

**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**

Effective: June 12, 2014.  
See: 46 N.J.R. 1641(b).

**Chapter Expiration Date**

Chapter 25, Division of Fish and Wildlife Rules, expires on June 12, 2021.

**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 15, Clam Relay Program, was adopted as new rules by R.1977 d.167, effective May 11, 1977. See: 9 N.J.R. 264(b).

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).

Subchapter 15, Clam Relay Program, was repealed, and Subchapter 15, Clam Relay Program, was adopted as emergency new rules by R.1982 d.309, effective August 27, 1982. See: 14 N.J.R. 1055(a). The provisions of R.1982 d.309 were readopted as R.1982 d.411, effective October 28, 1982. See: 14 N.J.R. 1055(a), 14 N.J.R. 1300(d).

Subchapter 15, Clam Relay Program, was adopted as emergency new rules by R.1983 d.519, effective October 27, 1983, expired November 18, 1983.

Subchapter 15, Clam Relay Program, was adopted as emergency new rules by R.1984 d.65, effective March 1, 1984, to expire April 30, 1984. See: 16 N.J.R. 560(a). The provisions of R.1984 d.65 were readopted as R.1984 d.165, effective May 7, 1984. See: 16 N.J.R. 560(a), 16 N.J.R. 1086(a).

Pursuant to Executive Order No. 66(1978), Subchapter 18 was re-adopted 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Subchapter 18, Marine Fisheries, was repealed and Subchapter 18, Marine Fisheries, was adopted as new rules by Emergency Rule R.1985 d.674, effective December 17, 1985.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, Game and Wildlife Rules, was readopted as R.2001 d.73, effective January 30, 2001. As a part of R.2001 d.73, Chapter 25, Division of Fish, Game and Wildlife Rules, was renamed Division of Fish and Wildlife Rules; and Subchapter 2, Use of All Land and Water Areas Under

the Control of the Division of Fish, Game and Wildlife, was renamed Use of All Land and Water Areas Under the Control of the Division, effective March 5, 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: 39 N.J.R. 587(a), 39 N.J.R. 3324(a).

Subchapter 6, 2006-2007 Fish Code, was renamed 2008-2009 Fish Code by R.2008 d.65, effective March 17, 2008. See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Subchapter 5, 2006-2011 Game Code, was renamed 2009-2012 Game Code by R.2009 d.276, effective September 8, 2009 (operative September 13, 2009). See: 41 N.J.R. 1320(a), 41 N.J.R. 3217(b).

Subchapter 6, 2008-2009 Fish Code, was renamed 2010-2011 Fish Code by R.2010 d.013, effective January 4, 2010. See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

Subchapter 5, 2009-2012 Game Code, was renamed 2011-2012 Game Code by R.2011 d.237, effective September 6, 2011 (operative September 11, 2011). See: 43 N.J.R. 1112(a), 43 N.J.R. 2307(a).

Subchapter 6, 2010-2011 Fish Code, was renamed 2012-2013 Fish Code by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012). See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Subchapter 5, 2011-2012 Game Code, was renamed 2013-2014 Game Code by R.2013 d.115, effective September 16, 2013 (operative September 21, 2013). See: 45 N.J.R. 787(a), 45 N.J.R. 2121(a).

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 25, Division of Fish and Wildlife Rules, was scheduled to expire on July 13, 2014. See: 43 N.J.R. 1203(a).

Chapter 25, Division of Fish and Wildlife Rules, was readopted, effective June 12, 2014. See: Source and Effective Date.

Subchapter 5, 2013-2014 Game Code, was renamed 2015-2016 Game Code by R.2015 d.147, effective September 8, 2015 (operative September 13, 2015). See: 47 N.J.R. 577(a), 47 N.J.R. 2264(a).

## 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 List providing conservation status of New Jersey's indigenous nongame wildlife species
- 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. 2015-2016 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*), black-tailed jackrabbit (*Lepus californicus*), white-tailed jackrabbit (*Lepus townsendii*), European hare (*Lepus europeus*), chukar partridge (*Alectoris graeca*), Hungarian partridge (*Perdix perdix*), and bobwhite 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 (*Lontra 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*), fisher (*Martes pennanti*), 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

## DIVISION OF FISH AND WILDLIFE RULES

7:25-5.38 Fish and Game Law Enforcement Region Headquarters  
7:25-5.39 Severability

### SUBCHAPTER 6. 2012 – 2013 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—catch and release only  
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; tagging and marking of fish  
7:25-6.19 Greenwood Lake  
7:25-6.20 Delaware River between New Jersey and Pennsylvania  
7:25-6.21 (Reserved)  
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 Water lowering  
7:25-6.26 Fish stocking; fish culture facilities  
7:25-6.27 Revocation of permits; penalties  
7:25-6.28 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

### 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  
7:25-12.9 Prohibited surf clam harvest areas; reopening of closed surf clam harvest areas  
7:25-12.10 Harvest limitations; surf clam harvest quota  
7:25-12.11 Bait clams  
7:25-12.12 Landing fees, tags, transfers of tags  
7:25-12.13 Weekly reporting  
7:25-12.14 Issuance of surf clam licenses  
7:25-12.15 Issuance of bait clam vessel licenses  
7:25-12.16 Licensing fees  
7:25-12.17 Renewal of surf clam licenses and bait clam vessel licenses  
7:25-12.18 Signatories; certification  
7:25-12.19 Penalties  
7:25-12.20 Hearings

### SUBCHAPTER 13. LEASED TIDAL GROUNDS

7:25-13.1 Marking of leased tidal grounds; Delaware River and Bay

### SUBCHAPTER 14. CRAB AND LOBSTER MANAGEMENT

7:25-14.1 Definitions  
7:25-14.2 Use of crab pots and trot lines  
7:25-14.3 Hours of fishing  
7:25-14.4 Commercial licenses for crab pots/trot lines and crab dredges  
7:25-14.5 Non-commercial licenses for crab pot/trot line and crab dredges  
7:25-14.6 Placement and marking of pots and trot lines  
7:25-14.7 Use of crab dredges  
7:25-14.8 Landing crabs  
7:25-14.9 Female crabs with eggs attached  
7:25-14.10 Size of crabs taken  
7:25-14.11 Harvesting crabs  
7:25-14.12 Filing of reports  
7:25-14.13 Size of lobster taken  
7:25-14.14 Lobster possession limits  
7:25-14.15 Prohibitions  
7:25-14.16 Eligibility for lobster pot permit and pot allocation  
7:25-14.17 Lobster pot tag program  
7:25-14.18 Exceptions for research  
7:25-14.19 Administrative notice  
7:25-14.20 Penalties  
7:25-14.21 Request for adjudicatory hearing

### SUBCHAPTER 15. CLAM RELAY PROGRAM

7:25-15.1 Relay of hard clams

**SUBCHAPTER 16. DEFINING FISHING LINES**

- 7:25-16.1 Defining lines upstream of which license is required to fish with handline, rod and line or long bow and arrow

**SUBCHAPTER 17. DISPOSAL AND POSSESSION OF DEAD DEER**

- 7:25-17.1 Scope
- 7:25-17.2 Purpose
- 7:25-17.3 Construction
- 7:25-17.4 Authorized persons and disposal or possession
- 7:25-17.5 Dead deer on private property
- 7:25-17.6 Possession of dead deer
- 7:25-17.7 Information required

**SUBCHAPTER 18. MARINE FISHERIES**

- 7:25-18.1 Size, season, and possession limits
- 7:25-18.2 Pound nets
- 7:25-18.3 Net identification tags
- 7:25-18.4 Spearfishing
- 7:25-18.5 General net regulations
- 7:25-18.5A Artificial reefs
- 7:25-18.6 Delaware Bay commercial and non-commercial gill net permit.
- 7:25-18.7 Eligibility for Delaware Bay commercial and non-commercial gill net permits during the 60-days following June 3, 1991
- 7:25-18.8 Eligibility for Delaware Bay commercial and non-commercial gill net permits after the 60-day period following June 3, 1991
- 7:25-18.9 Application for Delaware Bay commercial and noncommercial gill net permits
- 7:25-18.10 Issuance of Delaware Bay commercial and non-commercial gill net permits after August 2, 1991
- 7:25-18.11 Transfer of Delaware Bay commercial and noncommercial gill net permits
- 7:25-18.12 Commercial fishing seasons, quotas, and trip limits
- 7:25-18.13 Striped bass bonus program
- 7:25-18.14 Otter and beam trawls
- 7:25-18.15 Atlantic sturgeon management
- 7:25-18.16 Horseshoe crab (*Limulus polyphemus*)
- 7:25-18.17 Request for adjudicatory hearing

**SUBCHAPTER 18A. FISHERIES CLOSURES AND ADVISORIES FOR STRIPED BASS, AMERICAN EEL, BLUEFISH, WHITE PERCH AND WHITE CATFISH TAKEN FROM THE NORTHEAST REGION OF THE STATE**

- 7:25-18A.1 Authority
- 7:25-18A.2 Scope and construction
- 7:25-18A.3 Definitions
- 7:25-18A.4 Closure of fisheries
- 7:25-18A.5 Public advisories concerning fisheries
- 7:25-18A.6 Public notice of fisheries closures and advisories
- 7:25-18A.7 Violations

**SUBCHAPTER 19. ATLANTIC COAST HARVEST SEASON**

- 7:25-19.1 Scope
- 7:25-19.2 Purpose
- 7:25-19.3 Construction
- 7:25-19.4 Definitions
- 7:25-19.5 Method and season of harvest

**SUBCHAPTER 20. (RESERVED)**

**SUBCHAPTER 21. TERRAPIN REGULATIONS**

- 7:25-21.1 Designation of terrapin season
- 7:25-21.2 Taking of terrapin
- 7:25-21.3 Size requirement

**SUBCHAPTER 22. FISHERY MANAGEMENT IN NEW JERSEY**

- 7:25-22.1 Taking of Atlantic menhaden for fish meal reduction
- 7:25-22.2 (Reserved)
- 7:25-22.3 Taking of Atlantic menhaden for bait
- 7:25-22.4 Vessel boarding

**SUBCHAPTER 23. PERMIT TO KILL WILD DEER**

- 7:25-23.1 Scope
- 7:25-23.2 Purpose
- 7:25-23.3 Construction
- 7:25-23.4 Definitions
- 7:25-23.5 Permit required; authorized permittee; agents
- 7:25-23.6 Permit conditions
- 7:25-23.7 Liability
- 7:25-23.8 Penalties

**SUBCHAPTER 24. LEASING OF ATLANTIC COAST BOTTOM FOR AQUACULTURE**

- 7:25-24.1 Scope and authority
- 7:25-24.2 Construction
- 7:25-24.3 Severability
- 7:25-24.4 Definitions
- 7:25-24.5 Lease applications for new ground
- 7:25-24.6 Consideration of lease applications for new ground
- 7:25-24.7 Hydrographic survey charges; annual lease fees
- 7:25-24.8 Lease renewal
- 7:25-24.9 Lease transfers
- 7:25-24.10 Staking of leases
- 7:25-24.11 Improper staking of leases
- 7:25-24.12 Protection of leased lands from invasion
- 7:25-24.13 Disposition of condemned lease areas
- 7:25-24.14 Disposition of terminated lease areas
- 7:25-24.15 Research/educational activities
- 7:25-24.16 Signatories; certification
- 7:25-24.17 Penalties

**SUBCHAPTER 1. GENERAL PROVISIONS**

**7:25-1.1 Scope**

Unless otherwise provided, the following shall constitute supplements to the statutes governing fish and game laws.

**Case Notes**

In constitutional challenge by unincorporated organization whose members advocated and practiced a "clothing-optional lifestyle" to local ordinance barring nude sunbathing on township beaches, ordinance held constitutional and generally enforceable in township; ordinance unenforceable on beach located on State-owned lands inside township boundaries. *Tri-State Metro Naturists v. Lower Twp.*, 219 N.J.Super. 103, 529 A.2d 1047 (Law Div.1987).

**7:25-1.2 Construction**

These rules shall be liberally construed to permit the department, the Division of Fish and Wildlife and its various agencies to discharge its statutory functions.

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

(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. 2012 – 2013 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 1, 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.

(d) 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, pursuant to N.J.A.C. 7:25-6.3 and 6.4.

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

(f) Except as provided in N.J.A.C. 7:25-6.20, or when fishing from a boat, canoe, kayak or similar vessel, the num-

ber of rods, and lines or hand lines shall not exceed three per person.

(g) The possession and/or release of live potentially dangerous fish species, identified in N.J.A.C. 7:25-6.2, is strictly prohibited. Potentially dangerous fish species encountered while angling shall be destroyed. There are no season, minimum size or creel limits on these species.

(h) Except for Greenwood Lake and the Delaware River between New Jersey and Pennsylvania, for which limits are specified in N.J.A.C. 7:25-6.19 and 6.20, respectively, for those species of freshwater fish that do not have specified daily creel and possession limits, the daily creel and possession limit shall be 25 in total.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Added (d), (e), and (f).

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

Added (g).

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Added (h).

## 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 (landlocked form)                              | <i>Alosa pseudoharengus</i> ;   |
| 2. American Brook Lamprey                                 | <i>Lampetra appendix</i> ;  |
| 3. American Eel   | <i>Anguilla rostrata</i> , greater than six inches in length;   |
| 4. Banded Killifish                                       | <i>Fundulus diaphanus</i> ;   |
| 5. Bluntnose Minnow                                       | <i>Pimephales notatus</i> ;   |
| 6. Fathead Minnow   | <i>Pimephales promelas</i> ;  |
| 7. Gizzard Shad   | <i>Dorosoma cepedianum</i> ;  |
| 8. Golden Shiner  | <i>Notemigonus crysoleucas</i> ;  |
| 9. Margined Madtom  | <i>Noturus insignis</i> ;   |
| 10. Mummichog   | <i>Fundulus heteroclitus</i> ;  |
| 11. Rainwater Killifish                                   | <i>Lucania parva</i> ;  |
| 12. Spotfin Killifish                                     | <i>Fundulus luciae</i> ;  |
| 13. Tadpole Madtom  | <i>Noturus gyrinus</i> ; and  |
| 14. All shiner, dace, and minnow of the following genera: | <i>Cyprinella</i> , <i>Exoglossum</i> , <i>Hybognathus</i> , <i>Luxilus</i> , <i>Notropis</i> , <i>Rhinichthys</i> and <i>Semotilus</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. American Eel  | <i>Anguilla rostrata</i> ;     |
| 2. American Shad   | <i>Alosa sapidissima</i> ;     |
| 3. Black Bullhead  | <i>Ameiurus melas</i> ;        |
| 4. Bowfin  | <i>Amia calva</i> ;            |
| 5. Brown Bullhead  | <i>Ameiurus nebulosus</i> ;    |
| 6. Common Carp   | <i>Cyprinus carpio</i> ;       |
| 7. Channel Catfish   | <i>Ictalurus punctatus</i> ;   |
| 8. Gizzard Shad  | <i>Dorosoma cepedianum</i> ;   |
| 9. White Catfish   | <i>Ameiurus catus</i> ;        |
| 10. White Perch  | <i>Morone americana</i> ;      |
| 11. White Sucker   | <i>Catostomus commersoni</i> ; |
| 12. Yellow Bullhead  | <i>Ameiurus natalis</i> ;      |
| 13. Yellow Perch   | <i>Perca flavescens</i> ; and  |
| 14. Any other marine fish species that is legal for taking with net in marine waters, except Striped Bass, Alewife and Blueback Herring. |                                |

“Indigenous fish” means the following species and all hybrids and strains thereof, including the young or eggs of any such species:

- |                          |                                |
|--------------------------|--------------------------------|
| 1. Alewife               | <i>Alosa pseudoharengus</i>    |
| 2. American Eel          | <i>Anguilla rostrata</i>       |
| 3. Banded Killifish      | <i>Fundulus diaphanus</i>      |
| 4. Blueback Herring      | <i>Alosa aestivalis</i>        |
| 5. Bowfin                | <i>Amia calva</i>              |
| 6. Bullhead, Brown       | <i>Ameiurus nebulosus</i>      |
| 7. Bullhead, Yellow      | <i>Ameiurus natalis</i>        |
| 8. Catfish, White        | <i>Ameiurus catus</i>          |
| 9. Creek Chub            | <i>Semotilus atromaculatus</i> |
| 10. Creek Chubsucker     | <i>Erimyzon oblongus</i>       |
| 11. Dace, Blacknose      | <i>Rhinichthys atratulus</i>   |
| 12. Dace, Longnose       | <i>Rhinichthys cataractae</i>  |
| 13. Darter, Shield       | <i>Percina peltata</i>         |
| 14. Darter, Swamp        | <i>Etheostoma fusiforme</i>    |
| 15. Darter, Tessellated  | <i>Etheostoma olmstedi</i>     |
| 16. Eastern Mosquitofish | <i>Gambusia holbrooki</i>      |
| 17. Eastern Mudminnow    | <i>Umbra pygmaea</i>           |
| 18. Fallfish             | <i>Semotilus corporalis</i>    |
| 19. Hogchoker            | <i>Trinectes maculatus</i>     |
| 20. Hogsucker, Northern  | <i>Hypentelium nigricans</i>   |

21. Lamprey, American Brook	Lampetra appendix
22. Lamprey, Sea	Petromyzon marinus
23. Longnose Gar	Lepisosteus osseus
24. Madtom, Margined	Noturus insignis
25. Madtom, Tadpole	Noturus gyrinus
26. Minnow, Cutlips	Exoglossum maxillingua
27. Minnow, Eastern Silvery	Hybognathus regius
28. Mummichog	Fundulus heteroclitus
29. Perch, Pirate	Aphredoderus sayanus
30. Perch, White	Morone americana
31. Perch, Yellow	Perca flavescens
32. Pickerel, Chain	Esox niger
33. Pickerel, Redfin	Esox americanus
34. Pumpkinseed	Lepomis gibbosus
35. Quillback	Carpionodes cyprinus
36. Sculpin, Slimy	Cottus cognatus
37. Shad, American	Alosa sapidissima
38. Shad, Gizzard	Dorosoma cepedianum
39. Shad, Hickory	Alosa mediocris
40. Shiner, Bridle	Notropis bifrenatus
41. Shiner, Comely	Notropis amoenus
42. Shiner, Common	Luxilus cornutus
43. Shiner, Golden	Notemigonus crysoleucas
44. Shiner, Ironcolor	Notropis chalybaeus
45. Shiner, Satinfish	Cyprinella analostana
46. Shiner, Spotfin	Cyprinella spiloptera
47. Shiner, Spottail	Notropis hudsonius
48. Shiner, Swallowtail	Notropis procne
49. Stickleback, Fourspine	Apletes quadracus
50. Stickleback, Threespine	Gasterosteus aculeatus
51. Stickleback, Ninespine	Pungitius pungitius
52. Striped Bass	Morone saxatilis
53. Sturgeon, Atlantic	Acipenser oxyrinchus
54. Sturgeon, Shortnose	Acipenser brevirostrum
55. Sucker, White	Catostomus commersonii
56. Sunfish, Banded	Enneacanthus obesus
57. Sunfish, Blackbanded	Enneacanthus chaetodon
58. Sunfish, Bluespotted	Enneacanthus gloriosus
59. Sunfish, Mud	Acantharchus pomotis
60. Sunfish, Redbreasted	Lepomis auritus
61. Trout, Brook	Salvelinus fontinalis

“In-season stocking period” shall mean April 9, 2012 through May 25, 2012 for the 2012 trout season, April 8, 2013 through May 22, 2013 for the 2013 trout season, April 7, 2014 through May 23, 2014 for the 2014 trout season, April 6, 2015 through May 22, 2015 for the 2015 trout season, and April 11, 2016 through May 27, 2016 for the 2016 trout season.

“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.

“Opening day” shall mean 8:00 A.M. on April 7, 2012 for the 2012 trout season, 8:00 A.M. on April 6, 2013 for the 2013 trout season, 8:00 A.M. on April 5, 2014 for the 2014 trout season, 8:00 A.M. on April 4, 2015 for the 2015 trout season, and 8:00 A.M. on April 9, 2016 for the 2016 trout season.

“Oswego bass” or “black bass” shall mean largemouth and smallmouth bass.

“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.

“Potentially dangerous fish” means the following species:

- |                         |                             |
|-------------------------|-----------------------------|
| 1. Asian Swamp Eel      | Monopterus albus            |
| 2. Bighead Carp         | Hypophthalmichthys nobilis  |
| 3. Brook Stickleback    | Culaea inconstans           |
| 4. Flathead Catfish     | Pylodictis olivaris         |
| 5. Grass Carp (diploid) | Ctenopharyngodon idella     |
| 6. Green Sunfish        | Lepomis cyanellus           |
| 7. Snakeheads           | Channa spp.                 |
| 8. Oriental Weatherfish | Misgurnus anguillicaudatus  |
| 9. Silver Carp          | Hypophthalmichthys molitrix |
| 10. Warmouth            | Lepomis gulosus             |

“Pre-season closure” shall be the period from midnight March 18, 2012 to 8:00 A.M. April 7, 2012 for the 2012 trout season, the period from midnight March 17, 2013 to 8:00 A.M. April 6, 2013 for the 2013 trout season, the period from midnight March 16, 2014 to 8:00 A.M. April 5, 2014 for the 2014 trout season, the period from midnight March 15, 2015 to 8:00 A.M. April 4, 2015 for the 2015 trout season, and the period from midnight March 20, 2016 to 8:00 A.M. April 9, 2016 for the 2016 trout season. Unless otherwise specified, this closure applies to all waters, both public and private, stocked with trout.

“Set line” means a line(s) to which a hook(s) is attached placed in freshwaters of the State for the purpose of taking fish or turtles, that is secured to shore, or to a fixed or buoyant object, except as permitted when ice fishing. All rods, reels, or hand lines not under immediate control will be considered unattended and considered a set line. In accordance with N.J.S.A. 23:5-13, set lines are prohibited in any State water inhabited by Pickerel, Pike, Pike Perch, Black

Bass, Oswego Bass, White Bass, Calico Bass, Perch, or Trout.

"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. Atlantic (landlocked) Salmon | Salmo salar           |
| 2. Brook Trout                  | Salvelinus fontinalis |
| 3. Brown Trout                  | Salmo trutta          |
| 4. Lake Trout                   | Salvelinus namaycush  |
| 5. Rainbow Trout                | Oncorhynchus mykiss   |

"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. Banded Sunfish      | Enneacanthus obesus        |
| 2. Blackbanded Sunfish | Enneacanthus chaetodon     |
| 3. Black Crappie       | Pomoxis nigromaculatus     |
| 4. Bluegill            | Lepomis macrochirus        |
| 5. Bluespotted Sunfish | Enneacanthus gloriosus     |
| 6. Chain Pickerel      | Esox niger                 |
| 7. Channel Catfish     | Ictalurus punctatus        |
| 8. Largemouth Bass     | Micropterus salmoides      |
| 9. Longear Sunfish     | Lepomis megalotis          |
| 10. Mud Sunfish        | Acantharchus pomotis       |
| 11. Muskellunge        | Esox masquinongy           |
| 12. Northern Pike      | Esox lucius                |
| 13. Pumpkinseed        | Lepomis gibbosus           |
| 14. Redbreast Sunfish  | Lepomis auitus             |
| 15. Redear Sunfish     | Lepomis microlophus        |
| 16. Redfin Pickerel    | Esox americanus americanus |
| 17. Smallmouth Bass    | Micropterus dolomieu       |
| 18. Striped Bass       | Morone saxatilis           |
| 19. Walleye            | Sander vitreus             |
| 20. White Crappie      | Pomoxis annularis; and     |
| 21. Yellow Perch       | Perca flavescens           |

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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Rewrote definitions "Baitfish", "Foodfish", "Other fish species", "Trout", and "Warmwater fish"; and added definitions "In-season stocking period", "Opening day", "Oswego bass" and "Pre-season closure".

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

Rewrote definition "Baitfish"; in the second column of entry 2 of definition "Other fish species", substituted "Anguilla" for "Anguilla"; and added definition "Potentially dangerous fish".

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Added definition "Indigenous fish"; rewrote definitions "In-season stocking period", "Opening day", "Pre-season closure" and "Warmwater fish"; and deleted definition "Other fish species".

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Rewrote the tables in definitions "Baitfish", "Foodfish", "Indigenous fish", "Potentially dangerous fish", "Trout", and "Warmwater fish", and added definition "Set line".

### 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, trout season shall commence 12:01 A.M. January 1 and extend to the pre-season closure. The trout season shall re-open on opening day and extend to include midnight December 31.

(b) Except as provided in N.J.A.C. 7:26-6.4 and 6.6 to 6.9 and (b)1 below, it shall be unlawful to fish for any species of fish during the pre-season closure in ponds, lakes, or those portions of streams that are listed herein for stocking.

1. Lake Hopatcong, Morris/Sussex County; Lawrence Brook, from Davidson's Mill Road bridge downstream to Farrington Lake dam, Middlesex County; Mountain Lake, Warren County; Swartswood Lake, Sussex County; Shenandoah Lake, and Prospertown Lake, Ocean County, will remain open to angling year-round. Trout taken during the pre-season closure must be returned to the water immediately and unharmed.

(c) There shall be a nine-inch minimum size for brook trout, brown trout, rainbow trout or hybrids and strains thereof except as designated in N.J.A.C. 7:25-6.5 to 6.9. Purchased brown and rainbow trout less than the nine-inch minimum size limit may be possessed, strictly for use as bait, provided a receipt of purchase, dated within 14 days, and

indicating the place of purchase is in possession and provided upon request.

(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) Except as provided in N.J.A.C. 7:25-6.4 through 6.9, the daily possession limit for brook trout, brown trout, and rainbow trout or their hybrids and strains thereof is as follows:

1. A person shall not take, kill or have in possession, in one day, more than four in total during the period extending from January 1 to the pre-season closure.
2. A person shall not take, kill or have in possession, in one day, more than six in total from opening day until May 31.
3. A person shall not take, kill or have in possession, in one day, more than four in total from June 1 until December 31.

(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) This subsection sets forth trout-stocked waters subject to in-season closures. Except as provided in N.J.A.C. 7:25-6.6 to 6.9, these 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. In the event of emergent conditions, the Division may suspend stocking of any or all of these waters.

1. Each Monday during the in-season stocking period.
  - 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 during the in-season stocking period.
  - i. Pohatcong Creek—Route 31 to Delaware River.
  - ii. Raritan River, S. Br.—Budd Lake dam through Morris, Hunterdon, and Somerset Counties to Jct. with N. Br. Raritan River.

3. Each Wednesday during the in-season stocking period.

i. Raritan River, N. Br.—Peapack Road Bridge in Far Hills to Jct. with S. Br. Raritan River.

4. Each Thursday during the in-season stocking period.

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 during the in-season stocking period.

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 Wanaque Reservoir Dam and section from Wanaque Avenue Bridge, Pompton Lakes to Jct. with Pequannock River, excluding Wanaque Reservoir and Monksville Reservoir.

(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
  - Hackensack River—Lake Tappan to Harriot Avenue, Harrington Park
  - Hohokus Brook—Forest Road to Saddle River
  - Indian Lake—Little Ferry
  - Mill Pond—Park Ridge
  - Pascack Creek—Orchard Street, Hillsdale, to Lake Street, Westwood
  - Potash Lake—Oakland
  - Saddle River—Lake Street to Dunkerhook Road, Fair Lawn

- 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  
Ponderlodge Pond—Villas  
Tuckahoe Lake—Tuckahoe
6. Cumberland County  
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  
South Vineland Park Pond—Vineland
7. Essex County  
Branch Brook Park Lake—Newark  
Diamond Mill Pond—Millburn  
Rahway River W/Br—Campbells Pond to Glen Ave.  
Verona Park Lake—Verona
8. Gloucester County  
Greenwich Lake—Gibbstown  
Grenloch Lake—Turnersville  
Harrisonville Lake—Harrisonville  
Iona Lake—Iona  
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  
Alexauken Creek—West Amwell Township, entire  
length  
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  
Lockatong Creek—Opdyke Road Bridge, Kingwood  
Township to Delaware Raritan Feeder Canal  
Mannys Pond—Union Township  
Mountain Farm Pond—Lebanon Township  
Mulhockaway Creek—Pattenburg, 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  
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 Wilburtha Road  
Rosedale Lake—Rosedale  
Stony Brook—Woodsville to Port Mercer
12. Middlesex County  
Hook's Creek Lake—Cheesequake State Park  
Ireland Brook—Farrington Lake to point 500 ft.  
upstream of Riva Avenue  
Lake Papaiani—Edison  
Lawrence Brook—Davidson's Mill Pond dam to  
2nd RR Bridge (Raritan Railroad) below Main  
St., Milltown  
Manalapan Lake—Monroe Township  
Roosevelt Park Pond—Edison Township
13. Monmouth County  
Echo Lake—Southard  
Englishtown Mill Pond—Englishtown  
Franklin Lake—West Long Branch  
Garvey's Pond—Navesink  
Hamilton Fire Pond—Neptune  
Hockhockson Brook—Hockhockson 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  
Shark River—Hamilton, Route 33 to Remsen Mill  
Road  
Spring Lake—Spring Lake  
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—Hewitt, Long Pond Iron Works State Park  
 Oldham Pond—North Haledon  
 Pequannock River—Route 23, Smith Mills to Paterson-Hamburg Turnpike, Pompton Lakes  
 Pompton River—Pompton Lake to Newark-Pompton Turnpike  
 Ringwood Brook—State line to Sally's Pond, Ringwood State Park  
 Sheppard Lake—Ringwood State Park
17. Salem County  
 Harrisonville Lake—Harrisonville  
 Maurice River—Willow Grove Lake Dam to Sherman Avenue, Vineland  
 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 Brook—Wantage, 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 dam to New York 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  
 Swartswood Lake—Swartswood  
 Trout Brook—Middleville, entire length  
 Wawayanda Creek—Vernon  
 Wawayanda Lake—Vernon
20. Union County  
 Green Brook—Route 527, Berkeley Heights, to Route 22, Scotch Plains  
 Lower Echo Park Pond—Mountainside  
 Milton Lake—Rahway  
 Nomahegan Park Pond—Cranford  
 Rahway River—I-78 Bridge, Springfield, to St. George Ave. (Route 27), Rahway  
 Seeleys Pond—Berkeley Heights  
 Warinanco Park Pond—Roselle
21. Warren County  
 Beaver Brook—Silver Lake Dam to Pequest River  
 Blair Creek—Hardwick Center to Blair Lake  
 Blair Lake—Blairstown  
 Brookaloo Swamp—Hope, entire length  
 Buckhorn Creek—Roxburg, entire length  
 Columbia Lake and Gatehole—Knowlton Township  
 Furnace Brook—Oxford, entire length  
 Furnace Lake—Oxford  
 Honey Run—Knowlton-Hope Township Line to Beaver Brook, Hope Township  
 Jacksonburg Creek—Jacksonburg, entire length  
 Lopatcong Creek—Route 519, Harmony Township to South Main Street, Phillipsburg  
 Merrill Creek Reservoir—Stewartsville  
 Mountain Lake—Liberty Township  
 Pohatcong Creek—Mt. Bethel to Route 31  
 Pophandusing Creek—Oxford Road, Hazen, to Delaware River  
 Trout Brook—Hackettstown, 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).

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Rewrote (a) and (b); in (c), substituted "nine-inch" for "seven-inch", and inserted the last sentence; in (e)1, substituted "to the pre-season closure" for "2006 until midnight March 19, 2006 and from January 1, 2007 until midnight March 18, 2007"; in (e)2, deleted "during the period extending" following "thereof," and "2006 and from 8:00 A.M. April 7, 2007 until May 31, 2007," preceding "except", and substituted "opening day" for "8:00 A.M. April 8, 2006"; in the introductory paragraphs of (h)1 through (h)5, inserted "during the in-season stocking period"; in (h)1, deleted "from April 10, 2006 to May 22, 2006 and from April 9, 2007 to May 21, 2007, inclusive" following "Monday"; in (h)2, deleted "from April 11, 2006 to May 23, 2006 and from April 10, 2007 to May 22, 2007, inclusive" following "Tuesday"; in (h)3, deleted "from April 12, 2006 to May 24, 2006 and from April 11, 2007 to May 23, 2007, inclusive" following "Wednesday"; in (h)4, deleted "from April 13, 2006 to May 25, 2006 and from April 12, 2007 to May 24, 2007, inclusive" following "Thursday"; in (h)5, deleted "from April 14, 2006 to May 26, 2006 and from April 13, 2007 to May 25, 2007, inclusive" following "Friday"; rewrote (h)5iv; in (i)2, substituted "Saddle River" for "Whites Pond", and inserted "Potash Lake—Oakland"; in (i)6, deleted "Bostwick Lake—Friesburg" preceding reference to "Cohansey River"; in (i)7, added "Rahway River W/Br—Campbells Pond to Glen Ave."; in (i)10, added "Mannys Pond—Union Township" and "Mountain Farm Pond—Lebanon Township"; in (i)16, deleted "Potash Lake—Oakland" preceding reference to "Ringwood Brook"; and in (i)21, deleted "Barker's Mill Brook—Vienna, entire length" preceding reference to "Beaver Brook".

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In (c), inserted "and strains"; and rewrote (e), (i)2, (i)5, (i)10, (i)16, (i)18, (i)20 and (i)21.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Rewrote (i)6, (i)7, (i)8, (i)11, (i)16, (i)17 and (i)21.

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Rewrote the section.

#### 7:25-6.4 Special regulation trout fishing areas—catch and release only

(a) The following stream segments are designated as catch and release only areas for trout and are subject to the provisions at (b) below governing these areas on a year-round basis:

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, including the section of the Flat Brook, from the junction of the Big Flat Brook and the Little Flat Brook downstream to the Roy Bridge.

2. 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 rules shall apply to the above designated catch and release only waters.

1. Fishing in catch and release only areas is permitted year-round;

2. Only artificial lures and flies may be used;

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

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; and

5. A person shall not kill or have in possession while fishing any trout. All trout must be returned to the water immediately and unharmed.

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.

through v below. American Shad may only be taken from the Delaware River and its tributaries.

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. Drifting gill nets may not be used in freshwater rivers or streams where migratory Alewife or Blueback Herring are known to occur.

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 White Perch. Gill nets may not be used in freshwater rivers or streams where migratory Alewife or Blueback Herring are known to occur.

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. Submit annual harvest reports, including species, and number of fish harvested, by date, by December 31;

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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Rewrote (a)6i.

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Rewrote the introductory paragraph of (a)2; in (a)2iv, inserted the last sentence; in (a)2v, substituted "White Perch" for "blueback herring and white perch", and inserted the last sentence.

**7:25-6.12 Snagging prohibited**

The snagging of any fish species is prohibited. Any fish so hooked must be immediately returned to the water. This shall not apply to fish so taken through the ice.

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.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Rewrote the section.

**7:25-6.13 Warmwater fish**

(a) (Reserved)

(b) (Reserved)

(c) (Reserved)

(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, except for Lake Audrey (Cumberland County) where Largemouth and Smallmouth Bass caught shall be immediately returned to the water unharmed at all times.

(e) The minimum length for Largemouth and Smallmouth Bass shall be 12 inches with a daily creel and possession limit of five in total, except for Alloway Lake (Salem County), Assunpink Lake (Monmouth County), Boonton Reservoir (Morris County), Delaware Lake (Warren County), Parvin Lake (Salem County), and Splitrock Reservoir (Morris County) 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, with a daily creel and possession limit of two. The minimum length for muskellunge and tiger muskie, shall be 36 inches, except for Mountain Lake (Warren County) and Echo Lake Reservoir (Passaic County) where the minimum length shall be 40 inches. The daily creel and possession limit for muskellunge and tiger muskie shall be one in total.

(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, the minimum length for chain pickerel and redbfin pickerel shall be 15 inches.

(k) The daily creel and possession limit for chain pickerel and redbfin pickerel shall be five in total. 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) Except as provided for the Delaware River in N.J.A.C. 7:25-6.20, American Shad may not be taken or possessed at any time.

(p) Striped bass may be taken or possessed during the period of March 1 to December 31.

(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 be taken in the Raritan River downstream of the Duke Island Park dam during the period of March 1 to December 31.

(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.

(u) Mud sunfish, blackbanded sunfish, bluespotted sunfish, and banded sunfish may not be taken or possessed at any time.

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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Reserved (a) and (b); rewrote (g) and (j); in (k), inserted "and redbfin pickerel" and "in total"; in (p) and (r), deleted "not" following "may", and substituted "March 1 to December 31" for "January 1 through February 28"; and added (u).

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In (d), inserted "except for Lake Audrey (Cumberland County) where largemouth and smallmouth bass caught shall be immediately returned to the water unharmed at all times"; and in (o), substituted "three" for "six".

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Reserved (c); and rewrote (e).

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Rewrote (d), (e), and (o).

#### 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. Devices may consist of any combination of ice supported tip-ups, fishing rods, or hand lines. Each device may have only one single line attached.

1. Ice supported tip-ups or hand lines may have only one single pointed hook attached.

2. The line from a fishing rod may have attached either one single pointed hook, or an artificial lure with not more than three single hooks and one burr of three hooks. On artificial lures, single hooks may not measure more than ½ inch from point to shaft, and hooks on burrs may not exceed ½ inch from point to point.

(c) Natural and artificial bait may be used with any ice fishing device.

(d) 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.

(e) All established creel, season, and size limits apply.

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.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

In(c), deleted the first sentence.

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Rewrote the section.

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

Except as provided in N.J.A.C. 7:25-6.3, 6.19 and 6.20, it shall be legal to take carp, including bighead, common, grass and silver; eels; flathead catfish; shad, American and gizzard; snakeheads; and suckers, 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.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

Rewrote the section.

#### 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; tagging and marking of fish**

(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:

<u>1. 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	third Saturday in June until Dec. 1 Dec. 1 until third Saturday in June	12 inch minimum	5 in total Catch and release only
Chain pickerel	No closed season	15 inch minimum	5
Muskellunge and any hybrid thereof	No closed season	36 inch minimum	1

- 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).

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

Section was “Wanton waste of fish prohibited”.

**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.

Walleye	Jan. 1–last day of February and May 1–December 31	18 inches	3
Channel catfish	No closed season	12 inches	5
Black crappie and white crappie	No closed season	8 inches	10 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 season.

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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

In (a)1, substituted "June 15" for "June15" and "last day of February" for "Feb. 28", and deleted the comma following "May 1".

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In the introductory paragraph of (a), substituted "states" for "States"; and in the table in (a)1, substituted "third Saturday in June until Dec. 1" for "Jan. 1–April 14, and June 16–Dec. 31" and "Dec. 1 until third Saturday in June" for "April 15–June 15" under the "Season" column, and "5 in total" for "5 single or in total" and "10 in total" for "10 singly or in total" under the "Daily Bag Limit" column.

**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>1. Species</u>	<u>Season</u>	<u>Size Limit</u>	<u>Daily Bag Limit</u>
Trout	8:00 A.M. on the first Saturday after April 11 to Oct. 15	No minimum	5
American Shad	No closed season	No minimum	3
Hickory shad	Closed season	Closed season	Closed season
Largemouth bass and smallmouth bass	Jan. 1 to the first Friday after April 10, and the first Saturday after June 11 to Dec. 31	12 inch minimum	5 in total
	First Saturday, after April 11, to the first Friday after June 10	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	40 inch minimum	1

Northern Pike	No closed season	24 inch minimum	2
Baitfish, fish bait	No closed season	No minimum	50
Alewife and Blueback (anadromous forms)	Closed		
Shortnose sturgeon	Closed—endangered species		
Atlantic sturgeon	Closed		
Striped bass and striped bass X white bass hybrid	Downstream of Calhoun Street Bridge season open March 1–30 and June 1– Dec. 31	28 inch minimum	2
	Upstream of Calhoun Street 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 three 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, recurved bows or compound bows, may be used to take shad, carp, suckers, catfish and snakeheads 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 50 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 Commodore 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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

In (a)1, rewrote entries for “Trout”, “Largemouth bass and smallmouth bass”, and “Muskellunge and any hybrid thereof”.

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In the table in (a)1, rewrote the entries for “American Shad”, “Largemouth bass and smallmouth bass”, “Alewife and blueback (anadromous forms)”, and “Striped bass and striped bass X white bass hybrid”; and in (a)5, substituted “50” for “35”.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

In (a)2, substituted “three” for “two”; and in (a)4, inserted “, recurved bows or compound bows,” deleted “eels,” preceding “carp” and substituted “catfish and snakeheads” for “herring and bullheads”.

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

In the table in (a), substituted “Blueback” for “blueback” in the “Species” column, and in the same entry, substituted “Closed” for “No closed season” in the “Season” column, and deleted “No minimum” from the “Size Limit” column and “10 in total” from the “Daily bag Limit” column.

**7:25-6.21 (Reserved)**

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.

Repealed by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Section was "Fresh Tidal Tributaries of the Delaware River and Bay".

**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, attempt to 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. In addition to any other Federal, State, or local requirements that may be applicable to any sale authorized under this section, any sale must comply with Department of Health rule N.J.A.C. 8:23-2.1.

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. Submit annual harvest reports, including the date, waterbody, species, number, and approximate total weights of snapping turtles, bull frogs or green frogs harvested, and the name, address and telephone number of purchaser(s), by December 31 of the current permit year;

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;

vii. Set traps in a manner that allows at least the topmost two inches of the trap to remain exposed, at all times, above the surface of the water;

viii. Use flotation devices that have sufficient strength to support the weight of the trap and keep it afloat for at least 24 hours;

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

x. Not harvest from any water subject to a Department of Environmental Protection fish consumption advisory, for the general population, for any fish species of "do not harvest," "do not eat," or "no more than one meal per year."

(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.

Amended by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Rewrote (d)3i.

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In the introductory paragraph of (d), inserted the second sentence; and rewrote (d)3i.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

In (c), inserted " , attempt to take".

Amended by R.2014 d.029, effective February 3, 2014.

See: 45 N.J.R. 2078(a), 46 N.J.R. 281(b).

Section was "Snapping turtles, bull frogs and green frogs". In the introductory paragraph of (d), inserted a comma following "frogs" and following "State", and deleted "and Senior Services" following "Health"; in (d)3vi, deleted "and" from the end; added new (d)3vii and (d)3viii; recodified former (d)3vii as (d)3ix; in (d)3ix, substituted " ; and" for a period at the end; and added (d)3x.

### 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 08625-0400. Applications, in the form of a letter of request, 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 re-

source 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).

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In (b), substituted "08625-0400" for "08625 0400" and inserted " , in the form of a letter of request,".

### 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) An application for a scientific collecting permit shall be made on an application form obtained from and filed with the Division in accordance with (c) below. Applications shall include:

1. The applicant name;
2. The applicant address;
3. The applicant telephone number;
4. The dates of proposed sampling;
5. The body or bodies of water involved;
6. The purpose of the activity;
7. A listing of any equipment that is expected to be used;
8. The species to be collected;
9. The disposition of species collected;
10. The names of persons who will be authorized by the permit; and

11. If the activity is related to research or environmental study or assessment, a copy of the project proposal must be attached to the application.

(c) Application forms may be obtained from and, when complete, shall be submitted to the Division at:

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

(d) 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.

(e) 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 persons;
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 394, Lebanon, New Jersey 08833; 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 submittal and added “, subject to the requirements of this section,”; added (b)1 and 2 and (c).

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

Rewrote (b); added new (c) and (d); recodified former (c) as (e); in (e)5, substituted “persons” for “researchers”; and in (e)7, substituted “PO Box 394, Lebanon, New Jersey 08833” for “PO Box 400, Trenton, New Jersey 08625-0400”.

**7:25-6.25 Water lowering**

(a) Except as otherwise permitted in this section, no person shall shut off water to, or draw off waters from any pond, stream or lake, public or private within the State.

(b) Water withdrawals authorized for water supply purposes pursuant to N.J.A.C. 7:19 or for agricultural, aquacultural or horticultural uses pursuant to N.J.A.C. 7:20A shall not require a water lowering permit pursuant to this section.

(c) Water lowering permits are issued for the sole purpose of protecting the State’s aquatic biological resources.

(d) An application for a water lowering, including all information required by this section, shall be submitted at least 60 days prior to the requested lowering date. In the event the lowering is required due to unsafe or hazardous dam conditions, as determined by the Department’s Division of Dam Safety, the dam owner or the owner or operator of the outlet structure shall submit a completed application form within 15 days of notification from the Division of Dam Safety. The

application shall include a copy of the written documentation received from the Department's Division of Dam Safety.

(e) Application forms may be obtained from and, when complete, shall be submitted to the Division at:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
P.O. Box 394  
Lebanon, New Jersey 08833

(f) An application for a water lowering permit shall include the following information, as well as any supplemental information required by this section:

1. Applicant name;
2. Applicant address;
3. Applicant phone number;
4. Waterbody location;
5. Reason the lowering is requested;
6. Date requested to begin;
7. Refill date;
8. Water body size;
9. Maximum depth;
10. Extent of drawdown requested;
11. Method of water release;
12. Department of Environmental Protection permits applied for relative to the project;
13. Applicant signature;
14. Property owner's certification; and
15. Contact information for agent acting on behalf of the applicant, if applicable.

(g) For applications submitted for flood control purposes, the application shall additionally include a written justification identifying the need for the water lowering, flood storage capacities gained and their beneficial impacts to the community, as well as the adverse impacts of repeated lowerings on the associated waterway.

(h) If information submitted to the Division is incomplete, the Division may either deny the application or request that the applicant provide additional information within a specified timeframe. Failure to provide the additional information within the time frame specified shall result in denial of the application.

(i) Except as provided in (s) below, the following time restrictions shall apply:

1. Lowering may not occur from February 1 to March 15, when reproducing populations of rainbow trout may be adversely impacted;

2. Lowering may not occur from March 1 to June 30, when anadromous fish populations may be adversely impacted;

3. Lowering may not occur from March 15 to June 15, when trout maintenance waters and/or the stocking of trout may be adversely impacted by the lowering;

4. Except when the extent of the lowering requires the collection and relocation of aquatic biota, lowering may not occur from April 1 to June 15, when warmwater fish populations, which include pickerel are present, otherwise lowering may not occur from May 1 to June 15;

5. Except in the event the Division determines that the lowering will have no adverse impacts to aquatic biota present, lowerings may not occur from July 1 to September 15;

6. Lowering may not occur from September 15 to March 15, when reproducing populations of brook and brown trout may be adversely impacted;

7. Lowering may not occur from September 15 to December 1, when reproducing populations of lake trout may be adversely impacted;

8. For waterways located north of Route 195, water levels must be lowered to the full approved extent by November 1; or

9. For waterways located south of Route 195, water levels must be lowered to the full approved extent by November 15.

(j) Additional timing restrictions may be imposed pursuant to (i) above to minimize impacts to growth, spawning, breeding, and or hibernation, of threatened or endangered species, in accordance with N.J.A.C. 7:25-4.13 and 4.17, which may also be adversely affected by the lowering.

(k) In the event multiple timing restrictions would apply, the Director will assess the impacts to the spawning, breeding, growth and hibernation of biota present and determine the most appropriate timing for the lowering.

(l) Except as otherwise provided in this section, an application for a water lowering permit shall be approved if the Director determines that the lowering is necessary, timing restrictions, pursuant to (i) above, are satisfied and the applicant demonstrates, to the satisfaction of the Director, that impacts to aquatic biota, as a result of the lowering, have been minimized to the maximum extent possible. In determining whether to approve a water lowering permit application, the Director shall consider potential impacts to growth, spawning, stocking, breeding and hibernation of biota, as well as impacts to endangered species dependent upon the waterbody, or otherwise affected by the lowering.

(m) A water lowering permit shall be authorized by the Division when a draw down is required due to unsafe or hazardous dam conditions, as determined by the Department's Division of Dam Safety. Emergency water lowering permits issued pursuant to this subsection will be exempt from timing restrictions, as specified in (i) through (k) above. The permittee, however, must abide by all other permit conditions, including the collection and relocation of biota if determined necessary by the Division.

(n) In no event shall a water lowering permit be approved if maximum minimization of impacts continues to result in the potential for significant mortality to the aquatic biota present.

(o) In the event the Division determines the lowering is necessary, and the extent and duration necessary poses an unavoidable threat to aquatic biota present, permittees may be required to collect and relocate aquatic biota to waters designated by the Division, or hold biota for reintroduction purposes. Appropriate timing restrictions shall still apply. A scientific collecting permit, scientific holding permit and/or stocking permit may also be required for the collection, relocation or retention of biota.

(p) For the duration of the lowering, permittees are responsible for the welfare of aquatic biota and are required to alleviate harmful conditions that may result from either the water level manipulation or from unforeseen changes in environmental conditions, including, but not limited to, unseasonably warm temperatures or periods of low water.

(q) The following general conditions shall apply to any permit for water lowering:

1. The permittee shall notify the Division 24 hours prior to lowering, and again 24 hours prior to refilling;
2. Initial water lowering shall not begin prior to the effective date of the water lowering permit, and refilling must commence no later than the expiration date;
3. At no point shall the water lowering exceed the amount specified on the permit;
4. For water lowering to be accomplished by a release of water from the waterbody, the rate of release at the time of lowering must be controlled to prevent any over-bank flow of the primary downstream channel, or increased turbidity; and
5. During the period that the waterbody is lowered downstream flow must be maintained at a flow equivalent, including amount and rate of flow, to conditions present immediately upstream of the waterbody for which the permit is issued.

(r) Requests to modify the expiration date of an existing water lowering permit must be submitted by the permittee in writing. Requests to extend the permit's expiration date must be submitted at least 21 days prior to the original expiration

date. Requests shall include the permit number, waterbody name, location, owner, the change requested and the reason the modification is necessary. Requests shall be submitted to the Division at:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
P.O. Box 394  
Lebanon, New Jersey 08833

1. In determining whether to approve a modification to an existing water lowering permit, the Director shall consider the impacts to the growth, spawning, stocking, breeding and hibernation of biota present, as well as impacts to endangered species dependent upon the waterbody, that may result from the change.

(s) For water lowering permits issued for flood control purposes, lowering may begin within 24 hours prior to a forecasted storm event of one inch of rain or more in the area. Permits are valid from January 1 to December 31. A written log, including the date, extent of lowering, forecasted amount of rain, source of the weather forecast, resulting water elevation after the rain event, the duration and the date the waterbody level was returned to full pool, must be recorded and submitted to the Division.

New Rule, R.2008 d.65, effective March 17, 2008.  
See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Former N.J.A.C. 7:25-6.25, "Revocation of permits; penalties", recodified to N.J.A.C. 7:25-6.27.

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

In (s), inserted the last sentence.

#### 7:25-6.26 Fish stocking; fish culture facilities

(a) No person may release any live indigenous or exotic fish, or their eggs, into the aquatic environment without a permit. For the purposes of this subchapter, indigenous and exotic fish shall include all fish species, their subspecies and hybrids.

(b) An application for a fish stocking permit must be submitted at least four weeks prior to the requested stocking date. Applications may be obtained from and, when complete, shall be submitted to the Division at:

New Jersey Division of Fish and Wildlife  
Bureau of Freshwater Fisheries  
P.O. Box 394  
Lebanon, New Jersey 08833

(c) An application for a fish stocking permit shall include the following information, as well as any supplemental information required by this section:

1. Applicant name;
2. Applicant address;
3. Applicant phone number;

4. If different, pond owner's name and address;
5. Pond owner's signature;
6. Waterbody location;
7. Water body size;
8. Fish species present in the waterbody;
9. Waterbody access, public or private;
10. Species of fish requesting to stock;
11. Number of fish requesting to stock;
12. Size range of fish requesting to stock;
13. Source of fish;
14. If stocking is relative to an event or tournament, date of event;
15. If the fish are marked or tagged, the type of tag to be used;
16. Anticipated stocking date;
17. Applicant signature; and
18. If requesting to stock grass carp, the following additional information is required:

- i. Percent of weed cover;
- ii. Description of weed problem, including species; and
- iii. Photographs of inlet and outlet structures.

(d) If information submitted to the Division is incomplete, the Division may either deny the application or request that the applicant provide additional information within a specified timeframe. Failure to provide the additional information within the time frame specified shall result in denial of the application.

(e) An application for a fish stocking permit shall be approved if the Director determines that the introduction of the fish species, the number of fish proposed to be introduced, and the source of the fish proposed to be introduced will not create a potential risk to the freshwater resources of the State, and the proposed fish stocking is consistent with Division management plans and established stocking programs.

(f) The permit must be in the possession of the individual(s) performing the stocking on the day of the stocking event.

(g) Except for triploid grass carp for weed control purposes, the stocking of carp, including koi or goldfish, is prohibited. Any carp, including koi and goldfish and potentially dangerous fish collected as a result of a permitted lowering must be destroyed.

(h) Only sterile triploid grass carp may be approved for stocking, strictly for the purposes of biological weed control, provided:

1. The waterbody is less than 10 surface acres in size;

2. Inlet or outlet structures in the impoundment are situated and constructed in a way that prevents escape of fish from the impoundment and are permanently affixed; and

3. No more than a total of 100 grass carp may be stocked into any single impoundment.

(i) Permits will not be approved to stock any species of fish in the Pequest Wildlife Management Area, or within Trout Brook (Hackettstown). The Pequest State Fish Hatchery, or Hackettstown State Hatchery will be the only sources approved for stocking within these areas.

(j) Permits will not be approved to stock escocids in Budd Lake, Echo Lake Reservoir, Farrington Lake, Mercer Lake, Monksville Reservoir, Mountain Lake, or Spruce Run Reservoir. The Hackettstown State Fish Hatchery will be the only source approved for stocking within these areas.

(k) Except for fish taken from one waterbody and reintroduced to another waterbody pursuant to N.J.A.C. 7:25-6.25, the source of all fish to be introduced to the waters of the State must be from an approved fish culture facility. A list of approved fish culture facilities shall be provided by the Division with the application for a fish stocking permit.

(l) To be approved, fish culture facilities must:

1. Submit a completed "Fish Health History Request" form to the Division on an annual basis. The Fish Health History Request form shall include the following information, as well as any supplemental information required by this section:

- i. Name of the fish culture facility;
- ii. Address of the facility;
- iii. Identification of the owner of the facility;
- iv. Contact information for facility;
- v. Fish species offered for sale;
- vi. Origin of all fish stocks;
- vii. Occurrence of disease outbreaks within the facility;
- viii. Confirm that fish health inspections were performed at the facility over the last year;
- ix. Origin of any eggs brought into the facility; and
- x. For facilities offering triploid grass carp, contact information for the agency that performed triploid certification;

2. Obtain a Fish Health History Request form from, and when complete, submit to, the Division at:

New Jersey Division of Fish and Wildlife  
 Bureau of Freshwater Fisheries  
 P.O. Box 400  
 Trenton, NJ 08625;

3. Provide documentation (health inspection or certification reports) that all fish (including eggs or gametes) received from sources within the enzootic area of the Infectious Hematopoietic Necrosis (IHN) or Viral Hemorrhagic Septicemia (VHS) viruses, have been inspected and found free of those viruses;

4. Provide documentation that a complete health inspection, including parasitological examination, has been performed on all fish stocks that have been obtained from the wild;

5. Provide documentation that all production lots of fish have been inspected and found free of Infectious Pancreatic Necrosis virus (IPN), Infectious Hematopoietic Necrosis (IHN), Viral Hemorrhagic Septicemia (VHS), Bacterial kidney disease (BKD), Bacterial Furunculosis (BF), and Bacterial redmouth (BRM) and whirling disease, *Myxobolus cerebralis*, when providing salmonids for stocking in waters with reproducing trout populations, designated as Holdover and Trophy Trout lakes, and the Pequest River or Musconetcong River drainages;

6. Perform any inspections required by this subsection using sample sizes and methods recommended by the American Fisheries Society Fish Health Section, located in Juneau, Alaska, or The World Organization for Animal Health (also known as Office International des Epizooties), located in Paris, France, or generally accepted methods published in peer-reviewed journals. Additional information is provided at the American Fisheries Society website at <http://www.fisheries.org/units/fhs/>, or the website of the World Organization for Animal Health at [http://www.oie.int/eng/en\\_index.htm](http://www.oie.int/eng/en_index.htm).

7. Accept the responsibility for, and cost of any fish health inspections required for approval;

8. Keep accurate records of fish health inspections and transfers of fish into and out of the facility. These records shall be open for inspection by Division employees or representatives, at reasonable hours; and

9. If located west of the continental divide or outside of North America, or identifies its source of fish, or eggs, from a facility located within this area:

i. Provide documentation that all stocks of fish reared in the hatchery have been inspected and found free of Infectious Hematopoietic Necrosis (IHN) or Viral Hemorrhagic Septicemia (VHS) viruses, the PKX organism, and *Ceratomyxa shasta*; and

ii. Supply only fertilized eggs that have been subjected to iodine disinfection. No salmonid fish (fry, fingerling, or adult) other than certified, disinfected eggs may be brought into New Jersey from areas where Infectious Hematopoietic Necrosis (IHN) or Viral Hemorrhagic Septicemia (VHS) viruses are enzootic in salmonid stocks.

New Rule, R.2008 d.65, effective March 17, 2008.  
See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

Former N.J.A.C. 7:25-6.26, "Requests for adjudicatory hearings", recodified to N.J.A.C. 7:25-6.28.

Amended by R.2010 d.013, effective January 4, 2010.

See: 41 N.J.R. 3004(a), 42 N.J.R. 63(a).

In (g), inserted "and potentially dangerous fish".

Amended by R.2011 d.301, effective December 19, 2011 (operative January 1, 2012).

See: 43 N.J.R. 1632(a), 43 N.J.R. 3332(a).

In (h)2, inserted "and are permanently affixed".

#### 7:25-6.27 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).

Recodified from N.J.A.C. 7:25-6.25 by R.2008 d.65, effective March 17, 2008.

See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

#### 7:25-6.28 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).  
Recodified from N.J.A.C. 7:25-6.26 by R.2008 d.65, effective March 17, 2008.  
See: 39 N.J.R. 4988(a), 40 N.J.R. 1635(b).

---

**SUBCHAPTER 7. MISCELLANEOUS SHELLFISH  
RULES**