

## Wyoming AIS Regulations

### Wyo. Code. R. Wyoming Game and Fish Commission, Fishing, Ch. 62 (Regulation for Aquatic Invasive Species)

#### WY Rules and Regulations GAME FISH, Ch. 62, § 1. Authority.

These regulations are promulgated by authority of W.S. §23-1-102, W.S. §23-4-201 through W.S. §23-4-205.

#### § 2. Definitions.

Definitions shall be as set forth in Title 23, Wyoming Statutes, Commission regulations, and the Commission also adopts the following definitions:

(a) “Aquatic invasive species” is defined in W.S. § 23-4-201(a)(i). Aquatic invasive species include some species known to be present in Wyoming and species with a high potential to invade, survive and reproduce.

(i) Aquatic invasive species include:

(A) All members of the genus *Dreissena*, including, but not limited to, zebra mussel *D. polymorpha* and quagga mussel *D. rostriformis*;

(B) New Zealand mudsnail - *Potamopyrgus antipodarum*;

(C) Asian clam - *Corbicula fluminea*;

(D) Rusty crayfish - *Orconectes rusticus*;

(E) Brook stickleback - *Culaea inconstans*;

(F) All members of the genus *Hypophthalmichthys*, including, but not limited to, bighead carp *H. nobilis*, silver carp *H. molitrix*, and largescale silver carp *H. harmandi*;

(G) Black carp - *Mylopharyngodon piceus*;

(H) All members of the genera *Channa* and *Parachanna* in the family Channidae (snakeheads);

(I) Hydrilla - *Hydrilla verticillata*;

(J) Eurasian watermilfoil - *Myriophyllum spicatum*; and,

(K) Curly pondweed - *Potamogeton crispus*.

(b) “Authorized inspector” means an authorized aquatic invasive species inspector who has a valid certification from an aquatic invasive species inspection training course that meets the requirements established by the Wyoming Game and Fish Department (Department) to certify inspectors for aquatic invasive species inspections.

(c) “Certified inspection location” means a location or an address where a Department authorized inspector may be available to conduct an inspection.

(d) “Infested water” means a water designated by the Department as having an established population of Dreissenid mussels.

- (e) “Mandatory aquatic invasive species check station” means a location established by the Department at Wyoming ports of entry, other Wyoming Department of Transportation facilities that meet established state and national safety and commerce requirements for the traveling public or other appropriate facilities where stopping is mandatory and an authorized inspector may conduct an inspection.
- (f) “Positive water” means a water where the presence of any life stage of Dreissenid mussels has been detected in multiple Department sampling events.
- (g) “Seal” means a locking device affixed to a conveyance that has been inspected or decontaminated by an authorized inspector.
- (h) “Suspect water” means a water where any life stage of Dreissenid mussels has been detected in a single Department sampling event, but not verified by subsequent sampling.
- (i) “Seal receipt” means a valid written or electronic document issued by an authorized inspector following an inspection that contains information regarding the conveyance, any action taken by an authorized inspector, and information correlating to an applied seal, if issued.
- (j) “Waters of this state” means any waters within the jurisdiction of Wyoming.

### **§ 3. Draining and Cleaning Watercraft and Conveyances.**

- (a) Immediately upon removing a watercraft from any waters of this state, the operator shall remove all visible vegetation from the watercraft and trailer and drain all water from the watercraft including, but not limited to, water in the hull, ballast tanks, bilges, live wells and motors.
  - (i) Containers may be used to transport legally obtained live baitfish or other wildlife by land, but shall not be a part of a watercraft and shall be free of aquatic vegetation.
- (b) No live baitfish, mollusks or crustaceans shall be collected from or transported in water taken from any suspect water, positive water or infested water.
- (c) All bilge and ballast plugs and other barriers that prevent water drainage from a watercraft shall be removed or remain open while a watercraft is transported by land within the state.
- (d) The operator shall drain all water from all conveyances, including construction and commercial equipment, upon leaving any suspect water, positive water or infested water.

### **§ 4. Inspection and Decontamination.**

- (a) Compliance with aquatic invasive species inspection requirements is an express condition of allowing a conveyance to contact any waters of this state.

- (i) Any person who refuses to permit inspection of their conveyance or refuses to complete any required removal and disposal of aquatic invasive species shall be prohibited from allowing the conveyance to contact any waters of this state.
  - (ii) If a person refuses to allow inspection of a conveyance or to complete any required removal and disposal of aquatic invasive species prior to departure from any waters of this state known to contain an aquatic invasive species, the conveyance is subject to impoundment until an aquatic invasive species inspection and decontamination is completed.
- (b) All conveyances are subject to inspection upon encountering a mandatory aquatic invasive species check station.
- (c) Authorized inspectors may inspect any conveyance. Authorized inspectors shall perform decontaminations at the direction of a peace officer or with the voluntary consent of the person transporting the conveyance.
- (d) Inspections shall be conducted by:
- (i) any peace officer; or,
  - (ii) any authorized inspector.
- (e) Once a conveyance is inspected or decontaminated, a seal may be affixed to the conveyance by a peace officer or authorized inspector. A copy of the completed seal receipt shall accompany all seals. The person transporting a conveyance sealed by an authorized inspector may remove the seal at their discretion. The Department may recognize a properly affixed seal applied by an authorized inspector from a state or province with a Department approved aquatic invasive species inspection and decontamination program if the seal is accompanied by a valid seal receipt. It shall be a violation of this regulation for any person to attempt to reattach any seal once it is removed from a conveyance.
- (f) A seal receipt indicating the type of decontamination procedure performed shall serve as proof of decontamination.
- (g) Any person transporting a conveyance into the state by land, shall have the conveyance inspected by an authorized inspector prior to contacting any waters of this state, unless exempted by (i) or (ii) below.
- (i) Any person transporting a conveyance from March 1 through November 30 that has not been in contact with a suspect water, positive water or infested water within the past thirty (30) days and who did not encounter a mandatory aquatic invasive species check station prior to reaching any of the waters of this state may launch without inspection if in possession of a seal receipt. The seal receipt shall be retained while on the water.

- (ii) Any person transporting a conveyance from December 1 through the last day of February that has not been in contact with a suspect water, positive water or infested water within the past thirty (30) days and who did not encounter a mandatory aquatic invasive species check station prior to reaching any of the waters of this state may launch without inspection.
- (h) As part of all inspections, all compartments, equipment, and containers that may hold water, including, but not limited to, live wells, ballast and bilge areas shall be completely drained as directed by authorized inspectors.
- (i) A conveyance suspected to contain an aquatic invasive species shall be decontaminated before said conveyance shall be allowed to contact any waters of this state.
- (j) Decontaminations shall be conducted only by those authorized inspectors that have received additional Department training to conduct decontaminations and are specifically authorized to do so.
- (k) Any person operating a conveyance may be ordered to remove the conveyance from any of the waters of this state or any conveyance staging area by any peace officer if there is reason to believe the conveyance may contain aquatic invasive species or was not properly inspected prior to contacting the water. Once removed from the water, the conveyance shall be subject to inspection and decontamination for the removal and disposal of aquatic invasive species.

#### **§ 5. Impoundment and Quarantine.**

- (a) A peace officer may impound and quarantine a conveyance as provided in W.S. §23-4-203.
- (b) If the person in charge of the conveyance is not the registered owner, the registered owner shall be notified by mail, return receipt requested, within ten (10) days of the location of the impounded conveyance. Such notification shall also include contact information for the peace officer ordering the impoundment. If the registered owner is present when the conveyance is ordered impounded, then the same information shall be provided to the registered owner at the time the impound order is issued.
- (c) All impounded conveyances shall be held at the risk and expense of the owner. A conveyance held under impound for non-compliance with this regulation shall only be released after a peace officer is satisfied by inspection or quarantine that the conveyance is no longer a threat to the aquatic resources, water supplies, and water infrastructure of the state.
- (d) Duration of conveyance quarantine shall be determined by the Department, shall be sufficient to allow decontamination, and shall not exceed thirty (30) days.
- (e) An impounded conveyance shall not be released until a Department impound release form is signed and executed by a peace officer. It is the responsibility of the owner to coordinate with the Department for the release of the conveyance.

**§ 6. Mandatory Reporting of Aquatic Invasive Species.**

- (a) Any person who knows that an unreported aquatic invasive species is present at a specific location in Wyoming shall report the aquatic invasive species presence within forty-eight (48) hours to the Commission, the Department, or any peace officer and shall provide the date and time of the detection of the aquatic invasive species, the exact location of sighting (water body and specific location on the water body), the suspected species and the name and contact information of the reporter.

**§ 7. Aquatic Invasive Species Program Decal.**

- (a) An aquatic invasive species program fee may be assessed as part of the Department's motorized watercraft registration fee. A current, properly affixed combination motorized watercraft registration and Aquatic Invasive Species Program Decal shall be proof of payment of this fee. Proof of combination decal purchase may be used in lieu of a properly affixed decal for up to fifteen (15) days from date of purchase.
- (b) All owners or operators of motorized watercraft registered outside of Wyoming, any owners or operators of Wyoming registered watercraft that have not paid the aquatic invasive species program fee as part of their watercraft registration fee and all owners or operators of non-motorized watercraft shall purchase an Aquatic Invasive Species Program Decal valid for the current calendar year prior to contacting any waters of this state. Purchase of this decal shall be evidenced by an Aquatic Invasive Species Program Decal properly affixed to the watercraft. Proof of decal purchase may be used in lieu of a properly affixed decal for up to fifteen (15) days from date of purchase. For the purpose of this Section, all non-motorized inflatable watercraft ten (10) feet in length or less are exempt from this decal provision.
- (c) The price of the decal shall be ten dollars (\$10) for motorized watercraft registered in Wyoming and thirty dollars (\$30) for motorized watercraft registered outside of Wyoming. The price of the decal shall be five dollars (\$5) for non-motorized watercraft owned by a Wyoming resident and fifteen dollars (\$15) for non-motorized watercraft owned by a nonresident.
  - (i) An Aquatic Invasive Species Program Decal affixed to a motorized watercraft shall be displayed on the starboard (right) side of the bow six (6) inches left of and directly in line with the watercraft registration decal. Decals affixed to non-motorized watercraft shall be displayed on the bow in a manner such that the decal is visible when the watercraft is underway. Only the Aquatic Invasive Species Program Decal which is currently valid shall be displayed.
  - (ii) In the case of rental watercraft, it shall be the responsibility of the rental watercraft owner to ensure that a valid Aquatic Invasive Species Program Decal is properly displayed on the watercraft.

- (d) Owners of multiple non-motorized watercraft may transfer valid decals between their own non-motorized watercraft, however, each non-motorized watercraft shall display a valid decal while contacting any of the waters of this state.

**WY Rules and Regulations Game and Fish Commission, Possession of Wildlife Ch. 10 (Regulation for Importation, Possession, Confinement, Transportation, Sale and Disposition of Live Wildlife)**

**WY Rules and Regulations Game Poss Ch. 10. Section 3. Importation/Possession Permit Required for Live Wildlife**

Except as exempted in this regulation, a permit from the Department is required prior to importation, possession, confinement, or transportation of any living wildlife. Any living wildlife may be transported through the state of Wyoming if the person transporting said wildlife is in possession of a valid permit for interstate transportation of live wildlife. An interstate transportation permit shall be valid as long as live wildlife are confined within the conveyance. It is a violation of this regulation to intentionally or unintentionally release within Wyoming any wildlife held under an interstate transportation permit.

- (a) Importation/Possession Without Permit. The animals listed in this subsection are exempt from this regulation and may be imported, possessed, transported, or confined without securing a permit from the Department. (However, the Wyoming Livestock Board and the Wyoming Department of Agriculture should be contacted regarding their regulations.)
- (i) Birds
- .cage and aviary birds,
  - .domestic chicken (*Gallus gallus*),
  - .domesticated emu (*Dromaius novaehollandiae*),
  - .domestic greylag goose (*Anser anser*),
  - .domesticated guinea fowl (*Numida meleagris*),
  - .domestic mallard (*Anas platyrhynchos*) distinguished morphologically from wild mallards,
  - .domestic muscovy duck (*Cairina moschata*),
  - .domesticated ostrich (*Struthio camelus*),
  - .domesticated peafowl (*Pavo cristatus*),
  - .pigeons (*Columba livia*),
  - .domesticated rhea (*Rhea americana* and *Rhea pennata*),
  - .domestic swan goose (*Anser cygnoides*),
  - .domestic turkey (*Meleagris gallopavo*) distinguished morphologically from wild turkeys,
  - .predacious birds as defined in Wyoming Statute §23-1-101(a)(vii)
- (ii) Mammals
- .domesticated alpaca (*Lama pacos*),
  - .ass, burro, and donkey (*Equus asinus*),
  - .bison (*Bison bison*); except those classified as wild bison by the Wyoming Game and Fish Commission and the Wyoming Livestock Board,

- .domesticated camel (*Camelus bactrianus* and *Camelus dromedarius*),
- .cat (*Felis catus*),
- .domestic cattle (*Bos taurus* and *Bos indicus*),
- .domesticated chinchilla (*Chinchilla laniger*),
- .dog (*Canis familiaris*),
- .domestic ferret (*Mustela furo*),
- .domesticated Mongolian gerbil (*Meriones unguiculatus*),
- .domestic goat (*Capra hircus*),
- .domesticated guinea pig (*Cavia porcellus*),
- .domesticated hamster (*Mesocricetus auratus*),
- .horse and pony (*Equus caballus*),
- .domesticated llama (*Lama glama*),
- .domesticated mouse (*Mus musculus*),
- .mule and hinny (*Equus asinus* x *Equus caballus*),
- .domesticated European rabbit (*Oryctolagus cuniculus*),
- .domesticated rat (*Rattus norvegicus* and *Rattus rattus*),
- .domestic sheep (*Ovis aries*), distinguished morphologically from wild sheep,
- .domestic swine (*Sus domesticus*),
- .domesticated vicuna (*Vicugna vicugna*),
- .domesticated yak (*Bos grunniens*).
- .predatory animals, excluding wolves and wolf hybrids, as defined in Wyoming Statute §23-1-101(a)(viii): coyote (*Canis latrans*), jackrabbit (*Lepus townsendi* and *Lepus californicus*), porcupine (*Erethizon dorsatum*), raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), skunk (*Mephitis mephitis* and *Spilogale putorius*). Wolves (*Canis lupus*) or wolf hybrids may not be possessed, imported or sold.

(b) Live wildlife listed in this subsection (excluding any that are endangered or threatened), may be imported, possessed, confined or transported without securing a permit from the Department under this regulation as long as wildlife are held in compliance with appropriate Commission regulations and Wyoming Statutes. A certificate of veterinary inspection shall be issued prior to live wildlife listed in this subsection being imported into the State of Wyoming, unless otherwise specified in this regulation. The Wyoming Game and Fish Commission may consider an application for importation or possession of any animals listed in this subsection that are endangered or threatened by governmental entities, or institutions of higher education for education or research, or to meet Department wildlife management goals, when a need is demonstrated by the applicant.

(i) It is a violation of this regulation to release, abandon or allow to escape any live wildlife listed in this subsection without prior written authorization from the Department, except as may be provided by Wyoming Statutes or other Commission regulations. All live wildlife released or abandoned without written authorization from the Department may be taken by Department personnel.

(A) Amphibians. All amphibians, except that the importation or possession of the Wyoming Toad (*Anaxyrus baxteri*) is prohibited; certificate of veterinary inspection is not required. Amphibians shall not be imported into the State for use as live fishing bait.

(B) Birds

(I) Hawks or falcons, legally imported, possessed, confined or transported under terms of Wyoming Statute §23-2-105 and Commission Regulation, Chapter 25, Falconry and Raptor Propagation Regulation; certificate of veterinary inspection is not required; and,

(II) Game birds legally imported, possessed, confined or transported under terms of Wyoming Statute §23-5-102 and Wyoming Game and Fish Commission Regulation, Chapter 40, Regulation Governing Commercial Game Bird Farms.

(C) Crustaceans and Mollusks. All crustaceans and mollusks, except that the importation or possession of crustaceans and mollusks defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species is prohibited; all crustaceans and mollusks must be confined in aquariums; certificate of veterinary inspection is not required. Crustaceans and mollusks shall not be imported into the State for release into the waters of the state or for use as live bait.

(D) Fish

(I) Fish imported, possessed, or transported under terms of Wyoming Statutes relating to private fish hatcheries, private fishing preserves, live bait fish dealers, and landowner fishing lakes and ponds provided the fish are certified disease free as specified in Appendix I of this regulation and are of a species compatible with existing wildlife as determined by the Department. The fish must be accompanied by the appropriate authorization, receipt or license as required by Commission regulation.

(II) Importation or possession of diploid grass carp (*Ctenopharygodon idella*), and all fish defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species are prohibited;

(III) Importation or possession of certified triploid grass carp (*Ctenopharygodon idella*) requires permit approval through Commission Regulation Chapter 49, Regulation Governing Private Fish Stocking;

(IV) Goldfish (*Carassius auratus*); all goldfish must be confined in aquariums; certificate of veterinary inspection is not required;

(V) Marine fish; all marine fish must be confined in aquariums; certificate of veterinary inspection is not required; and,

(VI) Tropical fish; all tropical fish must be confined in aquariums; certificate of veterinary inspection is not required.



- (VII) Aquaponics; all marine and tropical fish reared in aquaponics or other artificial environments not connected to waters of the state; certificate of veterinary inspection is not required.
- (E) Mammals: sugar gliders (*Petaurus breviceps*); hedgehogs (*Erinaceus* spp.); and pot-bellied pigs (*Sus scrofa vittatus*); certificate of veterinary inspection is not required.
- (F) Reptiles: all reptiles; certificate of veterinary inspection is not required. Reptiles shall not be imported into the State for use as live bait for fishing.
- (G) The Department may allow the importation, possession, confinement or transportation without securing a permit under this regulation of any captive reared live wildlife that are adapted to live and breed in a cage or aquarium and that are normally sold through commercial pet stores providing the Department is satisfied that such wildlife does not threaten Wyoming's wildlife resources as listed in Section 4(b)(viii) of this regulation. The Department may require a certificate of veterinary inspection for such wildlife.
- (c) Importation/Possession Permit Required. The following live wildlife may be possessed without a permit if captured in the State of Wyoming, but shall not be imported prior to securing a permit under this regulation. A permit shall be required to take wildlife listed in this section for commercial use.
- (i) All wildlife approved for take without a permit or license in Commission Regulation Chapter 52, Nongame Wildlife Regulation. However, mollusks, crustaceans, reptiles and amphibians (excluding Wyoming Toad (*Anaxyrus baxteri*)) may be imported without a permit, except for those species defined as aquatic invasive species in Commission Regulation Chapter 62, Regulation for Aquatic Invasive Species.
- (d) Wildlife Prohibited from Importation/Possession.
- (i) There shall be no private ownership of big or trophy game animals or any wolf or wolf hybrid.
- (ii) In addition, a permit shall not be issued for importation or possession of the following live wildlife in Wyoming:
- (A) All members of the family Suidae, except those exempt in Section 3(a)(ii) and Section 3(b)(i)(E);
- (B) All members of the order Rodentia from Africa, including but not limited to Tree squirrels (*Heliosciurus* sp.); Rope squirrels (*Funisciurus* sp.); Dormices (*Graphiurus* sp.); Gambian Giant Pouched Rats (*Cricetomys* sp.); Brush-tailed porcupines (*Atherurus* sp.); Striped mice (*Hybomys* sp.);
- (C) All members of the family Tayassuidae;

- (D) All members of the subfamily Alcelaphinae;
- (E) All members of the subfamily Caprinae, except those exempt in Section 3(a)(ii);
- (F) All members of the family Cervidae, except as provided for under Section 10 of this regulation;
- (G) Asian Clam (*Corbicula fluminea*);
- (H) Wyoming Toad (*Anaxyrus baxteri*);
- (I) Monk parakeet (*Myiopsitta monachus*),
- (J) New Zealand mudsnail (*Potamopyrgus antipodarum*),
- (K) Quagga Mussel (*Dreissena rostriformis*)
- (L) Red Wolf (*Canis rufus*),
- (M) Rusty crayfish (*Orconectes rusticus*),
- (N) Wild turkey (*Meleagris gallopavo*),
- (O) Zebra mussel (*Dreissena polymorpha*) may not be imported.

(iii) The Wyoming Game and Fish Commission may consider an application for importation or possession of these animals listed in this subsection by governmental entities, or institutions of higher education for education or research or to meet Department wildlife management goals, when a need is demonstrated by the applicant.

**WY Rules and Regulations State Parks & Cultural Resources, Recreation – Aquatic Invasive Species Ch. 1 (Aquatic Invasive Species Rules and Regulations)**

**WY Rules and Regulations SPCR RAIS Ch. 1 Section 1. Authority.**

(a) These regulations are promulgated by authority of W.S. § 23-4-201 through W.S. § 23-4-205.

**Section 2. Regulations.**

(a) The Wyoming Department of State Parks and Cultural Resources (SPCR) in conjunction with the Wyoming Game & Fish Commission (Commission) hereby adopts the following regulations governing Aquatic Invasive Species. These regulations shall remain in effect until modified or rescinded by SPCR.

**Section 3. Purpose.**

- (a) The purpose of these regulations is to provide for the prevention, management, and control of aquatic invasive species.

**Section 4. Incorporation of Wyoming Game and Fish Commission, Chapter 62 - Regulation for Aquatic Invasive Species.**

- (a) SPCR hereby adopts and incorporates Wyoming Game and Fish Commission's Chapter 62 regulation concerning the Aquatic Invasive Species program as if fully set forth herein. This regulation does not include any later amendments or editions of Chapter 62 past January 1, 2011. Copies of Chapter 62 are available for public inspection at SPCR, 2301 Central Avenue, 4<sup>th</sup> Floor, Cheyenne, Wyoming 82002. Copies are also available on the Secretary of State's website at the following internet address:  
<http://soswy.state.wy.us/Rules/RULES/7907.pdf>