

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), changed date at the end.

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 (a), changed date at the end.

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).

In (a), substituted "the day preceding the opening of the regular small game season, including November 9, 2001; November 8, 2002; November 7, 2003; November 12, 2004; and November 11, 2005" for "November 10, 2000".

Amended by R.2002 d.272, effective August 19, 2002, (operative August 24, 2002).

See: 34 N.J.R. 1504(a), 34 N.J.R. 2973(a).

Deleted "November 9, 2001" preceding "November 8, 2002".

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).

Changed dates in (a).

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).

Updated dates in (a).

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

(a) Property owners and occupants of dwellings suffering damage from squirrel, raccoon, opossum, skunk, weasel, woodchuck, gray fox, red fox and coyote, or their agents designated in writing, may control these animals by lawful procedures at any time subject to State law and local ordinances. Persons controlling coyotes under this provision shall notify one of the Regional Law Enforcement Offices within 24 hours.

(b) Farmers or their agents may control squirrels, raccoon, opossum, skunk, weasel, woodchuck, gray fox, red fox and coyotes, by lawful procedures at any time when found destroying livestock, crops or poultry, subject to State law and local ordinances. Farmers or their agents controlling coyotes under this provision shall notify one of the Regional Law Enforcement Offices within 24 hours.

(c) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1 and 23:4-9 and other applicable statutes.

Amended 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).

Amended by R.2002 d.272, effective August 19, 2002, (operative August 24, 2002).

See: 34 N.J.R. 1504(a), 34 N.J.R. 2973(a).

Rewrote (a) and (b).

7:25-5.22 Wild animals; possession, killing

(a) No person shall have in possession, kill, attempt to take, hunt for, pursue, shoot, shoot at, trap, or attempt to trap any wild mammal or wild birds unless an open season for the taking of such birds or mammals has been declared by the New Jersey Fish and Game Laws or Code and then only during the respective open seasons fixed by the New Jersey Fish and Game Laws or Code, except as provided in N.J.A.C. 7:25-5.15(a), (b) and (c).

(b) This section shall not apply to the taking of English sparrows, European starlings, or blackbirds that are doing damage to crops or property; nor shall it apply to the taking of household pests such as Norway rats and house mice.

1. Under Federal regulations, a person may kill yellow-headed, red-winged, bicolored red-winged, tricolored red-winged, and Brewer's blackbirds, cow-birds, all grackles, common crows and magpies when found committing or about to commit serious depredations upon any ornamental or shade tree, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance. None of the birds killed, nor their plumage, shall be sold or offered for sale, but may be possessed, transported, and otherwise disposed of or utilized.

2. Nothing in this section shall preclude a person from taking resident Canada geese or their nests or eggs as permitted by 50 CFR Part 21.49 through 21.61 as authorized by the U.S. Department of the Interior, Fish and Wildlife Service. Persons taking resident Canada geese or their nests or eggs under this section may be required to report on or keep a log of their activities if authorized by the U.S. Department of the Interior, Fish and Wildlife Service, as defined in 50 CFR Part 21.49 through 21.61. Methods and circumstances established by the U.S. Department of the Interior, Fish and Wildlife Service governing where Canada geese, or their nests or eggs, may be taken will be authorized by the Director, with the approval of the Council.

(c) Persons holding valid permits issued by the New Jersey Division of Fish and Wildlife for the possession or taking of any specific bird or mammal shall not be in violation of this section.

(d) The fact that a bird or mammal is not native to this State shall not constitute a defense to the possession, taking or attempting to take any wild bird or mammal in violation of this section.

(e) No person shall have in possession a deer, bear or turkey, or the parts thereof including the meat of a deer, bear or turkey, that he himself or she herself did not kill unless it has a tag or label bearing the date of harvest, possession seal number, and the name, address, telephone number, and license number of the person who killed the deer, bear or turkey.

1. Those in the business of processing deer, bear or turkey, that is butchers, taxidermists, etc., shall keep a ledger of all of their customers. Each customer's name, current address, day and evening telephone number, hunting license number and the possession seal number of any black bear, deer or turkey being processed shall be included in the ledger. This ledger shall be made available for inspection upon request made during the hours of 9:00 A.M. to 5:00 P.M. by any law enforcement officer or employee of the Division of Fish and Wildlife.

2. The possession seal which is issued at a designated black bear, deer or turkey check station shall always stay with the carcass, and with the meat after processing. If the black bear, deer or turkey is to be mounted by a taxidermist, the antlers, or in the case of a black bear, an antlerless deer or turkey, those parts of the animal being mounted, shall be labeled with the possession seal number and the name and address of the owner.

3. Nothing in this section shall preclude a person from collecting and possessing naturally shed deer antler(s).

(f) Not for profit and non-commercial organizations, including civic associations, volunteer fire departments and first aid squads, the New Jersey State Federation of Sportsmen's Clubs and their county affiliates, sportsmen's clubs and other conservation organizations, may conduct "wild game or venison dinner" fund raising events. These dinners/events may include prepared and ready-to-eat game and fur-bearing animal meat on a per serving basis. The game meat, the sale of which is otherwise prohibited, and fur-bearer animal meat, must be harvested, registered if required, stored and processed in accordance with applicable State, county, and local laws and regulations.

(g) In addition to the wildlife species and/or parts listed in N.J.S.A. 23:4-27, the pelt including the tail of the eastern gray squirrel (*Sciurus carolinensis*) may be sold, as defined in N.J.S.A. 23:4-27.

(h) The authority for the adoption of the foregoing section is found in N.J.S.A. 13:1B-30, 23:4-43, 23:4-47, 23:4-48, 23:4-50 and other applicable statutes.

Amended by R.1997 d.327, effective August 4, 1997 (operative August 9, 1997).

See: 29 N.J.R. 2213(a), 29 N.J.R. 3462(a).

Inserted new (e); recodified former (e) as (f); and in (f), inserted additional N.J.S.A. references.

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 (e)1, inserted "and the possession seal number of any deer or turkey being processed" following "license number" in the second sentence; and in (f), inserted a reference to N.J.S.A. 23:4-48.

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 (e), inserted references to black bears throughout.

Amended by R.2002 d.272, effective August 19, 2002, (operative August 24, 2002).

See: 34 N.J.R. 1504(a), 34 N.J.R. 2973(a).

Added (e)3; inserted a new (f) and (g) and recodified former (f) as (h). 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).

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).

In (a), added 2; rewrote (e).

Amended by R.2007 d.239, effective August 6, 2007.

See: 39 N.J.R. 587(a), 39 N.J.R. 3324(a).

In (b)2, inserted "Part 21.49 through" two times.

7:25-5.23 Firearms and missiles, etc.

(a) Except when legally engaged in deer or black bear hunting during the prescribed firearm seasons, respectively, no person shall have in his or her possession in the woods, fields, marshlands or on the water any shell or cartridge with missiles of any kind larger than No. 4 fine shot. This shall not apply to persons properly licensed and permitted for hunting during the special eastern coyote, red fox and gray fox hunting season, exclusively, who may use fine shot no smaller than #4 (.13 inches in diameter) or larger than #T (.20 inches in diameter). This shall not preclude farmers or their agents from using shot not larger than No. 4 buckshot to control woodchuck causing damage or a properly licensed person from hunting woodchuck with a rifle during the woodchuck season. For hunting woodchuck, center-fire rifles of .25 caliber or smaller or rim-fire rifles may be used. Center-fire rifles larger than .25 caliber may also be used provided that the bullets used do not exceed 100 grains in weight. All center-fire rifle ammunition used in hunting woodchucks must be hollow point, soft point or expanding lead core bullets. All rim-fire rifle ammunition used in hunting woodchuck must be hollow point or soft point type. Also excepted is the use of a muzzleloading rifle, .36 caliber or smaller, loaded with a single projectile during the prescribed portion of the squirrel season in designated areas. Waterfowl hunters may possess and use shotgun shells loaded with T (.200") steel fine shot or smaller or other non-toxic shot authorized by Federal regulations no larger than T (.200") shot and properly licensed persons hunting for raccoon or opossum with hounds or engaged in trapping for furbearing animals may possess and use a .22 caliber rifle and raccoon, or opossum or legally trapped furbearing animals other than muskrat. Notwithstanding the foregoing, this subsection shall not preclude agents and/or permittees operating under an approved Special Deer Management Permit (N.J.A.C. 7:25-5.32) from shooting deer with a rifle or a rifle equipped with a silencer or suppressor if that permit so specifically provides. Rifles for this purpose shall be restricted as specifically provided in that permit to include only .22, .223, .270 and .45 caliber or other calibers approved by the Division. Only highly frangible bullets shall be employed in .223 and .270 caliber rifles. Bullets employed in .22 and .45 caliber rifles shall be restricted to those designed to provide maximum expansion and limited penetration. As a part of a Special Deer Management Permit, use of .22 rim-fire ammunition is restricted to euthanasia of captive deer only.

first-served basis to any properly licensed hunter or qualified farmer, after the permit selection process.

(i) Pursuant to the provisions of N.J.S.A. 23:3-56.1. Occupant and Non-occupant Farmer Bow Permit Season Permits shall be applied for as follows:

1. Only the owner or lessee of a farm, who resides thereon, or the spouse or children of that farmer 10 years of age or older who reside in the farmer's household, may apply on forms provided for a farmer bow permit season permit. Under this section a farm is an area of five acres or more and producing a gross income in excess of \$500.00 and is tax assessed as farmland. Farmer bow permit season permits will be issued only in those deer management zones where a bow permit season is prescribed.

2. The owner or lessees of a farm, who does not reside thereon, and their spouse or children 10 years of age or older, may apply on forms provided for a non-occupant farmer deer permit. Under this subsection, applicants must farm 30 tilled acres that are tax assessed as farmland. Wood lots are not included in acreage needed to qualify. Properties do not need to be contiguous. No more than five individuals may receive a permit for the season for a property. The applicants must be the farmer or farmers, their spouses and their children aged 10 and older.

3. Application forms may be obtained from:

i. County Agricultural Agent,

ii. Division of Fish and Wildlife, PO Box 400, Trenton, NJ 08625-0400; and

iii. Division field offices.

4. The application form shall be filled in to include: Conservation ID Number or name, age, size of farm, address, social security number, and any other information requested thereon. Properly completed application forms will be accepted during the period of June 1 to October 1. After that date, permits may not be received in time for the opening day of the season. There is no fee required, and all qualified applications will receive a farmer permit bow season permit, delivered by mail.

5. Only one farmer application may be submitted per individual. Application for a farmer bow permit season permit shall not preclude an individual from applying for either the farmer muzzleloader rifle or shotgun permit seasons permits, or from applying for one regular bow permit season permit as a bow hunting license applicant. Application for more than the allowable number of permits during the initial application period will cause all applications by the individual to be void.

(j) Bow, Occupant Farmer Bow and Non-occupant Farmer Bow Permit Season Permits shall be used as follows:

1. The antlerless and bonus bow and arrow permit season permits are valid only in the deer management zone

(DMZ) designated and are not transferable from individual to individual. The bow and arrow permit season permit hunter is responsible for hunting in the correct DMZ or farm as indicated and in ascertaining the boundaries.

2. The occupant farmer antlerless and bonus bow permit season permits are valid only on the farm occupied and designated in the application and are not transferable from deer management zone to deer management zone, or from farm to farm or from individual to individual. The occupant farmer bow permit season permit hunter is responsible for hunting on the correct farm in the correct DMZ as indicated and in ascertaining the boundaries.

3. The non-occupant farmer antlerless and bonus bow season permits are valid only on private land within the deer management zone designated in the permit and are not valid on public lands within the DMZ. The permits are not transferable from deer management zone to deer management zone or from individual to individual. The non-occupant farmer bow permit season hunter is responsible for hunting on private lands in the correct DMZ as indicated and in ascertaining the boundaries.

(k) The Deer Management Zone Map is on file at the Office of Administrative Law and is available from that agency or the Division. The 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, and 2011-2012 Bow Permit Season Quotas are as follows:

BOW PERMIT SEASON PERMIT QUOTAS

Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved
1	1	1,105	Sussex
2	7	2,790	Sussex
3	1	1,185	Sussex, Passaic, Bergen, Morris
4	1	1,140	Sussex, Warren
5	7	4,300	Sussex, Warren
6	1	2,210	Sussex, Morris, Passaic, Essex, Warren
7	2	2,100	Warren, Hunterdon
8	2	4,210	Warren, Hunterdon, Morris, Somerset
9	2	1,115	Morris, Somerset
10	2	2,440	Warren, Hunterdon
11	2	1,580	Hunterdon
12	2	3,080	Mercer, Hunterdon, Somerset
13	2	1,650	Morris, Somerset, Union
14	2	2,290	Mercer, Somerset, Middlesex, Burlington
15	2	1,820	Mercer, Monmouth, Middlesex
16	7	1,850	Ocean, Monmouth
17	7	880	Ocean, Monmouth, Mercer, Burlington
18	1	635	Ocean

Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved
19	7	1,910	Camden, Burlington
21	1	970	Burlington, Ocean
22	7	480	Burlington, Ocean
23	1	1,020	Burlington, Camden, Atlantic
24	1	370	Burlington, Ocean
25	7	1,455	Gloucester, Camden, Atlantic, Salem
26	7	1,315	Atlantic
27	7	1,285	Salem, Cumberland
28	7	1,400	Salem, Cumberland, Gloucester
29	7	1,145	Salem, Cumberland
30	1	435	Cumberland
31	7	390	Cumberland
34	1	1,240	Cape May, Cumberland
35	7	1,740	Gloucester, Salem
36	2	500	Bergen, Hudson, Essex, Morris, Union, Somerset, Middlesex, Passaic
37	5	300	Burlington, Ocean (Fort Dix Military Reservation)
38		0	Morris (Great Swamp National Wildlife Refuge)
39	4	110	Monmouth (Earle Naval Weapons Station)
40	4	80	Monmouth (Earle Naval Weapons Station – Waterfront)
41	2	830	Mercer, Hunterdon
42	7	600	Atlantic
43	1	185	Cumberland
45	1	420	Cumberland, Atlantic, Cape May
46	1	300	Atlantic
47	7	360	Atlantic, Cumberland, Gloucester
48	7	1,040	Burlington
49	2	285	Burlington, Camden, Gloucester
50	2	1,320	Middlesex, Monmouth
51	2	740	Monmouth, Ocean
53	6	100	Ocean (Lakehurst Naval Engineering Station)
54	4	50	Morris (Picatinny Arsenal- ARRAD Com)
55	1	140	Gloucester
56		0	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
57	7	40	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
58	2	35	Burlington, Ocean (Edwin B. Forsythe National

Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved
			Wildlife Refuge)
61	3	40	Atlantic (Atlantic County Park System)
63	7	320	Salem
64		0	Monmouth (Monmouth Battlefield State Park)
65	1	390	Gloucester, Camden
66	4	80	Atlantic (Federal Aviation Administration William J. Hughes Technical Center)
67		0	Sussex (High Point State Park)
68	7	100	Burlington (Parker Preserve)
70	7	15	Burlington, Ocean (Edwin B. Forsythe National Wildlife Refuge)
Total		59,915	

(l) See (d)1 through 7 above for corresponding season date codes.

(m) Permit quotas for Zones 37, 39, 40, 53, 54, 57, 58, 59, 61 and 66 are contingent upon approval by the appropriate land management agencies for these zones.

(n) Limited quota, bow and arrow permit season permits not applied for by the deadlines enumerated in (h)4 and (i)4 above may be reallocated to muzzleloader rifle or shotgun permit season permit applicants.

Amended by R.1995 d.427, effective August 7, 1995.

See: 27 N.J.R. 1897(a), 27 N.J.R. 2889(a).

Amended 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).

Amended by R.1997 d.327, effective August 4, 1997 (operative August 9, 1997).

See: 29 N.J.R. 2213(a), 29 N.J.R. 3462(a).

Rewrote (c); subdivided (d) and amended zones and dates of season; in (f), inserted reference to (c)1 and special hunts and added one deer per day provision; added (f)2; in (g), inserted "or a proper and valid bonus tag"; in (h)3, substituted "law or as imposed by a court" for "N.J.S.A. 23:3-22; in (k), amended year for permit quotas and amended season dates, anticipated harvest, and quotas in permit table and added Sussex to table; in (l), amended dates of season dates throughout; and in (m), added zone 57.

Amended by R.1998 d.408, effective August 3, 1998 (operative August 8, 1998).

See: 30 N.J.R. 1681(a), 30 N.J.R. 2886(a).

Rewrote (c) and (d); in (h), inserted new application requirement "social security number" in 4; in (i), inserted new application requirement "social security number" in 3; in (k), changed season dates, changed Anticipated Deer Harvest numbers and changed Permit Quota numbers; and in (l), changed season dates in 1 and 2, and deleted a former 3.

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).

Rewrote the section.

Amended by R.2000 d.218, effective May 15, 2000.

See: 32 N.J.R. 740(a), 32 N.J.R. 1806(a).