, 6	Blueback Herring	<i>Alosa aestivalis</i>
	1, 6	Bluegill	<i>Lepomis macrochirus</i>
	1, 6	Bridle Shiner	<i>Notropis bifrenatus</i>
	1, 6	Brook Trout	<i>Salvelinus fontinalis</i>
	1, 6	Brown Bullhead	<i>Ameiurus nebulosus</i>
	1, 6	Brown Trout	<i>Salmo trutta</i>
	1, 6	Burbot	<i>Lota lota</i>
	1, 6	Chain Pickerel	<i>Esox niger</i>
	1, 6	Channel Catfish	<i>Ictalurus punctatus</i>
	1, 6	Common Carp	<i>Cyprinus carpio</i>
	1, 6	Common Shiner	<i>Luxilus cornutus</i>
	1, 6	Common White Sucker	<i>Catostomus commersoni</i>
	1, 6	Creek Chub	<i>Semotilus atromaculatus</i>
	1, 6	Eastern Creek Chubsucker	<i>Erimyzon oblongus</i>

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	1, 6	Eastern Silvery Minnow	Hybognathus regius
	1, 6	Emerald Shiner	Notropis atherinoides
	1, 6	Fallfish	Semotilus corporalis
	1, 6	Fathead Minnow	Pimephales promelas
	1, 6	Finescale Dace	Chrosomus neogaeus
	1, 6	Fourspine Stickleback	Apeltes quadracus
	1, 6	Golden Shiner	Notemigonus crysoleucas
	1, 6	Lake Chub	Couesius plumbeus
	1, 6	Lake Trout	Salvelinus namaycush
	1, 6	Lake Whitefish	Coregonus clupeaformis
	1, 6	Largemouth Bass	Micropterus salmoides
	1, 6	Longnose Dace	Rhinichthys cataractae
	1, 6	Longnose Sucker	Catostomus catostomus
	1, 6	Margined Madtom	Noturus insignis
	1, 6	Mummichog	Fundulus heteroclitus
	1, 6	Ninespine Stickleback	Pungitius pungitius
	1, 6	Northern Pike	Esox lucius
	1, 6	Northern Redbelly Dace	Chrosomus eos
	1, 6	Pumpkinseed	Lepomis gibbosus
	1, 6	Rainbow Smelt	Osmerus mordax
	1, 6	Rainbow Trout	Oncorhynchus mykiss
	1, 6	Redbreast Sunfish	Lepomis auritus
	1, 6	Redfin Pickerel	Esox americanus americanus
	1, 6	Rock Bass	Ambloplites rupestris
	1, 6	Round Whitefish	Prosopium cylindraceum
	1, 6	Sea Lamprey	Petromyzon marinus

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	1, 6	Slimy Sculpin	<i>Cottus cognatus</i>
	1, 6	Smallmouth Bass	<i>Micropterus dolomieu</i>
	1, 6	Splake	hybrid (brook x lake trout)
	1, 6	Spottail Shiner	<i>Notropis hudsonius</i>
	1, 6	Sunapee Trout	<i>Salvelinus aureolus</i>
	1, 6	Swamp Darter	<i>Etheostoma fusiforme</i>
	1, 6	Tadpole Madtom	<i>Noturus gyrinus</i>
	1, 6	Tessellated Darter	<i>Etheostoma olmstedii</i>
	1, 6	Threespine Stickleback	<i>Gasterosteus aculeatus</i>
	1, 6	Tiger Trout	hybrid (brown x brook trout)
	1, 6	Walleye	<i>Sander vitreus</i>
	1, 6	White Perch	<i>Morone americana</i>
	1, 6	Yellow Bullhead	<i>Ameiurus natalis</i>
	1, 6	Yellow Perch	<i>Perca flavescens</i>
	1, 6	Hybrid striped bass	
Birds			
	5	All indigenous species	
	1,2, 5	All waterfowl, indigenous and naturalized, except:	
	2, 3, 4, 5, 7	Mallard	<i>Anas platyrhynchos</i>
	1, 5	Mute Swans	<i>Cygnus olor</i>
	5	Crow, Pied	
	5	Buzzard, European	
		Gallinaceous Birds:	
	1, 2, 3, 4, 5, 7	Bobwhite Quail, Northern	<i>Colinus virginianus</i>
	5	Grouse, Ruffed	<i>Bonasa umbellus</i>
	5	Grouse, Spruce	<i>Dendragapus canadensis</i>

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	1, 2, 3, 4, 5, 7	Pheasant, Ring-necked	Phasianus colchicus
	1, 2, 3, 4, 5, 7	Partridge, Chukar /Redleg	Alectoris chuka
	1, 2, 3, 4, 5, 7	Partridge, Grey/Hungarian	Perdix perdix
Mammals			
	5	Armadillo	
	5	Anteater, Lesser	
	5	Agouti, red rumped	
	5	Badger	Taxida taxus
	5	Barbary Sheep	
	5	Bear, Black	Ursus americanus
	5	Bear, Grizzly	Ursus horribilis
	5	Beaver	Castor canadensis
	5	Binturong	
	5	Boar, wild	Sus scrofa
	5	Bobcat	Lynx rufus
	5	Caracal Lynx	
	2, 5	Caribou/Reindeer	Rangifer tarandus
	5	Cavy, Patagonian	Doli salinicola
	5	Chipmunk, Eastern	Tamias striatus
	5	Coatimundi	Nasua nasua
	5	Cottontail, Eastern	Sylvilagus floridanus
	5	Cottontail, New England	Sylvilagus transitionalis
	5	Cougar	Felis concolor
	5	Coyote	Canis latrans
	5	Dama Wallaby	
	2, 5	Deer, Red	Cervus elaphus

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	2, 5	Deer, Sika	Cervus Nippon
	5	Deer, White-tailed	Odocoileus virginianus;
	5	Elephant	Elaphus maximus, Loredomta africans
	2, 5	Elk	Cervus elephus Canadensis
	5	Fisher	Martes pennanti
	5	Fox, Gray; Fenec	Urocyon cinereoargenteus
	5	Fox, Red	Vulpes vulpes
	5	Genet	Genetta spp.
	5	Giraffe	
	5	Hyena	
	2, 4 & 5	Hare, Snowshoe	Lepus americanus
	5	Jaguar, Black, Spotted	
	5	Kangaroo, Red	
	5	Kinkajou	Potos flavus
	5	Lemming, Northern Bog	Synaptomys borealis
	5	Lemming, Southern Bog	Synaptomys cooperi
	5	Lemur, Ringtailed	
	5	Leopard	Panthern umeia , P. pardus, Neofelis nebulasa
	5	Lion	Panthera leo
	5	Lynx, Canadian, Siberian	Lynx canadensis
	5	Marten	Martes americana
	5	Mink	Mustela vison
	5	Mole, Hairy-tailed	Parascalops breweri
	5	Mole, Star-nosed	Condylura cristata
	5	Mongoose	

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	5	Moose	<i>Alces alces</i>
	5	Mouse, Deer	<i>Peromyscus maniculatus</i>
	5	Mouse, Meadow Jumping	<i>Zapus hudsonius</i>
	5	Mouse, White-footed	<i>Peromyscus leucopus</i>
	5	Mouse, Woodland Jumping	<i>Napaeozapus insignis</i>
	5	Muskrat	<i>Odontra zibethicus</i>
	5	Opossum, Virginia	<i>Didelphis virginiana</i>
	5	Otter, River	<i>Lutra canadensis</i>
	5	Peccary, Collared	
	5	Pipistrelle, Eastern	<i>Pipistrellus subflavus</i>
	5	Porcupine, North American	<i>Erethizon dorsatum</i>
		African crested	<i>Hystrix cristata</i>
	5	Prairie Dog	<i>Cynomys, spp.</i>
	5	Primates to include:	
		Chimpanzee	<i>Pan troglodytes</i>
		Gorilla	<i>gorilla gorilla</i>
		Orangutan	<i>Pongo pygmaeus</i>
		Baboons	<i>Papio spp</i>
		Spider Monkey	<i>Ateles spp</i>
		Squirrel Monkey	<i>Saimici spp</i>
		Capuchin	<i>Cebus spp</i>
		Marmoset (Tamarin)	<i>Cercopihecus spp.</i>
		Guenon(s)	
		Celebes macaque	
		Rhesus	<i>Macaca mulatta</i>
	5	Raccoon	<i>Procyon lotor</i>
	5	Rat, African pouched	

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	5	Serval, African	
	5	Shrew, Long-tailed	Sorex dispar
	5	Shrew, Masked	Sorex cinereus
	5	Shrew, Pygmy	Sorex hoyi
	5	Shrew, Short-tailed	Blarina brevicauda
	5	Shrew, Smoky	Sorex fumeus
	5	Shrew, Water	Sorex palustris
	5	Skunk, Striped	Mephitis mephitis
	5	Springhare	
	5	Squirrel, Gray	Sciurus carolinensis
	5	Squirrel, Northern Flying	Glaucomys sabrinus
	5	Squirrel, Red	Tamiasciurus hudsonicus
	5	Squirrel, Southern Flying	Glaucomys volans
	5	Tenrec, Giant, Lowland streaked	
	5	Tiger; Golden Tabby, Siberian, White Siberian, Bengal	Panthera tigris
	5	Two-Toed Sloth	Choloepus didactylus
	5	Vole, Meadow	Microtus pennsylvanicus
	5	Vole, Northern Red-backed	Clethrionomys gapperi
	5	Vole, Rock	Microtus chrotorrhinus
	5	Vole, Woodland	Microtus pinetorum
	5	Wallaby, Dama, Tammar, Bennett	
	5	Water Buffalo, Eurasian	
	5	Weasel, Least	Erminea rixosa
	5	Weasel, Long-tailed	Mustela frenata
	5	Weasel, Short-tailed	Mustela ermine

	PERMITTEE CATEGORY	SPECIES	SCIENTIFIC NAME
	5	Wolverine	
	5	Woodchuck	Marmota monax
	5	Wolf	Canis lupus
	5	Zebra	

Adopt PART Fis 815, cited and to read as follows:

Statutory Authority: RSA 206:10, I, RSA 207:14, I(c)

PART Fis 815 PERMIT DENIAL AND APPEAL

Fis 815.01 Denial of a Permit to Import, Possess, Sell, Exhibit, or Release Wildlife.

(a) Pursuant to RSA 207:14, I(a), a request for a permit to import, possess, sell, exhibit, or release wildlife shall be granted unless the chief of the Fish and Game Department's wildlife division denies such request due to risks of disease, genetic, ecological, environmental, health, safety, or welfare to persons, marine species, or other wildlife.

(b) The chief of the wildlife division shall notify the applicant in writing of the reasons a permit has been denied. Such notice shall be given within 60 days of the final request for a permit.

Fis 815.02 Appealing the Denial of a Permit to Import, Possess, Sell, Exhibit, or Release Wildlife.

(a) Any person denied a permit pursuant to Fis 815.01 may appeal the decision in writing to the executive director within 60 days of the denial, including the following information in the written appeal:

- (1) Name of the person applying for a permit;
 - (2) Current contact information of the applicant:
 - a. Residential address;
 - b. Telephone number; and
 - c. Email address, if available;
 - (3) Species of wildlife requested to be imported, possessed, sold, exhibited, or released; and
 - (4) Purpose for the request.
- (b) The executive director shall respond in writing within 60 days of receiving the written appeal to:
- (1) Uphold the denial; or
 - (2) Overturn the denial and grant the permit.

Fis 815.03 Petitions to the Fish and Game Commission.

(a) Any person aggrieved by the decision of the executive director with regards to a permit denial pursuant to Fis 815.02 may appeal such decision by written petition to the Fish and Game Commission (Commission).

(b) Pursuant to RSA 206:4-a, VI, the Commission shall hear the appeal within 45 days of receiving the written request.

(c) A majority vote of a quorum of commissioners shall be required to reverse the decision of the executive director.

(d) The Commission's ruling shall be in writing and issued within 14 days of the hearing.

Fis 815.04 Further Appeal. Any person aggrieved by the ruling of the Fish and Game Commission may seek further review, in accordance with the requirements of RSA 541.

Readopt Fis 1102.01, effective 1-29-13 (Document #10265), to read as follows:

Fis 1102.01 NH Special Wildlife Permit.

(a) Any person wishing to possess moose or other protected wildlife under RSA 207:21, RSA 208:9 or RSA 208:14, shall obtain a NH Special Wildlife Permit from a department conservation officer in order to possess wildlife.

(b) Applicants shall provide the following:

- (1) The type and number of the license, if applicable;
- (2) The species to be possessed or transported out of state;
- (3) Where transported and the date of such transportation;
- (4) The date and town where wildlife was killed;
- (5) The sex, weight and place of storage of wildlife;
- (6) The name, address and signature of the person who killed the wildlife, or in the case of a minor, the signature of the accompanying adult;
- (7) Dated signature, signed subject to the penalty for making unsworn false statements pursuant to RSA 641:3;
- (8) The cause of death; and
- (9) Acknowledgment receipt of the wildlife species received relieving the New Hampshire fish and game department and its employees of any liabilities relative to the suitability for human consumption.

APPENDIX

Rule	Specific State Statute the Rule Implements
Fis 803.03	RSA 206:10, I; RSA 207:14; RSA 437:17-a
Fis 803.04	RSA 206:10, I; RSA 207:14; RSA 437:17-a
Fis 804.05	RSA 206:10, I; RSA 207:14
Fis 805.01	RSA 206:10, I; RSA 207:14
Fis 815(new)	RSA 206:10, I; RSA 207:14, I(c); RSA 541
Fis 1102.01	RSA 206:10, I; RSA 207:21; RSA 208:9; RSA 208:14