

INTERESTED PARTIES.

(E) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (D), IF THE DEPARTMENT DETERMINES THAT AN EMERGENCY SITUATION EXISTS INVOLVING THE CONTINUED EXISTENCE OF THE SPECIES AS A VIABLE COMPONENT OF THE STATE'S FISH POPULATION IT MAY ADD THE SPECIES TO THE LISTS IF IT PUBLISHES A PUBLIC NOTICE THAT AN EMERGENCY SITUATION EXISTS TOGETHER WITH A SUMMARY OF FACTS WHICH SUPPORT THIS DETERMINATION.

(F) THE SECRETARY SHALL ADOPT RULES AND REGULATIONS CONTAINING A LIST OF ALL SPECIES OF FISH NORMALLY OCCURRING WITHIN THE STATE DETERMINED TO BE ENDANGERED SPECIES AND A LIST OF ALL SPECIES DETERMINED TO BE THREATENED SPECIES. EACH LIST SHALL REFER TO THE SPECIES BY SCIENTIFIC AND COMMON NAMES AND SHALL SPECIFY WITH RESPECT TO EACH SPECIES OVER WHAT PORTION OF ITS RANGE IT IS ENDANGERED OR THREATENED.

4-2A05.

(A) EXCEPT WITH RESPECT TO SPECIES OF FISH DETERMINED TO BE ENDANGERED OR THREATENED PURSUANT TO THE ENDANGERED SPECIES ACT, THE SECRETARY, UPON THE PETITION OF AN INTERESTED PERSON, SHALL CONDUCT A REVIEW OF ANY LISTED OR UNLISTED SPECIES PROPOSED TO BE REMOVED FROM OR ADDED TO THE LISTS PUBLISHED PURSUANT TO §4-2A04 (F), IF HE MAKES AND PUBLISHES A PUBLIC NOTICE THAT THE PERSON HAS PRESENTED SUBSTANTIAL EVIDENCE WHICH WARRANTS A REVIEW.

(B) WHEN ANY SPECIES OF FISH IS LISTED AS A THREATENED SPECIES PURSUANT TO §4-2A04(F), THE SECRETARY SHALL ADOPT RULES AND REGULATIONS NECESSARY AND ADVISABLE TO PROVIDE FOR THE CONSERVATION OF THE SPECIES. THE SECRETARY, BY RULES AND REGULATIONS, SHALL PROHIBIT WITH RESPECT TO ANY THREATENED SPECIES OF FISH ANY ACT PROHIBITED UNDER SUBSECTION (C).

(C) EXCEPT AS PROVIDED IN SUBSECTION (F), WITH RESPECT TO ANY ENDANGERED SPECIES OF ~~[[WILDLIFE]]~~ FISH, NO PERSON MAY:

- (1) EXPORT THE SPECIES FROM THE STATE;
- (2) TAKE THE SPECIES WITHIN THE STATE;
- (3) POSSESS, PROCESS, SELL, OR OFFER FOR SALE, DELIVER, CARRY, TRANSPORT, OR SHIP THE SPECIES BY ANY MEANS; OR
- (4) VIOLATE ANY RULE OR REGULATION PERTAINING TO THE CONSERVATION OF THE SPECIES OR TO ANY THREATENED