

# AQUACULTURE PERMIT INFORMATION



NEW MEXICO DEPARTMENT OF GAME & FISH  
FIELD OPERATIONS DIVISION  
SPECIAL USE PERMITS PROGRAM  
ONE WILDLIFE WAY  
SANTA FE, NM 87507  
Email: [DGF.Permits@dgf.nm.gov](mailto:DGF.Permits@dgf.nm.gov)

## PERMIT FEE STRUCTURE:

Up to 75 fish or 750 gallons\*.....\$20.00 per year  
76 to 150 fish or 751 to 1500 gallons\*.....\$40.00 per year  
Over 151 fish or 1501 gallons\*.....\$100.00 per year

\*does not include quarantine tanks

## PERMIT INFORMATION AND PROVISIONS:

Aquaculture/Recirculating Water Systems is defined as a facility designed for the culture, rearing, and/or propagation of protected species of fish.

**FISH SPECIES:** Only the following fish species may be considered for Aquaculture/Recirculating Water Systems in New Mexico:

- Salmonidae (trout)
- Ictaluridae (catfish)
- Percichthyidae (bass)
- Centrarchidae (sunfish, crappie and bass)
- Esocidae (pike)
- Percidae (walleye pike and perch)
- *Oreochromis niloticus* (Nile tilapia) with the following provisions\*
- *Oreochromis mossambicus* (Mozambique tilapia) with the following provisions\*

\*Nile and Mozambique Tilapia species incapable of reproducing (hybrid and sterile or triploid of the same sex) shall be considered for retention in New Mexico for the purposes of Aquaculture/Recirculating Water Systems. Tilapia shall be certified as to species, and as either all male or otherwise sterile by a qualified independent laboratory or by other means approved by the Director.

\*Nile and Mozambique Tilapia capable of reproducing and/or propagation may be considered for retention in New Mexico only by a Department approved qualified expert as defined in 19.35.7 NMAC. Tilapia capable of reproduction and certified as to species by a qualified, independent laboratory or by other means approved by the Director may be approved for import only to a qualified expert.

## ALL AQUACULTURE SYSTEMS:

- shall be designed and operated to have no effluent discharge or potential to discharge effluent into any waters in New Mexico.
- shall be covered to prevent loss of fish through predation, theft, or other means.
- shall maintain detailed records and submit annual reports regarding the operations.
- shall annually certify compliance with all other applicable state, municipal, federal, or other required permits.
- live fish shall not be removed from the aquaculture/recirculating system unless they are being transferred to another department permitted individual within the permit provisions.

## Additional requirements for Aquaculture Qualified Expert Systems rearing fish capable of reproduction:

- shall provide the department with a comprehensive biosecurity plan detailing preventative actions for disease, safety, escape and expected final disposition of fish. Permit issuance will not be considered until the biosecurity plan is complete and approved by the department.
- shall submit an annual report with detailed records regarding the operations, preventative measures utilized to maintain healthy fish and any biosecurity plan modifications or updates.
- no fish shall be removed from the facility alive unless it is being exported outside of New Mexico or is moving within the State according to lawful procedures and cannot reproduce.

**OBTAINING FISH:** The Aquaculture Permit does not authorize the importation of fish or fish eggs into the state of New Mexico. Aquaculture permittees must obtain fish from a Department **approved fish supplier** through a separate authorization and process describe herein.

*New Mexico Statute 17-3-32 states: "In order to protect game animals, birds, and fish against importation of undesirable species and introduction of infectious or contagious disease, it is a misdemeanor to import any live animal, birds or fish into this state, except domesticated animals or domesticated fowl or fish from government hatcheries, without first obtaining a permit from the Department of game and fish."*

**APPROVED FISH SUPPLIERS:**

Fish or fish eggs may only be imported by a Department **approved fish supplier**. Approved fish suppliers are those who are verified as disease free by the Department's Fisheries Management Division and are eligible to request a permit for import, transport and/or release of fish.

Refer to the Department's website for a list of **approved fish suppliers**.

**FISH SUPPLIERS NOT APPROVED:** If a fish supplier is not listed, that supplier will have to qualify their facility with the Department's Fisheries Management Division prior to conducting business in New Mexico. Fish supplier applicants must complete an Approved Fish Supplier Application and review the importation regulation, information may be found on the Department's website under Special Use Permits – Fish Importation.

**LIVE FISH – TRANSFER, TRANSPORT OR SHIP:**

Live fish may be transferred only to those possessing a valid permit from the Department for such purpose. The Department must receive written notification with details about the transfer and approval must be granted prior to any live fish being transferred, transported or shipped. All transfers of live fish must be accompanied by an invoice stating the permittee's name, address, permit number, kind and number of fish and the name, address and permit number of the permittee receiving the fish. Copies of invoices will be required to be submitted with the annual report.

**DEAD FISH – TRANSFER, TRANSPORT OR SHIP:**

All dead fish transfers must be accompanied by an invoice from the permittee stating the permittee's name, address, permit number, kind and number of fish and the name, and address of person receiving the fish. Copies of invoices will be required to be submitted with the annual report.

**UNLAWFUL RELEASE:**

**The Aquaculture permit does not authorize the release of any fish into the wild or on private property.**

*Per Regulation 19.31.10.10 NMAC: It is unlawful for any person or persons to release, intentionally or otherwise; or cause to be released in this state any mammal, bird, fish, reptile or amphibian, except domestic mammals, domestic fowl, or fish from government hatcheries, without first obtaining a permit from the department.*

**PERMIT RENEWAL REQUIREMENTS:**

Each permittee will be required to report annually the number of fish added and disposed of during the previous permit year, as well as the kind and number of fish on hand at the time of permit renewal. Permittee's are responsible for keeping records of all activity (purchased, transferred, sold, produced, and disposed of, etc.) and maintaining healthy fish. Copies of invoices will be required to be submitted with the annual report.

Specific reporting requirements for each permit type are stated in rule, refer to 19.35.9 NMAC and 19.35.7 NMAC.

Permits may be revoked any time the permittee fails to comply with the conditions of the permit issued by the Department of Game and Fish under authority 19.31.2 NMAC.

Your cooperation in assisting the Department of Game and Fish in its mission to protect and conserve the wildlife in New Mexico is appreciated.