**Section 870.5 Definitions**

The following definitions apply to this Part.

"Annual Report" means the *record of the annual operations* of an aquaculture permit holder *that shall be* submitted *to the Department* under Section 370.40(c)*.*

*"Aquaculture" means the* controlled *breeding, hatching, propagation or raising of aquatic life* by an aquaculturist[515 ILCS 5/20-90].

*"Aquaculture Permit" means a permit issued to any person who engages in the breeding, hatching, propagating or raising of aquatic life, whether indigenous or nonindigenous. Aquatic life bred, hatched, propagated or raised by a permittee may be transported and sold for food or stocking purposes.* [515 ILCS 5/20-90]

*"Aquaculturist" means an individual involved in producing, transporting or marketing* aquatic life or *aquatic products from privately owned waters for commercial purposes* [20 ILCS 215/4(b)].

*"Aquatic Life" means fish, mollusks, crustaceans, algae* and *other aquatic plants and invertebrates* [515 ILCS 5/1-20]*.*

For purposes of this Part, "aquatic life" does not include amphibians or reptiles, which are governed by the Herptile-Herps Act [510 ILCS 68]; saltwater species commonly used as seafood that will not survive in freshwater, such as lobsters, clams, mussels and oysters; any species listed as endangered or threatened under Section 8 of the Illinois Endangered Species Protection Act [520 ILCS 10], which are governed under Section 3 of that Act; or any persons exempted by Section 870.80 of this Part.

"Aquatic Life Approved Species List" or "Approved List" means the list created by the Department under Section 870.10. The Approved List is used in the licensure of aquaculture facilities and the permitting of aquaculturists, and regulating importation and transportation of aquatic life.

"Chief" means the Chief of the DNR Division of Fisheries.

"Code" means the Fish and Aquatic Life Code [515 ILCS 5].

"Department" or "DNR" means the Illinois Department of Natural Resources.

"Division" means the DNR Division of Fisheries.

"Wholly Owned" means a pond or lake where the boundary of the pond or lake is completely contained within a landowner's property.

(Source: Added at 39 Ill. Reg. 10394, effective July 9, 2015)