

Notice of Public Hearing
LSA Document #10-501

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on December 9, 2010, at 1:30 p.m., at the Indiana Government Center North, 100 North Senate Avenue, Room N501, Main Conference Room, Indianapolis, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 9-6-1](#) to change the size of cast nets and add a definition of threadfin shad; [312 IAC 9-6-8](#) governing the use of gizzard shad, threadfin shad, and alewife; [312 IAC 9-7-16](#) governing the use of cast nets for collecting fish on the Ohio River; and [312 IAC 9-9-2](#) governing the use of cast nets for collecting crayfish on the Ohio River.

[IC 4-22-2-24\(d\)\(3\)](#) Justification Statement: Anglers for striped bass and hybrid striped bass want to use live gizzard shad and threadfin shad as bait. These shad species occur in eight bodies of water in Indiana. Anglers fishing on Lake Michigan also desire to use live alewives, which already occur in Lake Michigan, as bait. These species of bait fish are exotic invasive species that the Department of Natural Resources (DNR) is proposing to allow to be used as bait only in the bodies of water where they already exist. However, in allowing the use of these species as live bait, the DNR's proposed rule will impose requirements upon anglers to kill all gizzard shad, threadfin shad, and alewife captured and not used or accidentally captured. Anglers will also be required to capture the bait fish from the body of water where it will be used and are prohibited from transporting shad or alewives from one body of water to another. These requirements are necessary to reduce the spread of these invasive species. All requirements or costs by the rule amendments on regulated entities under [IC 4-22-2-24\(d\)\(3\)](#) are reasonably necessary to the DNR's responsibility to provide for the protection, reproduction, care, management, survival, and regulation of wild animal populations as required under [IC 14-22-2-3](#). These rule amendments will also positively impact sport fishing, which is placed under the Department's regulatory control by [IC 14-22-2-6](#).

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter
Chairman
Natural Resources Commission

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