TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule
LSA Document #20-81

DIGEST

Amends 312 IAC 9-6-1 adding definitions for bank pole, drop line, free-float line, limb line, pink salmon, setline, throw line, and trotline. Amends 312 IAC 9-6-9 to add cisco and the western sand darter to, and remove the northern brook lamprey from, the endangered species list of fish. Amends 312 IAC 9-7-6 governing the taking of black bass. Amends 312 IAC 9-7-12 governing the taking of walleye, sauger, and saugeye. Amends 312 IAC 9-7-14 to remove cisco. Amends 312 IAC 9-7-16 governing sport fishing on the Ohio River. Amends 312 IAC 9-9-3 to govern golden mussel. Effective 30 days after filing with the Publisher.

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

312 IAC 9-6-1; 312 IAC 9-6-9; 312 IAC 9-7-6; 312 IAC 9-7-12; 312 IAC 9-7-14; 312 IAC 9-7-16; 312 IAC 9-9-3

SECTION 1. 312 IAC 9-6-1 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-6-1 Definitions pertaining to fish and fishing activities

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22-16; IC 14-22-34-12

Sec. 1. In addition to the definitions in 312 IAC 9-1, the following definitions apply throughout this rule and 312 IAC 9-7 through 312 IAC 9-10:

(1) "Alewife" means the species Alosa pseudoharengus.
(2) "American eel" means the species Anguilla rostrata.
(3) "Aquarium pet trade" means the business of importing, producing, or selling live fish for display in:
(A) aquariums;
(B) tanks; or
(C) other continuing exhibits.
(4) "Artificial lure" means a man-made object used to attract fish with attached single-prong or multiple-prong hooks, excluding bait as defined in this rule.
(5) "Asian carp" means the following:
(A) Bighead carp.
(B) Black carp.
(C) Grass carp.
(D) Silver carp.
(6) "Atlantic salmon" means the species Salmo salar.
(7) "Bait" means the following:
(A) Natural fish food including bait fish, crayfish, frogs permitted as bait, grubs, insects, larvae, worms, salmon eggs, cheese, corn, and other food substances not containing any ingredient to stupefy, injure, or kill fish.
(B) Any substance designed to attract fish by taste or scent including dough bait, putty or paste-type bait, and any fly or lure or bait containing or used with such substances.
(C) Soft plastic bait (unscented) including synthetic eggs, synthetic worms, synthetic grubs, and soft plastic lures.
(8) "Bank pole" means a passive fishing device consisting of a line with not more than one (1) hook that is affixed to a stationary object suspended over the water. Stationary objects may include stumps, trees, tree branches, or poles constructed of artificial or natural material anchored into the bank. The term is also referred to as a drop line or limb line.
~~(8)~~ **(9)** "Bar mesh" means the length of one (1) side of the square mesh measure or as measured between two (2) knots on the same line.
~~(9)~~ **(10)** "Bighead carp" means the species Hypophthalmichthys nobilis.
~~(10)~~ **(11)** "Black bass" means the following species:
(A) Largemouth bass.
(B) Smallmouth bass.
(C) Spotted bass.
~~(11)~~ **(12)** "Black bullhead" means the species Ictalurus melas.

~~(12)~~ **(13)** "Black carp" means the species Mylopharyngodon piceus.
~~(13)~~ **(14)** "Black crappie" means the species Pomoxis nigromaculatus.
~~(14)~~ **(15)** "Bloater" means the species Coregonus hoyi.
~~(15)~~ **(16)** "Blue catfish" means the species Ictalurus furcatus.
~~(16)~~ **(17)** "Bluegill" means the species Lepomis macrochirus.
~~(17)~~ **(18)** "Bluntnose minnow" means the species Pimephales notatus.
~~(18)~~ **(19)** "Bowfin" means the species Amia calva.
~~(19)~~ **(20)** "Brook trout" means the species Salvelinus fontinalis.
~~(20)~~ **(21)** "Brown bullhead" means the species Ictalurus nebulosus.
~~(21)~~ **(22)** "Brown trout" means the species Salmo trutta.
~~(22)~~ **(23)** "Buffalo" means the genus Ictiobus.
~~(23)~~ **(24)** "Bullhead" means the following species:
(A) Black bullhead.
(B) Brown bullhead.
(C) Yellow bullhead.
~~(24)~~ **(25)** "Burbot" means the species Lota lota.
~~(25)~~ **(26)** "Carp" means the species Cyprinus carpio.
~~(26)~~ **(27)** "Cast net" means a net
~~(A)~~ not more than twenty (20) feet in diameter ~~and~~
~~(B)~~ having stretch mesh not larger than:
(A) three-fourths (3/4) inch; or
~~(C) having stretch mesh not larger than~~ **(B)** two (2) inches if used only on the waters listed in section 8(b)(1) of this rule.
~~(27)~~ **(28)** "Cavefish" means a fish of the family Amblyopsidae.
~~(28)~~ **(29)** "Chain pickerel" means the species Esox niger.
~~(29)~~ **(30)** "Channel catfish" means the species Ictalurus punctatus.
~~(30)~~ **(31)** "Chinook salmon" means the species Oncorhynchus tshawytscha.
~~(31)~~ **(32)** "Chub" means the following species:
(A) Bloater.
(B) Kiyi.
~~(32)~~ **(33)** "Cisco" means the species Coregonus artedii.
~~(33)~~ **(34)** "Closed aquaculture system" means a rearing facility designed to prevent the escape of cultured organisms to the wild.
~~(34)~~ **(35)** "Coho salmon" means the species Oncorhynchus kisutch.
~~(35)~~ **(36)** "Crappie" means the following:
(A) White crappie.
(B) Black crappie.
~~(36)~~ **(37)** "Dip net" means a dip net:
(A) not exceeding three (3) feet square;
(B) without sides or walls; and
(C) having stretch mesh not larger than one-half (1/2) inch.
~~(37)~~ **(38)** "Diploid" means a cell or organism that has two (2) complete sets of chromosomes.
(39) "Drop line" means a passive fishing device consisting of a line with not more than one (1) hook that is affixed to a stationary object suspended over the water. Stationary objects may include stumps, trees, tree branches, or poles constructed of artificial or natural material anchored into the bank. The term is also referred to as a limb line or bank pole.
~~(38)~~ **(40)** "Exotic catfish" means a walking catfish or other member of the family Clariidae.
~~(39)~~ **(41)** "Exotic fish" means:
(A) an exotic catfish;
(B) a bighead carp;
(C) a black carp;
(D) a silver carp;
(E) a white perch;
(F) a snakehead;
(G) a rudd;
(H) a ruffe;
(I) a tubenose goby;
(J) a round goby;
(K) a stone moroko;
(L) a wels catfish;
(M) a zander; or

(N) a hybrid or genetically altered fish of any of these species.

~~(40)~~ **(42)** "Fathead minnow" means the species Pimephales promelas.

~~(41)~~ **(43)** "Flathead catfish" means the species Pylodictis olivaris.

~~(42)~~ **(44)** "Fly" means an artificial lure constructed of any material except bait, as defined in this rule, attached to a single-prong hook.

(45) "Free-float line" means an active fishing device consisting of a line with not more than one (1) hook that is affixed to a float. Floats are often constructed from empty jugs/bottles, pool noodles, or other floating materials but must not be constructed of glass. The term is also referred to as a jug line.

~~(43)~~ **(46)** "Freshwater drum" means the species Aplodinotus grunniens.

~~(44)~~ **(47)** "Gaff" or "gaff hook" means an implement:

(A) of metal or another hard or tough material;

(B) with or without barbs;

(C) making a single hook having a shank with or without a handle; and

(D) that may be hand held to seize, hold, or sustain fish.

~~(45)~~ **(48)** "Gar" means the genus Lepisosteus.

~~(46)~~ **(49)** "Genetically altered fish" means a fish that is the product of genetic manipulation, including polyploidy, gynogenesis, gene transfer, and hormonal sex control.

~~(47)~~ **(50)** "Gizzard shad" means the species Dorosoma cepedianum.

~~(48)~~ **(51)** "Golden shiner" means the species Notemigonus crysoleucas.

~~(49)~~ **(52)** "Goldfish" means the species Carassius auratus.

~~(50)~~ **(53)** "Grab hook" means a device or implement used as a tong to clutch, close down upon, or grasp fish.

~~(51)~~ **(54)** "Grass carp" means the species Ctenopharyngodon idella.

~~(52)~~ **(55)** "Green sunfish" means the species Lepomis cyanellus.

~~(53)~~ **(56)** "Hook" includes either single-prong or multiple-prong hooks. A multiple-prong hook or two (2) or more single-prong hooks employed to hold a single bait, as defined in this rule, shall be considered a single hook in counting the allowable total in use.

~~(54)~~ **(57)** "Hybrid striped bass" means the hybrid of striped bass and white bass.

~~(55)~~ **(58)** "Hybrid sunfish" means a hybrid of the genus Lepomis.

~~(56)~~ **(59)** "Kiyi" means the species Coregonus kiyi.

~~(57)~~ **(60)** "Lake herring" means the species Coregonus artedii.

~~(58)~~ **(61)** "Lake sturgeon" means the species Acipenser fulvescens.

~~(59)~~ **(62)** "Lake trout" means the species Salvelinus namaycush.

~~(60)~~ **(63)** "Lake whitefish" means the species Coregonus clupeaformis.

~~(61)~~ **(64)** "Largemouth bass" means the species Micropterus salmoides.

(65) "Limb line" means a passive fishing device consisting of a line with not more than one (1) hook that is affixed to a stationary object suspended over the water. Stationary objects may include stumps, trees, tree branches, or poles constructed of artificial or natural material anchored into the bank. The term is also referred to as a drop line or bank pole.

~~(62)~~ **(66)** "Minnow" means the following:

(A) Species of the minnow family Cyprinidae, except the following:

(i) Exotic species identified ~~at~~ **in** section 7 of this rule.

(ii) Endangered species identified ~~at~~ **in** section 9 of this rule.

(B) The following species:

(i) Sucker.

(ii) Brook stickleback (Culaea inconstans).

(iii) Gizzard shad.

(iv) Threadfin shad.

(v) Alewife.

~~(C)~~ Notwithstanding IC 14-22-16, 312 IAC 9-7-15, and 312 IAC 9-7-16, live gizzard shad, threadfin shad, and alewife may only be collected, used, possessed, sold, bartered, and disposed of in accordance with section 8 of this rule.

~~(63)~~ **(67)** "Minnow seine" means a seine or net:

(A) not more than twelve (12) feet long and four (4) feet deep; and

(B) having stretch mesh not larger than one-half (1/2) inch.

~~(64)~~ **(68)** "Minnow trap" means a fish trapping device not exceeding twenty-four (24) inches long. The opening of the throat shall not exceed two (2) inches in diameter.

~~(65)~~ **(69)** "Mosquitofish" means the species Gambusia affinis.

~~(66)~~ **(70)** "Muskellunge" means the species Esox masquinongy.

~~(67)~~ **(71)** "Northern pike" means the species Esox lucius.

~~(68)~~ **(72)** "Paddlefish" means the species Polyodon spathula.

(73) "Pink salmon" means the species Oncorhynchus gorbuscha.

~~(69)~~ **(74)** "Pole" and "line" means fishing equipment held in the hand, including a cane pole, casting rod, spinning rod, fly rod, or ice fishing tackle commonly known as a tip-up but does not include snaring, trotlines, set lines, throw lines, limb lines, drop lines, or other tackle normally attached in a fixed position.
~~(70)~~ **(75)** "Quagga mussel" means the species Dreissena bugensis.
~~(71)~~ **(76)** "Rainbow trout" means the species Oncorhynchus mykiss.
~~(72)~~ **(77)** "Redear sunfish" means the species Lepomis microlophus.
~~(73)~~ **(78)** "Rock bass" means the species Ambloplites rupestris.
~~(74)~~ **(79)** "Round goby" mean the species Neogobius melanostomus.
~~(75)~~ **(80)** "Rudd" means the species Scardinius erythrophthalmus.
~~(76)~~ **(81)** "Ruffe" means the species Gymnocephalus cernuus.
~~(77)~~ **(82)** "Sauger" means the species Sander canadensis.
~~(78)~~ **(83)** "Saugeye" means the hybrid of walleye and sauger.
(84) "Setline" means a passive fishing device consisting of a main line attached to a stationary object that is affixed to an anchor in a body of water. The main line has hooks attached via droppers (or snoods). Droppers may be attached to the main line with knots, clips, or swivels. Floats and weights may be added to the main line to suspend it at desired depths. The term is also referred to as a throw line or trotline.
~~(79)~~ **(85)** "Shad" means the following genera:
(A) Alosa.
(B) Dorosoma.
~~(80)~~ **(86)** "Shovelnose sturgeon" means the species Scaphirhynchus platorynchus.
~~(81)~~ **(87)** "Silver carp" means the species Hypophthalmichthys molitrix.
~~(82)~~ **(88)** "Single hook" means a fishing hook consisting of the following:
(A) One (1) shank.
(B) One (1) point.
~~(83)~~ **(89)** "Smallmouth bass" means the species Micropterus dolomieui.
~~(84)~~ **(90)** "Smelt" means the genus Osmerus.
~~(85)~~ **(91)** "Snakehead" means all species of the family Channidae, including the following genera:
(A) Channa.
(B) Parachanna.
~~(86)~~ **(92)** "Sockeye salmon" means the species Oncorhynchus nerka.
~~(87)~~ **(93)** "Sport fish" means any of the following:
(A) Largemouth bass.
(B) Smallmouth bass.
(C) Spotted bass.
(D) Rock bass.
(E) White crappie.
(F) Black crappie.
(G) Walleye.
(H) Sauger.
(I) Saugeye.
(J) Striped bass.
(K) White bass.
(L) Hybrid striped bass.
(M) Yellow bass.
(N) Muskellunge.
(O) Tiger muskellunge.
(P) Northern pike.
(Q) Chain pickerel.
(R) Trout or salmon.
~~(88)~~ **(94)** "Spotted bass" means the species Micropterus punctulatus.
~~(89)~~ **(95)** "Steelhead" means the species Oncorhyncus mykiss.
~~(90)~~ **(96)** "Stone moroko" means the species Pseudorasbora parva.
~~(91)~~ **(97)** "Stretch mesh" means the extended distance or length between the extreme angles of a single mesh of net.
~~(92)~~ **(98)** "Striped bass" means the species Morone saxatilis.
~~(93)~~ **(99)** "Sucker" means the following genera:
(A) Carpiodes.
(B) Moxostoma.
(C) Hypentelium.
(D) Catostomus.

(E) Erimyzon.

~~(94)~~ **(100)** "Sunfish" means all species and hybrids of the genus Lepomis except endangered species identified ~~at~~ **in** section 9 of this rule.

~~(95)~~ **(101)** "Threadfin shad" means the species Dorosoma petenense.

(102) "Throw line" means a passive fishing device consisting of a main line attached to a stationary object that is affixed to an anchor in a body of water. The main line has hooks attached via droppers (or snoods). Droppers may be attached to the main line with knots, clips, or swivels. Floats and weights may be added to the main line to suspend it at desired depths. The term is also referred to as a trotline or setline.

~~(96)~~ **(103)** "Tiger muskellunge" means the hybrid of muskellunge and northern pike.

~~(97)~~ **(104)** "Tilapia" means all species of the genus Tilapia.

~~(98)~~ **(105)** "Triploid" means a cell or organism having three (3) haploid sets of chromosomes.

(106) "Trotline" means a passive fishing device consisting of a main line attached to a stationary object that is affixed to an anchor in a body of water. The main line has hooks attached via droppers (or snoods). Droppers may be attached to the main line with knots, clips, or swivels. Floats and weights may be added to the main line to suspend it at desired depths. The term is also referred to as a setline or throw line.

~~(99)~~ **(107)** "Trout or salmon" means the following:

(A) Lake trout.
(B) Coho salmon.
(C) Chinook salmon.
(D) Sockeye salmon.
(E) Brown trout.
(F) Steelhead (or rainbow trout).
(G) Brook trout.
(H) Atlantic salmon.
(I) Pink salmon.

~~(100)~~ **(108)** "Tubenose goby" means the species Proterorhinus marmoratus.

~~(101)~~ **(109)** "Walleye" means the species Sander vitreus.

~~(102)~~ **(110)** "Warmouth" means the species Lepomis gulosus.

~~(103)~~ **(111)** "Wels catfish" means the species Silurus glanis.

~~(104)~~ **(112)** "White bass" means the species Morone chrysops.

~~(105)~~ **(113)** "White catfish" means the species Ictalurus catus.

~~(106)~~ **(114)** "White perch" means the species Morone americana.

~~(107)~~ **(115)** "White crappie" means the species Pomoxis annularis.

~~(108)~~ **(116)** "Yellow bass" means the species Morone mississippiensis.

~~(109)~~ **(117)** "Yellow bullhead" means the species Ictalurus natalis.

~~(110)~~ **(118)** "Yellow perch" means the species Perca flavescens.

~~(111)~~ **(119)** "Zander" means the species Sander lucioperca.

~~(112)~~ **(120)** "Zebra mussel" means the species Dreissena polymorpha.

(Natural Resources Commission; 312 IAC 9-6-1; filed May 12, 1997, 10:00 a.m.: 20 IR 2713; filed May 28, 1998, 5:14 p.m.: 21 IR 3717; errata filed Aug 25, 1998, 3:02 p.m.: 22 IR 125; filed May 16, 2002, 12:25 p.m.: 25 IR 3047; filed Jul 23, 2003, 10:30 a.m.: 26 IR 3866; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Aug 28, 2009, 3:39 p.m.: 20090923-IR-312080886FRA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Feb 22, 2011, 1:13 p.m.: 20110323-IR-312100501FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; filed Oct 24, 2017, 8:46 a.m.: 20171122-IR-312170262FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 2. 312 IAC 9-6-9 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-6-9 Endangered species of fish

Authority: IC 14-10-2-4; IC 14-22-2-6; IC 14-22-34-17
Affected: IC 14-22-34-12

Sec. 9. The following species of fish are endangered and are subject to the protections provided under IC 14-22-34-12:

(1) Lake sturgeon (Acipenser fulvescens).

(2) Hoosier cavefish (Amblyopsis hoosieri), formerly known as the northern cavefish (Amblyopsis spelaea).
(3) Redside dace (Clinostomus elongatus).
(4) Variegate darter (Etheostoma variatum).
(5) Gilt darter (Percina evides).
(6) Greater redhorse (Moxostoma valenciennesi).
(7) Bantam sunfish (Lepomis symmetricus).
(8) Pallid shiner (Hybopsis amnis).
(9) Channel darter (Percina copelandi).
(10) ~~Northern brook lamprey (Ichthyomyzon fossor).~~ **Cisco (Coregonus artedii).**
(11) Western sand darter (Ammocrypta clara).

(Natural Resources Commission; 312 IAC 9-6-9; filed May 12, 1997, 10:00 a.m.: 20 IR 2716; filed May 16, 2002, 12:25 p.m.: 25 IR 3048; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 547; filed Jun 29, 2007, 2:30 p.m.: 20070725-IR-312060272FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 3. 312 IAC 9-7-6 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-6 Black bass

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22

Sec. 6. (a) Except as otherwise provided in this section or section 16(g) of this rule, an individual may take or possess not more than five (5) black bass in aggregate per day.

(b) An individual may take or possess not more than three (3) black bass from Lake Michigan in aggregate per day. An individual must not possess more than three (3) black bass in aggregate while fishing in or on Lake Michigan.

(c) Except as otherwise provided in this section, an individual must not take or possess a black bass except:
(1) if taken from rivers or streams in Posey, Vanderburgh, Warrick, Spencer, Perry, Crawford, Harrison, Floyd, Clark, Jefferson, Switzerland, Ohio, and Dearborn counties the black bass must be at least twelve (12) inches long;
(2) if taken from rivers or streams, except as stated in subdivision (1), the black bass must be greater than fifteen (15) inches long or less than twelve (12) inches long, with not more than two (2) being greater than fifteen (15) inches; or
(3) if taken from lakes or reservoirs (including Lake Michigan), the black bass must be at least fourteen (14) inches long.

(d) An individual may take or possess largemouth bass of any length in the following lakes:
(1) Brownstown Pit in Jackson County.
(2) Burdette Park Lakes in Vanderburgh County.
(3) Chandler Town Lake in Warrick County.
(4) Cypress Lake in Jackson County.
(5) Deming Park Lakes in Vigo County.
(6) Garvin Park Lake in Vanderburgh County.
(7) Glen Miller Pond in Wayne County.
(8) Hayswood Lake in Harrison County.
(9) Henry County Memorial Park Lake in Henry County.
(10) Hovey Lake in Posey County.
(11) Krannert Lake in Marion County.
(12) Lake Sullivan in Marion County.
(13) Ruster Lake in Marion County.
(14) Schnebelt Pond in Dearborn County.

(e) An individual must not take or possess a largemouth bass unless the largemouth bass is less than twelve

(12) inches long or more than fifteen (15) inches long from the following designated lakes:
(1) Buffalo Trace Lake in Harrison County.
(2) Ferdinand State Forest Lake in Dubois County.
(3) Montgomery City Park Lake in Daviess County.

(f) An individual may take or possess not more than one (1) largemouth bass from Turtle Creek Reservoir in Sullivan County. An individual must not take or possess a largemouth bass from Turtle Creek Reservoir unless the largemouth bass is at least twenty (20) inches long.

(g) An individual may take or possess not more than five (5) largemouth bass in aggregate per day from Patoka Lake in Orange, Crawford, and Dubois counties. An individual must not take or possess a largemouth bass from Patoka Lake unless the largemouth bass is at least fifteen (15) inches long.

(h) An individual must not take or possess a largemouth bass from Harden Lake in Parke County unless the largemouth bass is at least sixteen (16) inches long.

(i) An individual must not take or possess more than two (2) largemouth bass per day, and an individual must not take or possess a largemouth bass unless the largemouth bass is at least eighteen (18) inches long from the following designated waters:
(1) Tri-County State Fish and Wildlife Area.
(2) Robinson Lake in Whitley County and Kosciusko County.
(3) Ball Lake in Steuben County.
(4) Loon Pit at Blue Grass Fish and Wildlife Area in Warrick County.
(5) Bluegrass Pit at Blue Grass Fish and Wildlife Area in Warrick County.
(6) J. C. Murphey Lake at Willow Slough Fish and Wildlife Area in Newton County.
(7) Kunkel Lake in Wells County.
(8) Fidler Pond in Elkhart County.
(9) Failing Lake (also known as Gentian Lake) in Steuben County.
(10) Flat Fork Creek Park Ponds A and B in Hamilton County.
(11) Bixler Lake in Noble County.
(12) Henderson Lake in Noble County.
(13) Little Long Lake in Noble County.
(14) Round Lake in Noble County.

(j) An individual must not take or possess more than five (5) black bass in aggregate per day from the Blue River located in Crawford and Harrison counties and Big Long Lake in LaGrange County. Each black bass taken from the Blue River in Crawford and Harrison counties and Big Long Lake in LaGrange County must be less than twelve (12) inches long or more than fifteen (15) inches long but not more than two (2) per day can be taken that are longer than fifteen (15) inches.

(k) An individual may take or possess not more than one (1) black bass from Sugar Creek located in Parke, Montgomery, Boone, Clinton, and Tipton counties per day, and the black bass must be at least twenty (20) inches long.

(l) If this section prohibits an individual from taking or possessing a black bass from a specified water of the state, an individual must not possess a black bass of the prohibited class on or adjacent to the specified water of the state.

(Natural Resources Commission; 312 IAC 9-7-6; filed May 12, 1997, 10:00 a.m.: 20 IR 2718; filed May 28, 1998, 5:14 p.m.: 21 IR 3721; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1539; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 549; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Apr 25, 2012, 3:48 p.m.: 20120523-IR-312110358FRA; errata filed Jun 4, 2012, 3:20 p.m.: 20120613-IR-312120283ACA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; filed Oct 24, 2017, 8:46 a.m.: 20171122-IR-312170262FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 4. 312 IAC 9-7-12 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-12 Walleye; sauger; saugeye

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22

Sec. 12. (a) Except as provided in subsection (d) and section 16(g) of this rule an individual may take or possess not more than six (6) of any combination of walleye, sauger, or saugeye per day.

(b) Except as provided in section 16(g) of this rule and as otherwise provided in this section, an individual must not take or possess a:
(1) walleye south of State Road 26 unless it is at least fourteen (14) inches long;
(2) walleye north of State Road 26 unless it is at least sixteen (16) inches long; or
(3) saugeye unless it is at least fourteen (14) inches long and taken from:
(A) Huntingburg Lake in Dubois County; ~~or~~
(B) Sullivan Lake in Sullivan County; **or**
(C) Glenn Flint Lake in Putnam County.

(c) An individual must not take or possess a walleye from:
(1) Lake George in Steuben County unless it is at least fifteen (15) inches long; and
(2) Bass Lake in Starke County and Wolf Lake in Lake County unless it is at least fourteen (14) inches long.

(d) An individual must not take or possess more than two (2) walleye per day from Wall Lake in LaGrange County.

(Natural Resources Commission; 312 IAC 9-7-12; filed May 12, 1997, 10:00 a.m.: 20 IR 2719; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1540; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Jun 15, 2015, 3:43 p.m.: 20150715-IR-312140453FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 5. 312 IAC 9-7-14 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-14 Sunfish, crappie, and other species of fish

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22

Sec. 14. (a) Except as otherwise provided in section 16(g) of this rule, an individual may take or possess not more than twenty-five (25) crappies per day and an unlimited number of yellow bass per day.

(b) A crappie taken at Dogwood Lake in Daviess County and Hardy Lake in Scott County must be at least nine (9) inches long.

(c) Except on the Ohio River, an individual may take or possess not more than twenty-five (25) redear sunfish per day.

(d) Except as provided in subsections (a), (b), (c), and (e), there is no bag limit, possession limit, or size limit for the following:
(1) Alewife.
(2) American eel.
(3) Bluegill.
(4) Bowfin.
(5) Buffalo.
(6) Bullhead.

(7) Carp.
(8) Chain pickerel.
(9) Chub.
~~(10) Cisco.~~
~~(11)~~ **(10)** Gar.
~~(12)~~ **(11)** Gizzard shad.
~~(13)~~ **(12)** Lake herring.
~~(14)~~ **(13)** Shad.
~~(15)~~ **(14)** Smelt.
~~(16)~~ **(15)** Sucker.
~~(17)~~ **(16)** Yellow bass.
~~(18)~~ **(17)** Redear sunfish.
~~(19)~~ **(18)** Crappie.

(e) Notwithstanding subsections (a), (c), and (d), an individual must not take or possess more than the following:
(1) Twenty-five (25) of any combination of bluegill, redear sunfish, and crappie per day from J. C. Murphey Lake at Willow Slough Fish and Wildlife Area in Newton County.
(2) Fifteen (15) of any combination of bluegill, redear sunfish, and crappie per day from the following:
(A) Fidler Pond in Elkhart County.
(B) Failing Lake (also known as Gentian Lake) in Steuben County.
(C) Flat Fork Creek Park Ponds A and B in Hamilton County.

(f) If a bowfin contains roe, the roe must remain intact and inside the body of the fish while on the body of water or adjacent to the water being fished, and until processing of the fish begins.

(g) An individual must not:
(1) screen;
(2) wash;
(3) otherwise process;
(4) preserve;
(5) store;
(6) maintain possession;
(7) gift to any other individual;
(8) sell; or
(9) transport;
roe removed from a bowfin without a roe harvester's license issued under 312 IAC 9-8-7.

(Natural Resources Commission; 312 IAC 9-7-14; filed May 12, 1997, 10:00 a.m.: 20 IR 2720; filed May 28, 1998, 5:14 p.m.: 21 IR 3723; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Feb 27, 2007, 2:25 p.m.: 20070328-IR-312060262FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Sep 13, 2013, 3:02 p.m.: 20131009-IR-312120670FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Oct 24, 2017, 8:46 a.m.: 20171122-IR-312170262FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 6. 312 IAC 9-7-16 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-7-16 Sport fishing on the Ohio River

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22

Sec. 16. (a) This section governs fishing on the Ohio River, excluding all bays and tributaries.

(b) An individual must not take fish except by any of the following:
(1) Fishing pole or hand line.
(2) ~~Float fishing.~~ **Free-float line.**
(3) **Not more than two (2)** setlines, **throw lines, or trotlines per individual. Each setline, throw line, and trotline shall:**

(A) ~~attached to:~~
~~(i) a tree limb;~~
~~(ii) a tree trunk;~~
~~(iii) a bank pole; or~~
~~(iv) the bank itself; and~~
~~(B) each bearing:~~
~~(i) one (1) single or multibarbed hook; and~~
~~(ii) at least one (1) legible tag with the name and address of the user or the individual's customer identification number issued by the department affixed to each setline.~~
~~(4) Not more than two (2) trotlines per individual. Each trotline shall:~~
~~(A)~~ have not more than fifty (50) ~~single or multibarbed baited~~ hooks:
(i) placed not closer together than eighteen (18) inches; **and**
(ii) having no more than one (1) single or multibarbed hook;
(B) be tended at least once every twenty-four (24) hours; ~~and~~
(C) have at least one (1) legible tag affixed with the name and address of the user or the individual's customer identification number issued by the department; **and**
(D) be set not less than three (3) feet below the surface of the water.

(c) An individual may take an exempted species of fish as defined in 312 IAC 9-6-10 or any Asian carp, sucker, carp, gar, bowfin, buffalo, or shad by the methods prescribed in subsection (b) or according to the following methods:
(1) Long bow, including compound bow, or crossbow with an arrow having one (1) or more barbs and a line attached. An exempted species of fish without scales shall not be taken with bow and arrow or crossbow during nighttime hours (from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise).
(2) Gigging from February 1 through May 10 with any pronged or barbed instrument attached to the end of a rigid object. A person must not take fish by gigging from a boat or platform.
(3) Fish spear.
(4) Spear gun.
(5) Underwater spear.

(d) An individual must not take fish under this section by means of a hook dragged or jerked through the water with the intent to snag fish on contact.

(e) An individual must not take fish within two hundred (200) yards below any dam on the Ohio River except by fishing pole or hand line.

(f) An individual must not take minnows from the Ohio River except by:
(1) a minnow trap not to exceed three (3) feet long and eighteen (18) inches in diameter nor having a throat opening greater than one (1) inch in diameter;
(2) a dip net not to exceed three (3) feet in diameter;
(3) a minnow seine not to exceed thirty (30) feet long and six (6) feet deep nor having mesh size larger than one-fourth (1/4) inch bar mesh;
(4) a cast net; or
(5) lawful fishing methods provided in this section.

(g) An individual may take fish in the Ohio River only by sport fishing methods authorized under this section as follows:

	Daily Bag	Possession Limit	Size (Inches)
Bass (largemouth, smallmouth, and spotted)	6	12	12 (except no size limit on spotted bass)
Bass (white, yellow, striped, and hybrids)	30	60	Not more than 4 fish can be 15 or longer
Rock bass	15	30	none
Walleye, sauger, and saugeye	~~10~~ **6**	~~20~~ **12**	~~none~~ **14**
Muskellunge and tiger muskellunge	2	2	30
Crappie	30	60	none
Catfish (blue, channel, and flathead)	none	none	13

(h) Nothwithstanding subsection (g), an individual may take no more than one (1) each per day of a:
(1) channel catfish that is at least twenty-eight (28) inches long;
(2) blue catfish that is at least thirty-five (35) inches long; and
(3) flathead catfish that is at least thirty-five (35) inches long.

(Natural Resources Commission; 312 IAC 9-7-16; filed May 12, 1997, 10:00 a.m.: 20 IR 2720; errata filed Nov 24, 1997, 4:30 p.m.: 21 IR 1347; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Aug 28, 2009, 3:39 p.m.: 20090923-IR-312080886FRA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Feb 22, 2011, 1:13 p.m.: 20110323-IR-312100501FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; filed Nov 4, 2015, 1:10 p.m.: 20151202-IR-312140510FRA; filed Oct 24, 2017, 8:46 a.m.: 20171122-IR-312170262FRA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

SECTION 7. 312 IAC 9-9-3 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-9-3 Mussels

Authority: IC 14-10-2-4; IC 14-22-2-6
Affected: IC 14-22-2-4; IC 14-22-17-3

Sec. 3. (a) Except as otherwise provided under this section, an individual must not take mussels and mussel shells from the waters of the state.

(b) An individual must not possess mussels or mussel shells except with a:
(1) scientific purposes license under 312 IAC 9-10-6; or
(2) special purpose possession permit for mussel shells obtained from the department for educational purposes only under IC 14-22-2-4.

(c) An individual must not import, possess, or release into public or private waters, a zebra mussel, quagga mussel (Drissena sp.), ~~or~~ Asiatic clam (Corbicula sp.), **or golden mussel (Limnopema fortunei).**

(d) An individual who takes a mussel listed in subsection (c) does not violate this section if the mussel taken is killed immediately upon capture.

(e) An individual may possess a live mussel listed in subsection ~~(d)~~ **(c)** if the mussel is held under a scientific purposes license issued under 312 IAC 9-10-6.

(f) No license under IC 14-22-17-3(1) or IC 14-22-17-3(3) shall be issued to:
(1) take;
(2) possess;
(3) ship;
(4) sell;
(5) buy; or
(6) export;
mussels or mussel shells.

(Natural Resources Commission; 312 IAC 9-9-3; filed May 12, 1997, 10:00 a.m.: 20 IR 2727; errata filed Jun 2, 1997, 3:20 p.m.: 20 IR 2789; filed May 28, 1998, 5:14 p.m.: 21 IR 3729; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Jul 6, 2010, 1:55 p.m.: 20100804-IR-312090616FRA; filed Mar 15, 2013, 2:33 p.m.: 20130410-IR-312120403FRA; errata filed Dec 6, 2013, 11:12 a.m.: 20140101-IR-312130537ACA; readopted filed May 20, 2014, 9:43 a.m.: 20140618-IR-312140017RFA; readopted filed Sep 18, 2019, 1:16 p.m.: 20191016-IR-312190325RFA)

Notice of Public Hearing

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