

**CHAPTER 25**

**DIVISION OF FISH AND WILDLIFE RULES**

**Authority**

N.J.S.A. 13:1B-30 et seq., 13:1D-9, 23:1-1 et seq. and 50:1-5 et seq.

**Source and Effective Date**

R.2007 d.239, effective July 13, 2007.  
See: 39 N.J.R. 587(a), 39 N.J.R. 3324(a).

**Chapter Expiration Date**

Chapter 25, Division of Fish and Wildlife Rules, expires on July 13, 2012.

**Chapter Historical Note**

Chapter 25, Division of Fish, Game and Wildlife Rules, was adopted and became effective prior to September 1, 1969.

Subchapter 2, Use of All Land and Water Areas Under the Control of the Division of Fish, Game and Wildlife, was adopted as R.1975 d.292, effective October 1, 1975. See: 7 N.J.R. 411(a), 7 N.J.R. 499(c).

Subchapter 18, Marine Fisheries, was adopted as R.1980 d.394, effective September 17, 1980. See: 12 N.J.R. 312(a), 12 N.J.R. 576(c).

Pursuant to Executive Order No. 66(1978), Subchapter 18 was readopted as R.1985 d.386, effective July 8, 1985. See: 17 N.J.R. 1188(a), 17 N.J.R. 1883(b).

Subchapter 18, Marine Fisheries, was repealed and Subchapter 18, Marine Fisheries, was adopted as new rules by Emergency Rule R.1985 d.674, effective December 17, 1985. This emergency new rule expired on February 15, 1986. See: 18 N.J.R. 102(a). The provisions of the concurrent proposal were adopted with changes by R.1986 d.121, effective April 7, 1986. See: 18 N.J.R. 102(a), 18 N.J.R. 657(b).

Pursuant to Executive Order No. 66(1978), Chapter 25, Division of Fish, Game and Wildlife Rules, was readopted as R.1991 d.132, effective February 15, 1991. See: 23 N.J.R. 37(a), 23 N.J.R. 848(b).

Pursuant to Executive Order No. 66(1978), Chapter 25, Division of Fish, Game and Wildlife Rules, was readopted as R.1996 d.119, effective February 2, 1996. See: 27 N.J.R. 4514(a), 28 N.J.R. 1378(b).

Pursuant to Executive Order No. 66(1978), Chapter 25, Division of Fish and Wildlife Rules, was readopted as R.2001 d.73, effective January 30, 2001. See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Petition for Rulemaking: Division of Fish and Wildlife Rules. See: 36 N.J.R. 221(a), 4849(b), 5459(a).

Subchapter 6, 2005-2006 Fish Code, was renamed 2006-2007 Fish Code by R.2006 d.64, effective February 6, 2006. See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by gubernatorial directive from January 30, 2006 to July 30, 2006. See: 38 N.J.R. 1318(c).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by gubernatorial directive from July 30, 2006 to September 30, 2006. See: 38 N.J.R. 3577(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by gubernatorial directive from September 30, 2006 to October 30, 2006. See: 38 N.J.R. 4693(c).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by

gubernatorial directive from October 30, 2006 to November 30, 2006. See: 38 N.J.R. 5155(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by gubernatorial directive from November 30, 2006 to January 14, 2007. See: 39 N.J.R. 62(a).

Chapter 25, Division of Fish and Wildlife Rules, was readopted as R.2007 d.239, effective July 13, 2007. As a part of R.2007 d.239, Subchapter 5, 2005-2006 Game Code, was renamed Subchapter 5, 2006-2011 Game Code, effective August 6, 2007. See: Source and Effective Date. See, also, section annotations.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. GENERAL PROVISIONS**

- 7:25-1.1 Scope
- 7:25-1.2 Construction
- 7:25-1.3 Practice where rules do not govern
- 7:25-1.4 Definitions
- 7:25-1.5 License, permit and stamp fees
- 7:25-1.6 (Reserved)
- 7:25-1.7 Penalties

**SUBCHAPTER 2. USE OF ALL LAND AND WATER AREAS UNDER THE CONTROL OF THE DIVISION**

- 7:25-2.1 Cutting or damaging vegetation
- 7:25-2.2 All motor vehicles and other forms of conveyances
- 7:25-2.3 Vehicle traffic controls in Wildlife Management Areas
- 7:25-2.4 Alcoholic beverages
- 7:25-2.5 Restricted areas and hours
- 7:25-2.6 Division Fish Hatcheries
- 7:25-2.7 Outboard motors
- 7:25-2.8 Horseback riding
- 7:25-2.9 Swimming
- 7:25-2.10 Camping, picnicking and vending
- 7:25-2.11 Fires
- 7:25-2.12 Target practice
- 7:25-2.13 Daily use permit
- 7:25-2.14 Field trial activities
- 7:25-2.15 Rental of clubhouses
- 7:25-2.16 Revocation
- 7:25-2.17 Securing permits
- 7:25-2.18 Wildlife Management Areas
- 7:25-2.19 Higbee Beach
- 7:25-2.20 Dog training
- 7:25-2.21 Waterfowl blinds
- 7:25-2.22 Special Events Permits
- 7:25-2.23 Boat Ramp Maintenance Permit
- 7:25-2.24 Fishing tournaments
- 7:25-2.25 Severability
- 7:25-2.26 Restrictions on use

**SUBCHAPTER 3. USE OF MECHANICAL NOISEMAKING DEVICES**

- 7:25-3.1 Procedure for securing permit
- 7:25-3.2 Devices
- 7:25-3.3 Standards on distance
- 7:25-3.4 Hours of operation
- 7:25-3.5 Revocation

**SUBCHAPTER 4. ENDANGERED, NONGAME AND EXOTIC WILDLIFE**

- 7:25-4.1 Definitions
- 7:25-4.2 Permit required
- 7:25-4.3 Exotic species and nongame species requiring a permit for possession
- 7:25-4.4 Exempted species

- 7:25-4.5 Additional species
- 7:25-4.6 Categories of permits, expiration, fees, sales receipts required, records and reports required
- 7:25-4.7 General possession criteria
- 7:25-4.8 Potentially dangerous species
- 7:25-4.9 Criteria for the possession of potentially dangerous species
- 7:25-4.10 Endangered species prohibited
- 7:25-4.11 Miscellaneous provisions
- 7:25-4.12 Notice of a denial of permit, procedure, review, time limitations, hearing
- 7:25-4.13 List of endangered species
- 7:25-4.14 Requirements for possession of endangered wildlife species
- 7:25-4.15 Protection of animal and welfare of public
- 7:25-4.16 Violations
- 7:25-4.17 Defining status of indigenous wildlife species of New Jersey
- 7:25-4.18 Endangered and Nongame Species Advisory Committee
- 7:25-4.19 Criteria for possession of wild-caught bird species for breeding, zoological, scientific or educational purposes
- 7:25-4.20 Birds which must be banded; criteria for identifying and marking birds; permitted alterations of appearance; miscellaneous

SUBCHAPTER 5. 2006-2011 GAME CODE

- 7:25-5.1 General provisions
- 7:25-5.2 Pheasant-Chinese ringneck (*Phasianus colchicus torquatus*), English or blackneck (*P. c. colchicus*), Mongolian (*P. mongolicus*), Japanese green (*Phasianus versicolor*); including mutants and crosses of above
- 7:25-5.3 Cottontail rabbit (*Sylvilagus floridanus*), blacktail jackrabbit (*Lepus californicus*), whitetailed jackrabbit (*Lepus townsendii*), European hare (*Lepus europeus*), chukar partridge (*Alectoris graeca*), and quail (*Colinus virginianus*)
- 7:25-5.4 Ruffed grouse (*Bonasa umbellus*)
- 7:25-5.5 Eastern gray squirrel (*Sciurus carolinensis*)
- 7:25-5.6 Black bear (*Ursus americanus*), bobcat (*Felis rufus*)
- 7:25-5.7 Wild turkey (*Meleagris gallapavo*)
- 7:25-5.8 Mink (*Mustela vison*) muskrat (*Ondatra zibethicus*) and nutria (*Myocaster coypus*) trapping only
- 7:25-5.9 Beaver (*Castor canadensis*) trapping
- 7:25-5.10 River otter (*Lutra canadensis*) trapping
- 7:25-5.11 Raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*), Virginia opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), long-tailed weasel (*Mustela frenata*), short-tailed weasel (*Mustela erminea*), and coyote (*Canis latrans*) trapping only
- 7:25-5.12 General trapping
- 7:25-5.13 Migratory birds
- 7:25-5.14 Special regulation limiting use of shotguns and shotgun shells containing lead pellets
- 7:25-5.15 Crow (*Corvus spp.*)
- 7:25-5.16 General falconry rules
- 7:25-5.17 Raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*) hunting
- 7:25-5.18 Woodchuck (*Marmota monax*) hunting
- 7:25-5.19 Red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*) and coyote (*Canis latrans*) hunting
- 7:25-5.20 Dogs
- 7:25-5.21 Squirrel (*Sciurus spp.*), raccoon (*Procyon lotor*), opossum (*Didelphis virginianus*), skunk (*Mephitis mephitis*), weasel (*Mustela spp.*), woodchuck (*Marmota monax*), coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*) and red fox (*Vulpes vulpes*) damage
- 7:25-5.22 Wild animals; possession, killing
- 7:25-5.23 Firearms and missiles, etc.
- 7:25-5.24 Bow and arrow, general provisions
- 7:25-5.25 White-tailed deer (*Odocoileus virginianus*) fall bow season
- 7:25-5.26 White-tailed deer winter bow season
- 7:25-5.27 White-tailed deer six-day firearm season

- 7:25-5.28 White-tailed deer muzzleloader rifle permit season
- 7:25-5.29 White-tailed deer shotgun permit season
- 7:25-5.30 White-tailed deer bow permit season
- 7:25-5.31 White-tailed deer permit shotgun season and permit muzzleloader season, Great Swamp National Wildlife Refuge (Zone 38)
- 7:25-5.32 Special Wildlife Management Permits
- 7:25-5.33 Pheasants and quail stamp designated areas
- 7:25-5.34 Controlled hunting—hunting restrictions on wildlife management areas
- 7:25-5.35 Special wildlife salvage permit
- 7:25-5.36 White-tailed deer (*Odocoileus virginianus*) special biological permit
- 7:25-5.37 Special permit to inhibit wildlife reproduction
- 7:25-5.38 Fish and Game Law Enforcement Region Headquarters
- 7:25-5.39 Severability

SUBCHAPTER 6. 2006-2007 FISH CODE

- 7:25-6.1 General provisions
- 7:25-6.2 Definitions
- 7:25-6.3 Trout season and angling in trout stocked waters
- 7:25-6.4 Special regulation trout fishing areas—fly fishing waters
- 7:25-6.5 Special regulation trout fishing areas—Seasonal Trout Conservation Areas
- 7:25-6.6 Special regulation trout fishing areas—Wild Trout Streams
- 7:25-6.7 Special regulation trout fishing areas—Year-Round Trout Conservation Areas
- 7:25-6.8 Special regulation trout fishing areas—Trophy Trout Lake
- 7:25-6.9 Special regulation trout fishing areas—Holdover Trout Lakes
- 7:25-6.10 Baitfish
- 7:25-6.11 Nets and alternative gear
- 7:25-6.12 Snagging prohibited
- 7:25-6.13 Warmwater fish
- 7:25-6.14 Ice fishing
- 7:25-6.15 Bow and arrow fishing
- 7:25-6.16 Closed waters
- 7:25-6.17 Emergency closure notice
- 7:25-6.18 Wanton waste of fish prohibited
- 7:25-6.19 Greenwood Lake
- 7:25-6.20 Delaware River between New Jersey and Pennsylvania
- 7:25-6.21 Fresh Tidal Tributaries of the Delaware River and Bay
- 7:25-6.22 Snapping turtles, bull frogs and green frogs
- 7:25-6.23 Special limited fishing licenses
- 7:25-6.24 Permits issued to educational or scientific organizations
- 7:25-6.25 Revocation of permits; penalties
- 7:25-6.26 Requests for adjudicatory hearings

SUBCHAPTER 7. MISCELLANEOUS SHELLFISH RULES

- 7:25-7.1 through 7:25-7.9 (Reserved)
- 7:25-7.10 Taking of oysters
- 7:25-7.11 Mussels
- 7:25-7.12 through 7:25-7.13 (Reserved)

SUBCHAPTER 8. CLAM LICENSES

- 7:25-8.1 Scope and authority
- 7:25-8.2 Purpose
- 7:25-8.3 Construction
- 7:25-8.4 Applicability
- 7:25-8.5 Licenses
- 7:25-8.6 License fees

SUBCHAPTER 9. HARD CLAM SIZE LIMITS

- 7:25-9.1 Scope
- 7:25-9.2 Purpose
- 7:25-9.3 Construction
- 7:25-9.4 Definitions
- 7:25-9.5 Taking of hard clams
- 7:25-9.6 Penalties

## DIVISION OF FISH AND WILDLIFE RULES

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### SUBCHAPTER 10. POSSESSION, PROPAGATION, LIBERATION, SALE AND IMPORTATION OF GAME ANIMALS AND GAME BIRDS

- 7:25-10.1 Scope
- 7:25-10.2 Construction
- 7:25-10.3 Purpose
- 7:25-10.4 Definitions
- 7:25-10.5 Permit required
- 7:25-10.6 Game animals and game birds for which a permit is required for possession
- 7:25-10.7 Categories of permits, expiration, fees, sales receipt required, records and reports required
- 7:25-10.8 General possession criteria
- 7:25-10.9 Emergency possession
- 7:25-10.10 Potentially dangerous species

- 7:25-10.11 Criteria for the possession of potentially dangerous species
- 7:25-10.12 Denial, suspension, revocation, and hearings
- 7:25-10.13 Miscellaneous provisions

### SUBCHAPTER 11. (RESERVED)

### SUBCHAPTER 12. SURF CLAMS

- 7:25-12.1 Scope and authority
- 7:25-12.2 Purpose
- 7:25-12.3 Construction
- 7:25-12.4 Severability
- 7:25-12.5 Definitions
- 7:25-12.6 Applicability
- 7:25-12.7 General control methods
- 7:25-12.8 Season

(e) Authority: N.J.S.A. 13:1B-30, 23:4-50, 23:4-1, 23:4-12, 23:2A-1 et seq., and other applicable statutes.

Amended by R.2005 d.321, effective September 19, 2005 (operative September 24, 2005).

See: 37 N.J.R. 1959(a), 37 N.J.R. 3657(a).

Added the second and third sentences in (b); rewrote (c).

**7:25-5.36 White-tailed deer (*Odocoileus virginianus*) special biological permit**

(a) Notwithstanding any other provision in this Code, Division personnel may issue a second permit to a hunter who presents a lawfully taken deer found unfit for human consumption.

(b) Authority: N.J.S.A. 13:1B-29 et seq. and N.J.A.C. 7:25-5.26.

**7:25-5.37 Special permit to inhibit wildlife reproduction**

(a) No person shall administer or otherwise employ the use of fertility control materials and/or methodologies including, but not limited to, those which result in contraception, contragestation and/or sterilization to any species of free ranging wildlife without first procuring a permit approved by the Council and issued by the Division under this section. No person shall employ any physical alteration or device that would alter the reproduction potential of any free-ranging wildlife species without first procuring a permit as required. The possession of such unauthorized materials or devices in the field shall be considered the attempt to take wildlife contrary to the provisions of the code. Prior to submission of an application, applicants must first obtain any necessary Federal permits. Each permit applicant must provide a written proposal describing the fertility control procedure, the credentials of the person(s) who will administer the contraceptive procedure, the purpose or intent of the procedure and an assessment of environmental impacts. The Division in cooperation with the Department of Animal Science, Cook College-Rutgers University and other scientists who may be selected by the Division will review each application and determine whether or not a permit is granted based on the overall justification and need for conducting such procedures, the qualifications of the person(s) administering the procedure and the anticipated environmental impacts affecting both wildlife and humans and the probability of success in controlling free-ranging wildlife populations. The permit shall identify the time, place and methodology to be utilized and any special conditions established by the Council.

(b) The authority for the adoption of the foregoing subsection is found in N.J.S.A. 13:1B-30, 23:4-1, 23:4-11, 23:4-42, 24:4-488, and other applicable statutes.

New Rule, R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

See: 28 N.J.R. 2434(b), 28 N.J.R. 3934(a).

Former N.J.A.C. 7:25-5.37, "Fish and Game Law Enforcement Region Headquarters", recodified to 7:25-5.38.

Amended by R.1999 d.287, effective August 16, 1999 (operative August 21, 1999).

See: 31 N.J.R. 1231(a), 31 N.J.R. 2338(a).

In (a), rewrote the first and fifth sentences; and in (b), deleted a reference to N.J.S.A. 23:4-60.3.

Amended by R.2003 d.359, effective September 2, 2003 (operative September 7, 2003).

See: 35 N.J.R. 1804(a), 35 N.J.R. 4053(a).

Rewrote (a).

Petition for Rulemaking.

See: 36 N.J.R. 1128(a).

**7:25-5.38 Fish and Game Law Enforcement Region Headquarters**

(a) Northern Region Office—Clinton WMA Region Office, 26 Rt. 173 West, Hampton, N.J. 08827, (908) 735-8240.

(b) Central Region Office—Assunpink WMA, 1 Eldridge Road, Robbinsville, NJ 08691 (609) 259-2120.

(c) Southern Region Office—Winslow WMA, 220 Blue Anchor Road, Sicklerville, NJ 08081, (856) 629-0555.

(d) DEP Action Line, 1-877-WARN DEP (927-6337).

Recodified from 7:25-5.37 by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

See: 28 N.J.R. 2434(b), 28 N.J.R. 3934(a).

Former N.J.A.C. 7:25-5.38, "Severability", recodified to 7:25-5.39.

Amended by R.2000 d.365, effective September 5, 2000 (operative September 10, 2000).

See: 32 N.J.R. 1673(a), 32 N.J.R. 3294(a).

In (c) and (d), changed telephone numbers.

Amended by R.2001 d.300, effective August 20, 2001 (operative August 25, 2001).

See: 33 N.J.R. 1527(a), 33 N.J.R. 2829(a).

Rewrote section.

Amended by R.2003 d.359, effective September 2, 2003 (operative September 7, 2003).

See: 35 N.J.R. 1804(a), 35 N.J.R. 4053(a).

**7:25-5.39 Severability**

If any provision of this Code adopted hereunder or the application thereof to any person or circumstances is held invalid, the remainder of this Code and the application of such provisions to persons and circumstances other than those to which it is held invalid, shall not be affected thereby.

Recodified from 7:25-5.38 by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

See: 28 N.J.R. 2434(b), 28 N.J.R. 3934(a).

SUBCHAPTER 6. 2006-2007 FISH CODE

**Subchapter Historical Note**

The Fish Code is revised annually to reflect changing conditions in the State's game fish resource. Previous revisions in the code were as follows:

R.1972 d.184, effective January 1, 1973.

See: 4 N.J.R. 186(a), 4 N.J.R. 234(a).

R.1973 d.25, effective January 18, 1973.

See: 5 N.J.R. 39(a).

R.1973 d.264, effective September 17, 1973.  
 See: 5 N.J.R. 261(a), 5 N.J.R. 336(c).  
 R.1973 d.265, effective January 1, 1974.  
 See: 5 N.J.R. 260(c), 5 N.J.R. 337(a).  
 R.1973 d.347, effective January 1, 1974.  
 See: 5 N.J.R. 369(c), 6 N.J.R. 6(b).  
 R.1974 d.253, effective January 1, 1975.  
 See: 6 N.J.R. 305(a), 6 N.J.R. 394(a).  
 R.1975 d.301, effective January 1, 1976.  
 See: 7 N.J.R. 359(c), 7 N.J.R. 499(d), 8 N.J.R. 460(a).  
 R.1976 d.316, effective January 1, 1977.  
 See: 8 N.J.R. 379(a), 8 N.J.R. 510(a).  
 R.1977 d.384, effective January 1, 1978.  
 See: 9 N.J.R. 361(a), 9 N.J.R. 513(a).  
 R.1978 d.351, effective January 1, 1979.  
 See: 10 N.J.R. 324(a), 10 N.J.R. 479(a).  
 R.1979 d.403, effective January 1, 1980.  
 See: 11 N.J.R. 370(a), 11 N.J.R. 543(a).  
 R.1980 d.400, effective January 1, 1981.  
 See: 12 N.J.R. 457(a), 12 N.J.R. 577(a).  
 R.1981 d.470, effective December 7, 1981.  
 See: 13 N.J.R. 483(a), 13 N.J.R. 887(a).  
 R.1982 d.429, effective December 6, 1982 (operative January 1, 1983).  
 See: 14 N.J.R. 872(a), 14 N.J.R. 1336(c).  
 R.1983 d.542, effective November 21, 1983 (operative January 1, 1984).  
 See: 15 N.J.R. 1217(a), 15 N.J.R. 1942(a).  
 R.1984 d.498, effective November 5, 1984 (operative January 1, 1985).  
 See: 16 N.J.R. 2034(a), 16 N.J.R. 3011(a).  
 R.1985 d.646, effective December 16, 1985 (operative January 1, 1986).  
 See: 17 N.J.R. 2187(a), 17 N.J.R. 2972(a).  
 R.1987, d.41, effective January 5, 1987.  
 See: 18 N.J.R. 1644(a), 19 N.J.R. 110(a).  
 R.1988 d.15, effective January 4, 1988.  
 See: 19 N.J.R. 1385(a), 20 N.J.R. 72(a).  
 R.1988 d.531, effective November 7, 1988 (operative January 1, 1989).  
 See: 20 N.J.R. 1627(a), 20 N.J.R. 2758(a).  
 R.1989 d.567, effective November 6, 1989 (operative January 1, 1990).  
 See: 21 N.J.R. 1775(b), 21 N.J.R. 3483(a).  
 R.1990 d.616, effective December 17, 1990 (operative January 1, 1991).  
 See: 22 N.J.R. 2071(a), 22 N.J.R. 3746(a).  
 R.1991 d.527, effective November 18, 1991 (operative January 1, 1992).  
 See: 23 N.J.R. 2115(a), 23 N.J.R. 3446(c).  
 R.1992 d.439, effective November 2, 1992 (operative January 1, 1993).  
 See: 24 N.J.R. 2539(a), 24 N.J.R. 4122(a).  
 R.1993 d.526, effective November 6, 1993 (operative January 1, 1994).  
 See: 25 N.J.R. 3053(b), 25 N.J.R. 4905(a).  
 R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).  
 See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).  
 R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).  
 See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).  
 R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).  
 See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).  
 R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).  
 See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).  
 R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).  
 See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).  
 R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).  
 See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).  
 R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).  
 See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).  
 R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).  
 See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).  
 R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).  
 See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).  
 R.2006 d.64, effective February 6, 2006.  
 See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

### 7:25-6.1 General provisions

(a) Authority. This Code is adopted pursuant to the provisions of N.J.S.A. 13:1B-29 et seq. and the provisions of N.J.S.A. 23:1-1 et seq.

(b) Judicial notice. N.J.S.A. 13:1B-34 provides in pertinent part, "(C)opies of the State Fish & Game Code, and its amendments, duly certified by the chairman of the council, shall be received in evidence in all court or other judicial proceedings in the State."

(c) Time. The hours listed in this Code are EST or EDT at date.

### 7:25-6.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Baitfish" means the following species:

- |  |  |
|--|--|
| 1. Alewife (anadromous and landlocked forms)               | <i>Alosa pseudoharengus</i> ;<br>i. Except in the Delaware River, where alewife is a foodfish in accordance with N.J.S.A. 23:9-5;      |
| 2. Blueback herring  | <i>Alosa aestivalis</i> ;<br>i. Except in the Delaware River, where blueback herring is a foodfish in accordance with N.J.S.A. 23:9-5; |
| 3. Golden shiner   | <i>Notemigonus crysoleucas</i> ;   |
| 4. Banded killifish  | <i>Fundulus diaphanus</i> ;  |
| 5. Mummichog   | <i>Fundulus heteroclitus</i> ;   |
| 6. Spotfin killifish                                       | <i>Fundulus luciae</i> ;   |
| 7. Rainwater killifish                                     | <i>Lucania parva</i> ;   |
| 8. American brook lamprey                                  | <i>Lampetra lamottei</i> ;   |
| 9. Fathead minnow  | <i>Pimephales promelas</i> ;   |
| 10. Bluntnose minnow                                       | <i>Pimephales notatus</i> ;  |
| 11. Stonecat   | <i>Noturus flavus</i> ;  |
| 12. Tadpole madtom   | <i>Noturus gyrinus</i> ;   |
| 13. Margined madtom  | <i>Noturus insignis</i> ;  |
| 14. All shiner, dace, and minnows of the following genera: | <i>Luxilus</i> , <i>Cyprinella</i> , and <i>Semotilus</i> ;  |
| 15. American eel   | <i>Anguilla Rostrata</i> , greater than six inches in length;  |
| 16. Gizzard shad   | <i>Dorosoma cepedianum</i> .   |

"Closed season" shall mean a period of time during which the taking of one or more species of fish is not permitted.

"Closed waters" means those waters in which angling is not permitted, particularly in reference to time.

"Code" means the State Fish Code.

"Creel or possession limit" means the total number of fish that are legally retainable. Most normally this is expressed on a daily basis.

"Creeled trout" shall mean any trout which a fisherman has in his possession.

“Director” means Director of the Division.

“Division” means the Division of Fish and Wildlife.

“Fathom” shall mean a unit of measure equal to six feet.

“Foodfish” for the purpose of N.J.A.C. 7:25-6.11 only, means the following species:

- |  |                        |
|--|------------------------|
| 1. White sucker  | Catostomus commersoni; |
| 2. Carp  | Cyprinus carpio;       |
| 3. American eel  | Anguilla rostrata;     |
| 4. Blueback herring  | Alosa aestivalis;      |
| 5. American shad   | Alosa sapidissima;     |
| 6. Gizzard shad  | Dorosoma cepedianum;   |
| 7. Yellow perch  | Perca flavescens;      |
| 8. White perch   | Morone americana;      |
| 9. White catfish   | Ameiurus catus;        |
| 10. Black bullhead   | Ameiurus melas;        |
| 11. Brown bullhead   | Ameiurus nebulosus;    |
| 12. Yellow bullhead  | Ameiurus natalis;      |
| 13. Channel catfish  | Ictalurus punctatus;   |
| 14. Bowfin   | Amia calva; and        |
| 15. Any other marine fish species that is legal for taking with net in marine waters, except striped bass and alewife herring. |                        |

“Natural bait” means any bait that in its live, preserved or original form would be consumed by fish.

“Open waters” (all sections except N.J.A.C. 7:25-6.9) means those waters in which angling is permitted, particularly in reference to time.

“Open waters” (N.J.A.C. 7:25-6.9) means those waters not covered with ice.

“Other fish species,” and all hybrids and strains thereof, which are provided for by the provisions of this Code, either directly or implied, are as follows:

- |                               |                                    |
|-------------------------------|------------------------------------|
| 1. Shortnose sturgeon         | Acipenser brevirostrum             |
| 2. Atlantic sturgeon          | Acipenser oxyrinchus               |
| 3. Striped bass hybrid        | Morone saxatilis x Morone chrysops |
| 4. White sucker               | Catostomus commersoni              |
| 5. Creek chubsucker           | Erimyzon oblongus                  |
| 6. American eel               | Anguilla rostrata                  |
| 7. Blueback herring           | Alosa aestivalis                   |
| 8. Hickory shad               | Alosa mediocris                    |
| 9. American shad              | Alosa sapidissima                  |
| 10. Gizzard shad              | Dorosoma cepedianum                |
| 11. Alewife (anadromous form) | Alosa pseudoharengus               |
| 12. Chinook salmon            | Oncorhynchus tshawytscha           |
| 13. Sea lamprey               | Petromyzon marinus                 |

“Possession” means all fish, live or dead, under the control of the fisherman. No more than the daily creel limit of any fish for one person may be held on a stringer or in a container. On board containers, in boats, may only contain the combined daily creel limit of any fish for each legal fisherman aboard.

“Size limit” means the legal length of fish and may be expressed as a minimum size or a maximum size of a fish that may be retained. Length shall be the maximum total length.

“Snagging” means the hooking of fish other than inside the mouth, through the action of the fisherman.

“Trout” shall include the following species and all hybrids and strains thereof:

- |                                 |                       |
|---------------------------------|-----------------------|
| 1. Brook trout                  | Salvelinus fontinalis |
| 2. Lake trout                   | Salvelinus namaycush  |
| 3. Brown trout                  | Salmo trutta          |
| 4. Rainbow trout                | Oncorhynchus mykiss   |
| 5. Atlantic (landlocked) salmon | Salmo salar           |

“Unattended” means user not available for questioning by officer at the time of inspection.

“Warmwater fish” includes the following species and all hybrids and strains thereof:

- |                      |                            |
|----------------------|----------------------------|
| 1. Largemouth bass   | Micropterus salmoides      |
| 2. Smallmouth bass   | Micropterus dolomieu       |
| 3. Black crappie     | Pomoxis nigromaculatus     |
| 4. White crappie     | Pomoxis annularis          |
| 5. Rock bass         | Ambloplites rupestris      |
| 6. Redbreast sunfish | Lepomis auritus            |
| 7. Green sunfish     | Lepomis cyanellus          |
| 8. Pumpkinseed       | Lepomis gibbosus           |
| 9. Bluegill          | Lepomis macrochirus        |
| 10. Longear sunfish  | Lepomis megalotis          |
| 11. Redear sunfish   | Lepomis microlophus        |
| 12. Yellow perch     | Perca flavescens           |
| 13. Walleye          | Sander vitreus             |
| 14. White perch      | Morone americana           |
| 15. White catfish    | Ameiurus catus             |
| 16. Black bullhead   | Ameiurus melas             |
| 17. Brown bullhead   | Ameiurus nebulosus         |
| 18. Yellow bullhead  | Ameiurus natalis           |
| 19. Channel catfish  | Ictalurus punctatus        |
| 20. Redfin           | Esox americanus americanus |
| 21. Northern pike    | Esox lucius                |
| 22. Muskellunge      | Esox masquinongy           |
| 23. Chain pickerel   | Esox niger                 |
| 24. Bowfin           | Amia calva                 |
| 25. Carp             | Cyprinus carpio            |
| 26. Striped bass     | Morone saxatilis           |

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In “Other fish species”, added 13; and in “Possession”, added the second and third sentences.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In "Baitfish", added ", greater than six inches in length" following "Anguilla rostrata" in 15; rewrote "Closures" as "Closed Waters"; inserted "Closed season"; and in "Warmwater fish", added 26.

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In "Baitfish", rewrote 1 and 2, and added 16; in "Foodfish", deleted former 6, recodified former 7 and 8 as 6 and 7, deleted former 9, recodified former 10 to 17 as 8 to 15, recodified former 18 as 16 and inserted ", except striped bass and alewife herring".

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In "Foodfish", deleted 1, recodified 2 through 16 as 1 through 15; in "Warmwater fish", substituted "Sander vitreus" for "Stizostedion vitreum vitreum" in 13.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In definition "Trout", added species Atlantic (landlocked) salmon.

### 7:25-6.3 Trout season and angling in trout stocked waters

(a) Except as provided in N.J.A.C. 7:25-6.4, 6.6 to 6.9, 6.19, 6.20 and (b)1 below, the trout season for 2006 shall commence 12:01 A.M. January 1, 2006 and extend to midnight March 19, 2006. The trout season shall re-open at 8:00 A.M. Saturday, April 8, 2006 and extend to include midnight December 31, 2006. The trout season for 2007 shall commence 12:01 A.M. January 1, 2007 and extend to midnight March 18, 2007. The trout season shall re-open at 8:00 A.M. Saturday, April 7, 2007 and extend to include midnight March 17, 2008.

(b) Except as provided in N.J.A.C. 7:25-6.4, 6.6 to 6.9 and (b)1 below, it shall be unlawful to fish for any species of fish from midnight March 19, 2006 to 8:00 A.M. on April 8, 2006, and from midnight March 18, 2007 to 8:00 A.M. on April 7, 2007 in ponds, lakes or those portions of streams that are listed herein for stocking.

1. Spruce Run Reservoir, Hunterdon County; Farrington Lake, Middlesex County; Lake Hopatcong, Morris/Sussex County; Shenandoah Lake, Prospertown Lake, Ocean County; Pompton Lake, Passaic County; and the Manasquan Reservoir, Monmouth County, will remain open to angling year-round. Trout, if taken during the period commencing at midnight, March 19, 2006 and extending to 8:00 A.M. April 8, 2006, and during the period commencing at midnight, March 18, 2007 and extending to 8:00 A.M. April 7, 2007 must be returned to the water immediately and unharmed.

(c) There shall be a seven-inch minimum size for brook trout, brown trout, rainbow trout or hybrids thereof except as designated in N.J.A.C. 7:25-6.5 to 6.9.

(d) Except as designated in N.J.A.C. 7:25-6.8, the minimum size limit for lake trout shall be 15 inches with a daily bag and possession limit of two.

(e) The daily possession limit for brook trout, brown trout, and rainbow trout or their hybrids is as follows:

1. A person shall not take, kill or have in possession, in one day, more than four in total of brook trout, brown trout, rainbow trout, or hybrids thereof, during the period extending from January 1, 2006 until midnight March 19, 2006 and from January 1, 2007 until midnight March 18, 2007, except as designated in N.J.A.C. 7:25-6.4 to 6.9.

2. A person shall not take, kill or have in possession, in one day, more than six in total of brook trout, brown trout, rainbow trout, or hybrids thereof, during the period extending from 8:00 A.M. April 8, 2006 until May 31, 2006 and from 8:00 A.M. April 7, 2007 until May 31, 2007, except as designated in N.J.A.C. 7:25-6.4 to 6.9.

3. A person shall not take, kill or have in possession, in one day, more than four in total of brook trout, brown trout, rainbow trout, or hybrids thereof, from June 1 until December 31, except as designated in N.J.A.C. 7:25-6.4 to 6.9.

(f) Except as provided in N.J.A.C. 7:25-6.6 to 6.9, waters with listed stocking dates shall be closed to all fishing from 5:00 A.M. to 5:00 P.M. on listed dates; included in these waters are all feeder and tributary streams for a distance of 100 feet from the main channel.

(g) Except as provided in N.J.A.C. 7:25-6.5 to 6.8, no person shall catch, take, kill or possess trout during the closed period (5:00 A.M. to 5:00 P.M.) on any of the waters listed for in-season closures.

(h) Except as provided in N.J.A.C. 7:25-6.6 to 6.9, in trout-stocked waters for which in-season closures will be in force, waters will be closed from 5:00 A.M. to 5:00 P.M. for stocking on the dates and at the locations indicated below, provided that in the event of emergent conditions, the Division may suspend stocking of any or all of the waters listed below:

1. Each Monday from April 10, 2006 to May 22, 2006 and from April 9, 2007 to May 21, 2007, inclusive.

i. Manasquan River—Route 9 bridge downstream to Bennetts Bridge, Manasquan Wildlife Management Area.

ii. Metedeconk River, N. Br.—Aldrich Road Bridge to Ridge Avenue.

iii. Metedeconk River, S. Br.—Bennetts Mills dam to twin wooden foot bridge, opposite Lake Park Boulevard, on South Lake Drive, Lakewood.

iv. Rockaway River—Longwood Lake dam to Jersey City Reservoir in Boonton.

v. Toms River—Ocean County—Route 528, Holmansville, to confluence with Maple Root Branch and Route 70 to County Route 571.

- vi. Wallkill River—Lake Mohawk Dam to Route 23, Hamburg.
- 2. Each Tuesday from April 11, 2006 to May 23, 2006 and from April 10, 2007 to May 22, 2007, inclusive.
  - i. Pohatcong Creek—Route 31 to Delaware River.
  - ii. Raritan River, S. Br.—Budd Lake dam through Hunterdon and Somerset Counties to Jct. with N. Br. Raritan River.
- 3. Each Wednesday from April 12, 2006 to May 24, 2006 and from April 11, 2007 to May 23, 2007, inclusive.
  - i. Raritan River, N. Br.—Peapack Road Bridge in Far Hills to Jct. with S. Br. Raritan River.
- 4. Each Thursday from April 13, 2006 to May 25, 2006 and from April 12, 2007 to May 24, 2007, inclusive.
  - i. Black River—Route 206 Chester, to the posted Black River Fish and Game club property at the lower end of Hacklebarney State Park.
  - ii. Paulinskill River and E. Br. and W. Br.—Limecrest Railroad Spur Bridge on E. Br., Sparta Township, and Warbasse Junction Road, Route 663, on W. Br., Lafayette Twp., to Columbia Lake.
  - iii. Ramapo River—State line to Pompton Lake.
- 5. Each Friday from April 14, 2006 to May 26, 2006 and from April 13, 2007 to May 25, 2007, inclusive.
  - i. Big Flat Brook—100 ft. above Steam Mill Bridge on Crigger Road in Stokes State Forest to Delaware River.
  - ii. Musconetcong River—Lake Hopatcong Dam to Delaware River including all main stem impoundments, but excluding Lake Musconetcong, Netcong.
  - iii. Pequest River—Source to Delaware River.
  - iv. Wanaque River—Greenwood Lake Dam to Jct. with Pequannock River, excluding Wanaque Reservoir, Monksville Reservoir and Lake Inez.

(i) This subsection sets forth trout stocked waters for which no in-season closures will be in force.

- 1. Atlantic County
  - Birch Grove Park Pond—Northfield
  - Hammonton Lake—Hammonton
  - Heritage Pond—Absecon
- 2. Bergen County
  - Dahnert's Lake—Garfield
  - Hacksack River—Lake Tappan to Harriot Avenue, Harrington Park
  - Hohokus Brook—Forest Road to Whites Pond
  - Indian Lake—Little Ferry
  - Mill Pond—Park Ridge
  - Pascack Creek—Orchard Street, Hillsdale, to Lake Street, Westwood
  - Saddle River—State Line to Dunkerhook Road, Fair Lawn

- Scarlet Oak Pond—Mahwah
- Tenakill Creek—Closter, entire length
- Whites Pond—Waldwick
- 3. Burlington County
  - Crystal Lake—Willingboro
  - Laurel Pond—Mt. Laurel
  - Pemberton Lake—Pemberton
  - Rancocas Creek, South/West Branch—Medford, Mill Street Park to Branch St. Bridge
  - Sylvan Lake—Burlington
- 4. Camden County
  - Gloucester City Pond—Gloucester
  - Haddon Lake—Audubon
  - Oak Pond—Sicklerville
  - Rowands Pond—Clementon
- 5. Cape May County
  - Dennisville Lake—Dennisville
  - West Pond—Cape May Courthouse
- 6. Cumberland County
  - Bostwick Lake—Friesburg
  - Cohansey River—Dam at Seeley's Pond to Powerline above Sunset Lake, Bridgeton
  - Giampietro Park Lake—Vineland
  - Mary Elmer Lake—Bridgeton
  - Maurice River—Willow Grove Lake dam to Sherman Avenue, Vineland
  - Shaw's Mill Pond—Newport
- 7. Essex County
  - Branch Brook Park Lake—Newark
  - Clarks Pond—Bloomfield
  - Diamond Mill Pond—Millburn
  - Verona Park Lake—Verona
- 8. Gloucester County
  - Greenwich Lake—Gibbstown
  - Grenloch Lake—Turnersville
  - Harrisonville Lake—Harrisonville
  - Iona Lake—Iona
  - Mullica Hill Pond—Mullica Hill
  - Swedesboro Lake—Swedesboro
  - Westville Lake—Westville
- 9. Hudson County
  - West Hudson County Park Pond—Harrison
  - Woodcliff Lake—North Bergen, James J. Braddock Park
- 10. Hunterdon County
  - Amwell Lake—East Amwell
  - Beaver Brook—Clinton Township, entire length
  - Capoolong Creek—Pittstown, entire length
  - Delaware—Raritan Feeder Canal—Bulls Island to Hunterdon—Mercer County line
  - Hakihokake Creek—Holland Township, entire length
  - Lokatong Creek—Opdyke Road Bridge, Kingwood Township to Delaware Raritan Feeder Canal
  - Mulhockaway Creek—Pattensburg, source to Spruce Run Reservoir
  - Neshanic River—Kuhl Road to Hunterdon County Route 514
  - Nishisakawick Creek—Frenchtown/Everittstown, entire length
  - Rockaway Creek—Readington Township, entire length
  - Rockaway Creek, S/Br.—Lebanon to Whitehouse, entire length
  - Round Valley Reservoir—Clinton Township
  - Sidney Brook—Grandin, entire length
  - Spring Mills Brook—Spring Mills, entire length

- Spruce Run—Glen Gardner and Lebanon Township, entire length  
 Wickecheoke Creek—Covered Bridge County Rt. 604, Sergeantsville to Delaware River
11. Mercer County  
 Assunpink Creek—Assunpink Site 5 dam upstream of Rt. 130 Bridge to Carnegie Road, Hamilton Township  
 Colonial Lake—Lawrence Township  
 Delaware—Raritan Canal—Mulberry Street, Trenton, to Alexander St., Princeton  
 Delaware—Raritan Feeder Canal—Hunterdon-Mercer County line to Upper Ferry Road Bridge  
 Rosedale Lake—Rosedale  
 Stony Brook—Woodsville to Port Mercer
12. Middlesex County  
 Farrington Lake—North Brunswick  
 Hook's Creek Lake—Cheesequake State Park  
 Ireland Brook—Farrington Lake to point 500 ft. upstream of Riva Avenue  
 Lake Papaiani—Edison  
 Lawrence Brook—Dam at Farrington Lake to 2nd RR Bridge (Raritan Railroad) below Main St., Milltown  
 Roosevelt Park Pond—Edison Township
13. Monmouth County  
 Echo Lake—Southard  
 Englishtown Mill Pond—Englishtown  
 Garvey's Pond—Navesink  
 Hamilton Fire Pond—Neptune  
 Hockhocks Brook—Hockhocks Road to Garden State Parkway Bridge (northbound)  
 Holmdel Park Pond—Holmdel  
 Mac's Pond—Manasquan  
 Mingamahone Brook—Farmingdale, Hurley Pond Road to Manasquan River  
 Mohawk Pond—Red Bank  
 Shadow Lake—Red Bank  
 Shark River—Hamilton, Route 33 to Remsen Mill Road  
 Spring Lake—Spring Lake  
 Takanassee Lake—Long Branch  
 Topenemus Lake—Freehold  
 Yellow Brook—Heyers Mill Road to Muhlenbrink Rd., Colts Neck Township
14. Morris County  
 Beaver Brook—Rockaway, entire length  
 Burnham Park Pond—Morristown  
 Drakes Brook—Flanders, entire length  
 Hibernia Brook—Hibernia, entire length  
 India Brook—Mountainside Ave. to Rt. 24, Ralston  
 Lake Hopatcong—Lake Hopatcong  
 Lake Musconetcong—Netcong  
 Mt. Hope Pond—Mt. Hope  
 Pequannock River—(See Passaic Co.)  
 Passaic River—White Bridge Rd. to Rt. 24, Chatham Boro  
 Pompton River—Pequannock Township (see Passaic Co.)  
 Russia Brook—Jefferson Township, Ridge Road to Lake Swannanoa  
 Speedwell Lake—Morristown  
 Whippany River—Tingley Road, Morris Township, to Ridgedale Ave., Morristown
15. Ocean County  
 Lake Shenandoah—Lakewood, Ocean County Park
- Pohatcong Lake—Tuckerton  
 Prospertown Lake—Prospertown
16. Passaic County  
 Barbour's Pond—West Paterson  
 Clinton Reservoir—Newark Watershed  
 Green Turtle Pond—Wanaque Wildlife Management Area—Hewitt  
 Oldham Pond—North Haledon  
 Pequannock River—Route 23, Smoke Rise to Paterson-Hamburg Turnpike, Pompton Lakes  
 Pompton River—Pompton Lake to Newark-Pompton Turnpike  
 Potash Lake—Oakland  
 Ringwood Brook—State line to Sally's Pond, Ringwood Park  
 Sheppard's Lake—Ringwood State Park
17. Salem County  
 Harrisonville Lake—Harrisonville  
 Maurice River—Willow Grove Lake Dam to Sherman Avenue, Vineland  
 Riverview Beach Pond—Pennsville Township  
 Schadler's Sand Wash Pond—Penns Grove
18. Somerset County  
 Lamington River—Rt. 523 (Lamington Road) at Burnt Mills to Jct. with North Branch of Raritan River  
 Middle Brook, E/Br.—Martinsville, entire length  
 Passaic River—See Morris Co.  
 Peapack Brook—Peapack-Gladstone, entire length  
 Raritan River—Jct. of Raritan River N/Br. and S/Br. to Rt. 206 Bridge  
 Rock Brook—Zion, entire length  
 Spooky Brook Park Pond—Franklin
19. Sussex County  
 Alm's House Pond—Myrtle Grove, Hampton Township  
 Andover Junction Brook—Andover, entire length  
 Big Flat Brook, Upper—Saw Mill Pond, High Point State Park, to 100 ft. above Steam Mill Bridge on Crigger Road  
 Blue Mountain Lake—Delaware Water Gap National Recreation Area  
 Clove River—Junction of Route 23 and Mt. Salem Road to Route 565 Bridge  
 Culver's Creek—Frankford Township, entire length  
 Dry Brook—Branchville, entire length  
 Franklin Pond Creek—Hamburg Mountain Wildlife Management Area, entire length  
 Glenwood Brook—Lake Glenwood to State line  
 Lake Aeroflex—Andover  
 Lake Hopatcong—Lake Hopatcong  
 Lake Musconetcong—Netcong  
 Lake Ocquittunk—Stokes State Forest  
 Little Flat Brook—Sandyston Township, entire length  
 Little Swartswood Lake—Swartswood  
 Lubbers Run—Byram Township, entire length  
 Neldon Brook—Swartswood, entire length  
 Papakating Creek—Plains Road bridge to Route 565, Lewisburg  
 Papakating Creek, W. Br.—Libertyville, entire length  
 Pond Brook—Middleville, entire length  
 Saw Mill Pond—High Point State Park  
 Silver Lake—Hamburg Mountain Wildlife Management Area

- Stony Lake—Stokes State Forest
- Swartwood Lake—Swartwood
- Trout Brook—Middleville, entire length
- Wawayanda Creek
- Wawayanda Lake—Vernon
- 20. Union County
  - Green Brook—Route 527, Berkeley Heights, to Route 22, Scotch Plains
  - Lower Echo Park Pond—Mountainside
  - Milton Lake—Madison Hill Road Bridge to Milton Lake Dam, Rahway
  - Rahway River—I-78 Bridge, Springfield, to St. George Ave. (Route 27), Rahway
  - Seeleys Pond—Berkeley Heights
  - Warinanco Park Pond—Roselle
- 21. Warren County
  - Barker’s Mill Brook—Vienna, entire length
  - Beaver Brook—Silver Lake Dam to Pequest River
  - Blair Creek—Hardwick Center to Blair Lake
  - Blair Lake—Blairstown
  - Buckhorn Creek—Roxburg, entire length
  - Columbia Lake and Gatehole—Knowlton Township
  - Furnace Brook—Oxford, entire length
  - Furnace Lake—Oxford
  - Honey Run—Swayze’s Mill Road to Route 519, Hope Township
  - Jacksonburg Creek—Jacksonburg, entire length
  - Lopatcong Creek—Route 519 to South Main Street, Phillipsburg
  - Merrill Creek Reservoir—Stewartsville
  - Pohatcong Creek—Mt. Bethel to Route 31
  - Pophandusing Creek—Oxford Road, Hazen, to Delaware River
  - Roaring Rock Brook—Brass Castle, entire length
  - Trout Brook—Hackettstown, entire length
  - Trout Brook—Hope, entire length
  - White Lake—Hardwick Township

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

Changed dates throughout; in (b), changed N.J.A.C. reference; and in (f), inserted a reference to Laurel Pond in 3, deleted a reference to Laurel Pond in 4, substituted a reference to Ridgedale Ave. for a reference to Rt. 202 in 14, and substituted a reference to Alm’s House Pond for a reference to Alm’s House Brook and increased the number of anticipated stockings from 2 to 3, and inserted a reference to Silver Lake in 19.

Administrative correction.

See: 31 N.J.R. 1924(a).

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

Changed dates throughout; in (f)4, inserted a reference to Rowlands Pond—Clementon, and in f(21) added a reference to White Lake—Hardwick; and in (i), inserted a reference to Prospertown Lake, Ocean County.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

Changed dates throughout; in (f), changed stocked water references throughout; and in (i), inserted a reference to Pompton Lake.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

Changed dates throughout; in (f)17, deleted a reference to Harrison Brook—Liberty Corner.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

Rewrote the section.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

Rewrote the section.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

Rewrote the section.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Rewrote the section (restructured the rules pertaining to seasons, size limits and stocking of trout).

**7:25-6.4 Special regulation trout fishing areas—fly fishing waters**

(a) Beginning January 1, 2006 to midnight March 19, 2006 and from 5:00 A.M. on Monday, April 17, 2006 to midnight March 18, 2007, and from 5:00 A.M. on Monday April 16, 2007 to midnight March 17, 2008, the following stretch is open to fly-fishing only, and closed to all fishing from 5:00 A.M. to 5:00 P.M. on the days listed for stocking:

1. Big Flat Brook, Sussex County—from the concrete bridge on Route 206 downstream to the Roy Bridge on Mountain Road, a distance of approximately four miles, except that portion known as the Blewett Tract, regulated below at (b)1.

(b) Beginning January 1, 2006 to midnight March 19, 2006 and from 8:00 A.M. on April 8, 2006 to midnight March 18, 2007, and from 8:00 A.M. on April 7, 2007 to midnight March 17, 2008, the following stretch is open to fly-fishing only, but is closed to all fishing from 5:00 A.M. to 5:00 P.M. on days listed for stocking:

1. Big Flat Brook, Sussex County—an approximate 0.5 mile portion, clearly defined by markers, known as the Blewett Tract, which extends from the Three Bridges Road to a point upstream of the junction of the Big Flatbrook and the Little Flatbrook.

(c) The following rules shall apply to the above designated fly-fishing waters.

1. Fishing in Fly-Fishing Waters is permitted 24 hours daily except on those days during April and May when they are closed for stocking.

2. A person shall not kill more than six trout daily from April 8, 2006 through May 31, 2006, and from April 7, 2007 through May 31, 2007; at other times the limit is four. Trout in excess of the creel limit may be caught provided such trout are immediately returned to the water unharmed.

3. No bait or lures of any kind shall be used except artificial flies which are expressly limited to dry flies, wet flies, bucktails, nymphs and streamers. Expressly prohibited are metal, plastic or wooden lures, plugs, spinners and flies with spinners attached or any multiple-hooked device.

4. Expressly prohibited are spinning reels or any type of angling whereby the fly is cast directly from the reel.

5. No person may have in possession while engaged in angling on the waters designated as fly waters, any natural bait, live or preserved, in that period of time during which fly-fishing only is in effect.

6. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

Changed dates throughout.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a), (b) and (d), changed dates throughout.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (a), (b) and (d)2, changed dates throughout.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

Changed dates throughout; deleted (a)2; deleted former (c) and recodified former (d) as new (c); in (c)3, deleted last sentence referencing Musconetcong "no kill" area.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

Amended dates throughout.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

Amended dates throughout.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

Amended the dates throughout.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Changed dates throughout the section to reflect upcoming calendar adjustments to the season; in (c)2, substituted "A person shall not kill" for "Not," deleted "may be killed" and "portion of the season" and substituted "from" for "during the."

### 7:25-6.5 Special regulation trout fishing areas— Seasonal Trout Conservation Areas

(a) The following stream segments are designated as Seasonal Trout Conservation Areas and are subject to the provisions at (b) below governing these areas during the periods of January 1, 2006 through April 7, 2006 and May 22, 2006 through December 31, 2006 and during the period of January 1, 2007 through April 6, 2007 and May 21, 2007 through December 31, 2007.

1. Pequest River—An approximate 1.0 mile portion, within the Pequest Wildlife Management Area, extending from the County bridge on Pequest Furnace Road at Pequest upstream to the Conrail Railroad Bridge upstream of the Pequest Trout Hatchery Access Road.

2. Pequannock River—An approximate 1.2 mile stretch of river extending from the Route 23 bridge at Smith Mills upstream to the Route 23 bridge at Smoke Rise.

3. Musconetcong River—An approximate 1.2 mile stretch of the Musconetcong River near Point Mountain extending from the Penwell Road bridge downstream to the Point Mountain Road bridge.

(b) The following shall apply to the Seasonal Trout Conservation Areas designated at (a) above:

1. No bait or lures of any kind may be used except artificial lures and flies;

2. A person shall not have in possession while fishing any natural bait, live or preserved;

3. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait;

4. A person shall not kill or have in possession while fishing any trout less than 15 inches in total length;

5. A person shall not have in possession, while fishing, any more than one dead, creel or otherwise appropriated trout, except that no trout may be retained during pre-season and in-season closures which apply to the remainder of the respective rivers where these areas exist. Additional trout may be caught providing they are returned to the water immediately and unharmed; and

6. Size limits and creel limits on species other than trout are in accordance with Statewide regulations.

Administrative Correction.

See: 26 N.J.R. 3082(a).

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In (a), changed dates in the introductory paragraph.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a), changed dates in the introductory paragraph; and in (b)5, inserted a reference to pre-season closures.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (a), changed dates in the introductory paragraph.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

In (a), changed dates and added 3.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

In (a), amended the dates in the introductory paragraph.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (a), amended the dates in the introductory paragraph.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (a), amended the dates in the introductory paragraph.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In introductory paragraph (a), changed dates to reflect upcoming calendar adjustments to the season.

#### 7:25-6.6 Special regulation trout fishing areas—Wild Trout Streams

(a) The following streams, or portions thereof, are designated as "Wild Trout Streams." Listing of streams in this category does not convey the right to trespass or fish on private lands without the landowner's permission. These waters will not be stocked with trout. Unless otherwise noted, the entire length of the stream is included in the designation.

1. Bear Creek (Southtown);
2. Bear Swamp Brook (Mahwah);
3. Black Brook (Clinton Wildlife Management Area);
4. Burnett Brook (Ralston);
5. Cold Brook (Oldwick);
6. Dark Moon Brook, also known as Bear Brook (Johnsonburg);
7. Dunnfield Creek (Worthington State Park)
8. Flanders Brook (Flanders);
9. Hance's Brook (Penwell);
10. Hickory Run (Califon);
11. India Brook (Source to Mountainside Ave., Mendham);
12. Indian Grove Brook (Bernardsville);

13. Jackson Brook (Source to Hedden Park Lake, Mine Hill Twp.);

14. Ledgewood Brook (Ledgewood);

15. Little York Brook (Little York);

16. Lomerson Brook, also known as Herzog Brook (Pottersville);

17. Merrill Creek (Stewartsville)

18. Mill Brook (Montague);

19. North Branch of Rockaway Creek (Mountainville);

20. Parker Brook (Montague);

21. Passaic River (Source to Rt. 202, Bernardsville);

22. Pequannock River (Newark Watershed, Oak Ridge; Road bridge downstream to railroad bridge; immediately upstream of Charlottesville Reservoir);

23. Rhineharts Brook (Hacklebarney State Park);

24. Rocky Run (Clinton Twp.);

25. Saddle River (State Line to Lake Street, Upper Saddle River);

26. Stephensburg Creek (Stephensburg);

27. Stony Brook (Stokes State Forest);

28. Stony Brook (Washington Twp., Morris County);

29. Tetertown Brook (Tetertown);

30. Trout Brook (Hacklebarney State Park);

31. Turkey Brook (Mount Olive);

32. Van Campens Brook (Delaware Water Gap National Recreation Area);

33. West Brook (Source downstream to Windbeam Club Property); and

34. Whippany River (Source to Tingley Road, Mendham Twp.);

35. Willoughby Brook, also known as Buffalo Hollow Brook (Clinton Twp.).

(b) The following regulations shall apply to the Wild Trout Streams designated at (a) above.

1. Fishing in Wild Trout Streams is permitted year-round.

2. Only artificial lures and flies may be used. While fishing, the use or possession of any natural bait, live or preserved, is prohibited.

3. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait.

4. A person shall not kill or have in possession, while fishing the portions of the Pequannock River and Van Campens Brook designated as Wild Trout Streams, any brown trout less than 12 inches in total length. For all other designated Wild Trout Streams, and for brook and rainbow trout in the Wild Trout Stream designated portions of the Pequannock River and Van Campens Brook, the minimum length for trout shall be seven inches in total length.

5. During the periods extending from 8:00 A.M. April 8, 2006 to September 15, 2006, and from 8:00 A.M. April 7, 2007 to September 15, 2007, no person shall have in possession while fishing any more than two legally sized dead, creeled or otherwise appropriated trout. No trout may be killed or possessed during other times of the year. Any number of trout may be caught provided they are immediately returned to the water unharmed.

6. Size limits and creel limits on species other than trout are in accordance with Statewide rules.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In (b)5, changed dates.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (b)5, changed dates.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (b)5, changed dates.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

In (b)5, changed dates.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

In (b)5, changed dates.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (a), added new 13, recodified former 13 to 23 as 14 to 24, added new 25, recodified former 24 to 31 as 26 to 33, added new 34, recodified former 32 as 35; in (b)5, changed dates.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (b)5, amended the dates.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In (b)5, changed dates to reflect upcoming calendar adjustments to the season.

#### 7:25-6.7 Special regulation trout fishing areas—Year-Round Trout Conservation Areas

(a) The following stream segments are designated as Year-Round Trout Conservation Areas and are subject to the provisions at (b) below governing these areas on a year-round basis:

1. Toms River, Ocean County—a one mile stretch of river from the downstream end of Riverwood Park in Dover Township, defined by markers, downstream to the Route 571 bridge;

2. East Branch of Paulinskill River, Sussex County—from the Limecrest Railroad Spur Bridge downstream to its confluence with the West Branch of the Paulinskill at Warbasse Junction, a distance of approximately 2.25 miles;

3. South Branch Raritan River, Morris County—an approximate 1.1 mile stretch of river, locally known as the Claremont Stretch extending from the downstream end of the posted Anglers Anonymous property downstream to its junction with Electric Brook; and

4. South Branch of the Raritan River, Hunterdon County—the stretch of water known as the “Ken Lockwood Gorge,” a distance of approximately 2 1/2 miles.

(b) The following shall apply to the Year-Round Trout Conservation Areas designated at (a) above:

1. Fishing in Year-Round Trout Conservation Areas is permitted year-round;

2. Only artificial lures and flies may be used. While fishing, the use or possession of any natural bait, live or preserved, is prohibited;

3. A person shall not kill or have in possession, while fishing, any trout less than 15 inches in total length;

4. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait;

5. A person shall not have in possession, while fishing, any more than one dead, creeled or otherwise obtained trout, except that trout may not be retained during pre-season and in-season stocking closures which apply to the remainder of the respective rivers where these areas exist. Additional trout may be caught provided they are returned to the water immediately and unharmed; and

6. Size limits and creel limits on species other than trout are in accordance with Statewide rules.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

In (a), added 4.

**7:25-6.8 Special regulation trout fishing areas—Trophy Trout Lake**

(a) The following lakes are designated as Trophy Trout Lakes:

1. Round Valley Reservoir; and
2. Merrill Creek Reservoir.

(b) The following shall apply to the Trophy Trout Lakes designated in (a) above:

1. The minimum size of brown trout and rainbow trout shall be 15 inches. Daily bag and possession limit for brown trout and rainbow trout shall be two in total.
2. There shall be no closed season for brown trout and rainbow trout.
3. The minimum size for lake trout shall be 20 inches at Round Valley Reservoir and 15 inches at Merrill Creek Reservoir. The daily bag and possession limit shall be one at Round Valley Reservoir and two at Merrill Creek Reservoir.
4. During the period from midnight September 15 to December 1, the possession of lake trout is prohibited and all lake trout caught shall be immediately returned to the water unharmed.
5. A person shall not have in possession, while on the waters or adjacent lands of any designated Trophy Trout Lake, any fish, or any part thereof, which has been mutilated so that its size at capture cannot be determined, or so that it is unidentifiable as to species, except that this restriction shall not apply to fish which are being prepared for immediate on-site consumption.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).  
 See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).  
 Amended by R.1996 d.493, effective October 1, 1996 (operative January 1, 1997).  
 See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).  
 Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).  
 See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).  
 Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).  
 See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).  
 In (b), substituted "Round Valley Reservoir and two at Merrill Creek Reservoir" for "both lakes" at the end of 3, and changed dates in 4.  
 Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).  
 See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).  
 In (b)4, changed dates throughout.  
 Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).  
 See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).  
 In (b), substituted "20" for "24" preceding "inches in 3, and changed dates in 4.  
 Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).  
 See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).  
 In (b)4, changed dates throughout.  
 Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).  
 In (b)4, changed dates.  
 Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).  
 See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).  
 In (b)4, changed dates.  
 Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).  
 See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).  
 In (b)4, amended the dates.  
 Amended by R.2006 d.64, effective February 6, 2006.  
 See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).  
 Rewrote (b)4 to reflect upcoming calendar adjustments to the season.

**7:25-6.9 Special regulation trout fishing areas—Holdover Trout Lakes**

(a) The following lakes are designated as Holdover Trout Lakes:

1. Clinton Reservoir;
2. Swartswood Lake;
3. Wawayanda Lake;
4. Sheppard's Lake;
5. Aeroflex Lake; and
6. White Lake, Warren County.

(b) The following regulations shall apply to Holdover Trout Lakes designated at (a) above:

1. Fishing is permitted year-round.
2. There shall be a seven inch minimum size limit for any species of brook, brown or rainbow trout, or any hybrids thereof.
3. The daily possession limit for waters designated as Holdover Trout Lakes is as follows:
  - i. A person shall not take, kill or have in possession, in one day, more than two in total of brook trout, brown trout, rainbow trout, or hybrids thereof, during the period extending from January 1, 2006 until midnight March 19, 2006 and the period from January 1, 2007 until midnight March 18, 2007.
  - ii. Trout, if taken during the period commencing at midnight, March 19, 2006 and extending to 8:00 A.M., April 8, 2006 and the period from midnight March 18, 2007 and extending to 8:00 A.M., April 7, 2007 must be returned to the water immediately and unharmed.
  - iii. A person shall not take, kill or have in possession, in one day, more than four in total of brook trout, brown trout, rainbow trout, or hybrids thereof, during the period extending from 8:00 A.M. April 8, 2006 until May 31, 2006 and the period from 8:00 A.M. April 7, 2007 until May 31, 2007.
  - iv. A person shall not take, kill or have in possession, in one day, more than two in total of brook

trout, brown trout, rainbow trout, or hybrids thereof, from June 1 until December 31.

4. The minimum length for Atlantic (landlocked) salmon shall be 12 inches with a daily bag and possession limit of two.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In (b), changed dates in 3.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a), added 7; and in (b)3, changed dates throughout.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (b)3, changed dates throughout.

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

In (b)3, changed dates throughout.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

In (b)3, changed dates.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (b)3, changed dates.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (b)3, amended the dates.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Deleted (a)3; recodified former (a)4-7 as (a)3-6; rewrote (b)3.

#### 7:25-6.10 Baitfish

(a) Any person, who has a fishing license or is under the age of 16 or over 70 years of age, may take up to 35 baitfish per day from the freshwaters of the State.

(b) Except as provided for in trout-stocked waters listed in N.J.A.C. 7:25-6.3 through 6.9 and (c) and (d) below, up to 35 baitfish per person per day may be taken from the freshwater streams with a seine not to exceed 30 feet in length, or half the width of the stream at the point of use, whichever is less, year-round. In lakes and ponds under 100 acres, a seine not over 30 feet in length may be used, and in lakes over 100 acres, a seine not over 50 feet in length may be used. Minnow traps not larger than 24 inches in length with a funnel mouth no greater than two inches in diameter, and an umbrella net no greater than 3.5 feet square may be used in any of the freshwaters of the State. A cast net no greater than eight feet

in diameter may be used in freshwater streams provided it is not a trout stocked water or a special regulation trout fishing area, listed in N.J.A.C. 7:25-6.3 through 6.9.

(c) In trout stocked waters and special regulation areas, listed in N.J.A.C. 7:25-6.3 to 6.9, it is prohibited to net, trap or attempt to net or trap baitfish from March 22 through June 15 except where the taking is otherwise provided for. For the remainder of the year, up to 35 baitfish per person per day may be taken with a seine not over 10 feet in length and four feet in depth or a minnow trap not larger than 24 inches in length with a funnel mouth no greater than two inches in diameter or an umbrella net no greater than 3.5 feet square. The use of cast nets is not permitted in these waters at any time.

(d) Up to 35 per day of alewife or blueback herring in the aggregate, may be taken per person with a dip net not more than 24 inches in diameter, hook and line, a cast net no greater than eight feet in diameter, or as otherwise provided for. Possession limit is one day's limit, regardless of the intent to use these fish, so taken, as bait or food.

(e) Baitfish other than alewife (anadromous and landlocked) and blueback herring may be taken from the freshwaters of the State, in numbers greater than 35 per day for the purpose of sale under special permit issued by the Division in its discretion. Alewife may be taken from lakes, 250 acres or greater, in numbers greater than 35 per day for the purpose of sale, under special permit issued by the Division in its discretion.

1. In lakes and ponds under 100 acres, a seine not over 30 feet in length may be used, and in lakes over 100 acres, a seine not over 50 feet in length may be used. Minnow traps not larger than 24 inches in length with a funnel mouth no greater than two inches in diameter, and an umbrella net no greater than 3.5 feet square may be used in any of the freshwaters of the State.

2. To obtain a special permit, an application may be obtained from:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, New Jersey 08833

3. Applications shall be directed to:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, NJ 08833-0394

4. The permittee shall agree to:

- i. All reporting requirements;
- ii. Return species, other than baitfish, to the water immediately and unharmed;
- iii. Display name and address on any devices left in the water unattended;
- iv. Operate only one device per permit;
- v. Be present during the operation of the device;
- vi. Not transfer the permit to other operators;
- vii. Notification of, and permission from, the owner of the waterbody named in the application or the administering agency if that waterbody is publicly owned; and
- viii. Comply with any local ordinances or other State laws or regulations.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

Added a new (a); recodified former (a) through (d) as (b) through (e); in the new (b), changed N.J.A.C. and internal citation references in the first sentence; and in the new (c), substituted a reference to March 21 for a reference to March 23 in the first sentence.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (c), substituted a reference to March 19 for a reference to March 21.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (c), substituted a reference to March 18 for a reference to March 19.

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

Rewrote (b) and (c); in (d), inserted "a cast net no greater than eight feet in diameter," following "hook and line"; in (e), substituted "lakes, 250 acres or greater" for "the freshwaters of the State".

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

In (c), substituted "March 23" for "March 24".

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (c), substituted "March 22 through" for "March 23 to"; in (e), rewrote the introductory paragraph, and 1.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (a), substituted "under the age of 16 or over 70 years of age" for "entitled to fish without a license" preceding "may take up to 35 baitfish

per day"; in (b), substituted "a trout stocked water or" for "classified as" following "provided it is not"; added N.J.A.C. reference at the end; in (e), added a new 1, recodified former 1 through 3 as 2 through 4.

#### 7:25-6.11 Nets and alternative gear

(a) Except as provided for the taking of baitfish, it shall be illegal to take fish from the freshwaters of the State by means of nets except under special permit issued by the Division at its discretion and as hereafter provided for in the tidal freshwaters of New Jersey, other than the Delaware River:

1. No person shall catch or take or attempt to catch and take fish of any kind or description by means of a net, or use a net of any character except for fyke nets and bait seines used for the purpose of taking of baitfish, from Saturday at 2:00 P.M. until the following Sunday at 12 midnight.

2. It shall be legal to take and sell foodfish as defined in N.J.A.C. 7:25-6.2 by the following means:

i. Haul seines, the mesh of which shall not be less than two and three quarter inches stretched while being fished and not to exceed 70 fathoms in length, whether singly or attached, for all species may be used from November 1 to April 30. Permits for haul seines exceeding 70 fathoms in length will be issued for the Delaware River, upstream of the wing dam at Lambertville, only for permittees which have obtained approval from the Division prior to January 1, 2004. All permits issued by the Division after January 1, 2004 will restrict seines to a length not to exceed 70 fathoms in this section of the Delaware River.

ii. Fykes, with leaders shall not exceed 30 feet in length and no part of the net or leaders to be larger than three inches stretched mesh or less than three quarter inch stretched measure while being fished, for all species may be used from November 1 to April 30.

iii. Miniature fykes or pots for the taking of carp, catfish, suckers and eels, the same not to exceed 16 inches in diameter may be used from March 15 to December 15. All other species of fish which may be caught must be immediately returned, unharmed, to the waters from which they were taken.

iv. Drifting gill nets, the smallest of which shall be five and one quarter inches stretched measure while being fished and shall not exceed 100 feet in length, for all species may be used from March 1 to June 15.

v. Gill nets with a mesh not smaller than two and three quarters stretched measure, while being fished and not exceeding 200 feet in length may be used from May 1 to June 10 for the purpose of taking blueback herring and white perch.

3. Not more than one gill net or hauling seine shall be used from a boat.

4. To obtain a special permit, an application may be obtained from:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, New Jersey 08833

5. Applications shall be directed to:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, New Jersey 08833

6. The permittees shall agree to:

- i. Comply with all reporting requirements;
- ii. Return species, other than foodfish, to the water immediately and unharmed;
- iii. Legibly display name and address on any and all devices left in the water unattended;
- iv. Operate only one device per permit;
- v. Be present during the operation of the device;
- vi. Not transfer the permit to other operators;
- vii. Notify and obtain permission from the owner of the water body or access to the water body named in the permit; and
- viii. Comply with any local ordinances and other State laws or regulations.

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (a)2, inserted "and sell" in the introductory paragraph, added the last two sentences in i, substituted "May 1" for "March 1" in v, and deleted "except striped bass" following "for all species" throughout; added (a)4 to (a)6.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (a)2v, substituted "and white perch" for "only" at the end.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Section was "Nets"; in (a)4 and 5, rewrote address.

#### 7:25-6.12 Snagging prohibited

The foul hooking of any fish species, other than yellow perch and white perch, is prohibited. Any fish, other than yellow perch and white perch, so hooked must be immediately returned to the water. This shall not apply to fish so taken through the ice during the ice fishing season. Snagging of any species is prohibited in Swartswood Lake

and its tributaries, including Neldon Brook, and Monksville Reservoir and its tributaries, including the Wanaque River.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

Inserted ", alewife herring (landlocked and anadromous) and blueback herring" following "rainbow trout".

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Rewrote the section.

#### 7:25-6.13 Warmwater fish

(a) Fishing for all species of freshwater fish is permitted 24 hours daily except on those days that certain trout waters are closed for stocking during March, April and May.

(b) Warmwater fish in excess of the daily limit may be caught, when permitted, provided they are immediately returned to the water unharmed.

(c) For those species of warmwater fish, which do not have specific daily creel and possession limits, the daily creel and possession limit shall be 25 in total.

(d) During the period of April 15 through June 15, the possession of largemouth and smallmouth bass is prohibited and all bass caught shall be immediately returned to the water unharmed.

(e) The minimum length for smallmouth bass and largemouth bass shall be 12 inches with a daily creel and possession limit of five in total, except for Parvin Lake, Delaware Lake, Assunpink Lake, Boonton Reservoir and Splitrock Reservoir where the minimum length for largemouth and smallmouth bass shall be 15 inches with a daily creel and possession limit of three in total and Ryker Lake where the minimum length shall be 15 inches with a daily creel and possession limit of two in total.

(f) There is no closed season for northern pike, muskellunge and tiger muskie except, during the period of March 20 through May 20, the possession of muskellunge and tiger muskie taken from Echo Lake Reservoir (Passaic County), Mercer Lake (Mercer County), Mountain Lake (Warren County), and Monksville Reservoir (Passaic County) is prohibited and all muskellunge and tiger muskie caught from these waters shall be immediately returned to the water unharmed.

(g) The minimum length for northern pike shall be 24 inches, and 30 inches for the muskellunge and tiger muskie, and the daily creel and possession limit for these species shall be two in aggregate except for Lake Hopatcong, Mercer Lake (Mercer County) and Monksville Reservoir (Passaic County) where the minimum length for muskellunge and tiger muskie shall be 36 inches and the daily creel and possession limit shall be one and Mountain Lake (Warren County) and Echo Lake Reservoir (Passaic County) where the minimum length shall be 40 inches and the daily creel and possession limit shall be one.

(h) During the period of March 1 through April 30, the possession of walleye is prohibited and all walleye caught shall be immediately returned to the water unharmed.

(i) The minimum length for walleye shall be 18 inches with a daily creel and possession limit of three.

(j) Except as provided in N.J.A.C. 7:25-6.19 and 6.20, there is no minimum length for chain pickerel except in Lake Hopatcong, Swartswood Lake (Sussex County) and Hamonton Lake (Atlantic County) where the minimum length shall be 15 inches.

(k) The daily creel and possession limit for chain pickerel shall be five. There is no closed season.

(l) The minimum length for channel catfish shall be 12 inches with a daily creel and possession limit of five. There is no closed season.

(m) The minimum length for black crappie and white crappie shall be eight inches. The daily creel and possession limit for these species shall be ten in aggregate. There is no closed season.

(n) For Ryker Lake, the daily creel and possession limit for sunfish and for yellow perch shall be 10 and the minimum size for sunfish shall be seven inches. For Rainbow Lake, the daily creel limit for sunfish shall be 10 and the minimum size shall be seven inches.

(o) The daily creel and possession limit for American shad shall be six. There is no closed season.

(p) Striped bass may not be taken or possessed during the period of January 1 through February 28.

(q) The daily creel and possession limit for striped bass is two, with each fish at least 28 inches in length.

(r) Hybrid striped bass may not be taken in the Raritan River downstream of the Duke Island Park dam during the period of January 1 through February 28.

(s) The minimum length for striped bass x white bass hybrid shall be 16 inches and the daily creel and possession limit shall be two, except for the Raritan River downstream of the Duke Island Park dam where the daily creel and possession limit shall be two, with each fish at least 28 inches in length.

(t) Eels may not be taken from non-tidal waters of this State by use of eel baskets, fykes, or traps of any kind, except that eel weirs may be operated under permit of the Division, for purposes of sale, in accordance with N.J.S.A. 23:3-55.

Amended by R.1993 d.139, effective April 5, 1993.  
See: 25 N.J.R. 224(a), 25 N.J.R. 1556(b).

Prohibits the harvest of largemouth bass and smallmouth bass from April 15 through June 15 by establishing a catch-and-release fishery during this period.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1999 d.67, effective March 1, 1999.

See: 30 N.J.R. 4203(a), 31 N.J.R. 639(a).

Added (t).

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (e), inserted references to Ryker Lake and Delaware Lake; in (f), inserted references to Delaware Lake and Ryker Lake; and added (u).

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (f), inserted a reference to Split Rock Reservoir; rewrote (i) and (q).

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

Deleted former (d) and (e), inserted new (d), and recodified existing (f) through (u) as (e) through (t).

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (g), inserted "for purposes of sale" following "Division"; in (h), substituted ", Mercer Lake (Mercer County)" for "Morris and Sussex Counties"; in (l), substituted "March 1 through April 30" for "March 1 to April 30"; in (m), substituted "daily creel and possession limit shall be two, one fish between 24 and less than 28 inches in length and one fish of 28 inches or larger" for "minimum length shall be 28 inches and the daily creel and possession limit shall be two"; in (p), inserted "less than" following "24 and"; in (q) and (r), substituted January 1 to February 29" for "January through February 28"; in (t), added the last sentence.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (d), inserted "Boonton Reservoir" following "Assumpink Lake", deleted "and for Boonton Reservoir where it shall be 15 inches for smallmouth bass only" at the end; in (q) and (r), substituted "February 28" for "February 29".

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

Rewrote the section.

### 7:25-6.14 Ice fishing

(a) Except as provided in N.J.A.C. 7:25-6.3, ice fishing shall be permitted whenever ice is present.

(b) A person, while fishing through the ice, may use not more than five devices for the taking of fish. The types of devices that may be used are:

1. Ice supported tip-ups or lines with one single pointed hook attached;

2. An artificial jigging lure with not more than one burr of three hooks that measure not more than 1/2 inch from point to point;

3. An artificial jigging lure with not more than three single hooks measuring not more than 1/2 inch from point to shaft;

4. An artificial jigging lure with a combination of the hook limitations described in (b)2 and 3 above.

(c) Expressly prohibited are any devices with automatic hook setting capability. Natural bait may be used on the hooks of the artificial jigging lure. All devices that are not hand-held must be clearly marked with the name and address of the user and shall not be left unattended.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).  
See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

#### 7:25-6.15 Bow and arrow fishing

(a) Except as provided in N.J.A.C. 7:25-6.3, 6.18 and 6.19, it shall be legal to take any species of fish except brook trout, lake trout, brown trout, rainbow trout, landlocked Atlantic salmon, largemouth bass, smallmouth bass, striped bass, chain pickerel, northern pike, walleye, muskellunge, or any hybrids of any of these species, at any time by use of bow and arrow with line attached, provided a person has a proper fishing license. For the purpose of this section a bow means any longbow, recurved bow or compound bow that is hand-held and hand-drawn.

#### 7:25-6.16 Closed waters

(a) During the period of March 1 through June 30, it is illegal to fish, place any contrivance for the taking of fish, or attempt to catch or kill fish by any manner or means in any fish ladder, or within 100 feet or as posted feet of any fish ladder entrance or exit or 100 feet upstream from the crest of the spillway at Deal Lake.

(b) It is illegal to fish or attempt to catch or kill fish by any manner or means in waters within the boundaries of the State Fish Hatcheries, except where specifically permitted, that is, the Musconetcong River and Pequest River.

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a), substituted a reference to March 1 for a reference to April 1.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (a), inserted “, or flumes located at Deal Lake, Wreck Pond and Lake Takanasee” following “any fish ladder”.

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (a), deleted “or flumes located at Deal Lake, Wreck Pond and Lake Takanasee” following “by any manner or means in any fish ladder”; added “or 100 feet upstream from the crest of the spillway at Deal Lake” at the end of the paragraph.

#### 7:25-6.17 Emergency closure notice

It shall be illegal to fish or attempt to catch or kill fish by any manner or means in any waters for which the Director of the Division, upon approval of the Fish and Game Council,

issues an Emergency Closure Notice. Such notice shall be effective and/or rescinded immediately upon public notification. It shall be based upon imminent threat to the wellbeing of the fishery resource and/or its users, and may include any exceptions to the total ban on fishing that the Director deems practical.

Amended by R.2001 d.73, effective March 5, 2001.  
See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

#### 7:25-6.18 Wanton waste of fish prohibited

(a) Fish, of any species, taken, by any means, which are purposely killed, become part of the fisherman's daily creel or possession limit and must be removed from the waters from which they were taken, and adjacent lands, pursuant to N.J.S.A. 23:5-28. This section shall not apply to those fish which are released while still alive, by the angler, and subsequently die as a result of stress or hooking mortality.

(b) No person may tag or mark and release fish without first obtaining a special permit issued by the Division after a determination that the action will provide information that will be beneficial to the management of the fisheries resource and will not detract from any studies being planned or conducted by the Division or other scientific or educational organization. “Educational or scientific organization” means a governmental unit or a private institution that provides environmental or natural resource education to its students or a governmental unit or private institution whose primary service is the evaluation of environmental or natural resource conditions.

##### 1. Required permit information shall be as follows:

- i. The permittee's name;
- ii. The permittee's address;
- iii. The species of fish to be tagged or marked;
- iv. The type of tag or mark to be used;
- v. The location in which the marked fish will be released; and
- vi. The purpose of the tagging or marking of fish.

##### 2. Applications shall be directed to:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, NJ 08833-0394

##### 3. The permittee shall agree to:

- i. Submit a report of the results of the tagging study to the Division;
- ii. Display permittee's name and address or phone number on fish tags;

iii. Notification of, and permission from, the owner of the waterbody named in the application or the administering agency if that waterbody is publicly owned; and

iv. Comply with any local ordinances or other State laws or regulations.

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

Recodified the former section as (a); and added (b).

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

**7:25-6.19 Greenwood Lake**

(a) In cooperation with the New York State Department of Environmental Conservation, Division of Fish and Wildlife, the following regulations for Greenwood Lake, which lies partly in Passaic County, New Jersey, and partly in Orange County, New York, are made a part of the New Jersey State Fish and Game Code and will be enforced on the whole lake by the conservation authorities of both States.

<u>Species</u>	<u>Season</u>	<u>Size Limit</u>	<u>Daily Bag Limit</u>
Trout	No closed season	No minimum	3
Largemouth bass and smallmouth bass	Jan. 1–April 14, and June 16–Dec. 31	12 inch minimum	5 single or in total
Chain pickerel	April 15–June 15		Catch and release only
Muskellunge and any hybrid thereof	No closed season	15 inch minimum	5
Walleye	Jan. 1–Feb. 28 and May 1–December 31	36 inch minimum 18 inches	1 3
Channel catfish	No closed season	12 inches	5
Black crappie and white crappie	No closed season	8 inches	10 singly or in total
Yellow perch	No closed season	No minimum	50
Sunfish	No closed season	No minimum	50
All other species	No closed season	No minimum	No limit

2. On Greenwood Lake, it shall be legal for any ice fisherman to use up to five tip-ups and two hand-held devices for the taking of fish. All devices that are not hand-held must be plainly marked with the name and address of the angler. The ice fishing season is from ice-in to ice-out (when ice is present in a sufficient quantity to support fishing activities).

3. On Greenwood Lake, fishing will be permitted 24 hours a day.

4. Either New York or New Jersey fishing licenses will be honored on all of Greenwood Lake.

5. Bow and arrow fishing for carp, suckers, herring, catfish and eels by properly licensed fishermen, will be permitted on Greenwood Lake.

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1996).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In (a)1, changed dates for walleye.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a)1, changed dates for walleye season.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (a)1, changed dates for walleye season.

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).

See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).

In (a)1, changed dates for walleye season.

Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).

See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).

In (a)1, amended the dates for the walleye season.

Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (a)1, amended the dates for the walleye season.

Administrative correction.

See: 36 N.J.R. 3582(a).

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (a), amended the table in 1.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In (a)1, changed dates of Walleye season to reflect the upcoming calendar season.

**7:25-6.20 Delaware River between New Jersey and Pennsylvania**

(a) In cooperation with the Pennsylvania Fish and Boat Commission, the following regulations for the Delaware River between New Jersey and Pennsylvania are made a part of the New Jersey State Fish and Game Code and will be enforced by the conservation authorities of each state.

<u>Species</u>	<u>Season</u>	<u>Size Limit</u>	<u>Daily Bag Limit</u>
Trout	April 15, 2006– to Sept. 30, 2006	No minimum	5
	April 14, 2007– to Sept. 30, 2007	No minimum	5
American Shad	No closed season	No minimum	6
Hickory shad	Closed season	Closed season	Closed season
Largemouth bass and smallmouth bass	Jan. 1–April 14, 2006 and June 17, 2006– Dec. 31, 2006	12 inch minimum	5 singly or in total
	April 15, 2006– June 16, 2006	Catch and release only	
	Jan. 1–April 13, 2007 and June 16, 2007– Dec. 31, 2007	12 inch minimum	5 singly or in total
	April 14, 2007– June 15, 2007	Catch and release only	
Walleye	No closed season	18 inch minimum	3
Chain Pickerel	No closed season	12 inch minimum	5
Muskellunge and any hybrid thereof	No closed season	30 inch minimum	2
Northern Pike	No closed season	24 inch minimum	2
Baitfish, fish bait	No closed season	No minimum	50
Alewife and blueback (anadromous forms)	No closed season	No minimum	35 in total
Shortnose sturgeon	Closed–endangered species		
Atlantic sturgeon	Closed		
Striped bass and striped bass X white bass hybrid	Downstream of Calhoun Street Bridge Bridge season open March 1–30 and June 1–Dec. 31	28 inch minimum	2
	Upstream of Calhoun Street Bridge Bridge season open March 1–Dec. 31	28 inch minimum	2
All other freshwater species	No closed season	No minimum	No limit

2. Angling may be done with two rods each with one line or two lines or one of each. Not more than three single hooks or three burrs of three hooks each may be used per line.

3. Ice fishing shall be legal whenever ice is present. Open (unfrozen) water creel and size limits shall apply. The maximum size of the ice hole shall not exceed 10 inches in diameter. Five tip-ups or any combination of five devices that will include tip-ups of not more than two rods and lines or two hand lines or one of each may be used.

4. Spears (not mechanically propelled) and longbows may be used to take shad, eels, carp, suckers, herring and bullheads by properly licensed fishermen, except within 50 rods (825 feet) of an eel weir.

5. Bait fish may be taken and possessed for personal uses only but not to exceed 35 per day.

6. Eel weirs for the catching of carp, catfish, eels, and suckers only, may be operated under permit from the Division of Fish and Wildlife, for the purposes of sale, at any time of the year and at any time of day.

7. Hook and line fishermen are hereby restricted to the use of non-offset circle hooks while fishing with any natural bait during the months of April and May downstream of the Calhoun Street Bridge to the Commo-

dore Barry Bridge. This restriction shall apply only to hooks of size 2 and larger and shall not apply to hooks of smaller sizes (such as those normally used for white perch fishing).

Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).

See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).

Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).

See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).

Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).

See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).

In (a)1, changed dates for trout.

Amended by R.1999 d.67, effective March 1, 1999.

See: 30 N.J.R. 4203(a), 31 N.J.R. 639(a).

In (a)1, inserted a reference to American Shad and Hickory Shad.

Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).

See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).

In (a)1, changed April date in trout season, and substituted references to the Route 1 Bridge for references to Trenton Falls in striped bass and striped bass x white bass hybrid season.

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

In (a)1, changed daily bag limit by size in reference to striped bass and striped bass x white bass hybrids.

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).  
 Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).  
 See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).  
 In (a), added 7.  
 Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).  
 See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).  
 In (a)1, amended the tables; in (a)5, deleted “, including alewife and blueback herring, “ and substituted “35” for “50”; in 6, inserted “for the purpose of sale,” following “Division of Fish and Wildlife”.  
 Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).  
 See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).  
 In (a), amended table in 1, substituted “Calhoun Street Bridge” for “Route 1 Bridge” preceding “to the Commodore Barry Bridge” in 7.  
 Amended by R.2006 d.64, effective February 6, 2006.  
 See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).  
 In (a)1, rewrote the rules pertaining to seasons, size limits and stocking of Largemouth bass and smallmouth bass; rewrote the size **limits and stocking** of Striped bass and striped bass X white bass hybrid.

**7:25-6.21 Fresh Tidal Tributaries of the Delaware River and Bay**

Atlantic sturgeon may not be taken or possessed at any time.

Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).  
 See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).  
 Rewrote the section.

**7:25-6.22 Snapping turtles, bull frogs and green frogs**

(a) Any person who has a fishing license or is under the age of 16 or over 70 years of age, may in the waters of the State, take snapping turtles, bull frogs and green frogs by means of spears, hooks, dip nets not more than 24 inches in diameter, traps or by hand. Turtles may not be taken with a gun or bow and arrow. The use of set lines is prohibited.

(b) The daily limit for snapping turtles shall be three and the daily limit for both bull frogs and green frogs shall be 15 in total.

(c) A person shall not take, kill or have in possession snapping turtles from May 1 to June 15, or bull frogs and green frogs from April 1 to June 30.

(d) Snapping turtles, bull frogs and green frogs may be taken in numbers greater than the daily limit under special permit issued by the Division, for the purposes of sale, at its discretion.

1. To obtain a special permit an application may be obtained from the Division at:

New Jersey Division of Fish and Wildlife  
 Bureau of Freshwater Fisheries  
 PO Box 394  
 Lebanon, New Jersey 08833

2. Applications shall be directed to:

New Jersey Division of Fish and Wildlife  
 Bureau of Freshwater Fisheries  
 PO Box 394  
 Lebanon, New Jersey 08833

3. The permittee shall agree to:

- i. Comply with all reporting requirements in this subchapter;
- ii. Display his or her name and address on any traps left in the water unattended;
- iii. Notify and obtain permission from the owner of the waterbody where the trap is set;
- iv. Tend all traps at least once every 24 hours;
- v. Not transfer the permit to other operators;
- vi. Use only those traps that provide a means of escape, or survival, of species of turtles other than snapping turtles; and
- vii. Comply with any local ordinances and other State laws or regulations.

(e) Those species of frogs and turtles listed as State Threatened or Endangered may not be pursued, taken, killed or possessed. The possession of other species of frogs and turtles not regulated in this Code is regulated under N.J.S.A. 23:2A-6.

Amended by R.1994 d.234, effective May 16, 1994.  
 See: 26 N.J.R. 1047(a), 26 N.J.R. 2021(a).  
 Amended by R.1995 d.573, effective November 6, 1995 (operative January 1, 1996).  
 See: 27 N.J.R. 2657(a), 27 N.J.R. 4288(a).  
 Amended by R.1996 d.493, effective October 21, 1996 (operative January 1, 1997).  
 See: 28 N.J.R. 3495(a), 28 N.J.R. 4602(a).  
 Amended by R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).  
 See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).  
 Amended by R.1998 d.541, effective November 16, 1998 (operative January 1, 1999).  
 See: 30 N.J.R. 2552(a), 30 N.J.R. 4037(b).  
 In (c), changed dates.  
 Amended by R.1999 d.420, effective December 6, 1999 (operative January 1, 2000).  
 See: 31 N.J.R. 1839(a), 31 N.J.R. 4013(a).  
 In (c), changed dates throughout.  
 Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).  
 See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).  
 In (c), changed dates throughout.  
 Amended by R.2001 d.478, effective December 17, 2001 (operative January 1, 2002).  
 See: 33 N.J.R. 2748(a), 33 N.J.R. 4337(a).  
 In (c), changed dates throughout.  
 Amended by R.2002 d.379, effective November 18, 2002 (operative January 1, 2003).  
 See: 34 N.J.R. 1789(a), 34 N.J.R. 3963(a).  
 In (c), substituted “2003” for “2002” and “2004” for “2003” throughout.  
 Amended by R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).  
 See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

In (c), changed dates; rewrote (d); in (e), substituted "turtles not regulated in this Code is regulated under" for "turtles is regulated under" preceding "N.J.S.A. 23:2A-6".

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

In (c), amended the dates.

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In (a), substituted "under the age of 16 or over 70 years of age" for "entitled to fish without a license"; rewrote (c); in (d)1 and 2, rewrote address.

### 7:25-6.23 Special limited fishing licenses

(a) The Director of the Division may issue a permit to organizations that provide care for disabled persons authorizing those disabled persons to fish in a specified body of water, on a designated date, provided they are escorted by the staff of the organization, without a license or stamp as required by Title 23 of the New Jersey Statutes. This permit allows the taking of any species at any location at any time, subject to the following requirements. For the purposes of this section, an "organization that provides care for the disabled" shall mean a governmental or licensed private care facility that is responsible for the physical or mental developmental health of persons who have a lifelong need of supervised care. "Disabled person" shall mean a person who has a condition that substantially limits one or more of the major life functions such as caring for themselves, or limited mental development that prevents a person's caring for themselves, seeing, hearing, or speaking.

(b) Applications shall be made to the Division of Fish and Wildlife, Bureau of Freshwater Fisheries, PO Box 400, Trenton, New Jersey 086250400. Applications shall be submitted at least 21 days prior to the event upon the organization's letterhead stationery. Applications shall contain the date or dates of the proposed event, the body of water involved, the number of disabled persons who will be authorized by the permit, and the number of care providers. Angling under the authority of this permit shall be in accordance to season, size, creel limit and equipment restrictions. The permit shall be issued when the Director determines that the event will provide a natural resource educational experience for disabled persons consistent with the goals of the Division.

New Rule, R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Amended by R.2004 d.451, effective December 6, 2004 (operative January 1, 2005).

See: 36 N.J.R. 3463(b), 36 N.J.R. 5400(a).

### 7:25-6.24 Permits issued to educational or scientific organizations

(a) Educational or scientific organizations may apply to the Director, subject to approval by the Fish and Game Council, for a permit that shall authorize their participation in fisheries notwithstanding the requirements of N.J.A.C. 7:25-6. This permit would allow the taking of any species at any location at any time, subject to the requirements of this section. This permit shall satisfy any licensing requirement associated with such activity. Such permit shall be effective and/or rescinded immediately upon public notification. For the purposes of this section, "educational or scientific organization" shall mean a governmental unit or private institution that provides environmental or natural resource education to its students or a governmental unit or private institution whose primary service is the evaluation of environmental or natural resource conditions.

(b) Applications shall contain the dates of the proposed event, the body or bodies of water involved, the details of the activity, including a listing of any equipment that is expected to be used, the disposition of any aquatic life collected, and the number of persons who will be authorized by the permit. The Director shall grant the permit, subject to the requirements of this section, after a determination that the event will provide a natural resource educational experience or a scientific investigation consistent with the goals of the Division that cannot otherwise be accomplished in conformance with N.J.A.C. 7:25-6.

1. An application may be obtained from the Division at:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 400  
Trenton, New Jersey 08625-0400

2. Applications shall be directed to:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
PO Box 400  
Trenton, New Jersey 08625-0400

(c) The permittee shall agree to:

1. Abide by all permit conditions;
2. With the exception of sampling for educational purposes, notify the nearest regional law enforcement office 48 hours prior to sampling;
3. Notify and obtain permission from the owner of the waterbody prior to sampling;
4. Use standardized sampling protocols, as applicable;
5. Not transfer the permit to other researchers;
6. Submit a report of field data by December 31;

7. Submit a copy of the final report, as soon as it becomes available, to New Jersey Division of Fish and Wildlife, Bureau of Freshwater Fisheries, PO Box 400, Trenton, New Jersey 08625-0400; and

8. Comply with any local ordinances and other State laws or regulations.

New Rule, R.1997 d.538, effective December 15, 1997 (operative January 1, 1998).

See: 29 N.J.R. 3217(a), 29 N.J.R. 5289(a).

Amended by R.2000 d.462, effective November 20, 2000 (operative January 1, 2001).

See: 32 N.J.R. 2532(a), 32 N.J.R. 4103(b).

Amended by R.2001 d.73, effective March 5, 2001.

See: 32 N.J.R. 4435(a), 33 N.J.R. 874(a).

Amended by R.2006 d.64, effective February 6, 2006.

See: 37 N.J.R. 2974(a), 38 N.J.R. 957(a).

In introductory paragraph (b), deleted address for application submitted and added “, subject to the requirements of this section;”; added (b)1 and 2 and (c).

**7:25-6.25 Revocation of permits; penalties**

(a) Violation of any condition of a permit issued under this subchapter may result in revocation of the permit.

(b) A permittee who violates any condition of a permit issued under this subchapter may be subject to penalties under N.J.S.A. 23:4-1 and 5-11, or any other applicable statute.

New Rule, R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

**7:25-6.26 Requests for adjudicatory hearings**

(a) Any person, subject to the limitation on third party appeal rights set forth in P.L. 1993, c.359 (N.J.S.A. 52:14B-3.1 through 3.3), who believes himself or herself to be aggrieved with respect to a permit decision made by the Division may request an adjudicatory hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) A request for an adjudicatory hearing must be received by the Department within 30 calendar days after the person requesting the hearing receives notice of the Division’s decision. If the Department does not receive a hearing request within the allotted time, it shall deny the hearing request.

(c) A person requesting a hearing shall provide the following information in writing to the Department at the address in (f) below:

1. The name, address, and telephone number of the person requesting the hearing;

2. A copy of the decision document;

3. A description of any facts or issues which the petitioner believes constitute a defense to the decision made by the Division;

4. Information supporting the request and specific reference to or copies of other written documents relied upon to support the request;

5. An estimate of the time required for the hearing (in days and/or hours); and

6. A request, if necessary, for a barrier-free hearing location for physically disabled persons.

(d) If the person fails to include all of the information required by (c)1 through 6 above, the Department may deny the hearing request.

(e) A request for an adjudicatory hearing shall be submitted to the Department at the address listed below, with a copy to the Division of Fish and Wildlife at the address given at N.J.A.C. 7:25-6.11:

Office of Legal Affairs  
 New Jersey Department of Environmental  
 Protection  
 PO Box 402  
 Trenton, New Jersey 08625-0402  
 Attention: Adjudicatory Hearing Requests

New Rule, R.2003 d.472, effective December 1, 2003 (operative January 1, 2004).

See: 35 N.J.R. 2977(a), 35 N.J.R. 5372(a).

**SUBCHAPTER 7. MISCELLANEOUS SHELLFISH RULES**

**Subchapter Historical Note**

Subchapter 7, Miscellaneous Shellfish Rules, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Subchapter 7, Miscellaneous Shellfish Rules, expired on March 13, 1984.