

CHAPTER 25

DIVISION OF FISH AND WILDLIFE RULES

Authority

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

Source and Effective Date

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

Chapter Expiration Date

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

Chapter Historical Note

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

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

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

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

Subchapter 18, Marine Fisheries, was repealed and Subchapter 18, Marine Fisheries, was adopted as new rules by Emergency Rule R.1985 d.674, effective December 17, 1985.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

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

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

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

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

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

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

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

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

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 25, Division of Fish and Wildlife Rules, was extended by gubernatorial directive from October 30, 2006 to November 30, 2006. See: 38 N.J.R. 5155(a).

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

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

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).

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Species	Scientific Name	Breeding Status ¹	Non-Breed ¹ Status
Ipswich Sparrow	<i>Passerculus princeps sandwichensis</i>		S
Grasshopper Sparrow	<i>Ammodramus savannarum</i>	T	S
Sharp-tailed Sparrow	<i>Ammodramus caudacuta</i>	S	S
Seaside Sparrow	<i>Ammodramus maritima</i>	S	S
Fox Sparrow	<i>Passercella iliaca</i>		S
Song Sparrow	<i>Melospiza melodia</i>	S	S
Lincoln's Sparrow	<i>Melospiza lincolni</i>		S
Swamp Sparrow	<i>Melospiza georgiana</i>	S	S
White-throated Sparrow	<i>Zonotrichia albicollis</i>	S	S
White-crowned Sparrow	<i>Zonotrichia leucophrys</i>		INC
Dark-eyed Junco	<i>Junco hyemalis</i>	S	S
Lapland Longspur	<i>Calcarius lapponicus</i>		S
Snow Bunting	<i>Plectrophenax nivalis</i>		S
Bobolink	<i>Dolichonyx oryzivorus</i>	T	T
Red-winged Blackbird	<i>Agelaius phoeniceus</i>	S	S
Eastern Meadowlark	<i>Sturnella magna</i>	D	S
Rusty Blackbird	<i>Euphagus carolinus</i>		S
Boat-tailed Grackle	<i>Quiscalus major</i>	INC	S
Common Grackle	<i>Quiscalus quiscula</i>	INC	S
Brown-headed Cowbird	<i>Molothrus ater</i>	INC	S
Orchard Oriole	<i>Icterus spurius</i>	S	S
Northern Oriole	<i>Icterus galbula</i>	S	S
Pine Grosbeak	<i>Pinicola enucleator</i>		S
Purple Finch	<i>Carpodacus purpureus</i>	S	S
House Finch	<i>Carpodacus mexicanus</i>	INC	S
Red Crossbill	<i>Loxia curvirostra</i>		S
White-winged Crossbill	<i>Loxia leucoptera</i>		S
Common Redpoll	<i>Carduelis flammica</i>		S
Pine Siskin	<i>Carduelis pinus</i>		S
American Goldfinch	<i>Carduelis tristis</i>	S	S
Evening Grosbeak	<i>Hesperiphona vespertina</i>		INC

ID signifies "Declining," E signifies "Endangered," EX signifies "Extirpated," INC signifies "Increasing," I signifies "Introduced," P signifies "Peripheral," S signifies "Stable," T signifies "Threatened" and U signifies "Undetermined." These terms are defined in N.J.A.C. 7:25-4.1.

As amended, R.1983 d.638, effective January 17, 1984.

See: 15 N.J.R. 1623(a), 16 N.J.R. 131(b).

As amended, R.1984 d.132, eff. April 16, 1984.

See: 16 N.J.R. 97(b), 16 N.J.R. 889(a).

Section recodified from 7:25-20.2.

Amended by R.1985 d.215, effective May 6, 1985.

See: 17 N.J.R. 350(a), 17 N.J.R. 1091(a).

Amended by R.1985 d.251, effective May 20, 1985.

See: 17 N.J.R. 516(a), 17 N.J.R. 1289(a).

(a): Added text "and endangered".

Amended by R.1986 d.230, effective June 16, 1986.

See: 18 N.J.R. 601(a), 18 N.J.R. 1280(b).

"S" substituted for "T".

Amended by R.1987 d.308, effective July 20, 1987.

See: 19 N.J.R. 491(a), 19 N.J.R. 1293(a).

Substantially amended.

Repeal and New Rule. R.1991 d.277, effective June 3, 1991.

See: 22 N.J.R. 1308(a), 23 N.J.R. 1788(a).

Repealed section—"Defining status of indigenous nongame and endangered wildlife species of New Jersey."

Amended by R.1999 d.235, effective July 19, 1999.

See: 31 N.J.R. 580(a), 31 N.J.R. 1923(b).

In REPTILES, deleted references to Common Snapping Turtles, Red-eared Turtles and Eastern Spiny Softshells; in AMPHIBIANS, deleted references to Bullfrogs and Green Frogs; in MAMMALS, deleted references to European Hares, Black-tailed Jackrabbits, Black Rats, Brown Rats, and House Mice; and in BIRDS, changed Breeding Status for American Bitterns, Great Blue Herons, Little Blue Herons, Black-crowned Night Herons, Cliff Swallows, and Ipswich Sparrows, changed Non-Breeding Status for Red Knots, Ipswich Sparrows and Grasshopper Sparrows, deleted references to Mute Swans, Northern Goshawks, Rock Doves, European Starlings and House Sparrows, and inserted a reference to Copper's Hawks.

Amended by R.2002 d.92, effective March 18, 2002.

See: 33 N.J.R. 2380(a), 34 N.J.R. 1265(b).

Inserted list of INVERTEBRATES, and added footnote 1 to Species Status column head.

Amended by R.2003 d.156, effective April 21, 2003.

See: 34 N.J.R. 2405(a), 35 N.J.R. 1669(a).

Deleted "Queen Snake" and added "Pine Barrens Tree Frog".

Case Notes

Endangered species list under the New Jersey Endangered and Nongame Species Conservation Act includes the rattlesnake (citing former N.J.A.C. 7:25-11.1 as N.J.A.C. 7:251101); discussion of compliance with federal environmental procedural requirements in construction of interstate highway. County of Bergen v. Dole, 620 F.Supp. 1009 (D.N.J.1985), affirmed 800 F.2d 1130 (1986).

7:25-4.18 Endangered and Nongame Species Advisory Committee

(a) The Endangered and Nongame Species Advisory Committee (committee) shall consist of 11 members appointed by the Commissioner. Prior to the making of any said appointments, the Commissioner shall consult with the committee as to their recommendations.

1. Members shall be reflective of various public groups concerned with, and supportive of, the endangered and nongame species program established by P.L. 1973, c.309, codified at N.J.S.A. 23:2A-1 to -13, and shall possess special knowledge, expertise, and/or interest relating to endangered and nongame species of New Jersey. Member affiliation shall be as follows:

Affiliation	Number of Members
i. Academic/research communities	4
ii. Public health/veterinary medicine	1
iii. Qualified non-profit organization (as defined by the Internal Revenue Code at § 501(c)(3)) with strong interest in promoting the nonconsumptive use of wildlife	3
iv. Public at large (that is, not in the capacity of an organizational representative)	3

2. Of the 11 members to be appointed by the Commissioner, initially, two shall be appointed for a term of one year, three for a term of two years, three for a term of three years, and three for a term of four years. Thereafter, all appointments shall be made for terms of four years. All appointed members shall serve, after the expiration of their terms, until their respective successors are appointed. Any vacancy occurring in the appointed membership of the committee, by expiration of term or otherwise, shall be filled by the Commissioner in the identical manner as the original appointment, for the unexpired term only, notwithstanding that the previous incumbent may have held over and continued in office as aforesaid.

3. The Commissioner may remove any member of the committee for cause upon notice and opportunity to be heard.

4. The committee shall select its chairperson from its membership, subject to the approval of the Commissioner, for a term of four years, and consecutive terms shall be permitted.

(b) The committee shall advise and assist the Commissioner in matters related to the intent of "The Endangered and Nongame Species Act," P.L. 1973, c.309, codified at N.J.S.A. 23:2A-1 to -13. Notwithstanding subsequent departmental action, the Commissioner shall respond in writing to all reasonable written comments on policy received from the committee.

(c) The committee shall transmit its business during regular meetings, held once each month, at a time and place designated by the committee. Adequate notice, as defined under the "Open Public Meetings Law," P.L. 1975, c.231, codified at N.J.S.A. 10:4-6 to -21, shall be given to the Secretary of State. Six members present shall constitute a quorum.

(d) Members of the committee shall serve without compensation, but shall be reimbursed for expenses actually incurred in attending committee meetings and in the performance of their duties as members thereof.

R.1984 d.509, effective November 5, 1984.

See: 16 N.J.R. 2033(a), 16 N.J.R. 3010(a).

Amended by R.1995 d.357, effective July 3, 1995.

See: 27 N.J.R. 797(a), 27 N.J.R. 2614(a).

Deleted former (a)3 and recodified existing (a)4 and (a)5 as new (a)3 and (a)4.

7:25-4.19 Criteria for possession of wild-caught bird species for breeding, zoological, scientific or educational purposes

(a) No permit shall be issued for the purpose of selling any wild-caught bird. Except as provided in this subchapter, a person issued a permit to possess wild bird species shall possess only birds bred from captive parent birds and eggs produced from captive parent birds. To preserve the genetic integrity of species of regulated birds, distinct species of birds shall not be cross-bred with other different species of birds to produce hybrid birds.

(b) In addition to meeting the general criteria in N.J.A.C. 7:25-4.7, every person applying for a permit to possess individuals of a species of wild-caught bird shall meet each and every of the following criteria:

1. Education and background, as follows:

i. A person applying for a permit to possess individuals of species of birds which have been wild-caught, or their eggs, primarily for breeding purpose, including those persons designated by institutions or businesses as those responsible for breeding birds, shall affirmatively demonstrate that he or she possesses extensive and thorough experience in breeding the species which is the subject of the application, or of a closely related species.

ii. A person applying for a permit to possess individuals of species of birds which have been wild-caught or their eggs primarily for zoological, scientific or educational purposes which include breeding only as a secondary purpose, including those persons designated by institutions or businesses as those responsible for breeding and handling birds, shall demonstrate that he or she possesses a thorough knowledge of the handling, care and breeding of the species which is the subject of the application, or of a related bird species. As a condition for the issuance of the permit the Division may require that the applicant be supervised by an aviculturist approved by the Department. In the case of scientific or educational projects of limited duration, the applicant shall identify the final disposition of the bird(s);

2. Any person applying to possess individuals of species of birds which have been wild-caught, or their eggs, shall obtain, in addition to a New Jersey Exotic Species or Nongame Species Permit, all other permits applicable to the possession of such species. Any permit issued for the possession of birds by the Department shall not exempt an applicant from compliance with any other relevant Federal, state, county or municipal law;

3. Any person applying to possess individuals of species of birds which have been wild-caught, or their eggs, shall state in writing the purpose and intent of keeping the birds, the species of birds, and the number of individuals of each species the applicant intends to possess under the permit. In the case of multiple purposes and intents, the applicant shall rank his or her intentions in order of decreasing importance to the applicant;

4. Any person applying to possess individuals of species of birds which have been wild-caught, or their eggs, shall describe in written detail the caging facilities for each bird species, including those aspects of the facilities designed to prevent escape. For each building in which birds are to be housed, its street address and on which floors the birds are to be housed shall be stated. For each room in which birds are to be housed, that room's dimensions, the nearest source of natural and artificial light available for each bird, the type of heating, cooling and ventilation in each room and its source in each room relative to each bird's caging facilities and the location of each room within the building shall be described. Acceptance of any permit authorized under this subchapter shall entitle and authorize Department personnel to inspect the housing and caging of the licensed birds from 8:00 A.M. to 9:00 P.M., Monday through Saturday, in order to determine if the housing and caging is suitable for the species and will ensure accomplishment of the applicant's stated purposes;

5. Any person applying to possess individuals of species of birds which have been wild-caught, or their eggs, shall describe in written detail a reliable, continuous source of food for each bird species, including adult, nestling and hatchling diets for each bird species to be kept; and

6. Except as stated in this section, no person or organization shall possess for any purpose any wild-caught bird or egg produced from such a bird unless that person or organization produces credible documentary evidence that the bird (or egg) was legally possessed pursuant to this subchapter before December 10, 1991, the effective date of the Wild Bird Act.

i. All wild-caught birds possessed before December 10, 1991 by persons or organizations with a permit or other written approval from the Department are exempt from this proof requirement. The Department may consider, among other things, the following as proof of a wild-caught bird's pre-Act status: affidavits from persons with relevant knowledge and sworn-true copies of such documents as bills of lading, contracts of sale, pet shop records and veterinary records.

ii. No person or institution shall sell or otherwise transfer possession of any wild-caught bird or its egg which is possessed pursuant to a Department permit, or purchase or otherwise receive any new wild-caught birds without first obtaining written permission from the Department.

iii. Sellers or transferors of both pre-Act and post-Act birds shall maintain written documentation as per (b)6i above showing that all birds are either captive-bred or were legally possessed pursuant to these regulations before December 10, 1991. Copies of such documents for each regulated bird sold or otherwise transferred must be provided to the purchaser or receiver of each bird and to the Department.

New Rule, R.1995 d.48, effective January 17, 1995.
See: 26 N.J.R. 1040(a), 27 N.J.R. 329(a).

7:25-4.20 Birds which must be banded; criteria for identifying and marking birds; permitted alterations of appearance; miscellaneous

(a) Regulated birds possessed under a permit issued prior to January 17, 1995 shall be exempt from banding until the bird is sold or otherwise transferred to a different person. All other regulated birds shall not be possessed until such time as an application to possess the bird, accompanied by proper documentation, is made to the Department and the bird is banded in accordance with this subchapter. Department denial of an application to possess regulated bird(s) shall result in the forfeiture of the bird(s) to the Department without compensation to the applicant.

(b) The natural appearance of any bird shall not be altered by any person in any way for any purpose, except as follows:

1. Seamless or butt-end bands as provided in this section;
2. Subcutaneous coded identification as provided in this section;
3. Clipped flight feathers of wing; or

4. Surgical or other medical procedure mandated in writing by a licensed veterinarian to preserve the life or health of the bird.

(c) Captive-bred birds hatched in New Jersey shall have seamless bands slipped onto one of their legs. A proper-sized seamless band slipped onto the leg of a hatchling shall be of such a size as to later fit a full-grown adult comfortably, but must not be so large that it could have been slipped over the foot of an older or full-grown bird. The Division shall publish and distribute a list of those species of birds exempt from the banding requirements because of adverse health effects.

(d) Captive-bred birds hatched outside the State of New Jersey and wild-caught birds (except for zebra finches, society finches, canaries, budgerigars and cockatiels) which remain in New Jersey for more than 48 hours and are not wearing seamless bands shall have butt-end bands placed around one of their legs upon arrival in New Jersey. All aviculturally recognized color mutations of any parrot species will be exempt from banding due to their captive-bred origin.

(e) In lieu of or in addition to banding as set forth in (a) through (d) above, birds may be identified by micro-chips (subcutaneous implants or coded information) obtained solely from manufacturers expressly authorized by the Department.

New Rule, R.1995 d.48, effective January 17, 1995.
See: 26 N.J.R. 1040(a), 27 N.J.R. 329(a).

SUBCHAPTER 5. 2006-2011 GAME CODE

Subchapter Historical Note

The Game Code is revised annually to reflect changing conditions in the State's wildlife resource. Previous revisions in the Code were as follows:

R.1971 d.74, effective May 21, 1971.
See: 3 N.J.R. 58(a), 3 N.J.R. 108(a).
R.1972 d.115, effective September 1, 1972.
See: 4 N.J.R. 101(a), 4 N.J.R. 158(a).
R.1972 d.202, effective October 13, 1972.
See: 4 N.J.R. 213(b), 4 N.J.R. 265(a).
R.1972 d.211, effective November 1, 1972.
See: 4 N.J.R. 232(b), 4 N.J.R. 264(a).
R.1973 d.164, effective August 1, 1973.
See: 5 N.J.R. 139(c), 5 N.J.R. 221(b).
R.1973 d.226, effective September 1, 1973.
See: 5 N.J.R. 221(a), 5 N.J.R. 304(b).
R.1973 d.263, effective September 17, 1973.
See: 5 N.J.R. 261(b), 5 N.J.R. 336(b).
R.1973 d.293, effective October 15, 1973.
See: 5 N.J.R. 304(a), 5 N.J.R. 370(a).
R.1974 d.149, effective August 1, 1974.
See: 6 N.J.R. 174(a), 6 N.J.R. 262(c).
R.1974 d.150, effective August 1, 1974.
See: 6 N.J.R. 175(a), 6 N.J.R. 263(a).
R.1975 d.178, effective August 1, 1975.
See: 7 N.J.R. 204(a), 7 N.J.R. 310(c).
R.1975 d.277, effective September 18, 1975.
See: 7 N.J.R. 359(b), 7 N.J.R. 464(a).
R.1975 d.281, effective September 24, 1975.
See: 7 N.J.R. 308(b), 7 N.J.R. 464(b).
R.1975 d.290, effective October 1, 1975.

See: 7 N.J.R. 413(a), 7 N.J.R. 499(a).
 R.1976 d.187, effective August 1, 1976.
 See: 8 N.J.R. 221(b), 8 N.J.R. 328(a), 8 N.J.R. 460(a).
 R.1976 d.307, effective October 1, 1976.
 See: 8 N.J.R. 378(b), 8 N.J.R. 509(b).
 R.1977 d.85, effective March 15, 1977.
 See: 9 N.J.R. 170(a).
 R.1977 d.86, effective March 15, 1977.
 See: 9 N.J.R. 170(b).
 R.1977 d.219, effective August 1, 1977.
 See: 9 N.J.R. 213(a), 9 N.J.R. 322(a).
 R.1977 d.355, effective October 3, 1977.
 See: 9 N.J.R. 360(c), 9 N.J.R. 465(a).
 R.1978 d.199, effective August 1, 1978.
 See: 10 N.J.R. 186(a), 10 N.J.R. 279(c).
 R.1979 d.329, effective August 16, 1979.
 See: 11 N.J.R. 324(b), 11 N.J.R. 434(b).
 R.1979 d.404, effective October 12, 1979.
 See: 11 N.J.R. 433(a), 11 N.J.R. 544(a).
 R.1980 d.266, effective August 1, 1980.
 See: 12 N.J.R. 259(a), 12 N.J.R. 392(a).
 R.1981 d.253, effective July 9, 1981 (operative August 1, 1981).
 See: 13 N.J.R. 262(a), 13 N.J.R. 403(c).
 R.1982 d.212, effective July 19, 1982 (operative August 1, 1982).
 See: 14 N.J.R. 302(b), 14 N.J.R. 755(d).
 R.1982 d.351, effective October 18, 1982.
 See: 14 N.J.R. 871(a), 14 N.J.R. 1158(a).
 R.1983 d.302, effective August 1, 1983.
 See: 15 N.J.R. 7118(a), 15 N.J.R. 1247(b).
 R.1985 d.419, effective August 3, 1985.
 See: 17 N.J.R. 1177(a), 17 N.J.R. 2021(c).
 R.1986 d.325, effective August 4, 1986.
 See: 18 N.J.R. 1026(b), 18 N.J.R. 1566(a).
 R.1987 d.321, effective August 3, 1987.
 See: 19 N.J.R. 808(a), 19 N.J.R. 1434(a).
 R.1988 d.376, effective August 1, 1988.
 See: 20 N.J.R. 1035(b), 20 N.J.R. 1895(a).
 R.1989 d.418, effective August 3, 1989.
 See: 21 N.J.R. 1289(b), 21 N.J.R. 2356(a).
 R.1990 d.404, effective August 6, 1990.
 See: 22 N.J.R. 1459(a), 22 N.J.R. 2288(a).
 R.1991 d.416, effective August 5, 1991.
 See: 23 N.J.R. 1494(a), 23 N.J.R. 2347(a).
 R.1992 d.315, effective August 3, 1992.
 See: 24 N.J.R. 1847(a), 24 N.J.R. 2715(b).
 R.1993 d.390, effective August 2, 1993.
 See: 25 N.J.R. 1930(a), 25 N.J.R. 3519(a).
 R.1994 d.412, effective August 1, 1994 (operative August 6, 1994).
 See: 26 N.J.R. 1913(b), 26 N.J.R. 3193(a).

See section annotations for subsequent revisions.

7:25-5.1 General provisions

(a) Judicial Notice. N.J.S.A. 13:1B-34 provides in pertinent part, "(C)opies of the State Fish and 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."

(b) Time: The hours listed in this Code are EST or EDT at date and are based on Trenton time. A copy of the official time table for Trenton is on file at the Office of Administrative Law and is available from that agency or the Division. Time tables for Trenton time are also published in the annual Summary of Game Regulations and Trenton time shall be the Statewide official time.

(c) This Code, when adopted and when effective, shall supersede the provisions of the 2005-2006 Game Code.

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

1. "Bag limit" means the amount of permitted take per person per season except in a permit season the "bag limit" is the amount of permitted take per permit per season.
2. "Leftover permits" means those permits within the amount presented as the permit quota remaining after closure of the initial permit-granting process.
3. "Permit quota" means the maximum amount of permits allocated for a given locality, season, or species category.
4. "Possession tag" means the tag or metal seal affixed to the animal by Division personnel or designated agent.
5. "Transportation tag" means the tag portion of the hunting license or special permit which is removed and affixed to the animal immediately upon kill or removal from the trap. It is also a tag supplied by the Division with the beaver and otter trapping license.
6. "New Jersey Supplemental Deer Transportation Tag" means the paper deer permit and transportation tag issued by mandatory deer check stations after registration of a deer taken on a regular license or special season permit. The "New Jersey Supplemental Deer Transportation Tag" will allow the hunter to continue hunting and take one additional deer subject to applicable sections of this Code. The transportation tag is completed and affixed to a deer immediately upon killing by the hunter.
7. "Traditional muzzleloader rifle" means a single shot, single barrel, side lock percussion or flintlock firearm with iron or peep sights and a wooden stock. In-line ignition, center hammer and under hammer muzzleloaders are not included in this definition. Scopes, Sabot slugs and jacketed projectiles are prohibited for the purposes of this definition.

8. An "antler point" is defined as at least one inch long from its tip to its base line, and the length must exceed the width at some location at least one inch down from the tip.

9. "Antler length" means the maximum length of a deer antler measured from the lowest outside edge of the antler burr along the outer curve to the most distant point of what is or appears to be the main antler beam. For the purposes of this definition, the antler length does not include the pedicel or portion of skull between the skull plate and base of the antler burr.

10. "Antlered deer" means any deer with at least one antler measuring at least three inches in length.

11. "Antlerless deer" means any deer which does not have any antler measuring at least three inches in length. For the purposes of this definition, shed antlered deer and

deer with broken antlers which measure less than three inches are considered antlerless deer.

12. "Limited quota, special deer permits" means bow, muzzleloader or shotgun special deer seasons permits for management zones where a random drawing is required because demand for permits is expected to exceed the supply, and for special management areas including military bases, National Wildlife Refuges, State and county parks and other areas that require application or issuance of special deer permits through the Division.

13. "Antlered buck stub" means that part of a 2002 or later, firearm, bow and arrow or all-around sportsman license that must be surrendered with the completed deer transportation tag upon registration of an antlered deer at an official deer checking station.

14. "Youth Hunting License" means the free hunting license issued by the Division to persons 10 through 15 years of age upon the successful completion an approved hunter education course. The license is valid, unless revoked for due cause, from the time of issuance until December 31 of the year in which the youth attains the age of 16 years.

15. "Youth hunter" status applies to the possessor of the Youth Hunting License or the immediate family member of a qualified occupant farmer who is at least 10 years of age and continues until December 31 of the year in which he or she turns 16 years.

16. For the purpose of determining eligibility for permits within the special farmer turkey permit section of this Code, "immediate family" includes the spouse, child, step-child, stepparent, legal guardian, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparent, great grandparent, brother, sister, stepsister, stepbrother, brother-in-law and sister-in-law of the farm owner or lessee who resides thereon.

17. "Earn-a-buck" requirement means deer hunters must harvest an antlerless deer from within a specified zone or zones, before taking or attempting to take an antlered deer in the prescribed season or season period, and deer management zone.

18. "Conservation ID Number" means the lifetime identification number assigned to sportsmen and sportswomen when they initially obtain a license, permit or child support certification through the electronic licensing system (ELS) beginning in 2006 and thereafter.

19. "Bonus muzzleloader permit," "bonus shotgun permit" or "bonus bow permit" permit means the additional purchase to the regular muzzleloader, shotgun or bow antlerless permit, that contains an antlered deer transportation tag and allows for the pursuit and harvest of an antlered deer only.

20. "Electronic License System" or "ELS" means the integrated Web-based and license agent-based automated

electronic license purchasing system used by the Division of Fish and Wildlife to sell hunting, fishing and trapping licenses and permits.

(e) For the purpose of this subchapter, "Trenton Office" shall mean the Bureau of Wildlife Management, Division of Fish and Wildlife, New Jersey Department of Environmental Protection, 501 East State Street, 5 Station Plaza, PO Box 400, Trenton, New Jersey 08625-0400.

(f) Hunters may purchase no more than one All Around Sportsman License, or one Bow and Arrow Hunting License and one Firearm Hunting License for any calendar year.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (b), inserted second sentence; and in (c), substituted "1996-97 Game Code" for "1995-96 Game Code".

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

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

In (c), changed Game Code year from 1996-97 to 1997-98; and in (d), deleted references to Deer Permits throughout.

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

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

In (c), changed date; and in (d), added 10 through 12.

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), substituted "1999-2000" for "1998-99"; and in (d), added 13 and 14.

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

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

In (d), added 16 and 17; added (f).

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).

In (c), substituted "2002-2003" for "2001-2002"; in (d)16, substituted "special" for "farmer deer and" preceding "farmer turkey permit" and deleted the "s" of "sections".

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (c), substituted "2003-2004" for "2002-2003".

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

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

In (c), substituted "2004-2005" for "2003-2004".

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

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

In (c), substituted "2005-2006" for "2004-2005"; in introductory paragraph of (d), substituted "subchapter" for "chapter"; and added (d)18 through (d)20.

Case Notes

Decision of the Commissioner of the Department of Environmental Protection not to implement the 2005 Comprehensive Black Bear Management Plan (CBBMP) was affirmed since the policy was not adopted

pursuant to the rulemaking provisions of the Administrative Procedure Act (APA); because the 2005 CBBMP set guidelines as to when and if a hunt can occur, it implicated matters of general administrative policy, warranting rulemaking pursuant to the APA. N.J. Animal Rights Alliance v. N.J. Dep't of Env'tl. Prot., 396 N.J. Super. 358, 934 A.2d 52, 2007 N.J. Super. LEXIS 324 (App.Div. 2007).

Shell fisherman did not have right to adjudicatory hearing on proposed coastal development by reason of his occupation. Spalt v. New Jersey Dept. of Environmental Protection, 237 N.J. Super. 206, 567 A.2d 264 (A.D.1989), certification denied 122 N.J. 140, 584 A.2d 213.

Hunter with four serious fish and game violations was not entitled to early restoration of hunting privileges where no extenuating circumstances existed. Wulster v. Department of Environmental Protection, 96 N.J.A.R.2d (EPE) 340.

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

(a) The duration of the pheasant season will be November 12—December 3 and December 12, 13, 15—31, 2005 and January 2—February 20, 2006; November 11—December 2 and December 11, 12, 14—30, 2006, and January 1—February 19, 2007; November 10—December 1 and December 10, 11, 13—31, 2007, and January 1—February 18, 2008; November 8—December 6 and December 15, 16, 18—31, 2008, and January 1—February 16, 2009; November 7—December 5 and December 14, 15, 17—31, 2009, and January 1—February 15, 2010; and, November 13—December 4 and December 13, 14, 16—31, 2010, and January 1—February 21, 2011. The Director, with the approval of the Council, may establish season dates for special, experimental pheasant management zones for research purposes.

(b) The Statewide daily bag limit is two pheasants of either-sex. The Director, with the approval of the Council, may establish bag limits for special, experimental pheasant management zones for research purposes.

(c) The duration for the pheasant season for properly licensed persons engaged in falconry is September 1—December 3, and December 12, 13, 15—31, 2005 and January 1—March 31, 2006; September 1—December 2 and December 11, 12, 14—30, 2006, and January 1—March 31, 2007; September 1—December 1, and December 10, 11, 13—31, 2007, and January 1—March 31, 2008; September 1—December 6 and December 15, 16, 18—31, 2008, and January 1—March 31, 2009; September 1—December 5 and December 14, 15, 17—31, 2009, and January 1—March 31, 2010; and, September 1—December 4 and December 13, 14, 16—31, 2010, and January 1—March 31, 2011.

(d) The hours for hunting pheasant on the opening day of the season are 8:00 A.M. to ½ hour after sunset. The hours for hunting pheasants on all other days on which pheasant hunting is legal are sunrise until ½ hour after sunset.

(e) The Director, with the approval of the Council, may designate special, experimental pheasant management zones for research purposes.

(f) Nothing contained in this section shall preclude properly licensed and permitted youth hunters from hunting pheasants on the Saturday before the opening of the pheasant season on selected wildlife management areas or portions thereof, if such activity is authorized by the Division. Youth hunters must be under the direct supervision of a non-hunting adult (21 years or older), who must possess a proper and valid firearm license. Direct supervision means the youth hunter and the supervising adult are together at the same location. The youth hunter shall not hunt independently of the supervising adult. Hunting hours, application procedures, permit quotas and the form of the permit shall be determined by the Division.

(g) The season for properly licensed semi-wild preserves is November 12, 2005—March 15, 2006; November 11, 2006—March 15, 2007; November 10, 2007—March 15, 2008; November 8, 2008—March 15, 2009; November 7, 2009—March 15, 2010; and, November 13, 2010—March 15, 2011, except that nothing contained herein shall preclude properly licensed and permitted youth hunters from hunting pheasant on the Saturday before the regular opening of the pheasant season, on semi-wild preserves licensed for pheasant. Youth hunters must be under the direct supervision of a non-hunting adult (21 years or older), who must possess a proper and valid firearm license. Direct supervision means the youth hunter and the supervising adult are together at the same location. The youth hunter shall not hunt independently of the supervising adult. The Director, with approval of the Council, may extend the pheasant season on licensed semi-wild preserves for a period not to exceed 20 days.

1. There is no daily bag limit and pheasants of either sex may be taken on properly licensed semi-wild shooting preserves. The total number of pheasants taken on a semi-wild shooting preserve in the season may not exceed the number specified for release on the semi-wild shooting preserve application.

(h) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:3-32, 23:4-2, 23:4-8, and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of hunting season throughout; in (d), added seasons in Cumberland and Salem Counties; in (f), inserted provision relating to male pheasants in Cumberland and Salem Counties; and in (h), inserted provision relating to persons between 10 and 15 years of age.

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

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

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

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

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

Changed dates throughout; rewrote (a); inserted a new (b); recodified former (b) through (i) as (c) through (j); and in the new (f), inserted "1/2 hour before" following "hours are".

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).

Changed dates throughout.

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

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

Changed dates throughout; rewrote (f) and (g).

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

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

Changed dates throughout.

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

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

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

Rewrote (a)-(c); deleted former (e); added new (e); in (g), rewrote introductory paragraph.

7:25-5.3 Cottontail rabbit (*Sylvilagus floridanus*), blacktail jackrabbit (*Lepus californicus*), whitetailed jackrabbit (*Lepus townsendii*), European hare (*Lepus europeus*), chukar partridge (*Alectoris graeca*), and quail (*Colinus virginianus*)

(a) The duration of the season for the hunting of cottontail rabbit, black-tailed jack rabbit, white-tailed jack rabbit, European hare and chukar partridge November 12—December 3 and December 12, 13, 15—31, 2005, and January 2—February 20, 2006; November 11—December 2 and December 11, 12, 14—30, 2006, and January 1—February 19, 2007; November 10—December 1 and December 10, 11, 13—31, 2007, and January 1—February 18, 2008; November 8—December 6 and December 15, 16, 18—31, 2008, and January 1—February 16, 2009; November 7—December 5 and December 14, 15, 17—31, 2009, and January 1—February 15, 2010; and, November 13—December 4 and December 13, 14, 16—31, and January 1—February 21, 2011. The season for hunting quail in the area of New Jersey north of Route 33 is as listed above. The season for hunting quail in the area of New Jersey south of Route 33 is above, except that the season shall end on January 31, 2006, January 31, 2007, January 31, 2008, January 31, 2009, January 30, 2010, and January 31, 2011.

(b) The duration of the season for the hunting of the animals enumerated by (a) above for properly licensed persons engaged in falconry is September 1—December 3 and December 12, 13, 15—31, 2005 and January 1—March 31, 2006; September 1—December 2 and December 11, 12, 14—30, 2006 and January 1—March 31, 2007; September 1—December 1 and December 10, 11, 13—31, 2007, and January

1—March 31, 2008; September 1—December 6 and December 15, 16, 18—31, 2008, and January 1—March 31, 2009; September 1—December 5 and December 14, 15, 17—31, 2009, and January 1—March 31, 2010; and, September 1—December 4 and December 13, 14, 16—31, 2010, and January 1—March 31, 2011.

(c) The daily bag limit is one jackrabbit or hare, seven quail, seven chukar partridge, and four cottontail rabbits, except the bag limit for quail in the area of New Jersey south of Route 33 is four quail.

(d) The hunting hours for the animals enumerated in this section are 8:00 A.M. to ½ hour after sunset on November 12, 2005, November 11, 2006, November 10, 2007, November 8, 2008, November 7, 2009, and November 13, 2010. On all other days for which hunting for these animals is legal, the hours are sunrise to ½ hour after sunset.

(e) The quail and chukar partridge season for properly licensed semi-wild preserves is November 12, 2005—March 15, 2006, November 11, 2006—March 15, 2007, November 10, 2007—March 15, 2008, November 8, 2008—March 15, 2009, November 7, 2009—March 15, 2010, and November 13, 2010—March 15, 2011 inclusive, except that nothing herein contained shall preclude properly licensed and permitted youth hunters from hunting quail and/or chukar on the Saturday before the regular opening of the quail and chukar season on semi-wild preserves licensed for quail and/or chukar. Youth hunters must be under the direct supervision of a non-hunting adult (21 years or older), who must possess a proper and valid firearm license. Direct supervision means the youth hunter and the supervising adult are together at the same location. The youth hunter may not hunt independently of the supervising adult. The Director, with approval of the council, may extend the quail and chukar partridge season on licensed semi-wild preserves for a period not to exceed 20 days.

1. There is no daily bag limit for quail and chukar partridge taken on properly licensed semi-wild shooting preserves. The total number of quail and chukar partridge taken on a semi-wild shooting preserve in the season may not exceed the number specified for release on the semi-wild shooting preserve application.

(f) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1 and 23:4-2 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of hunting season throughout; and in (e), inserted provision relating to persons between 10 and 15 years of age.

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

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

In (a), (b), (d) and (e), changed season dates throughout.
Amended by R.1999 d.287, effective August 16, 1999 (operative August 21, 1999).

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

Changed dates throughout; and in (d), inserted "1/2 hour before" following "hours are".

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).

Changed dates throughout.

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

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

Changed dates throughout; rewrote (e).

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

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

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

Changed dates throughout; in (e), added 1.

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

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

Rewrote (a)-(e).

7:25-5.4 Ruffed grouse (*Bonasa umbellus*)

(a) The duration of the season for the hunting of grouse is October 20—December 3, and December 12, 13, 15—31, 2005; October 19—December 2 and December 11, 12, 14-30, 2006; October 18—December 1 and December 10, 11, 13-31, 2007; October 16—December 6 and December 15, 16, 18—31, 2008; October 15—December 5 and December 14, 15, 17—31, 2009; and, October 21—December 4, and December 13, 14, 16—31, 2010.

(b) Daily bag limit: two grouse. No season limits.

(c) The hunting hours for ruffed grouse are sunrise to ½ hour after sunset except on November 12, 2005, November 11, 2006; November 10, 2007; November 8, 2008; November 7, 2009; and, November 13, 2010 when legal hunting hours are 8:00 A.M. to ½ hour after sunset.

(d) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1 and 23:4-2 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of hunting season throughout.

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

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

In (a) and (c), changed season dates throughout.

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

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

Changed dates throughout; and in (c), inserted "1/2 hour before" following "grouse are".

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).

Changed dates throughout.

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

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

Changed dates throughout (a) and (c).

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

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

Changed dates throughout (a) and (c).

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

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

Rewrote (a) and (c); in (b), substituted "two" for "three" preceding "grouse".

7:25-5.5 Eastern gray squirrel (*Sciurus carolinensis*)

(a) The duration of the season for the hunting of squirrels is September 24—December 3, and December 12, 13, 15—31, 2005 and January 2—February 20, 2006; September 30—December 2 and December 11, 12, 14—30, 2006, and January 1—February 19, 2007; September 29—December 1 and December 10, 11, 13-31, 2007, and January 1—February 18, 2008; September 27—December 6 and December 15, 16, 18-31, 2008, and January 1—February 16, 2009; September 26—December 5 and December 14, 15, 17—31, 2009, and January 1—February 15, 2010; and, September 25—December 4 and December 13, 14, 16—31, 2010, and January 1—February 21, 2011.

(b) The duration of the season for the hunting of squirrels for properly licensed persons engaged in falconry is September 1—December 3, and December 12, 13, 15-31, 2005, and January 1—March 31, 2006; September 1—December 2 and December 11, 12, 14-30, 2006, and January 1—March 31, 2007; September 1—December 1, and December 10, 11, 13—31, 2007, and January 1—March 31, 2008; September 1—December 6 and December 15, 16, 18—31, 2008, and January 1—March 31, 2009; September 1—December 5 and December 14, 15, 17-31, 2009, and January 1—March 31, 2010; and, September 1—December 4 and December 13, 14, 16—31, 2010, and January 1—March 31, 2011.

(c) Daily bag limit: Five squirrels. No season limit.

(d) Hunting hours for squirrels are sunrise to ½ hour after sunset, except on November 12, 2005; November 11, 2006; November 10, 2007; November 8, 2008; November 7, 2009; and November 13, 2010 when legal hunting hours are 8:00 A.M. to ½ hour after sunset.

(e) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1 and 23:4-2 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of hunting season throughout.

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

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

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

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

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

Changed dates throughout; and in (d), inserted "1/2 hour before" following "squirrels are".

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).

Changed dates throughout.

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

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

Changed dates throughout (a), (b) and (d).

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

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

Changed dates throughout (a), (b) and (d).

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

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

Rewrote (a), (b) and (d).

7:25-5.6 Black bear (*Ursus americanus*), bobcat (*Felis rufus*)

(a) There is a closed season for bobcat. It shall be illegal to possess, take, kill or attempt to take or kill a bobcat at any time. It shall be illegal to use dogs to pursue or run black bear. There is a closed season for black bear until the Commissioner approves a comprehensive policy for the protection and propagation of black bear. Subsequent to approval of such comprehensive policy, there shall be an open season for black bear. Notice of the Commissioner's approval of the comprehensive policy and the Division's schedule for acceptance of applications for permits for the black bear hunt shall be published on the Division's website at www.njfishandwildlife.com. The season duration for black bear shall be concurrent with the six-day firearm deer season as enumerated in N.J.A.C. 7:25-5.27(a). Legal hunting hours for black bear shall be ½ hour before sunrise to ½ hour after sunset. Following the commencement of the season, the Director may, after consultation with the Chairman, close the season. To the extent possible, the Chairman will consult with available Council members prior to consultation with the Director. The Director will announce such closure, which will become effective 24 hours from the daily legal closing time of the day on which the decision is made, based upon data obtained and reviewed by the Division. Season closure will be announced by news release, radio, the Division's website (www.njfishandwildlife.com) and other media.

1. Special black bear hunting permit requirement: All black bear hunters must have a current and valid firearm hunting license and a current and valid special "black bear hunting permit" which will be issued by the Division. A total of 10,000 special black bear hunting permits, allocated by black bear hunting area, will be available to properly licensed firearm hunters who have successfully completed a mandatory black bear hunting seminar. A random lottery will be conducted, if demand exceeds supply in any black bear hunting area. The Division will notify successful applicants of dates, times, locations and other requirements of the black bear hunting seminars. Successful applicants, who previously completed a black bear hunting seminar, may be waived from attending a current year seminar. Black bear hunting permits are not transferable and must be in the possession of the hunter while hunting black bear. Hunters are limited to one black bear hunting permit per year. Juvenile hunters aged 10 through 13 years of age must have a black bear hunting permit and be under the direct supervision of a properly licensed adult (21 years of age or older) while bear hunting. The adult must also possess a black bear hunting permit. Direct supervision means the juvenile hunter and the supervising adult are together at the same location. The juvenile hunter may not hunt independently of the adult.

i. Black bear hunting permits will be issued on an individual basis to holders of valid and current firearm hunting licenses. Black bear hunting permits are valid

only in the black bear hunting area and year designated on the permit, and are not transferable.

ii. Black bear hunting permits consist of a back display and include a "Black Bear Transportation Tag." The back display shall be conspicuously worn in the middle of the back in addition to the valid firearm license.

iii. Black bear hunting permits shall be applied for as follows: Holders of valid and current firearm hunting licenses, including juvenile licenses, shall apply by submitting an application via the Division's ELS which has been properly completed in accordance with instructions or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division. First time permit applicants who do not possess a valid hunting license may apply for a black bear hunting permit provided they have applied for a hunter education course prior to the application period and have provided such related information as may be required on the application. Only one application may be submitted per individual. Submission of more than one application by an individual will cause all applications to be void. All persons, while their hunting licenses are void under authority of law or as imposed by a court, are prohibited from making application for, or otherwise procuring, a black bear hunting permit. The application shall be completed to include the applicant's Conservation ID Number or name, address, black bear hunting area applied for, and any other information required by law or requested. Applications must be received no later than October 30, annually, to be included in the initial permit drawing. If the number of applications exceeds the hunting area permit quota, permit selection will be by random drawing. After the regular permit application period and initial permit selection process, nothing contained herein shall preclude the Division from issuing unfilled permits on a first come-first served basis to any properly licensed hunter. Any permit obtained by fraud shall be void.

2. Bag limit: Only one bear of either-sex and any age may be taken per properly licensed hunter. It is unlawful to take or attempt to take or continue to hunt for more than the number of black bear permitted. Properly licensed hunters who harvest a black bear shall immediately complete and affix to the bear the "Black Bear Transportation Tag" from their Black Bear Hunting Permit. Information included on the black bear transportation tag shall include: the hunters name, address and current firearm license number; date and time of kill; county and municipality of kill; and the sex of the black bear. Successful hunters must take the black bear to a designated check station by 8:00 P.M. on the day of the kill. Hunters shall surrender the black bear transportation tag and will be issued a legal possession tag. Any legally killed black bear recovered too late to be brought to a designated black bear check station

by 8:00 P.M. on the date of the kill must be reported immediately by telephone to the Northern Region Office of the Bureau of Law Enforcement. Hunters must provide their name, address and a telephone number where they can be reached on the telephone message recording device, if a Division representative is not available. Said black bear must be brought to a designated black bear check station on the next weekday to be registered and to receive a legal possession tag.

3. The black bear hunting areas are located as follows:

i. Black Bear Hunting Area No. 1. That portion of Warren and Sussex Counties lying within a continuous line beginning at the intersection of the Portland Bridge and the Delaware River at Columbia; then northward along the east bank of the Delaware River to the New York State Line; then east along the New York State Line to Rt. 519; then south along Rt. 519 to its intersection with Rt. 627; then south along Rt. 627 to its intersection with Rt. 626; then south along Rt. 626 to its intersection with Rt. 521; then southwest along Rt. 521 to its intersection with Rt. 94 in Blairstown; the southwest along Rt. 94 to the Portland Bridge, the point of beginning in Columbia. The islands of Labar, Tocks, Poxono, Depew, Namanock, Minisink and Mashipacong lying in the Delaware River are also included within this Hunting Area.

ii. Black Bear Hunting No. Area 2. That portion of Sussex, Warren and Morris Counties lying within a continuous line beginning at Portland Bridge in Columbia; then northward along Rt. 94 to its intersection with Rt. 521 in Blairstown; then north along Rt. 521 to its intersection with Rt. 626; then north along Rt. 626 to its intersection with Rt. 627; then north along Rt. 627 to its intersection with Rt. 519 in Branchville; then north along Rt. 519 to the New York State Line; then southeast along the New York State line to Rt. 517; then south along Rt. 517 to its intersection with Rt. 94; then south on Rt. 94 to its intersection with Rt. 23 in Hamburg Borough; then south along Rt. 23 to its intersection with Rt. 517 in Franklin; then south along Rt. 517 to its intersection with Rt. 15 in Sparta; then south along Rt. 15 to its intersection with Interstate 80 in Dover; then west along interstate 80 to its intersection with Rt. 94; then south along Rt. 94 to the intersection with the Portland Bridge and the Delaware River located in Columbia, the point of beginning.

iii. Black Bear Hunting Area No. 3. That portion of Sussex, Passaic, Morris and Bergen Counties lying within a continuous line beginning at the intersection of Rt. 80 and Rt. 15 in Dover; then north along Rt. 15 to its intersection with Rt. 517 in Sparta; then north along Rt. 517 to its intersection with Rt. 23 in Franklin; then north along Rt. 23/517 to its intersection with 517 in Hamburg Borough; then north along Rt. 517 to the New York State Line; then east along the New York State Line to

its intersection with Rt. 287; then south along Rt. 287 to its intersection with Rt. 80; then west along Rt. 80 to its intersection with Rt. 15 the point of beginning in Dover.

iv. Black Bear Hunting Area No. 4. That portion of Sussex, Warren, Morris, Somerset and Hunterdon Counties lying within a continuous line beginning at the intersection of Route 78 and the Delaware River; then north along the east bank of the Delaware River to the Portland Bridge at Columbia; then northeast along Rt. 94 to its intersection with Rt. 80; then east along Rt. 80 to its intersection with Rt. 287; then southwest along Rt. 287 to its intersection with Rt. 78; then west along Rt. 78 to the Delaware River the point of beginning.

v. Black Bear Hunting Area No. 5. That portion of Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties lying within a continuous line beginning at the intersection of Routes 78 and 287; then north along Route 287 to its intersection with the New York State line; then southeast along the New York state line to the Hudson River; then south along the west shore of the Hudson River to Upper New York Bay; then south along the shore of Upper New York Bay to the Kill Van Kull; then west along the north shore of the Kill Van Kull to Newark Bay; then west across Newark Bay to its confluence with the Arthur Kill; then south along the west shore of the Arthur Kill to its intersection with Route 440; then west along Route 440 to its intersection with Route 287; then northwest along Route 287 to its intersection with Rt. 78 the point of beginning.

vi. Black Bear Hunting Area No. 6. That portion of Warren, Hunterdon, Somerset, Middlesex, Mercer, Monmouth, Burlington, Ocean, Atlantic, Cape May, Cumberland, Salem, Gloucester and Camden Counties lying within a continuous line beginning at the intersection of Rt. 78 and the Delaware River; then east along Rt. 78 to its intersection with Rt. 287, then southeast along Rt. 287 to its intersection with Rt. 440; then south and east along Routes 287/440 to its intersection with the Arthur Kill at Perth Amboy; then south along the west shore of the Arthur Kill to Raritan Bay, then south and east along the shore of Raritan Bay to Sandy Hook; then north along the east shore of Sandy Hook Bay to the tip of Sandy Hook; then south along the Atlantic Ocean to the Delaware Bay shore; then north and west along the shore of Delaware Bay to its intersection with the Delaware River; then north along the east bank of the Delaware River to its intersection with Rt. 78, the point of beginning.

4. Only shotguns no smaller than 20 gauge or larger than 10 gauge with rifled slugs, and muzzleloader rifles of .44 or larger caliber shall be used. Persons hunting with muzzleloader rifle must also possess a current and valid rifle-hunting permit.

5. Hunting manner shall be by stand hunting, still-hunting or drive hunting with shotgun or muzzleloader

rifle. Black bears may not be taken from dens. No person shall attempt to take or kill a black bear or have in their possession or control any firearm, or other weapon of any kind, while elevated in a standing tree or in a structure of any kind within 300 feet of a baited area (N.J.S.A. 23:4-24.2). Persons hunting black bear must wear a cap made of daylight fluorescent orange or an outer garment containing at least 200 square inches of fluorescent orange material visible from all sides at all times while hunting.

6. A Black Bear Management Zone Map is on file at the Office of Administrative Law and is available from the Division. The Black Bear Hunting Season Permit Quotas are as set forth by Zone as follows:

BLACK BEAR HUNTING SEASON PERMIT QUOTAS

Black Bear Hunting Area	Hunting Season Permit Quota	Portions of Counties Involved
1	2,000	Sussex, Warren
2	3,000	Sussex, Warren, Morris
3	3,000	Sussex, Passaic, Morris, Bergen
4	2,000	Warren, Hunterdon, Morris, Somerset, Sussex
5	0	Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union
6	0	Warren, Hunterdon, Somerset, Middlesex, Mercer, Monmouth, Burlington, Ocean, Atlantic, Cape May, Cumberland, Salem, Camden, Gloucester

(b) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4.1 and other applicable statutes.

Amended by R.1995 d.427, effective August 7, 1995.
See: 27 N.J.R. 1897(a), 27 N.J.R. 2889(a).
Amended by R.2000 d.365, effective September 5, 2000 (operative September 10, 2000).
See: 32 N.J.R. 1673(a), 32 N.J.R. 3294(a).
Rewrote the section.
Notice of stay of black bear hunting season.
See: 32 N.J.R. 3592(a).
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 (a); deleted (b) through (g); recodified (h) as (b).
Amended by R.2003 d.359, effective September 2, 2003 (operative September 7, 2003).
See: 35 N.J.R. 1804(a), 35 N.J.R. 4053(a).
Rewrote (a).
Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).
See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (a), substituted "6-11, 2004 and shall be concurrent with the six-day firearm deer season" for "8-13, 2003" following "shall be December" in the introductory paragraph, and substituted "2004" for "2003" throughout 1.

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

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

Rewrote (a).

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

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

Rewrote (a)liii.

Case Notes

Decision of the Commissioner of the Department of Environmental Protection not to implement the 2005 Comprehensive Black Bear Management Plan (CBBMP) was affirmed since the policy was not adopted pursuant to the rulemaking provisions of the Administrative Procedure Act (APA); because the 2005 CBBMP set guidelines as to when and if a hunt can occur, it implicated matters of general administrative policy, warranting rulemaking pursuant to the APA. N.J. Animal Rights Alliance v. N.J. Dep't of Env'tl. Prot., 396 N.J. Super. 358, 934 A.2d 52, 2007 N.J. Super. LEXIS 324 (App.Div. 2007).

7:25-5.7 Wild turkey (*Meleagris gallapavo*)

(a) The duration of the 2006, 2007, 2008, 2009, and 2010 Fall Either Sex Wild Turkey Hunting Seasons for Turkey Hunting Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 20 and 21 shall include a hunting period "N" of six days including: Monday, October 30—Saturday, November 4, 2006; Monday, October 29—Saturday, November 3, 2007; Monday, October 27—Saturday, November 1, 2008; Monday, October 26—Saturday, October 31, 2009; and, Monday October 25—Saturday, October 30, 2010. There shall be no Fall Turkey Hunting in Turkey Hunting Areas 12, 14, 15, 16, and 22 in 2006, 2007, 2008, 2009, and 2010. The hunting periods for all 2007, 2008, 2009 and 2010 Spring Wild Turkey Gobbler Seasons shall be as set forth in (a)1 through 6 below as follows:

1. Hunting Period A: Monday, April 17—Friday, April 21, 2006; Monday, April 16—Friday, April 20, 2007; Monday, April 14—Friday, April 18, 2008; Monday, April 13—Friday, April 17, 2009; and Monday, April 19—Friday, April 23, 2010, inclusive;

2. Hunting Period B: Monday, April 24—Friday, April 28, 2006; Monday, April 23—Friday, April 27, 2007; Monday, April 21—Friday, April 25, 2008; Monday, April 20—Friday, April 24, 2009; and Monday, April 26—Friday, April 30, 2010, inclusive;

3. Hunting Period C: Monday, May 1—Friday, May 5, 2006; Monday, April 30—Friday, May 4, 2007; Monday, April 28—Friday, May 2, 2008; Monday, April 27—Friday, May 1, 2009; and Monday, May 3—Friday, May 7, 2010, inclusive;

4. Hunting Period D: Monday, May 8—Friday, May 12, 2006; Monday, May 7—Friday, May 11, 2007; Monday, May 5—Friday, May 9, 2008; Monday, May 4—Friday, May 8, 2009; and Monday, May 10—Friday, May 14, 2010, inclusive;

5. Hunting Period E: Monday, May 15—Friday, May 19 and Monday, May 22—Friday, May 26, 2006; Monday, May 14—Friday, May 18 and Monday, May 21—Friday, May 25, 2007; Monday, May 12—Friday, May 16 and Monday, May 19—Friday, May 23, 2008; Monday, May 11—Friday, May 15 and Monday, May 18—Friday, May 22, 2009; and Monday, May 17—Friday, May 21 and Monday, May 24—Friday, May 28, 2010, inclusive;

6. Hunting Period G: Saturdays, April 21 and 28 and May 5, 12 and 19, 2007; April 19 and 26 and May 3, 10 and 17, 2008; April 18 and 25 and May 2, 9 and 16, 2009; April 24 and May 1, 8, 15 and 22, 2010; April 23 and 30 and May 7, 14 and 21, 2011; and April 21 and 28 and May 5, 12, and 19, 2012 inclusive; and

7. Hunting Period Y, exclusively applicable to youth hunters 10 to 16 years of age: April 14—May 25, 2007; April 12—May 23, 2008; April 11—May 22, 2009; April 17—May 28, 2010; April 16—May 27, 2011; and April 14—May 25, 2012 inclusive.

(b) Bag Limit: The bag limit for the spring turkey hunting season is one male wild turkey with each special wild turkey, general turkey hunting, private land turkey hunting permit and with each special farmer turkey permit. Only one turkey may be taken in a given day. The bag limit for the fall season is one wild turkey of either-sex per permit.

(c) The hunting hours for wild turkey gobblers in the spring season shall be 1/2 hour before sunrise to noon daily. Hunting hours for the fall either sex turkey season shall be 1/2 hour before sunrise to 1/2 hour after sunset daily.

(d) Special wild turkey hunting permits are valid only during the hunting period designated and only in the designated turkey hunting area. Permittees aged 10 to less than 14 years of age shall be accompanied by and under the direct supervision of a properly licensed adult who is at least 21 years of age. For the purposes of this section, direct supervision is defined as both the juvenile hunter and properly licensed adult set up together at the same location, hunting as a unit and not hunting independently of each other for different birds. Youth hunters, 10 to 16 years of age, may obtain only one permit for Hunting Period Y per season. Youth hunters may use their Hunting Period Y permit in the designated zone at any time the season is open, including the special youth spring turkey hunting day enumerated in (o) below. Youth hunters possessing permits for Hunting Periods A, B, C, D, E or G may only use these permits during the periods specified and on the special youth spring turkey hunting day. Youth hunters are not required to use their Hunting Period Y permit before using other permits. After taking their bird with a permit for Hunting Period Y, youth hunters are subject to the same area and hunting period that any additional regular permit hunting permit designates. Permits are not transferable.

(e) Hunting methods shall be restricted to calling or stand hunting during the spring gobbler season. No person shall

stalk or attempt to approach a wild turkey for the purpose of taking or attempting to take the bird. All persons must have a turkey calling device in their possession while turkey hunting. No person shall use an electronic calling device for calling turkeys at any time during the open season. Persons may not drive or chase wild turkeys for the purpose of putting them in range of hunters, except that fall hunters may rush turkeys for the purpose of causing the flock to scatter. No group of hunters larger than five individuals may hunt turkeys at any time. The use of dogs is prohibited in the spring gobbler season. No live or electronically operated decoys may be used. Fluorescent hunters orange is not required on outer clothing for turkey hunting. No shot size larger than No. 4 fine shot or smaller than No. 7 1/2 fine shot may be used for turkey hunting. No shotgun larger than 10 gauge or smaller than 20 gauge may be used for turkey hunting. A person hunting turkeys shall not have in possession or control, a firearm or other weapon within 300 feet of a baited area during the turkey hunting seasons. A baited area is defined as the collection, deposit, concentration or unnatural gathering of feed including, but not limited to, corn, wheat, oats or other substance that may constitute a lure or enticement to turkeys.

(f) Method: The taking of one male wild turkey in the spring gobbler season or one wild turkey of either sex during the fall turkey season per special turkey permit with firearm or bow and arrow is permitted in any designated turkey hunting areas by holders of a special wild turkey permit.

1. Except as provided in (h)1 below, special wild turkey permits will be issued on an individual basis to holders of valid and current firearm or archery hunting licenses. Only one application per person may be submitted for the spring wild turkey season and only one application per person may be submitted for the fall turkey season during the initial application period. Only one application per person may be submitted for a left over permit during the initial application period. All persons, while their hunting licenses are void under authority of law or as imposed by a court, are prohibited from making application for, or otherwise procuring a turkey hunting permit.

(g) Special permits consist of a back display which includes a wild turkey transportation tag. The back portion of the permit will be conspicuously displayed on the outer clothing in addition to the valid firearm or archery license. Any wild turkey killed must be tagged immediately with the completed wild turkey transportation tag. This completely filled in wild turkey transportation tag allows legal transportation of the wild turkey to an authorized checking station only. Personnel at the checking station will issue a "possession tag". Any permit holder killing a wild turkey must transport this wild turkey to an authorized checking station by 3:00 P.M. on the day killed during the spring gobbler hunting season or by 7:00 P.M. on the day killed during the fall turkey season to secure the legal "possession tag." The possession of a wild turkey after 3:00 P.M. on the date killed during the spring gobbler season or 7:00 P.M. on the date killed during

the fall season without a legal "possession tag" shall be deemed illegal possession.

(h) Wild Turkey Hunting Permits shall be applied for as follows:

1. Holders of valid and current firearm or archery hunting licenses, including juvenile licenses, shall apply by submitting an application. Applications shall be submitted via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS lo-

cations through such alternate system as may be designated by the Division. First time permit applicants who do not yet possess a valid hunting license may apply for a wild turkey hunting permit provided they have applied for a hunter education course prior to the permit application period and have provided such related information as may be required on the application.

2. Only one application for an initial permit and only one application for a leftover permit may be submitted by any one individual during the prescribed application period. Duplicate applications will cause all applications by an individual to be void.

3. The application shall be filled in to include the applicant's Conservation ID Number or name, address, turkey hunting areas applied for, hunting periods applied for, and any other information requested. Only those applications will be accepted for participation in random selection that are received during the period of January 25—February 22, inclusive. Applications received after February 22 will not be considered for the initial drawing. Selection of permits will be by random drawing except that: applicants 10-16 years of age who have a valid youth hunting license will receive a spring hunting season permit for Hunting Period Y for the turkey hunting area of their choice separate from the spring permit quota; and applicants who possess a "Permit to Shoot From A Standing Vehicle," granted by the Division who have a valid license, will receive a spring hunting season permit for their first choice hunting area and hunting period separate from the spring permit quota. Persons possessing a Permit to Shoot From A Standing Vehicle shall apply for a spring turkey season permit on separate applications provided by the Division during the regular application period.

i. Application for the fall hunting season shall be made separately from the spring season and as prescribed by the Division. Selection of permits shall be by random drawing except that applicants 10 to 16 years of age who have a valid youth hunting license shall receive a fall hunting season permit for the hunting area applied for separate from the fall permit quota, if the area is open for the fall turkey season.

4. Unless otherwise indicated, the non-refundable permit application fee payable to "Division of Fish and Wildlife", must accompany the completed application. If selected to receive a permit, the full permit fee will be payable to the Division.

5. Unsuccessful applicants will be notified. Any permit obtained by fraud is void.

6. Nothing contained herein shall preclude the Division from issuing unfilled permits on a first come-first served basis to any properly licensed bow and arrow hunter, firearm hunter or qualified farmer after the permit selection process.

(i) Special Farmer Turkey Permits shall be applied for as follows:

1. Only the owner or lessee of a farm, who resides thereon, or immediate members of his family 10 years of age or older who also reside thereon, may apply on forms provided for a special farmer turkey permit for the spring season and the fall season. Under this section a farm is an area of five acres or more and producing a gross income in excess of \$500.00 and is tax assessed as farmland. Special farmer spring turkey permits will be issued only in those Turkey Hunting Areas where a spring gobbler season is prescribed. Special farmer fall turkey permits will be issued only in those Turkey Hunting Areas where a fall turkey season is prescribed.

2. Application forms may be obtained from the Division of Fish and Wildlife, PO Box 400, Trenton, N.J. 08625-0400.

3. The application shall be filled in to include Conservation ID Number or name, age, address, and any other information requested thereon. Properly completed application forms will be accepted in the Trenton office only during the period of February 1-22. There is no fee required and all qualified applicants will receive a Special Farmer Spring Turkey Permit or Special Farmer Fall Turkey Permit delivered by mail.

4. Only one farmer application may be submitted per individual during the initial application period. Application for a farmer turkey permit shall not preclude a farmer from applying for and the Division's issuing one regular turkey season permit as a holder of a valid hunting license.

(j) Turkey Hunting Permits and Special Farmer Turkey Permits shall be used as follows:

1. The turkey hunting permit is valid only in the turkey hunting area (THA) designated, during the time period designated, and is not transferable. The turkey hunting permit hunter is responsible for hunting in the correct THA and time period as indicated and in ascertaining the boundaries. The Special Farmer Turkey Permit for the spring season is valid for all five turkey hunting periods and only on the farm designated on the application and is not transferable. The special farmer turkey permit for the fall season is valid only on the farm designated in the application and is not transferable.

2. The turkey hunting permit is not transferable from turkey hunting area to turkey hunting area, or from hunting period to hunting period, from individual to individual or from farm to farm. The permit must be used in the Turkey Hunting Area, in the hunting period, and by the individual to whom it was issued.

(k) Turkey hunting area map is on file at the Office of Administrative Law and is available from that agency or the Division. The Spring Turkey Hunting Season Permit Quotas are as set forth in (k)1 below:

1. 2007-2011 Spring Turkey Hunting Season Permit Quotas are as follows:

SPRING TURKEY HUNTING SEASON PERMIT QUOTAS

For Hunting Periods A, B, C, D, E, and G

Turkey Hunting Area Number	Hunting Period Permit Quota*	Season Permit Quota Total	Portions of Counties Involved
1	240	1,440	Sussex
2	315	1,890	Sussex, Warren
3	115	690	Sussex, Warren
4	240	1,440	Sussex, Warren, Morris
5	325	1,950	Sussex
6	500	3,000	Sussex, Passaic, Bergen
7	500	3,000	Sussex, Morris, Passaic
8	325	1,950	Warren, Hunterdon
9	220	1,320	Warren, Hunterdon, Morris, Somerset
10	160	960	Essex, Middlesex, Morris, Somerset, Union, Bergen, Hudson, Passaic
11	300	1,800	Middlesex, Mercer, Hunterdon, Somerset
12	175	1,050	Mercer, Middlesex, Monmouth, Ocean
14	200	1,200	Burlington, Ocean, Monmouth, Mercer
15	200	1,200	Burlington, Ocean, Atlantic, Salem, Gloucester, Camden
16	200	1,200	Burlington, Atlantic, Ocean, Cape May
20	500	3,000	Cumberland, Salem, Gloucester
21	240	1,440	Atlantic, Cumberland, Salem, Gloucester
22	120	720	Atlantic, Cape May, Cumberland
Total	4,875	29,250	

*Applied to each of the six Turkey Hunting Permit hunting periods (A, B, C, D, E, G) in all areas enumerated in (a)1 through 6 above.

(f) The Fall Turkey Hunting Season (Hunting Period N Permit Quotas) are as follows:

FALL TURKEY HUNTING SEASON PERMIT QUOTAS
2007-2011

Turkey Hunting Area Number	Permit Quota**	Portions of Counties Involved
1	240	Sussex
2	315	Sussex, Warren
3	115	Sussex, Warren
4	240	Sussex, Warren, Morris
5	325	Sussex
6	500	Sussex, Passaic, Bergen
7	500	Sussex, Morris, Passaic
8	325	Warren, Hunterdon
9	220	Warren, Hunterdon, Morris, Somerset
10	160	Essex, Middlesex, Morris, Somerset, Union, Bergen, Hudson, Passaic
11	300	Middlesex, Mercer, Hunterdon, Somerset
20	500	Cumberland, Salem, Gloucester
21	100	Atlantic, Cumberland, Salem, Gloucester
Total	3,840	

**Applied to the single Fall Turkey Hunting Period "N" in Turkey Hunting Areas 1-11, 20 and 21.

(m) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:4-2, 23:4-11, 23:4-12 and other applicable statutes.

(n) Turkey Hunting Areas are as follows:

1. Turkey Hunting Area No. 1: That portion of Sussex County lying within a continuous line beginning at the intersection of Routes 206 and 519 at Branchville; then northwest along Rt. 206 to its intersection with Rt. 560; then west along Rt. 560 to its intersection with the Delaware River at Dingman's Ferry; then north along the east bank of the Delaware River to the New York State Line; then east along the New York State Line to Rt. 519; then south along Rt. 519 to the point of beginning at Branchville. The islands of Namanock, Minisink and Mashipacong lying in the Delaware River are included in the Hunting Area.

2. Turkey Hunting Area No. 2: That portion of Sussex and Warren Counties lying within a continuous line beginning at the intersection of Rt. 94 and Bridge Street at Blairstown; then north on Bridge Street to the Blairstown-Millbrook Road; then northwest along the Blairstown-Millbrook Road to Millbrook Village; then northwest along the Millbrook-Flatbrookville Road to its intersection with

the Flatbrook at Flatbrookville; then south along the west bank of the Flatbrook to its confluence with the Delaware River; then north along the east bank of the Delaware River to the intersection with Rt. 560 at Dingman's Ferry; then east along Rt. 560 to its intersection with Rt. 206; then southeast along Rt. 206 to its intersection with Rt. 519 at Branchville; then south along Rt. 519 to its intersection with Rt. 94 at Newton; then southwest along Rt. 94 to the point of beginning at Blairstown.

3. Turkey Hunting Area No. 3: That portion of Warren and Sussex Counties lying within a continuous line beginning at the intersection of the Portland Bridge and the Delaware River at Columbia; then north along the east bank of the Delaware River to its confluence with the Flatbrook; then north along the east bank of the Flatbrook at its intersection with the Millbrook-Flatbrookville Road at Flatbrookville; then southeast along the Millbrook-Flatbrookville Road to Millbrook Village, then south on the Blairstown-Millbrook Road to its intersection with Bridge Street; then south on Bridge Street to Rt. 94 at Blairstown; then southwest along Rt. 94 to the Portland Bridge, the point of beginning at Columbia. The islands of Tocks and Labar lying in the Delaware River are also included within this Hunting Area.

4. Turkey Hunting Area No. 4: That portion of Sussex, Warren and Morris Counties lying within a continuous line beginning at the intersection of Routes 94 and 206 at Newton; then south along Rt. 206 to its intersection with Rt. 183 at Netcong; then southeast along Rt. 183 to its intersection with Rt. 46; then west along Rt. 46 to the Delaware River at Manunkachunk; then north along the east bank of the Delaware River to the Portland Bridge at Columbia; then northeast along Rt. 94 to the point of beginning at Newton.

5. Turkey Hunting Area No. 5: That portion of Sussex County lying within a continuous line beginning at the intersection of Routes 206 and 517 at Andover; then north along Rt. 206 to its intersection with Rt. 519 at Newton; then north along Rt. 519 to the New York State Line; then east along the New York State Line to its intersection with Rt. 517; then south along Rt. 517 to the point of origin at Andover.

6. Turkey Hunting Area No. 6: That portion of Sussex, Passaic and Bergen Counties lying within a continuous line beginning at the intersection of Rt. 23 and Rt. 517 at the Hardystonville; then north along Rt. 517 to the New York State Line; then east along the New York State Line to its intersection with Rt. 202; then south along Rt. 202 to its intersection with Rt. 23; then west along Rt. 23 to the point of beginning at Hardystonville.

7. Turkey Hunting Area No. 7: That portion of Sussex, Passaic and Morris Counties lying within a continuous line beginning at the intersection of Route 23 and Route 517 at Hardystonville; then east along Rt. 23 to its intersection with Rt. 202 at Wayne; then south and west along Rt. 202

to its intersection with Rt. 287; then south along Rt. 287 to its intersection with Rt. 80; then west along Rt. 80 to its intersection with Rt. 183 at Netcong; then east along Rt. 183 to its intersection with Rt. 206; then north along Rt. 206 to its intersection with Rt. 517; then northeast along Rt. 517 to the point of beginning at Hardystonville.

8. Turkey Hunting Area No. 8: That portion of Hunterdon and Warren Counties lying within a continuous line beginning at the Delaware River at Manunkachunk; then east along Rt. 46 to its intersection with Rt. 31; then south along Rt. 31 to its intersection with Rt. 12 at Flemington; then west along Rt. 12 to its intersection with the Delaware River at Frenchtown; then north along the east bank of the Delaware River to the point of beginning at Manunkachunk.

9. Turkey Hunting Area No. 9: That portion of Hunterdon, Warren, Somerset and Morris Counties lying within a continuous line beginning at the intersection of Rts. 31 and 46 at Butzville; then east along Rt. 46 to its intersection with Rt. 80; then east along Rt. 80 to its intersection with Rt. 206; then south along Rt. 206 to its intersection with Rt. 287; then south along Rt. 287 to its intersection with Rt. 202; then south and west along Rt. 202 to its intersection with Rt. 31 at Flemington; then north along Rt. 31 to the point of beginning at Butzville.

10. Turkey Hunting Area No. 10: That portion of Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties lying within a continuous line beginning at the intersection of Routes 206 and 80; then east along Route 80 to its intersection with Route 287; then north along Route 287 to its intersection with Route 202; then north and east along Route 202 to the New York State line; then southeast along the New York state line to the Hudson River; then south along the west shore of the Hudson River to Upper New York Bay; then south along the shore of Upper New York Bay to the Kill Van Kull; then west along the north shore of the Kill Van Kull to Newark Bay; then west across Newark Bay to its confluence with the Arthur Kill; then south along the west shore of the Arthur Kill to its intersection with Route 440; then west along Route 440 to its intersection with Route 287; then north along Route 287 to its intersection with Route 206; then north along Route 206 to the point of beginning.

11. Turkey Hunting Area No. 11: That portion of Hunterdon, Mercer, Middlesex and Somerset Counties lying within a continuous line beginning at the intersection of Route 12 and the Delaware River at Frenchtown; then east along Route 12 to its intersection with Route 202; then east along Route 202 to its intersection with Route 287; then south and east along route 287 to its intersection with Route 1; then south and west along Route 1 to its intersection with the Delaware River at Trenton; then north along the east bank of the Delaware River to the point of begin-

ning. The islands of Skyhawks, Rush, Bull, Treasure and Eagle are included in this area.

12. Turkey Hunting Area No. 12: That portion of Mercer, Middlesex, Ocean and Monmouth Counties lying within a continuous line beginning at the intersection of Route 1 and Route 206 at Trenton; then north and east along Route 1 to its intersection with Route 287; then south and east along Routes 287 and 440 to its intersection with the Arthur Kill at Perth Amboy; then south along the west shore of the Arthur Kill to Raritan Bay, then south and east along the shore of Raritan Bay to Sandy Hook; then north along the east shore of Sandy Hook Bay to the tip of Sandy Hook; then south along the Atlantic Ocean to Sixteenth Avenue at Belmar; then west on Sixteenth Avenue to Route 35; then south on Route 35 to Route 138; then west along Route 138 to its intersection with Route 195; then west along Route 195 to its intersection with Route 524; then north along Route 524 to its intersection with Route 206; then north along Route 206 to the point of beginning.

13. Turkey Hunting Area No. 14: That portion of Burlington, Mercer, Monmouth and Ocean Counties lying within a continuous line beginning at the intersection of Route 1 and the Delaware River; then east along Route 1 to its intersection with Route 206; then south along Route 206 to its intersection with Route 524; then east along Route 524 to its intersection with Route 195; then east along Route 195 to its intersection with Route 138; then east along Route 138 to Route 35; then north on Route 35 to Sixteenth Avenue; then east on Sixteenth Avenue to the Atlantic Ocean at Belmar; then south along the Atlantic Ocean to Ship Bottom; then north and west along Route 72 to its intersection with Route 70; then west along Route 70 to its intersection with Route 38 at Cherry Hill; then west along Route 38 to its intersection with Route 30; then west along Route 30 to the Delaware River; then north along the east bank of the Delaware River to the point of beginning.

14. Turkey Hunting Area No. 15: That portion of Atlantic, Burlington, Camden, Salem and Gloucester Counties lying within a continuous line beginning at the intersection of Routes 70 and 206 at Red Lion; then south along Route 206 to Hammonton; then south along Route 54 from Hammonton to its intersection with Route 40 at Buena; then west along Route 40 to its intersection with Route 77 at Upper Pittsgrove; then north on Route 77 to its intersection with Route 45 at Mullica Hill; then north along Route 45 to its intersection with Route 322, then west along Route 322 to its intersection with the Delaware River; then north along the east bank of the Delaware River to its intersection with Route 30 at Camden; then east along Route 30 to its intersection with Route 38; then east along Route 38 to its intersection with Route 70; then east along Route 70 to the point of beginning.

15. Turkey Hunting Area No. 16: That portion of Burlington, Ocean, Cape May and Atlantic Counties lying within a continuous line beginning at the intersection of

Routes 206 and 70 at Red Lion; then east along Route 70 to its intersection with Route 72; then southeast along Route 72 to Ship Bottom and the Atlantic Ocean; then south along the Atlantic Ocean to Sea Isle Boulevard (Route 625) in Sea Isle City; then west along Sea Isle Boulevard to its intersection with Route 9; then north along Route 9 to its intersection with Route 50; then north along Route 50 to its intersection with Route 557; then north and west along Route 557 to its intersection with Route 40; then west along Route 40 to its intersection with Route 54; then north along Route 54 to its intersection with Route 206; then north along Route 206 to the point of beginning.

16. Turkey Hunting Area No. 20: That portion of Cumberland, Gloucester and Salem Counties beginning at the intersection of east bank of the Delaware River and Route 322 near Bridgeport; then southeast on Route 322 to its intersection with Route 45 near Mullica Hill; then south on Route 45 to its intersection with Route 77; then south on Route 77 to its intersection with Route 40; then east along Route 40 to its intersection with Route 553; then south along Route 553 to its intersection with Route 49; then west along Route 49 to Bridgeton and its intersection with the Cohansey River; then south along the west bank of the Cohansey River to its confluence with the Delaware River; then north along the east bank of the Delaware River to the point of beginning.

17. Turkey Hunting Area No. 21: That portion of Atlantic, Cumberland, Gloucester and Salem Counties lying within a continuous line beginning at the intersection of Routes 40 and 553; then east along Route 40 to Lincoln Ave. (Route 655), in Buena Vista; then southwest along Lincoln Ave. to its intersection with Route 55 in Vineland; then south along Route 55 to its intersection with Route 49; then west along Route 49 to the Maurice River; then south along the west bank of the Maurice River to its confluence with Delaware Bay; then west along the Delaware Bay shore to the Cohansey River; then north along the east bank of the Cohansey River to its intersection with Route 49 at Bridgeton; then east along Route 49 to its intersection with Route 553; then north along Route 553 to the point of beginning.

18. Turkey Hunting Area No. 22: That portion of Atlantic, Cape May and Cumberland Counties lying within a continuous line beginning at the intersection of Rt. 55 and Lincoln Avenue (Route 655); then northeast along Lincoln Avenue to its intersection with Wheat Road (Route 619) at Buena; then east on Wheat Road to its intersection with Route 557; then southeast along Rt. 557 to its intersection with Rt. 50; then southeast along Rt. 50 to its intersection with Rt. 9 at Seaville; then south along Rt. 9 to its intersection with Sea Isle Boulevard; then east along Sea Isle Boulevard to the Atlantic Ocean at Sea Isle City; then south along the Atlantic Coast to the Delaware Bay shore then north and west along the shore of Delaware Bay to its intersection with the Maurice River; then north along the east bank of the Maurice River to its intersection with

Rt. 49 at Millville; then east along Rt. 49 to its intersection with Rt. 55; then north along Rt. 55 to its intersection with Lincoln Avenue (Route 655) the point of beginning.

(o) A special youth spring turkey hunting day with shotgun or bow and arrow will be Saturday, April 15, 2006; Saturday, April 14, 2007; Saturday, April 12, 2008; Saturday, April 11, 2009; and Saturday, April 17, 2010, inclusive. Youth hunters must possess a current and valid Youth Hunting License and a valid permit for the hunting area. Youth hunters, 10 to 16 years of age, who qualify to hunt as provided for in (i) above must have a valid permit for the farm designated on the application. All youth hunters must be under the direct supervision of a non-hunting adult (21 years or older), who must possess a proper and valid firearm license if the youth is hunting with a shotgun; or a proper and valid bow and arrow license if the youth hunter is hunting with a bow and arrow. Direct supervision means the youth hunter and the supervising adult are set up together at the same location and hunting as a unit. The youth hunter may not hunt independently of the supervising adult. All other hunting requirements for the regular Spring Wild Turkey Gobbler Season shall apply.

Amended by R.1988 d.530, effective November 7, 1988.

See: 20 N.J.R. 2217(a), 20 N.J.R. 2757(a).

Amended Spring turkey hunting season permit quotas and areas in subsection (k).

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

Administrative correction.

See: 29 N.J.R. 2175(a).

Incorporated former (b) into (a) and recodified former (c) through (o) as (b) through (n).

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

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

Amended dates of hunting season throughout; in (k), amended quotas in permit table; and in (l), added 1998 quotas to permit table.

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

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

In (a), change season dates; rewrote (d); in (h), changed the season date and added an exception at the end of 3; in (i), inserted new application requirement "social security number" and changed the due date in 3; in (k), changed season dates; and in (l), deleted 1997 quotas and inserted 1999 quotas.

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

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

Rewrote the section.

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

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

Rewrote the section.

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

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

Rewrote the 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).

Rewrote the section.

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

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

Rewrote (a); in (h), added the text following "spring permit quota" in 3; in (k), substituted "2006-2010" for "2004-2006" in 1; in (l), deleted ")," following "follows:" in the introductory paragraph and substituted "2005-2010" for "2003-2006" in the table heading; in (o), updated hunting day.

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

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

In (a), deleted "2005" preceding "2006, 2007," in two places, deleted "Monday, October 31—Saturday, November 5, 2005;" preceding "Monday, October 30"; and deleted "2006," following "hunting periods for all"; rewrote (a)6; added (a)7; rewrote (d) and (h); in (i)2, deleted "," or from Conservation Officers" from the end; in (i)3, deleted "form" following "The application", and "social security number" following "address," and substituted "Conservation ID Number or name" for "Name"; in (k)1 substituted "2007-2011" for "2006-2010", and updated the "Portions of Counties Involved" column of the Spring Turkey Hunting Season Permit Quotas table; in the heading for the Fall Turkey Hunting Season Permit Quotas table in (l), substituted "2007-2011" for "2005-2010"; updated the "Portions of Counties Involved" column of the Fall Turkey Hunting Season Permit Quotas table; in (n)9, inserted "Somerset"; in (n)12, inserted "Ocean"; in (n)14, inserted "Salem"; in (n)15, inserted "Ocean, Cape May"; and in (n)16, inserted "Gloucester".

7:25-5.8 Mink (*Mustela vison*) muskrat (*Ondatra zibethicus*) and nutria (*Myocaster coypus*) trapping only

(a) Mink, muskrat and nutria are to be taken by trapping only.

(b) The duration of the mink, muskrat and nutria-trapping season is as follows:

1. Northern Zone: 6:00 A.M. on November 15, 2005 through March 15, 2006, November 15, 2006—March 15, 2007; November 15, 2007—March 15, 2008; November 15, 2008—March 15, 2009; and, November 15, 2009—March 15, 2010 inclusive, except on State Fish and Wildlife Management Areas, enumerated in N.J.A.C. 7:25-5.33(a)2.

2. Southern Zone: 6:00 A.M. on December 1, 2005 through March 15, 2006, December 1, 2006—March 15, 2007; December 1, 2007—March 15, 2008; December 1, 2008—March 15, 2009; and December 1, 2009—March 15, 2010, inclusive, except on State Fish and Wildlife Management Areas, enumerated in N.J.A.C. 7:25-5.33(a)2.

3. Trapping Zone Boundaries: Trapping zones shall be defined as follows: That section of New Jersey situated North (or South) of a line starting at the intersection of U.S. Route 1 and the Pennsylvania border at Trenton, then Northeast along Route 1 to its intersection with Route 287 in Middlesex County, then east along Route 287 to its intersection with the New York State line at Staten Island.

4. On State Fish and Wildlife Management Areas, enumerated in N.J.A.C. 7:25-5.33(a)2, the season duration will be: 6:00 A.M. on January 1—March 15, 2006; January 1—March 15, 2007; January 1—March 15, 2008; January

1—March 15, 2009; and, January 1—March 15, 2010, inclusive.

(c) General provisions: No trap stakes or traps shall be placed or set before the times as indicated in this section.

(d) Authority: N.J.S.A. 23:4-37, 23:3-1, 23:4-1 and other applicable statutes.

(e) See N.J.A.C. 7:25-5.12, General trapping rules.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (b)1, 2, and 4, amended dates of trapping season.

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

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

In (b), changed season dates.

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

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

In (b), changed dates in 1, 2 and 4.

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 (b), changed dates throughout.

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 (b).

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

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

Changed dates in (b).

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

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

Changed dates in (b).

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

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

Rewrote (b).

7:25-5.9 Beaver (*Castor canadensis*) trapping

(a) Beaver may only be taken by means of a trap approved by the Division of Fish and Wildlife.

(b) The duration of the trapping season for beaver shall be December 26, 2005—February 9, 2006; December 26, 2006—February 9, 2007; December 26, 2007—February 9, 2008; December 26, 2008—February 9, 2009; and, December 26, 2009—February 9, 2010, inclusive, except on State Fish and Wildlife Management Areas enumerated in N.J.A.C. 7:25-5.33(a)2. On State Fish and Wildlife Management Areas enumerated in N.J.A.C. 7:25-5.33(a)2 the trapping season for beaver shall be January 1—February 9, 2006; January 1—February 9, 2007; January 1—February 9, 2008; January 1—February 9, 2009; and January 1—February 9, 2010, inclusive. If the anticipated harvest of beaver has not been accomplished during this season, up to 14 additional days may be authorized by the Director.

(c) Special Permit: A special permit obtained from the Division of Fish and Wildlife shall be required to trap beaver. If the number of applications received exceeds the quotas listed, a random drawing will be held to determine permit holders. Application for special permits shall be made via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division during the period October 1-31, annually. Unclaimed beaver permits may be issued over-the-counter. Applicants may apply for only one beaver trapping permit and shall provide their Conservation ID Number, or name, age, address and any other information requested thereon. Successful applicants must trap with a valid, current trapping license. The 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011 annual Special Beaver Trapping Permit quota is as follows:

ANNUAL SPECIAL BEAVER PERMIT QUOTAS

Beaver Management Zone	Annual Permit Quota	Portions of Counties Involved
Number*		
1	8	Sussex
2	16	Sussex
3	9	Bergen, Morris, Passaic, Sussex
4	7	Sussex, Warren
5	12	Sussex, Warren
6	20	Morris, Passaic, Sussex, Warren
7	9	Essex, Morris, Passaic
8	8	Ocean
9	7	Burlington, Ocean
10	8	Atlantic, Burlington, Camden
11	6	Atlantic, Burlington, Ocean
12	3	Atlantic, Camden, Gloucester
13	10	Atlantic, Cape May, Cumberland
14	2	Atlantic, Cumberland, Gloucester, Salem
15	2	Cumberland, Salem
16	6	Atlantic, Burlington
17	5	Atlantic
18	3	Atlantic, Cape May
19	7	Hunterdon, Morris, Warren
20	3	Hunterdon, Morris
21	1	Hunterdon, Morris, Somerset
22	1	Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, Union
23	1	Bergen, Hudson, Passaic
24	3	Hunterdon, Mercer, Somerset
25	5	Burlington, Mercer, Middlesex, Somerset
26	1	Mercer, Middlesex, Monmouth

Beaver Management Zone Number*	Annual Permit Quota	Portions of Counties Involved
27	1	Monmouth, Ocean
28	8	Burlington, Mercer, Middlesex, Monmouth
29	8	Burlington, Camden, Gloucester
30	6	Camden, Cumberland, Gloucester, Salem
Total	186	

*Beaver and otter management zones are described in N.J.A.C. 7:25-5.10(h)1 through 30.

(d) Special Site Specific Permit: During the initial application period, applicants may also apply for one special site specific beaver permit. The total number of permits available shall not exceed 14. Site specific permits will be issued for specific locations or properties where the Division has determined that beaver damage or nuisance problems exist. A random drawing will be held to determine permit holders; however, applicants unsuccessful in obtaining the special permit as set forth at (c) above will be given first opportunity. Permits will be valid only during the beaver trapping season.

(e) The season limit for beaver trapping is eight beaver per special permit and 10 beaver per special site specific permit.

(f) A "beaver transportation tag" provided by the Division shall be affixed to each beaver taken immediately upon removal from trap, and all beaver pelts shall be taken to a designated beaver checking station at the times and dates specified on the beaver permit and, in any case, no later than 20 days after the close of the season.

(g) Each beaver trapper shall be restricted to a maximum of five traps. However, holders of both a Special Permit and a Special Site Specific Permit may use five additional traps per Special Site Specific Permit provided they are used only on the property or site specified in the Special Site Specific Permit. Each trap shall be tagged pursuant to N.J.A.C. 7:25-5.12 with the tag clearly visible above the level of the water or ice. The Division, in its discretion, may designate and suitably post certain beaver colonies and prohibit all trapping within their dams, or within 500 feet thereof, during the beaver trapping season as indicated in this section.

(h) Special Beaver Permit and Special Site Specific Permits are valid only in the zone or site designated and are not transferable from person to person.

(i) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:3-1, 23:4-1, 23:4-37, 23:4-38.1, 23:4-38.2, 23:4-38.3, 23:4-39, 23:4-40, 23:4-41, 23:4-55 and other applicable statutes.

Amended by R.1995 d.427, effective August 7, 1995.
See: 27 N.J.R. 1897(a), 27 N.J.R. 2889(a).

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (b), amended dates of trapping season; and in (c), amended dates of trapping season and amended permit zones.

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

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

In (b) and (c), changed season dates.

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

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

Changed dates throughout; in (c), changed Zone references; in (d), substituted "10" for "15" at the end of the second sentence; and in (e), substituted "10" for "five" following "trapping is".

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).

Changed dates throughout; in (c), added 2001 Special Beaver Trapping Permit Quotas; and in (d), increased the maximum number of permits from 10 to 20.

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

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

In (b), substituted "2002" for "2001"; rewrote (c).

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

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

Changed dates in (b) and (c).

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

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

Changed dates in (b) and (c); changed quotas in (c) and (e).

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

Changed dates and permit quota numbers throughout.

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

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

Rewrote (b) and (c).

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

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

In (c), deleted "in the Trenton office" following "applications received" and "2005-2006," preceding "2006-2007", substituted "Application for special permits shall be made via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division" for "Applications shall be received in the Trenton office" and "Conservation ID Number, or name, age, address and any other information requested thereon" for "current and valid trapping license number", and inserted "2010-2011"; and in (f), inserted "pelts", and substituted "20" for "seven".

7:25-5.10 River otter (*Lutra canadensis*) trapping

(a) Otter may only be taken under special permit by means of a trap approved by the Division of Fish and Wildlife.

(b) The duration of the trapping season for otter shall be December 26, 2005—February 9, 2006; December 26, 2006—February 9, 2007; December 26, 2007—February 9, 2008; December 26, 2008—February 9, 2009; and, December 26, 2009—February 9, 2010, inclusive, except on State Fish and Wildlife Management Areas enumerated in N.J.A.C. 7:25-5.33(a)2. On State Wildlife Management Areas enumerated in N.J.A.C. 7:25-5.33(a)2 the trapping season for otter shall be January 1—February 9, 2006; January 1—February 9,

2007; January 1—February 9, 2008; January 1—February 9, 2009; and January 1—February 9, 2010. If the anticipated harvest of otter has not been accomplished, up to 14 additional days may be authorized by the Director.

(c) Special Permit: A special permit obtained from the Division of Fish and Wildlife shall be required to trap otter. If the number of applications received exceeds the quotas listed, a random drawing will be held to determine permit holders. Beaver permit holders will be given first opportunity for otter permits in their respective zones. Applications shall be submitted via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division during the period October 1-31, annually. Unclaimed otter permits may be issued over-the-counter. Only one application per person may be submitted for trapping otter and applicants shall provide their Conservation ID Number, or name, age, address and any other information requested thereon. Permits will be allotted on a zone basis as follows: Zone 1-7, Zone 2-7, Zone 3-2, Zone 4-3, Zone 5-2, Zone 6-9, Zone 7-3, Zone 8-6, Zone 9-3, Zone 10-4, Zone 11-5, Zone 12-2, Zone 13-14, Zone 14-7, Zone 15-12, Zone 16-4, Zone 17-2, Zone 18-5, Zone 19-1, Zone 20-1, Zone 26-1, Zone 27-1, Zone 30-5. Total: 106. Successful applicants must trap with a valid, current trapping license.

(d) The season limit for otter trapping is one otter.

(e) The "otter transportation tag" provided by the Division must be affixed to each otter taken immediately upon removal from the trap. All otter pelts and carcasses shall be taken to a beaver-otter check station at dates specified on the otter permit and, in any case, no later than 20 days after the close of the season, where a pelt tag will be affixed and the carcass surrendered.

(f) Each otter trapper is restricted to a maximum of three traps and each trap must be tagged pursuant to N.J.A.C. 7:25-5.12 with the tag clearly visible above the level of the water or ice.

(g) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:3-1, 23:4-1, 23:4-37, 23:4-38.1, 23:4-38.2, 23:4-38.3, 23:4-39, 23:4-40, 23:4-41, and 23:4-55 and other applicable statutes.

(h) Beaver and Otter Zones are described as follows:

1. Zone 1: That portion of Sussex County lying within a continuous line beginning at the intersection of the New York-New Jersey state line with Rt. 519, then south on Rt. 519 to its intersection with Rt. 23, then south on Rt. 23 to its intersection with Rt. 519 at Colesville, then south on Rt. 519 to its intersection with County Rt. 636 above Branchville, then west on Rt. 636 to its intersection with Rt. 206, then south on Rt. 206 to its intersection with Rt. 521, then southwest on Rt. 521 to its intersection with County Rt. 617, then south on Rt. 617 to its intersection with Rt. 624 near Fairview Lake, then northwest on Rt. 624 to its

intersection with Big Flatbrook River; then southwest along the southern bank of the Big Flatbrook River to its confluence with the Delaware River, then north along the Delaware River to the New York-New Jersey state line, then south along the New York-New Jersey state line to Rt. 519, the point of beginning.

2. Zone 2: That portion of Sussex County lying within a continuous line beginning at the intersection of the New York-New Jersey state line with Rt. 519, then south on Rt. 519 to its intersection with Rt. 23, then south on Rt. 23 to its intersection with Rt. 519 at Colesville, then south on Rt. 519 to its intersection with County Rt. 636 above Branchville, then west on County Rt. 636 to its intersection with Rt. 206, then southeast on Rt. 206 to its intersection with Rt. 15 at Ross Corner, then south on Rt. 15 to its intersection with Rt. 517 at Sparta, then north on Rt. 517 to its intersection with Rt. 23, then east on Rt. 23 to its intersection with Rt. 515 at Stockholm, then north on Rt. 515 to its intersection with Rt. 94 at Vernon, then north on Rt. 94 to the state line, then west along the state line to its intersection with Rt. 519, the point of beginning.

3. Zone 3: That portion of Sussex, Passaic, Morris and Bergen Counties lying within a continuous line beginning at the intersection of the state line and Rt. 94; then south on Rt. 94 to its intersection with Rt. 515 at Vernon; then south on Rt. 515 to its intersection with Rt. 23 at Stockholm then east on Rt. 23 to its intersection with Rt. 202 near Wayne; then north on Rt. 202 to the state line at Suffern; then west along the state line to its intersection with Rt. 94, the point of beginning.

4. Zone 4: That portion of Sussex and Warren Counties lying within a continuous line beginning at the confluence of the Delaware and Big Flatbrook River; then northeast along the southern bank of Big Flatbrook River to its intersection with Rt. 624, then south on Rt. 624 to its intersection with Rt. 617, then north on Rt. 617 to its intersection with Rt. 521, then northeast on Rt. 521 to its intersection with Rt. 206, then south on Rt. 206 to its intersection with Rt. 94 at Newton, then south on Rt. 94 to its intersection with Rt. 608 at Marksboro, then south on Rt. 608 to its intersection with Rt. 521, then south on Rt. 521 to its intersection with Rt. 80 near Hope, then west on Rt. 80 to its intersection with Rt. 94 at Columbia, then south on Rt. 94 to its intersection with the Delaware River, then north and northeast along the Delaware River to its confluence with the Big Flatbrook River, the point of beginning.

5. Zone 5: That portion of Sussex and Warren Counties lying within a continuous line beginning at the intersection of the Delaware River and Rt. 94 at Columbia, then north on Rt. 94 to its intersection with Rt. 80, then east on Rt. 80 to its intersection with Rt. 521 near Hope, then north on Rt. 521 to its intersection with Rt. 608, then northeast on Rt. 608 to its intersection with Rt. 94 at Marksboro, then north and east on Rt. 94 to its intersection with Rt. 206 at

Newton, then north on Rt. 206 to its intersection with Rt. 15 at Ross Corner, then south on Rt. 15 to its intersection with Rt. 517 at Sparta, then southwest on Rt. 517 to its intersection with Rt. 46 at Hackettstown, then west on Rt. 46 to its intersection with Water Street in Belvidere, then south along Water Street to its intersection with the Delaware River, then north on the Delaware River to its intersection with Rt. 94, the point of beginning.

6. Zone 6: That portion of Warren, Morris, Sussex and Passaic Counties lying within a continuous line beginning at the intersection of Rt. 46 and Rt. 517 in Hackettstown, then north on Rt. 517 to its intersection with Rt. 23 at Franklin, then south on Rt. 23 to its intersection with Rt. 699 (Berkshire Valley Rd.) at Oak Ridge, then south on Rt. 699 to its intersection with Rt. 15, then south on Rt. 15 to its intersection with Rt. 80, then west on Rt. 80 to its intersection with Rt. 10 near Ledgewood, then east on Rt. 10 to its intersection with Rt. 513, then west on Rt. 513 to its intersection with Rt. 517 at Long Valley, then north on Rt. 517 to its intersection with Rt. 182, then north on Rt. 182 to its intersection with Rt. 46, then northwest on Rt. 46 to its intersection with Rt. 517 at Hackettstown, the point of beginning.

7. Zone 7: That portion of Morris, Passaic and Essex Counties lying within a continuous line beginning at the intersection of Rt. 699 (Berkshire Valley Rd.) and Rt. 23 at Oak Ridge, then southeast on Rt. 23 to its intersection with Rt. 80 near Singac, then west on Rt. 80 to its intersection with Rt. 287, then south on Rt. 287 to its intersection with Rt. 10 near Whippany, then west on Rt. 10 to its intersection with Rt. 80 at Ledgewood, then east on Rt. 80 to its intersection with Rt. 15, then north on Rt. 15 to its intersection with Rt. 699 at Mt. Hope, then north on Rt. 699 to its intersection with Rt. 23 at Oak Ridge, the point of beginning.

8. Zone 8: That portion of Ocean County lying within a continuous line beginning at the intersection of Rt. 537 and Rt. 539 at Hornerstown, then south on Rt. 539 to its intersection with Rt. 72 near Howardsville, then east on Rt. 72 to its intersection with Rt. 532, then east on Rt. 532 to its termination at Barnegat Bay, then continuing eastward across Barnegat Bay and through Barnegat Inlet to the Atlantic Ocean, then north along the Atlantic Ocean to its intersection with Rt. 528 at Mantoloking, then west along Rt. 528 (527/528) to its intersection with Rt. 195 near Jackson Mills, then west along Rt. 195 to its intersection with Rt. 537 near Holmeson, then southwest along Rt. 537 to its intersection with Rt. 539 at Hornerstown, the point of beginning.

9. Zone 9: That portion of Ocean and Burlington Counties lying within a continuous line beginning at the intersection of Rt. 537 and Rt. 539 at Hornerstown, then south on Rt. 539 to its intersection with Rt. 72 near Howardsville, then northwest on Rt. 72 to its intersection with Rt. 532, then west on Rt. 532 to its intersection with Rt. 206

near Tabernacle, then north on Rt. 206 to its intersection with Rt. 537 at Chambers Corner, then east on Rt. 537 to its intersection with Rt. 539 at Hornerstown, the point of beginning.

10. Zone 10: That portion of Burlington, Camden and Atlantic Counties lying within a continuous line beginning at the intersection of Rt. 73 and Rt. 561 near Blue Anchor, then north on Rt. 73 to its intersection with Rt. 70 at Marlton, then east on Rt. 70 to its intersection with Rt. 541 at Medford, then southeast on Rt. 541 to its intersection with Rt. 532 at Medford Lakes, then east on Rt. 532 to its intersection with Rt. 206, then south on Rt. 206 to its intersection with Rt. 54, then southwest on Rt. 54 to its intersection with Rt. 561 near Hammonton, then northwest on Rt. 561 to its intersection with Rt. 73 near Blue Anchor, the point of beginning.

11. Zone 11: That portion of Ocean, Burlington and Atlantic Counties lying within a continuous line beginning at the intersection of Rt. 563 and Rt. 532 at Chatsworth, then east on Rt. 532 to its intersection with Rt. 72, then southeast on Rt. 72 to its intersection with Rt. 532 near Howardsville, then east on Rt. 532 to its termination at Barnegat Bay; then continuing eastward across Barnegat Bay and through Barnegat Inlet to the Atlantic Ocean, then south along the Atlantic Ocean to the Absecon Lighthouse in Atlantic City, then northwest on Rt. 30 to its intersection with Rt. 563 in Egg Harbor, then north on Rt. 563 to its intersection with Rt. 532 at Chatsworth, the point of beginning.

12. Zone 12: That portion of Atlantic, Gloucester and Camden Counties lying in a continuous line beginning at the intersection of Rt. 322 and Spur 536 Williamstown, then northeast on Spur 536 to its intersection with Rt. 73 near Tansboro, then south on Rt. 73 to its intersection with Rt. 561 at Blue Anchor, then southeast on Rt. 561 to its intersection with Rt. 54 near Hammonton, then southwest on Rt. 54 to its intersection with Rt. 557 at Buena, then northwest on Rt. 557 to its intersection with Rt. 322/536 near Williamstown, then east on Rt. 322/536 to its intersection with Spur 536 Williamstown, the point of beginning.

13. Zone 13: That portion of Cape May, Atlantic and Cumberland Counties lying within a continuous line beginning at the intersection of Rt. 557 and County Rt. 671 at Buena, then southeast on Rt. 557 to its intersection with Rt. 50 near Buck Hill, then south on Rt. 50 to its intersection with Rt. 9 at Seaville, and south on Rt. 9 to its intersection with Sea Isle Boulevard (Rt. 625) at Ocean View, then east on Sea Isle Boulevard to the Atlantic Ocean, then south along the Atlantic Ocean to the Delaware Bay, then north along the Delaware Bay to its intersection with East Point Rd. in Heislerville Wildlife Management Area, then north on East Point Rd. to its intersection with Rt. 616 (Dorchester-Heislerville Rd.), then north on Rt. 616 to its intersection with Rt. 740, then

northeast on Rt. 740 to its intersection with Rt. 47, then north on Rt. 47 to its intersection with Rt. 646 (Cumberland-Port Elizabeth Rd.) near Port Elizabeth, then north on Rt. 646 to its intersection with Rt. 49 near Cumberland, then west on Rt. 49 to its intersection with Rt. 671 (Union Rd.), then north on Rt. 671/71 to its intersection with Rt. 557 near Buena, the point of beginning.

14. Zone 14: That portion of Cumberland, Salem, Gloucester and Atlantic Counties lying within a continuous line beginning at the intersection of Delaware Bay and the west bank of the Maurice River, then north along the west bank of the Maurice River to Rt. 631, then north along Rt. 631 to its intersection with Rt. 553, then north along Rt. 553 to its intersection with Rt. 536/322 at Glassboro, then east along Rt. 322/536 to its intersection with Rt. 555 near Williamstown, then south along Rt. 555/557 to its intersection with Rt. 671 (Union Rd.) near Buena, then south on Rt. 671 to its intersection with Rt. 49 at Cumberland, then east on Rt. 49 to its intersection with Rt. 646 (Cumberland-Port Elizabeth Rd.), then south on Rt. 646 to its intersection with Rt. 47 at Port Elizabeth, then south on Rt. 47 to its intersection with Rt. 740, then southwest on Rt. 740 to its intersection with Rt. 616 (Dorchester-Heislerville Rd.), then south on Rt. 616 to its intersection with East Point Rd. in Heislerville Wildlife Management Area, then south on East Point Rd. to the Delaware Bay, then west along the Delaware Bay to its intersection with the west bank of the Maurice River, the point of beginning.

15. Zone 15: That portion of Salem and Cumberland Counties lying within a continuous line beginning at the intersection of the Delaware River at Rt. 625 at Oakwood Beach, then east on Rt. 625 to its intersection with Rt. 49 at Salem, then southeast on Rt. 49 to its intersection with Pecks Corner-Cohansey Road, then east on Pecks Corner-Cohansey Road to its intersection with Rt. 540, then east on Rt. 540 to its intersection with Rt. 553, at Centerton, then south on Rt. 553 to its intersection with Rt. 631 near Port Norris, then south on Rt. 631 to the Delaware Bay, then northwest along the Delaware Bay and Delaware River to its intersection with Rt. 625 at Oakwood Beach, the point of beginning.

16. Zone 16: That portion of Burlington and Atlantic Counties lying with a continuous line beginning at the intersection of Rt. 206 and Rt. 532 near Tabernacle, then southeast on Rt. 532 to its intersection with Rt. 563 at Chatsworth, then south on Rt. 563 to its intersection with Rt. 30 at Egg Harbor, then northwest on Rt. 30 to its intersection with Rt. 206, then north on Rt. 206 to its intersection with Rt. 532 near Tabernacle, the point of beginning.

17. Zone 17: That portion of Atlantic County lying within a continuous line beginning at the intersection of Rt. 557 and Rt. 54 at Buena, then northeast on Rt. 54 to its intersection with Rt. 30 at Hammonton, then southeast along Rt. 30 to its intersection with Rt. 50 at Egg Harbor,

then southeast along Rt. 50 to its intersection with Rt. 557 near Buck Hill, then northwest on Rt. 557 to its intersection with Rt. 54 at Buena, the point of beginning.

18. Zone 18: That portion of Atlantic and Cape May Counties lying within a continuous line beginning at the intersection of Rt. 50 and Rt. 557 near Buck Hill, then northeast along Rt. 50 to its intersection with Rt. 30/563 at Egg Harbor, then southeast on Rt. 30/563 to the Absecon Lighthouse in Atlantic City, then south along the Atlantic Ocean to Sea Isle Boulevard (Rt. 625) in Sea Isle, then west on Sea Isle Boulevard to its intersection with Rt. 9, then north on Rt. 9 to its intersection with Rt. 50 at Seaville, then northwest on Rt. 50 to its intersection with Rt. 557 near Buck Hill, the point of beginning.

19. Zone 19: That portion of Warren, Morris and Hunterdon Counties lying within a continuous line beginning at the intersection of Water Street and the Delaware River; then north on Water Street to its intersection with Route 46 and continuing east on Route 46 to its intersection with Route 182 at Hackettstown; then south on Route 182 to its intersection with Route 517; then south along Route 517 (517/24) to Schooleys Mountain; then south on Pleasant Grove Road to Pleasant Grove; then southeast on Califon Road to its intersection with Sliker Road; then southeast on Sliker Road to its intersection with East Hill Road; then south on East Hill Road to its intersection with Route 628 at Woodglen; then southwest on Route 628 to its intersection with Route 645 at Glen Gardner; then northwest on Route 645 to its intersection with Route 635 at Hampton; then south on Route 635 (Charlestown Road) to its intersection with Route 78/22; then west on Route 78/22 to its intersection with Route 614 near Perryville; then southwest on Route 614 to its intersection with Route 519 at Spring Mills; then south on Route 519 to the Delaware River at Milford; then northward along the Delaware River to its intersection with Water Street in Belvidere, the point of beginning.

20. Zone 20: That portion of Morris and Hunterdon Counties lying within a continuous line beginning at the intersection of Route 517 (517/124) and Pleasant Grove Road at Schooleys Mountain; then south on Pleasant Grove Road to Pleasant Grove; then southeast on Califon Road to its intersection with Sliker Road; then southeast on Sliker Road to its intersection with East Hill Road; then south on East Hill Road to its intersection with Route 628 at Woodglen; then southwest on Route 628 to its intersection with Route 645 at Glen Gardner; then northwest on Route 645 to its intersection with Route 635 at Hampton; then south on Route 635 (Charlestown Road) to its intersection with Route 78/22; then west on Route 78/22 to its intersection with Route 614 near Perryville; then southwest on Route 614 to its intersection with Route 519 at Spring Mills; then south on Route 519 to the Delaware River at Milford; then south on the Delaware River to the intersection of Route 29 and Route 523 at Stockton; then northeast on Route 523 to its intersection with Route 517 near

Oldwick; then north on Route 517 to its intersection with Route 513 (513/24) at Long Valley; then northwest on Route 517 (517/124) to Schooleys Mountain, the point of beginning.

21. Zone 21: That portion of Hunterdon, Somerset and Morris Counties lying within a continuous line beginning at the intersection of Route 517 and Route 513 at Long Valley; then north and east along Route 513 to its intersection with Route 10; then east along Route 10 to its intersection with Route 287 at Malapardis; then southwest along Route 287 to its intersection with Route 525 (Mt. Airy Road); then south along Route 525 to its intersection with Route 22 near Bound Brook; then west along Route 22 to its intersection with Route 523 at Whitehouse; then north along Route 523 to its intersection with Route 517 near Oldwick; then north along Route 517 to Long Valley, the point of beginning.

22. Zone 22: That portion of Somerset, Union, Essex, Hudson, Middlesex, Morris, Passaic and Bergen Counties lying within a continuous line beginning at the intersection of the north shore of the Raritan River and the Garden State Parkway; then north on the Garden State Parkway to its intersection with Route 440; then west on Route 440 to Route 287; then west on Route 287 to its intersection with Route 22; then east on Route 22 to its intersection with Route 525 (Thompson Avenue) near Bound Brook; then north on Route 525 to its intersection with Route 287; then north on Route 287 to its intersection with Route 80; then east along Route 80 to Exit 53 and its intersection with Route 46; then east on Route 46 to its intersection with Route 3; then southeast on Route 3 to the Hudson River at the Lincoln Tunnel; then south along the New Jersey shore of the Hudson River to the Kill Van Kull; then west along the New Jersey shore of the Kill Van Kull to Newark Bay; then west following the New Jersey boundary along Newark Bay; then south along the Arthur Kill following the New Jersey boundary to Raritan Bay; then west along the north shore of the Raritan River to the point of beginning at the Garden State Parkway.

23. Zone 23: That portion of Bergen, Passaic and Hudson Counties lying within a continuous line beginning at the intersection of Route 202 and the New York/New Jersey border; then southwest on Route 202 to its intersection with Route 23; then south on Route 23 to its intersection with Route 46 at Route 80 Exit 53; then east on Route 46 to its intersection with Route 3; then southeast on Route 3 to the Hudson River at the Lincoln Tunnel; then north along the Hudson River to the New York/New Jersey border; then northwest along the New York/New Jersey border to Route 202, the point of beginning.

24. Zone 24: That portion of Hunterdon, Mercer and Somerset Counties lying within a continuous line beginning at the Delaware River near the intersection of Route 29 and Route 523 at Stockton; then northeast on Route 523 to its intersection with Route 22; then east on Route 22 to

its intersection with Route 206; then south on Route 206 to its intersection with Route 295 near Lawrenceville; then west on Route 295 to Route 95; then west on Route 95 to the Delaware River; then north along the Delaware River to Stockton, the point of beginning.

25. Zone 25: That portion of Somerset, Middlesex, Mercer and Burlington Counties lying within a continuous line beginning at the Delaware River at the confluence of Black Creek at Bordentown; then eastward along Black Creek to the point at which Black Creek intersects Route 130; then northeast on Route 130 to its intersection with Route 1; then northeast on Route 1 to its intersection with Route 287; then west on Route 287 to its intersection with Route 22; then west on Route 22 to its intersection with Route 206; then south on Route 206 to its intersection with Route 295 near Lawrenceville; then west on Route 295 to Route 95; then west on Route 95 to the Delaware River; then south along the Delaware River to Bordentown, the point of beginning.

26. Zone 26: That portion of Mercer, Middlesex and Monmouth Counties lying within a continuous line beginning at the intersection of the north shore of the Raritan River and the Garden State Parkway; then north on the Garden State Parkway to its intersection with Route 440; then west on Route 440 to Route 287; then west on Route 287 to its intersection with Route 1; then southwest on Route 1 to its intersection with Route 130; then south on Route 130 to its intersection with Route 33 at Hightstown; then east on Route 33 to its intersection with Route 537; then northeast on Route 537 to its intersection with Route 79 at Freehold; then north on Route 79 to its intersection with Lloyd Road at Morganville; then north on Lloyd Road to Broadway in Keyport; then north on Broadway to the Matawan Creek confluence with the Raritan Bay; then northwest along the New Jersey shoreline to the Raritan River intersection with the Garden State Parkway, the point of beginning.

27. Zone 27: That portion of Monmouth and Ocean Counties lying within a continuous line beginning at the Atlantic Ocean at Route 528 at Mantoloking; then west on Route 528 (527/528) to its intersection with Route 195 near Jackson Mills; then west on Route 195 to its intersection with Route 537 near Holmeson; then northeast on Route 537 to its intersection with Route 79 at Freehold; then north on Route 79 to its intersection with Lloyd Road at Morganville; then north on Lloyd Road to Broadway in Keyport; then north on Broadway to the Matawan Creek confluence with the Raritan Bay; then southeast along the New Jersey coastline of the Atlantic Ocean at Raritan Bay; then south along the New Jersey coastline of the Atlantic Ocean to Mantoloking, the point of beginning.

28. Zone 28: That portion of Mercer, Middlesex, Monmouth and Burlington Counties lying within a continuous line beginning at the Delaware River at the confluence of Black Creek at Bordentown; then eastward along Black

Creek to the point at which Black Creek intersects Route 130; then northeast on Route 130 to its intersection with Route 33 at Hightstown; then east on Route 33 to its intersection with Route 537; then south on Route 537 to its intersection with Route 206 at Chambers Corner; then south on Route 206 to its intersection with Route 530 (Pemberton Road); then northwest on Route 530 to its intersection with Route 541 at Mt. Holly; then north on Route 541 to the Delaware River at Burlington; then north on the Delaware River to Bordentown, the point of beginning.

29. Zone 29: That portion of Burlington, Camden and Gloucester Counties lying within a continuous line beginning at the Delaware River at Route 541 in Burlington; then southward along the Delaware River to Route 30 at Camden; then east along Route 30 to its intersection with Route 130; then south along Route 130 to its intersection with Interstate 76; then south along Interstate 76 to its intersection with Route 42; then southeast along Route 42 to its intersection with Spur 536 (Williamstown-Mt. Freedom Road) at Williamstown; then northeast along Spur 536 to its intersection with Route 73 near Berlin; then north along Route 73 to its intersection with Route 70 at Marlton; then east on Route 70 to its intersection with Route 541 at Medford; then southeast on Route 541 to its intersection with Route 532 at Medford Lakes; then east on Route 532 to its intersection with Route 206; then north on Route 206 to its intersection with Route 530 (Pemberton Road); then northwest along Route 530 to its intersection with Route 541 at Mt. Holly; then north along Route 541 to the Delaware River at Burlington, the point of beginning.

30. Zone 30: That portion of Camden, Cumberland, Gloucester and Salem Counties lying within a continuous line beginning at the intersection of the Delaware River and Route 30 at Camden; then east along Route 30 to its intersection with Route 130; then south on Route 130 to its intersection with Route 76; then south on Route 76 to its intersection with Route 42; then southeast on Route 42 to its intersection with Spur 536 near Williamstown; then south on Spur 536 to its intersection with Route 322 (322/536) at Williamstown; then west on Route 322/536 to its intersection with Route 553 at Glassboro; then south on Route 553 to its intersection with Route 540 at Centerton; then west on Route 540 to its intersection with Pecks Corner-Cohansey Road; then west on Pecks Corner-Cohansey Road to its intersection with Route 49; then northwest along Route 49 to its intersection with Route 625 at Salem; then west on Route 625 to its intersection with the Delaware River at Oakwood Beach; then northward along the Delaware River to Route 30 at Camden, the point of beginning.

(i) Special otter permits are valid only in the zone designated and are not transferable from person to person.

Amended by R.1995 d.427, effective August 7, 1995.
See: 27 N.J.R. 1897(a), 27 N.J.R. 2889(a).

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (b), amended dates of trapping season; in (c), amended dates of trapping season and amended and added permit zones; and added (h)19 through 30.

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

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

In (b) and (c), changed season dates.

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

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

In (b) and (c), changed dates throughout.

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 (b) and (c), changed dates.

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

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

In (a), deleted last sentence; in (b), changed dates; in (c), substituted "annually" for "2000" and inserted sentence following annually; in (h)3, inserted "Morris" and in (h)30, inserted "Cumberland".

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

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

Rewrote the 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).

In (b), deleted "2003".

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (b), deleted "2004"; in (h), corrected route number in 2.

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

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

Rewrote (b) and (c).

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

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

Section was "River otter (*Lutra canadensis*) trapping". In (c), deleted "in the Trenton office" following "applications received", and substituted "Applications shall be submitted via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division" for "Applications shall be received in the Trenton office" and "Conservation ID Number, or name, age, address and any other information requested thereon" for "trapping license number"; in (e), substituted "20" for "seven"; in (h)1, inserted "its intersection with" following "then south on Rt. 206 to"; in (h)13, inserted "to the Delaware Bay" and "Wildlife"; and rewrote (h)14 and (h)29.

7:25-5.11 Raccoon (*Procyon lotor*), red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*), Virginia opossum (*Didelphis virginiana*), striped skunk (*Mephitis mephitis*), long-tailed weasel (*Mustela frenata*), short-tailed weasel (*Mustela erminea*), and coyote (*Canis latrans*) trapping only

(a) The trapping of raccoon, red fox, gray fox, Virginia opossum, striped skunk, long-tailed weasel, short-tailed weasel and coyote shall be permitted as fur bearing animals under the authority of a proper and valid trapping license.

(b) The duration of the regular raccoon, red fox, gray fox, Virginia opossum, striped skunk, long-tailed weasel, short-tailed weasel and coyote trapping season is 6:00 A.M. on November 15, 2005 to March 15, 2006, November 15, 2006—March 15, 2007; November 15, 2007—March 15, 2008; November 15, 2008—March 15, 2009; November 15, 2009—March 15, 2010; and November 15, 2010—March 15, 2011, inclusive, except on State Fish and Wildlife Management Areas, enumerated in N.J.A.C. 7:25-5.33(a)2.

(c) The duration for trapping on State Fish and Wildlife Management Areas, enumerated in N.J.A.C. 7:25-5.33(a)2, is 6:00 A.M. on January 1—March 15, 2006; January 1—March 15, 2007; January 1—March 15, 2008; January 1—March 15, 2009; and, January 1—March 15, 2010, inclusive.

(d) Special Permits: The Division in its discretion may issue a special permit for trapping of raccoon, fox and opossum.

(e) There shall be no daily nor season bag limit.

(f) Farmers or their agents may trap fox and coyote by lawful procedures at any time when found destroying poultry, crops or property subject to State law and local ordinances.

(g) Any person including a farmer trapping a coyote shall notify one of the regional law enforcement offices within 24 hours.

(h) Authority: The authority of the adoption of the foregoing section is found in N.J.S.A. 23:3-1, 23:4-1, 23:4-2, and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (b) and (c), amended dates of trapping season.

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

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

In (b) and (c), changed season dates.

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

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

In (b) and (c), changed dates throughout.

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 (b) and (c), changed dates.

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

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

In (b) and (c), changed trapping season dates.

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

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

Changed dates in (b) and (c).

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

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

Changed dates in (b) and (c).

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

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

Rewrote (b) and (c).

7:25-5.12 General trapping

(a) All traps set or used in this State must bear a durable and legible tag with the name and address of the person setting, using and maintaining the traps. The Division may issue a trap identification number to licensed trappers which may be used in lieu of a name and address.

(b) No trap of any kind shall be permitted to remain set on any property at the close of the trapping season. It shall be illegal to possess, in the woods or fields of this State any conibear or killer type trap with a jaw spread greater than six inches except under permit for the trapping of beaver or otter.

(c) No person shall set, use or maintain any type of conibear or killer-type trap for the purpose of trapping any muskrat or other furbearing animal in this state unless such trap is completely submerged underwater. This shall not preclude the setting of conibear or killer-type traps in tidal waters of this State for the purpose of taking muskrats, whereby the traps may be exposed above the surface of the water due to the ebb and flow of the tide, and provided that all such traps shall be completely submerged at mean high tide.

(d) No conibear or killer-type traps with a jaw spread larger than six inches shall be used or set in this State except for the trapping of beaver or otter. No conibear or killer-type traps with a jaw spread larger than 10 inches shall be used, set or maintained at any time in this state for the purpose of trapping any animal. Jaw spread shall be measured across the trigger of a set trap to the inner edges of the jaws.

(e) Steel-jaw leghold type trap:

1. Effective October 27, 1985, and thereafter, no person in this State shall:

- i. Manufacture, sell, offer for sale, possess, import or transport an animal trap of the steel-jaw leghold type;
- ii. Take or attempt to take any animal by means of a trap of the steel-jaw leghold type; or
- iii. Use a steel-jaw leghold type trap.

2. The possession of a trap of the steel-jaw leghold type shall be prima facie evidence of a violation of these regulations except under the conditions prescribed by N.J.S.A. 23:4-22.5 which are:

- i. The use of steel-jaw leghold traps for the purpose of exhibition by humane or educational institutions or organizations; or
- ii. The possession of such traps by a person in the act of turning over the traps to a law enforcement agency.

(f) Body gripping restraining snares shall be subject to the following requirements.

1. No person shall set, use or maintain any type of snare unless they have first satisfactorily completed a division-approved snare training course and carry on their person appropriate certification thereof.

2. Except when submerged underwater or when set for mink and muskrat as provided herein, all snares of the body gripping type used in trapping must be constructed of aircraft cable or crucible wire measuring $\frac{5}{64}$ to $\frac{1}{8}$ inches in diameter and be equipped with a swivel. Mink and muskrat body gripping snares must be constructed of aircraft cable or crucible wire measuring $\frac{1}{32}$, $\frac{3}{64}$, or $\frac{1}{16}$ inches in diameter, equipped with a swivel and set within 50 feet of the mean high water line.

3. Except when submerged underwater or when set for mink and muskrat as provided in this subsection, no body gripping snare shall be set, used, or maintained with a loop diameter average (arithmetic mean) greater than 12 inches. Mink and muskrat body gripping snares must be equipped with a stop to prevent the average (arithmetic mean) diameter of the loop opening from exceeding four inches.

4. Except when set for mink and muskrat as provided in this subsection, no body gripping snare shall be set, used or maintained with the distance between the ground or walking surface to the top of the loop greater than 24 inches. No mink or muskrat body gripping snare must be set, used or maintained with a distance between the ground or walking surface to the top of the loop greater than seven inches.

5. Except when submerged underwater or when set for mink and muskrat as provided in this subsection, no body gripping snare shall be set, used or maintained unless it is equipped with a stop six inches from the end to restrict loop closure to no less than six inches in circumference.

(g) All natural baits consisting of fish, bird or mammal carcasses or flesh used in trapping with body gripping restraining snares must be covered or concealed from view except when placed or located at a distance of 30 feet or greater from any set snare.

(h) Legally licensed trappers possessing a valid and proper rifle permit may carry and use a .22 caliber rifle and .22 caliber short rimfire cartridges only, to kill legally trapped animals other than muskrats.

(i) All traps set or in use must be checked, tended and maintained at least once in every 24 hours.

(j) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-13, 23:4-37, 23:4-38.2, 23:4-39 and 23:4-41 et seq. and other applicable statutes.

Amended by R.1986 d.24, effective February 3, 1986.
See: 17 N.J.R. 2714(b), 18 N.J.R. 354(a).

New (e) added; Old (e)-(i) renumbered (f)-(j).

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (h), substituted "Legally" for "Except on Sunday, legally".

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

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

In (f)2, substituted "1/8" for "3/32" following "5/64"; in (f)3, substituted "12" for "eight" following "(arithmetic mean) greater than"; in (f)4, substituted "24" for "18" following "loop greater than"; in (f)5, deleted text following "six inches in circumference".

7:25-5.13 Migratory birds

(a) Should any open season on migratory game birds including waterfowl, be set by Federal regulation which would include opening day of the regular small game season including November 12, 2005, November 11, 2006, November 10, 2007, November 8, 2008, November 7, 2009 and November 13, 2010, the starting time on such date will be 8:00 A.M. to coincide with the opening of the small game season on that date. However, this shall not preclude the hunting of migratory game birds, including waterfowl, on the tidal marshes of the State as regularly prescribed throughout the season by Federal regulations.

(b) Unless otherwise provided, methods for taking migratory birds shall be in accordance with the code of Federal hunting regulations described in the current regulatory announcement, U.S. Department of the Interior, U.S. Fish and Wildlife Service.

(c) A person shall not take, attempt to take, hunt for or have in possession, any migratory game birds including waterfowl, except at the time and in the manner prescribed in the Code of Federal Regulations by the U.S. Department of the Interior, U.S. Fish and Wildlife Service, for the current hunting season or during the period that a U.S. Department of Interior, U.S. Fish and Wildlife Service Conservation Order or Managed Take Option is in effect. The species of migratory game birds, including waterfowl, that may be taken or possessed and, unless otherwise provided, the daily bag limits shall be the same as those prescribed by the U.S. Department of the Interior, U.S. Fish and Wildlife Service for the current hunting season or during the period that a Conservation Order or Managed Take Option is in effect. Effective September 1, 1998, anyone engaged in hunting migratory birds including waterfowl, woodcock, mourning doves, rails and gallinules must comply with the rules of the Migratory Bird Harvest Information Program (HIP) as specified in 50 C.F.R. §20.20 Migratory Bird Harvest Information Program; Final Rule, incorporated herein by reference, wherein licensed hunters are required to supply their names, addresses, and migratory bird harvest information to the hunting license authority of the state in which they hunt. Hunters are required to have evidence of participation in the Migratory Bird Harvest Information Program on their person while hunting migratory game birds. Evidence of participation shall include a HIP

certification on his or her valid hunting license. The HIP certification shall be obtained via the Division's ELS.

(d) Herring Island: There shall be no open season for hunting any game birds or animals, including migratory waterfowl, in the following designated area of Barnegat Bay including all of Herring Island in the Township of Brick and that portion of Barnegat Bay lying between the northern and southern tips of Herring Island easterly to the adjacent shoreline of the Borough of Mantaloking in the County of Ocean.

(e) Shark River: There shall be no open season for hunting any game birds or animals, including migratory waterfowl, on the Shark River in Monmouth County, or the shores thereof.

(f) State laws and regulations can be more stringent but not more lenient than the time and manner prescribed by the Code of Federal Regulations (Title 50) for taking migratory birds during a hunting season or the period that a Conservation Order or Managed Take Option is in effect.

(g) Hunting hours for waterfowl shall be those hours that are prescribed by the Department of the Interior, United States Fish and Wildlife Service for the current hunting season or during the period that a Conservation Order or Managed Take Option is in effect except that hunting hours for snow geese shall end at sunset from October 1 until the closing of the special winter Canada goose season.

(h) A special swan permit shall be required to hunt swans, if the appropriate prescribed special season is established by Federal regulations. If a special season for swan is established by Federal regulations, the special swan hunting area shall be the counties of Burlington, Cumberland and Salem. The September Canada Goose hunting area shall be that portion of the State designated by Federal regulations. The late season Canada goose hunting areas shall be that portion of the State established by Federal regulations. Permitting requirements for pursuing snow geese and/or Canada geese will conform to requirements prescribed in the Code of Federal Regulations during the period of any Conservation or Managed Take Option, authorized by Federal Regulations, is in effect.

(i) Valid and signed Federal and State waterfowl stamps are required for hunting ducks and geese for everyone 16 years of age or over. Federal stamp requirements for pursuing snow geese and/or Canada geese during any period that a Conservation Order or Managed Take Option is in effect will be as prescribed by Federal Regulations. State stamps are required for pursuing snow geese and/or Canada geese during any period that a Conservation Order or Managed Take Option is in effect. Regular state valid hunting license is also required to hunt ducks and geese and to pursue snow geese and/or Canada geese during the period that a Conservation Order or Managed Take Option is in effect that may be authorized by Federal Regulations.

(j) Waterfowl hunting on Delaware River is governed by State boundaries and restricted to respective State seasons.

(k) The prohibition against shooting waterfowl or placing a boat or other structure at a greater distance than 100 feet from shore shall not apply in all the waters of the State and Atlantic Ocean.

(l) A person shall not take or attempt to take migratory game birds:

1. With a shotgun capable of holding more than three shells at one time or that may be fired more than three times without reloading except as may be provided for by Federal regulations during a hunting season or period that a Conservation Order or Managed Take Option is in effect;

2. With a trap, net, snare, crossbow, rifle, pistol, shotgun larger than 10 gauge, fish hook, poison, drug or explosive;

3. From a sinkbox (a low floating device affording the hunter a means of concealment beneath the surface of the water);

4. From any motorboat or sailboat unless the motor has been shut off and/or the sail furled and the boat has stopped. However, crippled birds may be shot from craft under power in the sea duck area;

5. From a car or other motor-driven conveyance, or any aircraft;

6. Using live birds as decoys, or by the use or aid of livestock as a blind or means of concealment;

7. Using records or tapes of migratory birdcalls, or electrically amplified imitations of birdcalls, except for snow geese and/or Canada geese as provided for by Federal regulations and for crows;

8. By driving or chasing birds with any motorized conveyance or any sailboat to put them in range of hunters;

9. By the aid of baiting (placing feed seeds such as corn, wheat, salt, or other feed to constitute a lure or enticement) in or over any baited area. The prohibition contained in this paragraph does not apply to crows (*Corvus* spp.). A baited area is considered to be baited for 10 days after the removal of the bait;

10. Without making reasonable effort to retrieve dead or crippled birds and including them in the daily limit, crippled birds must be immediately killed;

11. Before 8:00 A.M. on November 12, 2005, November 11, 2006, November 10, 2007, November 8, 2008, November 7, 2009 and November 13, 2010. However, this shall not preclude the hunting of migratory game birds on tidal waters or tidal marshes of the State;

12. In or on the shores of Shark River;

13. In that portion of the Manasquan River from the ocean inlet upstream to Route 70 bridge;

14. Except at the time and manner prescribed by the State or Federal regulation, or by the current Game Code;

15. With shotgun shells loaded with pellets larger than No. 4 fine shot except those persons engaged in hunting waterfowl may use nothing larger than T (.200 inch) steel shot and nothing larger than T (.200 inch) fine shot for other forms of non-toxic shot authorized by Federal regulations;

16. And possess more than one daily bag while in the field or while returning from the field to one's car, hunting, camping, home, etc.;

17. And leave them at any place or in the custody of another person unless the birds are tagged by the hunter with the following information:

- i. The hunter's signature and address.
- ii. The total number and species of birds involved.
- iii. The date such birds were killed.

18. And ship them unless the package is marked on the outside with:

- i. The name and address of person sending the birds.
- ii. The name and address of the person to whom the birds are being sent.
- iii. The number of each species contained in the package.

19. And completely field dress them and transport them from the field. The head or one fully feathered wing must remain attached to all such birds while being transported from the field to one's home or to a commercial preservation facility.

(m) Seasons and bag limits are as follows:

1. Mourning dove (*Zenaidura macroura*) are protected. There is a closed season for mourning dove.

2. The duration of the season and bag limits for hunting clapper rail (*Rallus longirostris*), Virginia rail (*Rallus limicola*), sora rail (*Porzana carolina*), common gallinule or moorhen (*Gallinula chloropus*) and woodcock (*Philohela minor*) are as prescribed by the Code of Federal Regulations by the U.S. Department of the Interior, U.S. Fish and Wildlife Service for the current hunting season.

(n) Woodcock zones and hunting hours are as follows:

1. North Zone: That portion of the State situated north of Route 70 from Point Pleasant west to Camden.

2. South Zone: That portion of the State situated south of Route 70 from Point Pleasant west to Camden.

3. Hunting hours for woodcock are sunrise to sunset except on November 12, 2005, November 11, 2006, Nov-

ember 10, 2007, November 8, 2008, November 7, 2009, and November 13, 2010 when the hunting hours are 8:00 A.M. to sunset.

(o) The special sea duck hunting area for New Jersey is defined as any waters of the Atlantic Ocean and, in addition, any tidal waters of any bay which are separated by at least one mile of open water from any shore, island, or emergent vegetation.

(p) The special scaup hunting area for New Jersey is defined as the Delaware Bay, Delaware River and tidal waters east of the Garden State Parkway (tributaries of the Delaware Bay, Delaware River, or the non-tidal section of the Delaware River above Trenton Falls are not included).

(q) Parker Creek and Oceanport Creek: There shall be no open firearm season for hunting any game bird or mammal including waterfowl on Parker Creek and Oceanport Creek, Monmouth County, or the shores thereof, southwest or upstream of the Conrail R.R. bridge.

(r) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:4-11, 23:4-12, 23:4-15, 23:4-18, 23:4-19, 23:4-24.2, 23:4-24.3, 23:4-27, 23:4-30 and 23:4-3, 50 C.F.R. Parts 10.1 and 20.1 et seq. and other applicable statutes.

Amended by R.1992 d.423, effective October 19, 1992.

See: 24 N.J.R. 2773, 24 N.J.R. 3725(a).

New (r) added; existing (r) recodified to (s).

Administrative correction to N.J.A.C. 7:25-5.13(c).

See: 25 N.J.R. 2001(c).

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of trapping season throughout; and in (c), added provision relating to migratory bird hunters effective September 1, 1998. Amended by R.1998 d.408, effective August 3, 1998 (operative August 8, 1998).

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

In (a), (c), (h), and (m) through (o), changed season dates.

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

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

Changed dates throughout; rewrote (i); in (m), added an exception at the end of 1, inserted an exception relating to snow geese in 7, and deleted ", with or without knowledge that the area is baited" at the end of the first sentence in 9; and in (o)3, inserted " 1/2 hour before" following "woodcock are".

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).

Changed dates throughout; deleted a former (g); and recodified former (h) through (s) as (g) through (r).

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

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

Rewrote the 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).

Rewrote the section.

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

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

In (a), updated regular small game season dates; in (c), (f)-(i) and (l), added "or Managed Take Option" following "Conservation Order" throughout; in (l)11 updated dates; in (m), rewrote the last sentence in 1; in (n), updated dates in 3.

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

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

In (c), inserted commas preceding and following "unless otherwise provided", inserted (HIP), substituted "\$20.20" for "Part 20.20" and rewrote the last two sentences.

7:25-5.14 Special regulation limiting use of shotguns and shotgun shells containing lead pellets

(a) No person shall have in possession or use in hunting waterfowl and coot or any snipe, rail or gallinules any shotgun shell containing lead shot or lead pellets or have in possession or use any shotgun containing lead shot in New Jersey including all territorial waters.

1. Only shotgun shells containing steel pellets not larger than T(.200 inch) or bismuth pellets or other non-toxic shot authorized by Federal regulations not larger than T(.200 inch) and only shotguns containing steel pellets, bismuth pellets or other non-toxic shot authorized by Federal regulations not larger than T(.200 inch) shall be used for hunting waterfowl, coot or any snipe, rail or gallinule.

(b) A person found in possession of any of the following items at (b)1 to 3 below, while hunting for, pursuing, taking or attempting to take waterfowl, coot or any snipe, rail or gallinule is in violation of this section. Each violation shall constitute an additional, separate and distinct offense subjecting the person to a penalty of \$20.00 for each offense.

1. Each shotgun shell containing lead shot or pellets;
2. Each shotgun loaded with lead shot or pellets; or
3. Any lead shot or any pellets or each cartridge or each charge containing lead shot or pellets.

(c) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 13:1B-30 and N.J.S.A. 23:4-12, et seq.

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (a), deleted "after the regular season for hunting waterfowl commences" following "gallinules" in the introductory paragraph and rewrote 1; in (b), deleted "after the regular season for hunting waterfowl commences" following "gallinules" in the introductory paragraph.

7:25-5.15 Crow (*Corvus* spp.)

(a) Duration for the season for hunting the crow shall be Monday, Thursday, Friday and Saturday from August 8, 2005

through March 18, 2006; August 14, 2006 through March 17, 2007; August 13, 2007 through March 15, 2008; August 11, 2008 through March 21, 2009; August 10, 2009 through March 20, 2010; and August 10, 2010—March 19, 2011 or as otherwise prescribed by the Code of Federal Regulations by the U.S. Department of the Interior, U.S. Fish and Wildlife Service for the current hunting season inclusive, except closed during the six-day firearm deer season on December 5—10, 2005, December 4—9, 2006; December 3—8, 2007; December 8—13, 2008; December 7—12, 2009; December 6—11, 2010; and December 5—10, 2011.

(b) There is no daily bag limit. There is no season limit.

(c) The hours for hunting crows shall be sunrise to ½ hour after sunset, except on November 12, 2005; November 11, 2006; November 10, 2007; November 8, 2008; November 7, 2009; November 13, 2010; and November 12, 2011, when the hours are 8:00 A.M. to ½ hour after sunset.

(d) Hunting methods shall be in accordance with Federal regulations as adopted by the U.S. Department of the Interior, U.S. Fish and Wildlife Service.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a) and (c), amended dates of hunting season.

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

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

In (a) and (c), changed the season dates.

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

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

In (a) and (c), changed dates throughout; and in (c), inserted "1/2 hour before" following "shall be".

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).

Rewrote (a); and in (c), deleted "1/2 hour before" following "shall be", and changed date.

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 (a) and (c).

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

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

Changed dates in (a) and (c).

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

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

Changed dates in (a) and (c).

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

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

Updated dates in (a) and (c).

7:25-5.16 General falconry rules

(a) The following rules govern the taking, possession, training, transfer, marking and housing facilities of raptors,

the classification of permittees and the use of raptors for falconry, to take, kill, or pursue wild birds or wild animals.

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

i. Falconry: The sport of hunting with trained raptors—including the training of raptors. The use of raptors to hunt, take, kill, pursue to attempt to take wild game animals.

ii. Raptors: Live birds of the family Accipitridae, other than the bald eagle (*Haliaeetus leucocephalus*) or of the family Falconidae or the great horned owl (*Bubo virginianus*) of the family Strigidae.

iii. Take: To trap or capture, or attempt to trap or capture, a raptor for the purpose of falconry.

iv. Facilities: Equipment and shelters necessary to protect, house and train raptors.

v. Nestlings or eyasses: Young raptors not yet capable of flight.

vi. Passage birds: Raptors in their first year of life.

vii. Permit Year: All permits expire on June 30 of the third calendar year after issue.

viii. Transfer: To convey, carry, remove or send from one person, place, or position to another.

ix. Sponsor: A holder of a general or master falconry permit who has accepted the responsibility for the conduct and training of an apprentice falconer.

x. Endangered, threatened: Includes all raptors appearing on a U.S. Department of Interior or N.J. Division of Fish and Wildlife list of endangered, threatened or rare species.

xi. Captive bred: Raptors hatched and raised in captivity by breeders with necessary Federal permits.

xii. Hacking-back: Return of a captive raptor to the wild through the gradual process, eliminating any dependency on man.

xiii. Imping: The replacement of broken or damaged wing or tail feathers by affixing previously molted feathers to the damaged feather.

2. Classes of permits are as follows:

i. Apprentice: Permittee shall be at least 14 years of age.

(1) A sponsor who is holder of a general or master falconry permit is required for all permittees in the apprentice class. Apprentice permittee must notify the Division of Fish and Wildlife in writing 10 days after his or her sponsorship has been withdrawn for any reason.

(2) Permittee shall not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period.

(3) Permittee may possess a red-tailed hawk (*Buteo jamaicensis*).

ii. General: Permittee shall be at least 18 years of age.

(1) Permittee shall have been licensed at least two years as an apprentice falconer and have had a raptor in possession for at least 12 months. Permittee shall have had two seasons of active field flying experience with a raptor. Sponsor for apprentice must certify in writing that the apprentice is now qualified to become a general falconer.

(2) Permittee may not have more than two raptors in possession and may not take more than two raptors for replacement birds during any one permit year.

(3) Permittee may not take, transport or possess any golden eagle (*Aquila chrysaetos*) or any species listed as endangered or threatened by the U.S. Department of the Interior or the N.J. Division of Fish and Wildlife provided, however, that captive bred Cooper's hawks (*Accipiter cooperi*), or one legally acquired from the wild from states outside New Jersey where it is not classified as endangered or threatened, may be possessed. Notwithstanding the above, passage or captive bred red-shouldered hawks (*Buteo lineatus*) or goshawks (*Accipiter gentilis*) may be possessed. Eyass birds or nestlings of threatened or endangered raptors may not be taken; however, eyass or nestling goshawks (*Accipiter gentilis*) legally taken from the wild from states outside New Jersey may be possessed.

(4) Permittee who refused sponsorships of any apprentice applicant for any reason shall report his or her reasons for his or her refusal to the N.J. Division of Fish and Wildlife in writing within 10 days upon written request of the Division.

iii. Master: Permittee shall have at least five years of falconry experience in the practice of falconry at the general class. A raptor shall have been in possession for no less than 36 months during this time.

(1) Permittee may not possess more than three raptors, and may not take more than two raptors for replacements during any permit year.

(2) A permittee may not take, transport or possess any species listed as endangered on an U.S. Department of Interior or N.J. Division of Fish and Wildlife list, provided, however, that captive bred birds, when legally acquired and possessed in compliance with Federal authorization, may be used. Captive bred Cooper's hawks or Cooper's hawks legally acquired from the wild from outside New Jersey where it is not

classified as endangered or threatened may be possessed. Notwithstanding the above, passage or captive bred red-shouldered hawks or goshawks may also be possessed. Eyass birds or nestlings of threatened or endangered species may not be taken; however, eyass or nestling goshawks (*Accipiter gentilis*) legally taken from the wild from states outside New Jersey may be possessed.

(3) Permittee may not take, transport or possess any golden eagle for falconry purposes unless authorized in writing by both the U.S. Fish and Wildlife Service and the N.J. Division of Fish and Wildlife.

(4) A permittee may not take, transport or possess as part of his or her three bird limitation, more than

one raptor listed as threatened on U.S. Department of the Interior or New Jersey Division of Fish and Wildlife list and then only in compliance with all Federal requirements and written permission from the New Jersey Division of Fish and Wildlife.

(5) Permittee who refuses sponsorship of an applicant for any reason shall report his reasons for this refusal to the Division in writing within 10 days upon written request of the Division.

(6) A Federal permit is required for master falconers engaged in raptor propagation, sale, purchase or barter.

3. The examination and assignment of class of falconry permit holders are as follows:

i. After the adoption of these rules, all persons desiring a falconry permit will be required to answer correctly at least 80 per cent of the questions on a supervised examination. All falconry examinations will be provided or approved by the U.S. Fish and Wildlife Service.

ii. All applicants will be given examinations once a year. The examinations may relate to basic biology, care and handling of raptors, literature regulations and other appropriate subject matter.

iii. During the first six-month period following the adoption of these regulations any individual who, after passing the required examination and complying with all facility requirements, feels he or she should be placed in the "General" or "Master" class shall advise the Division of this fact in writing. Such individuals will then be interviewed by a recognized authority on the sport of falconry to be designated by the Division. This authority shall advise the Division in writing (with a copy to the individual requesting such interview) of which class he feels the individual should be placed. The Division, after consideration of the recommendation of the authority, may place the individual in a higher class to provide Apprentice class falconers with the necessary sponsors.

4. Facilities and equipment: Falconry equipment shall be inspected and certified by a representative of the Division as meeting the following standards:

i. Facilities: The primary consideration for raptor housing facilities whether indoors (mews) or outdoors (weathering area) is protection from the environment, predators or undue disturbance. The applicant shall have the following facilities:

(1) Indoor facilities (mews) shall be large enough to allow easy access for caring for the raptors housed in the facility. If more than one raptor is to be kept in the mews, the raptors shall be separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body, and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided.

(2) Outdoor facilities (weathering area) shall be fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators. The enclosed area shall be large enough to insure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind and inclement weather shall be provided for each bird. Adequate perches shall be provided.

ii. Equipment: The following items shall be in the possession of the applicant before he can obtain a permit or license:

(1) Jesses—At least one pair of Aylmeri jesses or similar type constructed of pliable, high-quality leather or suitable synthetic material to be used when any raptor is flown free. This flying jess should have no slits, only one hole no longer than 0.1 inch in diameter. Traditional one piece jesses may be used on raptors when not being flown.

(2) Leashes and swivels—At least one flexible weather-resistant leash and one strong swivel of acceptable falconry design.

(3) Proper glove with a snap and falconer's bag with food storage area.

(4) Bath container—At least one suitable container, 2 to 6 inches deep and wider than the length of the raptor, for drinking and bathing for each raptor.

(5) Outdoor perches—At least one weathering area perch of an acceptable design shall be provided for each raptor.

(6) Weighing device—A reliable scale or balance suitable for weighing the raptor(s) held and graduated in increments of not more than one-half ounce (15 grams) shall be provided.

(7) Hoods—A well fitted hood should be available for use with each bird during transport. (Birds need not necessarily be hooded for transport.)

iii. Maintenance: All facilities and equipment shall be kept at or above the preceding standards at all times.

iv. Transportation: temporary holding—A raptor may be transported or held in temporary facilities which shall be provided with an adequate perch and protected from extreme temperatures and excessive disturbances, for a period not to exceed 30 days.

v. Veterinary care: The falconer shall prove to the satisfaction of the Division that he has on call consultation for medical care of the raptor. (Name and telephone number of veterinarian shall be supplied on application.)

5. Restrictions on taking and breeding raptors are as follows:

i. No person shall take, possess, transport or obtain a raptor unless they are in possession of a current falconry permit, nongame permit as described in N.J.A.C. 7:25-4.2(a) or endangered species permit as described in N.J.A.C. 7:25-4.10(b). Apprentice falconers shall take or attempt to take their first raptor while in the accompaniment of a general or master falconer.

ii. Young birds not yet capable of flight (eyasses) may only be taken by a general or master falconer and only during the period April 15 to June 29 inclusive. No more than two eyasses may be taken by the same permittee during the specified period. No more than one eyass per nest may be taken, leaving at least one eyass in the nest. A three foot metal flashing painted a dark color must be fastened completely around the nest tree at least four feet from the base of the tree. The flashing shall be removed after the nestlings have fledged.

iii. First year (passage) birds may only be taken during the period September 19 to December 31 inclusive.

iv. Captive bred raptors may be used for falconry in accordance with Federal regulations. Captive bred raptors in possession of a permittee shall be counted as part of the possession limit of said permittee.

v. Raptor propagation and activities associated with the captive breeding of raptors for falconry purposes are permitted by master falconers with Federal captive breeding permits only, in accordance with Title 50, Code of Federal Regulations, Part 21, 30. No additional State permit is required for captive propagation of raptors of captive bred origin.

vi. Adult American kestrels (*Falco sparverius*) and great horned owls (*Bubo virginianus*) may only be taken during the period September 19 to December 31 inclusive. No other adult raptors may be taken with the exception that any raptor other than endangered or threatened species that may be taken under a depredation (or special purpose) permit may be used for falconry by General and Master falconers.

vii. A master or general permittee may trade or transfer a raptor to another master or general permittee if the transaction occurs entirely within the state and no money or other consideration is involved. A master or general permittee may transfer a raptor to another master or general permittee in an interstate transaction if the prior written approval of the State agency which issued the permit is obtained and no money or other consideration is involved in the transaction.

viii. Bal-Chatri type live traps, other live traps and nets may be used for taking raptors providing they are used in such a manner which would minimize any danger of injuring the raptor. All traps or nets used must have attached thereto a tag or label clearly showing the name and address, permit number and class of the permittee.

ix. Owners of escaped raptors marked in accordance with these regulations may recapture these marked raptors at any time. However, all other banded raptors trapped while attempting to capture a raptor for falconry shall immediately be released unharmed and a report containing the date, time, band number, location and

species shall be submitted to the Division within 10 days of capture.

6. Marking of raptors shall be as follows:

i. An inventory of all raptors held within New Jersey, except those held for scientific or zoological purposes, shall be made and reported to the Division within 90 days of the date when New Jersey is listed under the State's meeting Federal Falconry Standards. This paragraph applies to all such raptors whether or not the owner intends to submit an application for a falconry permit.

ii. Wild-caught birds must be tagged with the falconer's name and phone number on the jesses or bells. Captive bred birds must have a seamless Federal marker affixed to one leg.

iii. Any marker, mutilated or lost, shall be reported in writing within 72 hours to the Division of Fish and Wildlife, Trenton. Markers no longer legible shall be reported in the same manner. Markers causing leg damage must be removed and reported.

iv. It shall be unlawful for any person to alter or deface a marker. However, the falconer may smooth any imperfect surface provided the integrity of the marker and numbering is not affected. It shall be unlawful to use or possess a counterfeit marker.

v. Markers shall be removed from birds which die or are intentionally released into the wild and shall be forwarded to the Trenton office within 10 days along with a report of the probable cause of death or the area of the release. When possible, a U.S. Fish and Wildlife Service numbered band should be put on the raptor before release. Raptors of a species not indigenous to New Jersey shall not be released intentionally without written authorization of the Division.

7. Hunting with raptors shall be as follows:

i. The flying and training of raptors by holders of valid falconry permits may be conducted on a year round basis.

ii. Game species may be hunted only in accordance with the Game Laws and the seasons and bag limits established each year for falconry by the Division. The hunting of pheasants, rabbits, jackrabbits, hares, chukar partridge, quail, squirrels, and woodchuck on Sundays with raptors is permitted during the prescribed seasons. The hunting of waterfowl on Sundays with raptors is prohibited.

iii. Raptors may be used to take game birds on a licensed semi-wild or commercial game preserve by holders of valid falconry permits.

8. Rules for non-resident falconers are as follows:

i. Non-residents of New Jersey who possess Federal falconry permits or falconry permits issued by states designated as a participant in a joint Federal/State falconry permit system may bring any raptor legally possessed by them under authority of their falconry permit into New Jersey to attend falconry meets or to hunt, provided:

- (1) No laws or regulations of other states are violated;
- (2) No Federal laws are violated; and
- (3) Non-resident New Jersey hunting license is obtained and all hunting regulations are observed.

ii. Non-residents of New Jersey who possess Federal falconry permits or falconry permits issued by states designated as a participant in joint Federal/State falconry permit system who move into New Jersey for the purpose of becoming a resident may bring any raptors with them that they legally possess provided that they construct required facilities within 30 days and apply for New Jersey Falconry Permit no later than 60 days after moving into New Jersey. A permit in the same classification as one they held in their previous state of residence may be issued without a written examination.

iii. Non-residents of New Jersey who possess Federal falconry permits or falconry permits issued by states designated as a participant in the joint Federal/state falconry permit system may request permission to take or attempt to take a raptor for falconry purposes by writing to the Division. Non-resident falconers attempting to take raptors in New Jersey for falconry purposes must possess written authorization from the Division and a valid non-resident firearm hunting license.

- (1) The falconry permit issued by the former state of residence will be authority to possess and exercise raptors until a New Jersey permit is obtained provided no raptors are taken from the wild and raptors are not used to take any quarry without a valid New Jersey hunting license.

9. Miscellaneous rules are as follows:

i. A proper and valid firearm hunting license must be displayed while hunting with or attempting to take raptors. The falconry permit, or a photocopy thereof, must be carried by permittee when engaged in the sport of falconry.

ii. Persons having and holding raptors under authority of a falconry permit whose facilities do not meet the established standards shall take immediate action to have the facilities comply within 30 days. No permit will be renewed at any time after adoption of these rules if the facilities do not meet the required standards.

iii. Persons having raptors in their possession whose falconry permits are not renewed or are revoked with

cause shall have 30 days to return their birds to the wild by "hacking back", transfer to a licensed general or master falconer, or shall forfeit the raptors to the Division.

iv. Whoever, while engaged in the sport of falconry, should unintentionally kill any wildlife for which there is no open season, shall leave the killed specimen at the site and notify a Regional Law Enforcement Office or the Trenton Office of the Division of Fish and Wildlife, within 12 hours of such killing.

v. Another person may care for the raptors of a permittee if written authorization, showing period covered, from the permittee accompanies the raptors when transferred, provided that if the period of care will exceed 30 days, written permission shall be obtained from the Division.

vi. Feathers that are molted or feathers from birds held in captivity that die, may be retained by the permittee for imping purposes only. Carcasses of birds which die in captivity must be turned over to the Division for disposal.

vii. A sponsor may have more than three apprentices at any one time.

viii. A person who possesses a lawfully acquired raptor acquired before the enactment of these regulations and who fails to meet the permit requirements shall be allowed to retain the raptors provided facility requirements at (a)4 above are met and a permit is obtained pursuant to N.J.A.C. 7:25-4. All such birds shall be identified with markers supplied by the U.S. Fish and Wildlife Service and cannot be replaced if death loss, release, or escape occurs. These raptors may not be used for falconry.

ix. A person who lawfully possesses raptors before the enactment of these regulations, in excess of the number allowed under his class permit, shall be allowed to retain the extra raptors provided facility requirements are met and the birds are included on the falconry permit. All such birds shall be identified with markers supplied by the U.S. Fish and Wildlife Service and no replacement can occur, nor may an additional raptor be obtained, until the number in possession is at least one less than the total number authorized by the class of permit held by the permittee.

x. Species of raptors not native to the state of New Jersey or otherwise covered by the regulations shall be allowed for the purpose of falconry provided they are legally acquired and are in compliance with all applicable Federal and State regulations. A falconer may not possess more than six species of raptors not native to the North American Continent during any one year.

xi. The possession of firearms while engaged in falconry is illegal.

10. Reporting shall be as follows:

i. Whenever a raptor is acquired, transferred, released or lost, due to escape or death, a copy of Federal Form 3-186A must be submitted to the division within 10 days of the transaction or occurrence.

ii. A report is also required upon termination of the permit for any reason.

iii. This report must be an accurate account of all activities carried on under authority of the permit.

11. Penal Provisions: It shall be unlawful to hunt for, take, possess, transfer any raptor, or practice falconry contrary to the rules and regulations adopted by the Division or to make a false statement on any required report or document. Any person who violates any provision of N.J.S.A. 23:1-1 et seq., N.J.A.C. 7:25-6, or this chapter, is subject to the revocation of any permits issued pursuant to this section and any other penalties prescribed by law.

12. Authority: N.J.S.A. 23:4-12, 23:2A-1 et seq. and other applicable statutes.

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Neutralized gender references throughout.

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (a), inserted “; however, eyass or nestling goshawks (*Accipiter gentilis*) legally taken from the wild from states outside New Jersey may be possessed” at the end of the third sentence in 2ii(3) and iii(2), rewrote 7ii.

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

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

In (a)2i(3), substituted “may” for “shall”, and deleted “only an American kestrel (*Falco sparverius*) or” preceding “a red-tailed hawk”.

7:25-5.17 Raccoon (*Procyon lotor*) and Virginia opossum (*Didelphis virginiana*) hunting

(a) Except as noted in (c) below, the season of hunting raccoons and Virginia opossum shall begin on October 1, annually (except in years when October 1 is a Sunday in which case the season shall begin on October 2) and shall conclude on the following March 1, inclusive. The hours for hunting are one hour after sunset to one hour before sunrise, except on opening days hunting may begin at one hour after sunset.

(b) There shall be no daily bag limit. There shall be no season limit.

(c) A person shall not hunt for raccoon or opossum with dogs and firearms or weapons of any kind during the six day firearm deer season as set forth in N.J.A.C. 7:25-5.27(a) or on the Wednesday of shotgun permit deer season, immediately following the six-day firearm deer season as set forth in N.J.A.C. 7:25-5.29(d).

(d) A person shall not train a raccoon or opossum dog other than during the period from September 1-30, inclusive, and from March 2-May 1, inclusive. The training hours are one hour after sunset to one hour before sunrise.

(e) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:4-2, 23:4-12, 23:4-24 and 23:4-25 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a) and (d), amended dates of hunting season.

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

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

In (a) and (d), changed season dates.

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

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

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

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

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

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

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 (a), (c), and (d).

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

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

Changed dates in (a).

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

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

Changed dates in (a).

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

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

In (a), deleted “the duration for” following “(c) below,” and substituted “shall begin on October 1, annually (except in years when October 1 is a Sunday in which case the season shall begin on October 2) and shall conclude on the following March 1,” for “is: October 1, 2003 to March 1, 2004; October 1, 2004 to March 1, 2005; and October 1, 2005 to March 1, 2006,”; in (c), inserted “as set forth in N.J.A.C. 7:25-5.27(a)” and “as set forth in N.J.A.C. 7:25-5.29(d)”, and substituted “of shotgun” for “, shotgun”; and in (e), inserted “, 23:4-24”.

7:25-5.18 Woodchuck (*Marmota monax*) hunting

(a) Duration for the hunting of woodchucks with a rifle including a muzzleloading rifle is March 1 through September 28, 2005; March 1 through September 27, 2006; March 1 through September 26, 2007; March 1 through October 1, 2008; March 2 through September 30, 2009; March 1 through September 29, 2010; and March 1 through September 28, 2011. Licensed hunters may also take woodchuck with shotgun or long bow and arrow or by means of falconry during the regular woodchuck rifle season and during the upland game season established in N.J.A.C. 7:25-5.3, 5.4 and 5.5.

(b) The hours for the hunting of woodchuck shall be sunrise to ½ hour after sunset.

(c) No person shall hunt a woodchuck with a rifle without a proper and valid rifle permit issued by the division.

(d) There shall be no rifle hunting for woodchuck on the State Fish and Wildlife Management Areas, and State Parks, Forests and Recreation Areas.

(e) There shall be no bag limit.

(f) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:4-13 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a), amended dates of hunting season.

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

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

In (a), changed season dates.

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

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

In (a), changed dates throughout; and in (b), inserted "1/2 hour before" following "shall be".

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

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

In (a), changed dates.

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

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

In (a), deleted "in this State" and changed dates.

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

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

In (a), amended N.J.A.C. reference; in (b), deleted "1/2 hour before" preceding "sunrise".

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

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

Changed dates in (a).

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

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

Updated dates in (a).

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

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

In (d), inserted ", and State Parks, Forests and Recreation Areas".

7:25-5.19 Red fox (*Vulpes vulpes*), gray fox (*Urocyon cinereoargenteus*) and coyote (*Canis latrans*) hunting

(a) The duration of the red fox, gray fox, and coyote hunting season is as follows:

1. Bow and Arrow Only: October 1—November 11, 2005; September 30—November 10, 2006; September 29—November 9, 2007; October 4—November 7, 2008; October 3—November 6, 2009; and October 2—November 12, 2010.

2. Firearm or Bow and Arrow: November 12, 2005—February 20, 2006; November 11, 2006—February 19, 2007; November 10, 2007—February 18, 2008; November 8, 2008—February 16, 2009; November 7, 2009—February 15, 2010; and November 13, 2010—February 21, 2011.

(b) The use of dogs shall not be allowed for fox and coyote hunting during the bow and arrow only, fox and coyote season listed in (a)1 above. The use of dogs for fox and coyote hunting is permitted during the regular firearm or bow and arrow season enumerated in (a)2 above, except dogs shall not be allowed for fox and coyote hunting during the six-day firearm deer season set forth in N.J.A.C. 7:25-5.27(a), or on the Wednesday of the shotgun permit deer season, immediately following the six-day firearm deer season and set forth in N.J.A.C. 7:25-5.29(d), or when persons are engaged in hunting coyote or fox under the special season provisions included in (h) and (i) below. Properly licensed persons may continue to hunt fox or coyote with dogs through the end of the regular fox and coyote season as set forth in (a)2 above pursuant to regular season regulations including the requirement to wear fluorescent hunter's orange. Properly licensed persons hunting deer during the six-day firearm, muzzle-loader rifle permit or shotgun permit deer seasons may kill fox or coyote, if the fox or coyote is encountered before said person has taken the season bag limit of deer. However, after the person has taken a daily bag limit of deer he or she must cease hunting immediately.

(c) The hours for hunting fox and coyote during the regular bow and arrow season included in (a)1 above and during the regular firearm or bow and arrow season included in (a)2 above are ½ hour before sunrise to ½ hour after sunset, except on the opening day of the regular small game season enumerated in N.J.A.C. 7:25-5.2(a) and 5.3(a) when hunting hours shall be 8:00 A.M. until ½ hour after sunset.

(d) There is no bag limit for fox.

(e) The duration of the special eastern coyote, red fox and gray fox hunting season is January 16—February 20, 2006; January 15—February 19, 2007; January 14—February 18, 2008; January 19—February 16, 2009; January 18—February 15, 2010; and January 17—February 21, 2011, and it is open Statewide.

(f) The hours for the hunting of coyote, red fox and gray fox during the special eastern coyote, red fox and gray fox hunting season listed in (e) above are ½ hour before sunrise to ½ hour after sunset. The hours for the hunting of coyote during the special coyote season as noted in (h) and (i) below which allows coyote hunting at night are ½ hour after sunset to ½ hour before sunrise with 10 or 12 gauge shotguns only.

(g) The daily bag limit for coyote hunting is two.

(h) While hunting under the special provisions of this subsection and (i) below during the special eastern coyote, red fox and gray fox hunting season listed in (e) above,

exclusively, hunting methods shall be restricted to calling and stand hunting. No person shall stalk or attempt to approach a coyote, red fox or gray fox for the purpose of taking or attempting to take the animal. A predator calling device must be in possession while hunting. The use of dogs or bait is prohibited. Portable lights are permitted. Fluorescent hunter's orange is not required on outer clothing for fox and coyote hunting during the special fox and eastern coyote hunting season. A special eastern coyote, red fox and gray fox hunting season permit is required and must be in possession while hunting under the special provisions of this subsection and (i) below. Permits shall be applied for via the Division's ELS or; in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division. Persons purchasing a special season permit must have a valid hunting license.

(i) During the special eastern coyote, red fox and gray fox hunting season listed in (e) above, exclusively, coyotes may be hunted with bow and arrow, shotgun and single barrel muzzleloader rifles between ½ hour before sunrise to ½ hour after sunset. Compound bows must have a minimum peak weight of 35 pounds. All other bows must have a minimum draw pull weight of 35 pounds. Shotguns shall be no smaller than 12 gauge nor larger than 10 gauge. No shot size larger than #T (.20 inches in diameter) fine shot or smaller than #4 (.13 inches in diameter) fine shot shall be used for coyote hunting with shotgun. Muzzleloader rifles shall be no less than .44 caliber. Smoothbore muzzleloaders shall be single barreled. Between ½ hour after sunset and ½ hour before sunrise, only 10 or 12 gauge shotguns and fine shot no smaller than #4 (.13 inches in diameter) or larger than #T (.20 inches in diameter) may be used.

(j) Any coyote killed during regular or special hunting seasons shall be reported to a Division regional law enforcement office within 24 hours. Callers must identify themselves by name and phone number.

(k) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-42 and 23:4-58.1 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of hunting season throughout; and in (j)1, added last two sentences, relating to issuance of permits at subsequent times.

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

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

In (a), (c) and (j), changed season dates.

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

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

Changed dates throughout.

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).

Changed dates throughout; in (a) through (c), inserted references to coyotes and coyote hunting throughout; in (h), added "During the period of February 1 through February 19, 2001, exclusively," at the beginning, and added "during the special eastern coyote hunting season" at the end; in (i), added "During the special eastern coyote hunting season," at the beginning; deleted former (j); and recodified former (k) and (l) as (j) and (k).

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).

Changed dates throughout; rewrote (b), (c), (f), (h) and (i).

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

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

Changed dates throughout; rewrote (a), (e)-(f), and (h)-(j).

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

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

Changed dates in (a) and (e).

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

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

Updated dates in (a) and (e), rewrote (h)1 and (i).

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

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

Rewrote (b), (c), (f), and (h).

7:25-5.20 Dogs

(a) A person shall not exercise or train dogs on State Fish and Wildlife Management Areas May 1 to August 31, inclusive, except on portions or various wildlife management areas designated as dog training areas, and there shall be no exercising or training of dogs on any Wildlife Management Area on the day preceding the opening of the regular small game season, enumerated in N.J.A.C. 7:25-5.3(a) including: November 11, 2005; November 10, 2006; November 9, 2007; November 7, 2008; November 6, 2009; and November 12, 2010.

(b) This section shall not preclude a properly licensed field trial association from conducting a field trial or from handling and working dogs during the period of time covered by the field trial license on the Assunpink Wildlife Management Area, only.

(c) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-25 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates when dogs may not be exercised.

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

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

In (a), changed the season date.

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

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

In (a), changed date at the end.

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

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

In (a), changed date at the end.

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

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

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

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

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

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

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

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

Changed dates in (a).

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

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

Updated dates in (a).

7:25-5.21 Squirrel (*Sciurus* spp.), raccoon (*Procyon lotor*), opossum (*Didelphis virginianus*), skunk (*Mephitis mephitis*), weasel (*Mustela* spp.), woodchuck (*Marmota monax*), coyote (*Canis latrans*), gray fox (*Urocyon cinereoargenteus*) and red fox (*Vulpes vulpes*) damage

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

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Rewrote (a) and (b).

7:25-5.22 Wild animals; possession, killing

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In (e), inserted references to black bears throughout.

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

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

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

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

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

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

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

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

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

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

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

Administrative correction.

See: 39 N.J.R. 3737(b).

7:25-5.23 Firearms and missiles, etc.

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

(b) All persons in possession of a rifle while hunting or trapping must have in addition to their proper license, a valid and proper rifle permit.

(c) Except as may be permitted for waterfowl hunting in accordance with Federal regulations and as provided for agents and/or permittees operating under an approved Special Deer Management Permit (N.J.A.C. 7:25-5.32), no person shall use in hunting fowl or animals of any kind, any shotgun capable of holding more than three shells at one time or that may be fired more than three times without reloading. Except as provided for agents and/or permittees operating under an approved Special Deer Management Permit (N.J.A.C. 7:25-5.32), no person shall use in hunting or trapping of any kind, a rifle loaded with more than three cartridges. No person shall

have in his or her possession while deer hunting on Monmouth Battlefield State Park any shell or cartridge with missiles of any kind other than shotgun slugs or No. 4 or No. 000 buckshot.

(d) It shall be legal to use a .22 caliber rifle and .22 caliber short cartridge only for hunting raccoon and opossum with hounds and for killing legally trapped animals other than muskrats on State wildlife management areas.

(e) Within the areas described as portions of Passaic, Mercer, Hunterdon, Warren, Morris and Sussex Counties lying within a continuous line beginning at the intersection of Rt. 513 and the New York State line; then south along Rt. 513

to its intersection with Rt. 511; then south along Rt. 511 to its intersection with Rt. 46; then west along Rt. 46 to its intersection with Rt. 80; then west along Rt. 80 to its intersection with Rt. 15; then north along Rt. 15 to its intersection with the Morris-Sussex County line; then south along the Morris-Sussex County line to the Warren County line; then southwest along the Morris-Warren County line to the Hunterdon County line; then southeast along the Morris-Hunterdon County line to the Somerset County line; then south along the Somerset-Hunterdon County line to its intersection with the Mercer County line; then west and south along the Hunterdon Mercer County line to its intersection with Rt. 31; then south along Rt. 31 to its intersection with Rt. 546; then west along Rt. 546 to the Delaware River; then north along the east bank of the Delaware River to the New York State Line; then east along the New York State Line to the point of beginning at Lakeside; and in that portion of Salem, Gloucester, Camden, Burlington, Mercer, Monmouth, Ocean, Atlantic, Cape May and Cumberland counties lying within a continuous line beginning at the intersection of Rt. 295 and the Delaware River; then east along Rt. 295 to its intersection with the New Jersey Turnpike; then east along the New Jersey Turnpike to its intersection with Rt. 40; then east along Rt. 40 to its intersection with Rt. 47; then north along Rt. 47 to its intersection with Rt. 536; then east along Rt. 536 to its intersection with Rt. 206; then north along Rt. 206 to its intersection with the New Jersey Turnpike; then northeast along the New Jersey Turnpike to its intersection with Rt. 571; then southeast along Rt. 571 to its intersection with the Garden State Parkway; then south along the Garden State Parkway to its intersection with Rt. 9 at Somers Point; then south along Rt. 9 to its intersection with Rt. 83; then west along Rt. 83 to its intersection with Rt. 47; then north along Rt. 47 to its intersection with Dennis Creek; then south along the west bank of Dennis Creek to its intersection with Delaware Bay; then northwest along the east shore of Delaware Bay and the Delaware River to the point of beginning; persons holding a valid and proper rifle permit in addition to their current firearm hunting license may hunt for squirrels between September 24—November 11, 2005 and January 7—February 20, 2006; September 30—November 10, 2006 and January 6—February 19, 2007; September 29—November 9, 2007 and January 5—February 18, 2008; September 27—November 7, 2008 and January 10—February 16, 2009; September 26—November 6, 2009 and January 9—February 15, 2010; and September 25—November 12, 2010 and January 8—February 21, 2011 using a .36 caliber or smaller muzzleloading rifle loaded with a single projectile.

(f) Except as specifically provided below for waterfowl hunters, semi-wild and commercial preserves, trappers, woodchuck hunters, raccoon and opossum hunters, muzzleloader deer hunters, muzzleloader squirrel hunters, and muzzleloader bear hunters, it shall be illegal to use any firearm of any kind other than a shotgun. Nothing in this subsection shall prohibit the use of a shotgun not smaller than 20 gauge nor larger than 10 gauge with a rifled bore for deer

and black bear hunting only. Persons hunting black bear shall use a shotgun not smaller than 20 gauge or larger than 10 gauge with lead, lead alloy or copper slug only. Persons hunting deer shall use a shotgun not smaller than 20 gauge or larger than 10 gauge with the lead, lead alloy or copper slug only; or, a shotgun not smaller than 20 gauge nor larger than 10 gauge with the buckshot shell. It shall be illegal to have in possession while deer hunting any firearm missile except the 20, 16, 12 or 10 gauge lead, lead alloy or copper slug; or, if hunting deer the 12, 10, 16 or 20 gauge buckshot shell. Shotgun shells containing a single spherical projectile may not be possessed or used in deer or black bear hunting. (This does not preclude a person legally engaged in hunting on semi-wild or commercial preserves for the species under license or a person legally engaged in hunting woodcock from being possessed solely of shotgun(s) and nothing larger than No. 4 fine shot, nor a person engaged in hunting waterfowl only from being possessed solely of shotgun and nothing larger than T (.200 inch) steel shot or other bismuth non-toxic shot authorized by Federal regulations during the shotgun deer seasons). A legally licensed trapper possessing a valid rifle permit may possess and use a .22 rifle and short rimfire cartridge only while tending his or her trap line. Farmers or their agents may use shot not larger than No. 4 buckshot to control woodchuck causing damage.

1. Persons who are properly licensed may hunt for deer with a muzzleloader rifle during the six day firearm deer season and the permit muzzleloader rifle deer season. Persons who are properly licensed may hunt for black bear with a muzzleloader rifle during a prescribed black bear season. Muzzleloader rifles used for hunting deer or black bear are restricted to single-shot single barreled weapons with flintlock or percussion actions, shall not be less than .44 caliber and shall fire a single missile or projectile. Only one muzzleloader rifle may be possessed while hunting. Double barrel and other types of muzzleloader rifles capable of firing more than one shot without reloading or holding more than one charge are prohibited. Persons who are properly licensed may hunt for deer with a single-shot, single barreled, flintlock or percussion action, smoothbore muzzleloader during the permit muzzleloader rifle season. Single shot, smoothbore muzzleloaders used during the permit muzzleloader season shall fire a single missile or projectile and shall not be smaller than 20 gauge or larger than 10 gauge. Double barrel and other types of smoothbore muzzleloaders capable of firing more than one shot without reloading or holding more than one charge are prohibited during the permit muzzleloader season. Persons who are properly licensed may hunt deer with double barrel, smoothbore muzzleloader during the six day firearm and permit shotgun deer seasons. Smoothbore muzzleloaders used for deer hunting during the six day firearm and permit shotgun deer seasons shall not be smaller than 20 gauge or larger than 10 gauge, and shall fire a single missile or projectile, or buckshot no smaller than No. 4 (.24 inch) or larger than 000 (.36 inch). Only

one muzzleloader rifle or smoothbore muzzleloader may be possessed while deer hunting.

2. Properly licensed persons 10 years of age and older engaged in hunting with a muzzleloader rifle must have in possession a proper and valid rifle permit. Properly licensed persons 10 years of age or older, hunting during the muzzleloader rifle permit deer season with a smoothbore muzzleloader, must also have in possession a proper and valid rifle permit. Rifle permits for 10 to 17 year olds will be valid for muzzleloader deer hunting, muzzleloader squirrel hunting, muzzleloader woodchuck hunting and muzzleloader bear hunting.

3. A muzzleloader is considered unloaded when, in the case of a percussion cap rifle or shotgun, the percussion cap has been removed from the nipple; in the case of a flintlock, when the powder is removed from the pan and a boot or cover made of a nonmetallic material is placed over the frizzen.

4. Only black powder or black powder equivalents, including Clean Shot, GOEX Clear Shot and Pyrodex, may be used with a muzzleloading firearm when engaged in hunting any game species during the prescribed seasons enumerated within the current Game Code. Modern smokeless powder is strictly prohibited while hunting game with a muzzleloading firearm.

5. Whenever a firearm is in a motor vehicle, in addition to the requirements found in N.J.A.C. 7:25-5.23(f)4 (unloaded), it shall be enclosed in a securely fastened case.

(g) No person shall hunt, hunt for, or attempt to capture, kill, take, injure or destroy game birds or animals except at the time and in the manner provided by N.J.S.A. Title 23 and the valid State Game Code and any regulation required for a special permit deer hunt.

(h) Wild waterfowl, migratory game birds, rabbits, hares, jack rabbits, squirrels, grouse, chukar partridge, pheasants, and quail shall not be hunted for or taken on Sunday. However, pheasants, quail and chukar partridge may be hunted for or taken on Sunday on semi-wild and commercial shooting preserve lands that are properly licensed for the taking thereof.

(i) Except for conservation officers and their deputies, no person shall carry or possess a bow and arrow, firearm of any kind or any instrument capable of firing or throwing a projectile of any type within the limits of a state game refuge unless authorized by the Division.

(j) Deer shall not be hunted for or taken on Sunday except on wholly enclosed preserves that are properly licensed for the propagation thereof.

(k) No person shall, for the purpose of hunting for, pursuing, taking or killing, or attempting to hunt, pursue, take or kill any bird or animal, have in an automobile or vehicle of

any kind, any firearm loaded with missiles of any kind, under a penalty of not less than \$20.00 nor more than \$50.00.

(l) The Division may issue special permits without fee, to shoot or hunt from a standing vehicle that is parked off the road to licensed hunters who have demonstrated in writing the nature of their disability and the need for an exemption. The applicant shall provide medical documentation on the form(s) provided by the Division, which must be certified by a physician licensed to practice medicine. Permittees are subject to all applicable New Jersey Fish and Wildlife laws and regulations. Violation of any Fish and Wildlife law or regulation may result in the revocation of any special permit issued by the Division.

1. Individuals hunting with a permit to hunt or shoot from a motor vehicle shall mark the vehicle being used for the purpose of hunting in one of the following ways: The vehicle shall display handicapped license plates issued by the New Jersey Division of Motor Vehicles or display a sign, provided by the Division, in the rear window of the vehicle being utilized.

2. Permits issued to individuals under this subsection and under (o) below may be revoked by the Division when the applicant is found to have made false statements on their application or the applicant had been convicted of any violation of Fish and Wildlife laws and regulations.

(m) No person shall have both a firearm and a bow and arrow in his or her possession or under his or her control in the woods or fields or on the water while hunting any wild bird or mammal. This does not preclude a person from carrying both a firearm and bow and arrow in a motor vehicle. This does not apply to duly constituted law enforcement officers.

(n) No person shall hunt with the aid of a deer decoy, except during the fall bow, special permit bow and winter bow seasons. Any person while carrying or moving deer decoys in the woods and fields for the purpose of hunting shall wear a cap of fluorescent hunters orange or some other garment containing at least 200 square inches of fluorescent orange material which shall be visible from all sides. No person shall hunt for deer with the aid of an electronic calling device, or any device which projects a beam of light upon the target.

(o) Physically challenged persons whose need for alternative methods of taking game animals can not be addressed by the provisions of (l) above and N.J.A.C. 7:25-5.24(e) may apply to the Director of the Division of Fish and Wildlife for further exemption from the existing regulations concerning methods of taking wildlife including alternative equipment on forms provided by the Division. Applicants must demonstrate in writing the nature of the disability and the need for an exemption and must provide medical documentation on the form(s) provided by the Division, which must be certified by a physician licensed to practice medicine. The Division will review each request submitted

under (l) above, this subsection, and N.J.A.C. 7:25-5.24(e) and may determine the need to schedule interviews with the applicants and/or their physician to verify the circumstances and determine the specific requirements of each applicant, and assess the ability of each applicant to safely and effectively use alternative equipment or methods. Additional medical information and/or evaluation may be required if deemed necessary by the Division in order to make a determination of the validity of the application. The cost of the additional medical testing is the responsibility of the applicant. Each permit shall designate the specific alternative methods to take wildlife, including equipment permitted and the term of the permit for each individual determined to be qualified. All handicapped permit applications will be accepted during the period of January 1 to August 31 of each year. Within 60 calendar days from the denial of any application by the Division, the applicant may appeal to the Fish and Game Council. Any further right of appeal shall be determined and handled in accordance with 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. Such disputes will be referred to the Office of Administrative Law for hearing.

(p) No person shall carry or possess a shotgun and any shotgun slug in the woods and fields or on the water while hunting unless he or she has in possession a shotgun which has adjustable open iron or peep sights or a scope affixed. No person shall use any shotgun containing shotgun slugs for the purpose of hunting unless it has adjustable open iron or peep sights or a scope affixed.

(q) Persons required by law to wear corrective lenses to operate a motor vehicle shall wear corrective lenses when hunting with a bow or a firearm of any kind.

(r) Nothing in this subchapter shall be construed to prevent the Director of the New Jersey Division of Fish and Wildlife from authorizing personnel or agents of the New Jersey Division of Fish and Wildlife from possessing, carrying or using hand held pistol-like devices which launch pyrotechnic missiles for the sole purpose of frightening, hazing or aversive conditioning of nuisance wildlife; or from possessing, carrying or using animal immobilization rifles, pistols or similar devices for the sole purpose of chemically immobilizing wild or non-domestic animals or from possessing, carrying or using rifles or shotguns, upon completion of approved training course, in order to dispatch sick, injured, or dangerous animals or for non-lethal use for the purpose of frightening, hazing or aversive conditioning of nuisance or depredating wildlife. All such duly authorized personnel of the New Jersey Division of Fish and Wildlife, except Conservation Officers, shall possess a firearms purchaser card, a valid New Jersey hunting license and a rifle permit issued by the New Jersey Division of Fish and Wildlife.

(s) Nothing in this subchapter shall be construed to prevent duly authorized personnel or agents of the New

Jersey Division of Fish and Wildlife from the possession and use of any other Division approved device or equipment for the capture, marking or killing of wildlife for scientific, enforcement or public safety purposes. This section applies to all non-domestic animals whether native or exotic, irrespective to season status, or other restrictions in any statute or rule.

(t) Nothing in this subchapter shall be construed to prevent duly authorized personnel or agents of the New Jersey Division of Fish and Wildlife from possessing, carrying or using any device which projects, releases or emits any substance specified as being non-injurious to black bears or other animals by the State Director of Animal Health and which produces temporary physical discomfort though being vaporized or otherwise dispensed in the air for the purpose of repelling animal attacks or for the aversive conditioning of nuisance wildlife.

(u) Notwithstanding the foregoing, this section shall not preclude the Director from authorizing, on a case by case basis, Federal Government employees operating under a State of New Jersey Depredation Control Permit, Special Wildlife Management Permit and/or a Federal Fish and Wildlife permit that is co-signed by the New Jersey Division of Fish and Wildlife, to shoot wildlife specifically listed on that permit with an air rifle or a rifle when that permit specifically authorizes the use of air rifles and/or rifles. Air rifles used for this purpose shall be restricted to .22 caliber or smaller only. Rifles used for this purpose shall be restricted to .22 caliber or other calibers approved by the Division.

(v) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 13:1B-30, 23:3-1, 23:4-1, 23:4-12, 23:4-13, 23:4-16, 23:4-18, 23:4-19, 23:4-24.1, 23:4-29, 23:4-42, 23:4-44 and 23:8-10 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (e) and (f)1, amended dates of hunting season; inserted (t) through (v); and recodified former (t) as (w); and in (w), amended N.J.S.A. references.

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

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

In (e), changed the season date; in (f), deleted the former second and tenth sentences in 2; deleted former (p); and recodified former (q) through (w) as (p) through (v).

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

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

In (a), rewrote the third sentence, and added the last four sentences; in (c), added an exception at the beginning; in (e), changed dates; and in (f), added the last sentence in the introductory paragraph, and substituted "10" for "14" throughout 3.

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

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

In (a), inserted a reference to black bears in the first sentence, and rewrote the second sentence; in (e), changed dates; in (f), rewrote the introductory paragraph, 1 and 2; and in (p), deleted a reference to (o) in the first sentence, inserted "on the forms provided by the Division" following "documentation" in the second sentence, and rewrote the third sentence.

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

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

Rewrote (l) and (o); neutralized the gender reference in (m).

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).

In (a), inserted "or black bear" following "deer" in the first sentence and added the last sentence; in (e), changed the dates; rewrote (f).

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (e), changed the dates; added a new (u) and recodified existing (u) as (v).

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

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

In (a), deleted "coyote" following "permitted for hunting", added "red fox and gray fox" following "eastern coyote", deleted "No.2" following "who may use", and added "no smaller than #4 (.13 inches in diameter) or larger than #T (.20 inches in diameter)" following "fine shot"; in (e), updated dates.

7:25-5.24 Bow and arrow, general provisions

(a) A bow means longbow, recurved bow or compound bow that is hand held and hand drawn and that has no mechanical devices built into or attached to, that will enable the archer to lock the bow at full or partial draw. Except as provided in N.J.A.C. 7:25-5.24(e) all draw locking and draw holding devices are prohibited and all crossbows or variations thereof are prohibited. Hand-held releasing devices are permitted.

(b) No person shall use a bow and arrow for deer hunting, during the six-day firearm, permit muzzleloader or permit shotgun seasons. Nothing in this section shall preclude a properly licensed person from hunting with a bow and arrow when other seasons run concurrent and in the same deer management zones as the six-day firearm, permit muzzleloader or permit shotgun seasons or on any additional days if declared open. Bow and arrow hunting is not permitted between ½ hour after sunset and ½ hour before sunrise during other seasons. Deer shall not be hunted for or taken on Sunday except on wholly enclosed preserves that are properly licensed for the propagation thereof.

(c) During the seasons for taking deer, coyote, woodchuck or turkey with bow and arrow (as listed elsewhere in this subchapter), all arrows used for taking deer, coyote, woodchuck or turkey must be fitted with an edged head of the following specifications:

1. Minimum width shall be 3/4 inch.
2. Minimum length—None.

3. Cutting edges shall be of well-sharpened metal only.

4. Arrows fitted with heads other than specified in (c)1 through 3 above may be carried in the woods and fields during the Upland Game Season or other seasons which overlap with the Bow and Arrow Deer Season, in addition to arrows specified for deer. It is unlawful to hunt with any device propelled by any means that is used for the purpose of injecting or delivering any type of drug into an animal.

5. Except as noted in (c)6 below, all bows, except compounds, must have a minimum draw pull weight of 35 pounds at the archers draw length. Compound bows must have a minimum peak weight of 35 pounds.

(d) No person shall hunt deer with the aid of a deer decoy except during the fall bow, winter bow and special bow seasons. No person shall hunt for deer with an electronic calling device, or any other device which projects a beam of light upon the target.

(e) The Division may issue a Special Bow Use Permit to certain physically handicapped individuals which would allow these individuals as specified below in this subsection to hunt with a longbow, recurved bow or compound bow that has been modified such that it has a mechanical device built into or attached to, that will enable the archer to draw and lock the bow at full or partial draw. Crossbows are permitted under a Special Use Bow Permit. Special Bow Use Permit applications will require certification and testing by a physician licensed to practice medicine and be subject to Division review and ratification. For the purposes of this permit, a handicapped individual is defined as one who is incapable of using a bow due to a permanent disability resulting from the loss of, or loss of use of, one or both arms as a result of birth defects, injury or disease. Permittees are subject to all applicable Fish and Game laws and regulations. Violation of any Fish and Wildlife law or regulation may result in the revocation of any special permit issued by the Division.

(f) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-1, 23:4-12, 23:4-16, 23:4-43, 23:4-44, 23:4-45 and other applicable statutes.

Correction: Deleted subsection (d) and renumbered old (e)-(g) as (d)-(f). See: 20 N.J.R. 2936(a).

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (e), added "under a Special Use Bow Permit" at the end of the second sentence.

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 (b), deleted an exception at the end of the third sentence; and in (c), inserted references to black bears in the introductory paragraph, rewrote 4, added an exception at the beginning of 5, and added 6.

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

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

In (c), deleted "black bear" in the introductory paragraph and deleted 6.

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

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

Rewrote (e).

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).

In (c)4, deleted "either the Bow and Arrow Black Bear Season or" preceding "the Bow and Arrow Deer Season".

7:25-5.25 White-tailed deer (*Odocoileus virginianus*) fall bow season

(a) Duration of the fall bow season is as set forth in (a)1 through 2 below. Legal hunting hours shall be ½ hour before sunrise to ½ hour after sunset.

1. September 30, 2006-October 27, 2006; September 29, 2007-October 26, 2007; October 4, 2008-October 31, 2008; October 3, 2009-October 30, 2009; October 2, 2010-October 29, 2010; and October 1, 2011-October 28, 2011 in Zones 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 37, 39, 43, 45, 46, 54, 55 and 65.

2. September 9, 2006-October 27, 2006; September 8, 2007-October 26, 2007; September 13, 2008-October 31, 2008; September 12, 2009-October 30, 2009; September 11, 2010-October 29, 2010; and September 10, 2011-October 28, 2011 in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 40-42, 47-51, 53, 63, 66, and 68.

3. A special youth deer hunting day with bow and arrow will be held on Saturday, September 24, 2005; Saturday, September 23, 2006; Saturday, September 22, 2007; Saturday, September 27, 2008; Saturday, September 26, 2009; and Saturday, September 25, 2010. The season will be open in all zones that are open for the fall bow season. Youth hunters must possess a current and valid youth bow license or be less than 16 years of age on the season date and qualified to hunt without a license under the farmer license exemption. All youth hunters must be under the direct supervision of a non-hunting adult (21 years of age or older), who must possess a proper and valid bow license. Direct supervision means the youth hunter and the supervising adult are together at the same location. The youth hunter may not hunt independently of the supervising adult. Any bow and edged arrowhead approved for deer hunting may be used. Legal hunting hours are ½ hour before sunrise to ½ hour after sunset EST. All other hunting requirements for the fall bow season shall apply, except as noted in (b)3 below.

(b) Bag Limit: Only one antlered deer may be taken State-wide during the fall bow season. Hunters taking an antlered buck in accordance with the provisions set forth in this section must have a "Fall Bow Only Antlered Buck Stub" from their bow and arrow or all around sportsman license which is designated for use during the fall bow season.

Beginning in 2007, hunters must use an antlered deer transportation tag from their bow and arrow or all around sportsman license, which is designated for use during the fall bow season, when registering an antlered deer. The standard bag limit is two deer, either one antlered and one antlerless or two antlerless in Zones: 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 55, and 65. In Zones: 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 37, 39-42, 47-51, 53, 54, 63, and 66, the bag limit is one antlered deer and an unlimited number of antlerless deer. Beginning in 2007 in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 37, 39-42, 47-51, 53, 54, 63, 66 and 68, the bag limit is one antlered deer and an unlimited number of antlerless deer. In Zones 7-15, 36, 40, 41, 49, 50 and 51, Earn-A-Buck regulations are in effect throughout the 2006 season. In Zones 2, 5, 16, 17, 19, 22, 25-29, 31, 35, 42, 47, 48, 53, and 63, an antlerless deer must be taken before an antlered deer from September 9-29, 2006. Beginning in 2007 in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 40, 41, 42, 47-51, 53, 63 and 68, an antlerless deer must be taken before an antlered deer from September 8-28, 2007; September 13-October 3, 2008; September 12-October 2, 2009; September 11-October 1, 2010; and September 10-30, 2011. Properly licensed hunters who harvest their first deer during the bow season subject to the provisions of this section will be given a "New Jersey Supplemental Deer Transportation Tag" (supplemental tag), upon registration of their deer at a designated deer check station. This tag will be valid for the taking of one additional deer, either an antlered or antlerless deer, if the first deer was antlerless; or, an antlerless deer, if the first deer was antlered. The supplemental tag may be used in any zone that is open for the season subject to the limitations of this section. Properly licensed hunters that harvest a second deer may obtain a "New Jersey Supplemental Deer Transportation Tag" upon registration of their second deer at a designated check station. Supplemental tags for the taking of a third or subsequent deer are valid only in zones that have a bag limit of an unlimited number of antlerless deer listed above. After taking a second deer in any zone, hunters may not hunt deer during the fall bow season in the following Zones: 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 55 and 65. One additional supplemental tag, valid only in zones with an unlimited antlerless deer bag limit, will be issued upon registration of each subsequent deer until the season concludes. After harvesting the season limit of one antlered deer, supplemental deer tags will only be valid for taking antlerless deer. All supplemental tags are valid on the date of issuance in all zones that are open for this season. Deer shall be tagged immediately with completely filled in "transportation tag" and shall be transported to a deer checking station before 8:00 P.M. D.S.T. or E.S.T., whichever is in effect, on the day killed to secure a legal possession tag. The legal possession tag must be securely affixed or locked on the deer before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked before leaving the deer check station. The supplemental tag shall be valid on the day of issuance and all registration requirements apply. In addition, hunters taking an antlered buck must immediately

detach, date and initial the current year "Fall Bow Only Antlered Buck Stub" from their bow and arrow or all around sportsman license, and surrender the stub with the transportation tag at the checking station. The buck stub requirement is discontinued beginning in 2007.

1. The possession of a deer after 8:00 P.M. on the date killed without a legal possession tag shall be deemed illegal possession. Any legally killed deer which is recovered too late to be brought to the deer check station by closing time must be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. Said deer must be brought to a checking station on the next open day to receive a legal "possession tag." If the season has concluded, said deer must be taken to a regular deer checking station on the following weekday to receive a legal possession tag. It is unlawful to attempt to take or continue to hunt for more than the number of deer permitted.

2. In Zones 3, 6, 9, 13, 27, 29, 35, 37, 40, and 63, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in 2007, it shall be legal to kill, take or attempt to take an antlered deer with less than three antler points on one side in Zone 6.

3. The bag limit for the special youth hunting day provided in (a)3 above is one deer of either sex and any age. The requirement that hunters take an antlerless deer first or earn-a-buck is waived for this day only. All tagging and deer checking requirements shall apply. The provisions of (b)2 above, requiring that antlered deer must have at least three antler points on one side, is waived for the special youth hunt on this day only.

(c) This season shall be open only to holders of a valid and current bow and arrow hunting license or all around sportsman license that contains an attached fall bow and arrow deer "transportation tag" or a proper and valid supplemental tag. If the anticipated harvest of deer has not been accomplished during this season, additional days of bow and arrow deer hunting may be authorized by the Director. Such authorization and dates thereof shall be announced by press and radio. Handicapped individuals hunting with a modified bow must have a valid Special Bow Use Permit on their person while hunting in addition to a valid Bow and Arrow Hunting License.

(d) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-42, 23:4-43, 23:4-45, 23:4-47 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a), inserted first two sentence and amended dates of hunting seasons; and in (b)1, deleted provision relating to single bonus tag zones and amended zones in which multiple tags allowed.

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

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

Rewrote (a) and (b).

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

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

Rewrote (a) and (b).

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).

Rewrote the section.

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).

Changed dates throughout section; rewrote (b).

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

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

Rewrote (a) and (b); in (c), inserted "or all around sportsman license" in the first sentence.

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).

In (a) and (b), changed dates and zones.

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (a) and (b), changed dates and zones.

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

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

In (a), updated dates in 1 and 2 and added 3; in (b), updated dates and zones.

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

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

Rewrote (a)1, (a)2, and the introductory paragraph of (b); and in (b)2, inserted a comma following "63" and added the last sentence.

7:25-5.26 White-tailed deer winter bow season

(a) Duration of the winter bow season is from January 1-31, 2007, January 1-31, 2008, January 1-31, 2009, January 1-30, 2010, January 1-31, 2011, and January 2-31, 2012 in Zones 1-6, 16-19, 21-31, 34, 35, 39, 40, 42, 43, 45-48, 53, 54, 55, 63, 65, 66, and 68. Duration of the season is: January 1-February 17, 2007, January 1-February 16, 2008, January 1-February 21, 2009, January 1-February 20, 2010, January 1-February 19, 2011, and January 2-February 18, 2012 in Zones 7-15, 36, 37, 41, 49, 50, 51 and 64, except closed January 1 (New Years Day) in Zone 37. Legal hunting hours shall be ½ hour before sunrise to ½ hour after sunset.

(b) Bag Limit: Only one antlered deer may be taken Statewide during the winter bow season where the season is open. Beginning in 2007, hunters must use the antlered buck transportation tag from their bow and arrow or all around sportsman license, which is designated for use during the winter bow season, when registering an antlered deer. The standard bag limit is two deer, one antlered and one antlerless, or two antlerless in Zones 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 53, 55 and 65. In Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 37, 39-42, 47-51, 54, 63, 64, 66 and 68, the bag limit is one antlered deer and an unlimited number of

antlerless deer. Properly licensed hunters who take their first deer during the winter bow season will be given a "New Jersey Supplemental Deer Transportation Tag" (supplemental tag), upon registration of their first deer at a designated deer check station if that deer is antlerless only. This tag will be valid for the taking of one additional antlerless deer. No supplemental tags will be issued for antlered deer. The supplemental tag may be used in any zone that is open for the winter bow season subject to the limitations of this section. Properly licensed hunters that take a second antlerless deer may obtain a "New Jersey Supplemental Deer Transportation Tag" upon registration of their second antlerless deer at a designated check station. Supplemental tags for the taking of a third and subsequent antlerless deer will only be valid in the zones listed above having an unlimited bag limit for antlerless deer. After taking a second deer in any zone, hunters may not hunt deer during the winter bow season in the following Zones: 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 53, 55 and 65. One additional supplemental tag, valid only in zones with an unlimited antlerless deer bag limit, will be issued upon registration of each subsequent deer until the season concludes. Supplemental tags and antlerless transportation tags attached to the regular license are only valid for taking antlerless deer. All supplemental tags are valid on the date of issuance in all zones that are open for the winter bow season. Upon harvesting a deer, hunters must immediately detach, completely fill out and attach the "transportation tag" to the deer, and then take the deer to a deer checking station before 7:00 P.M. E.S.T. on the day killed to secure a legal possession tag. The legal possession tag must be securely affixed or locked on the deer before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked before leaving the deer check station.

1. The possession of a deer after 7:00 P.M. E.S.T. on the date killed without a legal possession tag shall be deemed illegal possession. Any legally killed deer which is recovered too late to be brought to the deer check station by closing time must be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. Said deer must be brought to a checking station on the next open day to receive a legal "possession tag." If the season has concluded, said deer must be taken to a regular deer checking station on the following weekday to receive a legal possession tag. It is unlawful to attempt to take or continue to hunt for more than the number of deer permitted.

2. In Zones 3, 9, 13, 27, 29, 35, 37, 40, and 63, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in January 2008, Zone 6 will no longer have Antler Point Restrictions.

(c) This season will be open only to holders of a valid and current bow and arrow hunting license or all around sportsman license which contains an attached winter bow season "transportation tag" or a proper and valid supplemental tag. If

the anticipated harvest of deer has not been accomplished during this season, additional days of special winter bow and arrow deer hunting may be authorized by the Director. Such authorization and dates thereof shall be announced by press and radio. Handicapped individuals hunting with a modified bow must have a valid Special Bow Use Permit on their person while hunting in addition to a valid Bow and Arrow Hunting License.

(d) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-45, 23:4-42, 23:4-43, 23:4-47 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a), amended dates of hunting season; and in (b) and (c), substituted "supplemental" for "second".

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

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

In (a), changed the season date and inserted a second sentence; rewrote (b); and in (c), inserted "or a proper and valid bonus tag" at the end of the first sentence.

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

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

Rewrote (a) and (b).

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).

Rewrote the section.

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

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

Rewrote (a) and (b); in (c), inserted "or all around sportsman license" in the first sentence.

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

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

Changed dates and zone references in (a) and (b).

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (a) and (b), changed dates and zones.

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

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

Updated dates and zones in (a) and (b).

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

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

Rewrote (a) and the introductory paragraph of (b); and in (b)2, deleted "6," following "3," inserted a comma following "63", and added the last sentence.

7:25-5.27 White-tailed deer six-day firearm season

(a) Duration for this season will be December 5—10, 2005, December 4—9, 2006, December 3—8, 2007, December 8—13, 2008, December 7—12, 2009, and

December 6—11, 2010, inclusive with shotgun or muzzle-loader rifle, exclusively.

1. A special youth deer hunting day with shotgun or muzzleloader rifle will be held on Saturday, November 19, 2005; Saturday, November 18, 2006; Saturday, November 17, 2007; Saturday, November 22, 2008; Saturday, November 21, 2009; and Saturday, November 20, 2010. Youth hunters must possess a current and valid youth firearms license or be less than 16 years of age on the season date and qualified to hunt without a license under the farmer license exemption. Possession of a proper and valid rifle permit is also required if a muzzleloading rifle is used. All youth hunters must be under the direct supervision of a non-hunting adult (21 years of age or older), who must also possess a proper and valid firearm license and a rifle permit, if the youth hunter is using a muzzleloading rifle. Direct supervision means the youth hunter and the supervising adult are together at the same location. The youth hunter may not hunt independently of the supervising adult. Any firearm and ammunition approved for deer hunting may be used. Legal hunting hours are ½ hour before sunrise to ½ hour after sunset EST. All other hunting requirements for the six-day firearm season shall apply, except as noted in (b)3 below.

(b) Bag Limit: Two antlered deer, with antler at least three inches long. Deer shall be tagged immediately with the "transportation tag" appropriate for the season, completely filled in and shall be transported to a checking station before 7:00 P.M. on the day killed to secure a legal possession tag. The legal possession tag must be securely affixed or locked on the deer before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked before leaving the deer check station. The possession of a deer after 7:00 P.M. E.S.T. on the date killed without a legal possession seal shall be deemed illegal possession. Upon completion of the registration of the first deer, one valid and proper "New Jersey Supplemental Deer Transportation Tag" will be issued which will allow that person to continue hunting and take one additional deer with antler at least three inches long during the current, six-day firearm season. The supplemental tag shall be valid on the day of issuance and all registration requirements apply. In addition, hunters taking an antlered buck this season must immediately detach, date and initial the current year "Antlered Buck Stub—Six-Day Firearm Only" for their first buck; and "Antlered Buck Stub—Six-Day Firearm or Permit Shotgun Only" for their second buck from their firearm hunting or all around sportsman license, and surrender the stub with the transportation tag at the checking station. Hunters who take two antlered deer during the six-day firearm season are prohibited from taking an antlered buck during the regular permit shotgun season. Any legally killed deer which is recovered too late to be brought to a check station by closing time shall be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. This deer must be brought

to a checking station on the next open day to receive a legal "possession tag." If the season has concluded, this deer must be taken to a regular deer checking station on the following weekday to receive a legal "possession tag." It is unlawful to attempt to take or to continue to hunt for more than the number of deer permitted.

1. New Jersey Supplemental Deer Transportation Tags will be valid on the day of issuance in all zones.

2. In Zones 3, 6, 9, 13, 27, 29, 35, 37 and 63, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in 2007, it shall be legal to kill, take or attempt to take an antlered deer with less than three antler points on one side in Zone 6.

3. The bag limit for the special youth hunting day provided for in (a)1 is one deer of either sex and any age. All tagging and deer checking requirements shall apply. The provisions of (b)2 above shall not apply.

(c) This season shall be open only to holders of a valid and current firearm hunting or all around sportsman license which contains an attached six-day firearm season transportation tag or a proper and valid supplemental tag. In addition, hunters participating in the season must have a valid antlered buck stub attached to their firearm or all around sportsman license which is designated for use during the six-day firearm season. If the anticipated harvest of deer has not been accomplished during this season, additional days of deer hunting may be authorized by the Director, with the approval of the Council. Such authorization and dates thereof shall be announced by press and radio.

(d) Hunting Hours: Legal hunting hours for the six-day firearm season shall be 1/2 hour before sunrise to 1/2 hour after sunset with shotgun or muzzleloader rifle.

(e) No person shall take, attempt to take, hunt or attempt to hunt, kill or attempt to kill, shoot at or attempt to shoot at, in any one day or in any one year more than the number of deer permitted by this Code.

(f) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:4-42, 23:4-43, 23:4-45, 23:4-47, 23:4-48 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (a) and (e), amended dates of hunting season; and in (c), substituted "supplemental" for "second".

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

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

In (a), changed the season date; rewrote (b); in (c), deleted "or a proper and valid bonus tag" at the end of the first sentence; deleted (d);

changed the season date and recodified former (e) as (d); and recodified former (f) through (g) as (e) through (f).

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

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

In (a), changed date; in (b), substituted a reference to antlered deer for a reference to deer in the first sentence, deleted a former second sentence, and rewrote the new fourth sentence in the introductory paragraph, and rewrote 1; and rewrote (d).

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

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

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

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

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

In (a), changed dates in the introductory paragraph and added 1; in (b), rewrote the introductory paragraph and added 3; rewrote (d).

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

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

Rewrote (a)-(c).

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).

In (a), deleted dates in 2002.

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

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

Updated dates in (a).

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

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

In (b)2, added the last sentence.

7:25-5.28 White-tailed deer muzzleloader rifle permit season

(a) The Director with the approval of the Council may authorize the issuance of permits for the taking of deer with a muzzleloader rifle or smoothbore muzzleloader loaded with a single projectile anywhere within this State or at any State or Federal installation.

(b) If the anticipated harvest of deer has not been accomplished during this season, additional days of muzzleloader rifle permit deer hunting may be authorized by the Director. Such authorization and the date thereof shall be announced by press and radio.

(c) Bag Limit: Only one antlered deer may be taken State-wide during the muzzleloader rifle permit season, regardless of the number of permits obtained. Hunters taking an antlered buck in accordance with the provisions set forth in this section must have an "Antlered Buck Stub" from their firearm or all around sportsman license from the calendar year in which the season begins which is designated for use during the "Permit Muzzleloader Only" season. Two deer, one antlered and one antlerless or two antlerless may be taken in Zones 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 37, 43, 45, 46, 53, 55 and 65. One antlered and an unlimited number of antlerless deer may be taken in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 38-42, 47-51, 54, 57, 58, 61, 63, 66, 67, 68, and 70, except as noted below and in (c)1 and 2 below. Only one deer may be taken at a time per permit until the season limit is reached except in Zones 5, 7-15, 17, 19, 25, 36, 38-42, 48-51, 54, 57, 58, 66 and 68 where the limit is two deer at a time until the season

concludes. In Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 38-42, 47-51, 54, 57, 58, 61, 63, 66, 67, 68, and 70, supplemental tags for the taking of a third and subsequent deer will be issued upon registration of deer at official deer checking stations until the season concludes. In Zones 7-15, 36, 41, 49, 50, 51 and 58, only antlerless deer may be taken on applicable muzzleloader season permits during the period of November 20-22 and 24 and December 4-9, 2006; November 28-30 and December 3-8, 2007; December 3-5 and December 8-13, 2008; December 2-4 and December 7-12, 2009; December 1-3 and December 6-11, 2010, and November 30-December 2 and December 5-10, 2011. In Zones 5, 17, 19, 25, 42, 48, 57, and 68, only antlerless deer may be taken during the periods of December 4-9, 2006; December 3-8, 2007; December 8-13, 2008; December 7-12, 2009; December 6-11, 2010; and December 5-10, 2011. All supplemental tags are valid on the date of issuance and only in the zone for which the special season permit was issued. All deer registration requirements apply. Deer shall be tagged immediately with the muzzleloader rifle permit season permit, transportation tag completely filled in, and shall be transported to a deer checking station before 7:00 P.M. E.S.T. on the day killed to secure a legal possession tag. The legal possession tag must be securely affixed or locked before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked on the deer before leaving the deer check station. In addition, hunters taking an antlered buck must immediately detach, date and initial the "Antlered Buck Stub—Permit Muzzleloader Only" from their firearm or all around sportsman license from the calendar year in which the season began, and surrender the stub with the transportation tag at the checking station. In zones where the muzzleloader rifle permit season extends into January or February, the buck stub from the calendar year in which the season began shall be valid until the end of the season. Beginning in 2007, the "Antlered Buck Stub" requirement is discontinued. Beginning in 2007, hunters must use an antlered deer transportation tag from their bonus muzzleloader permit which is designated for use during the permit muzzleloader season, when registering an antlered deer. The bonus muzzleloader permit with antlered deer transportation tag which is valid only for the harvest of one antlered deer must be purchased in addition to an antlerless muzzleloader permit. The bonus muzzleloader permit with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless permit. The bonus muzzleloader permit with antlered deer transportation tag must be purchased prior to the season opener or at the time of the purchase of the initial antlerless muzzleloader permit if the season has already begun. The possession of a deer after 7:00 P.M. E.S.T. on the date killed without a legal possession seal shall be deemed illegal possession. Except as noted in (c)1 through 3 below upon completion of registration of first deer, one valid and proper "New Jersey Supplemental Deer Transportation Tag" (supplemental tag) will be issued which will allow this person to continue hunting and take one additional antlerless deer during the current muzzleloader

rifle permit season. The supplemental tag shall be valid on the day of issuance and all registration requirements apply. No supplemental tags shall be issued for antlered deer.

1. In Zones 7, 8, 9, 10, 11, 12, 13, 14, 15, 36, 41, 49, 50, and 51, the Earn-A-Buck regulation is in effect November 27 or 28, 2006. An antlerless deer taken in these zones on November 20-22 and 24, 2006 also satisfies the earn-a-buck requirement for the year. Beginning in 2007, Earn-A-Buck regulations are no longer in effect in Zones 7-15, 36, 41, 49, 50, 51, and 58. In Zones 40 and 67, an antlerless deer must be taken in each year before taking or attempting to take an antlered deer during the prescribed muzzleloader deer seasons. It shall not be necessary to harvest an antlerless deer before taking or attempting to take an antlered deer during muzzleloader permit season days scheduled after the conclusion of the six-day firearm season.

2. In Zones 3, 6, 9, 13, 27, 29, 35, 37, 40, 63, and 67, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in 2007, it shall be legal to kill, take or attempt to take an antlered deer with less than three antler points on one side in Zone 6.

3. Any legally killed deer which is recovered too late to be brought to the deer check station by closing time must be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. Said deer must be brought to a checking station on the next open day to receive a legal "possession tag." If the season has concluded, said deer must be taken to a regular deer checking station on the following week-day to receive a legal possession tag. It is unlawful to attempt to take or continue to hunt for more than the number of deer permitted.

(d) Duration of the muzzleloader rifle permit season is as set forth in (d)1 through 15 below. There is no season in the following Zones: 56 and 64. Legal hunting hours shall be ½ hour before sunrise to ½ hour after sunset E.S.T.

1. January 2-6, 2006; November 27, 28 and December 11, 12, 16-23, 26-30, 2006 and January 1-5, 2007; November 26, 27 and December 10, 11, 15-24, 26-31, 2007 and January 1-4, 2008; December 1, 2, 15, 16, 20-24, 26-31, 2008 and January 1-9, 2009; November 30 and December 1, 14, 15, 19-24, 26-31, 2009 and January 1-8, 2010; and, November 29, 30 and December 13, 14, 18-24, 27-31, 2010 and January 1-7, 2011 in Zones 1-3, 6, 16, 18, 21-24, 26-31, 34, 35, 43, 45-47, 55, 61, 63, 65, and 70.

2. November 28, 29 and December 12, 13, 17-24, 26 and 27, 2005; November 27, 28 and December 11, 12, 16-23 and 26, 2006; November 26, 27 and December 10, 11 and 15-24, 2007; December 1, 2, 15, 16, 20-24, 26-30, 2008; November 30 and December 1, 14, 15, 19-24 and 26-29, 2009; and November 29, 30 and December 13, 14, 18-24, 27 and 28, 2010 in Zone 4.

3. November 20-22, 27, 28, and December 4-9, 11, 12, 16-23, 26-30, 2006 and January 1-February 10, 2007; November 26-30 and December 3-8, 10, 11, 15-24, 26-31, 2007 and January 1-February 9, 2008; December 1-5, 8-13, 15, 16, 20-24, 26-31, 2008 and January 1-February 14, 2009; November 30, December 1, 7-12, 14, 15, 19-24, 26-31, 2009 and January 1-February 13, 2010; and, November 29, December 3, 6-11, 13, 14, 18-24, 27-31, 2010 and January 1-February 12, 2011; and November 28-December 2, December 5-10, 12, 13, 17-24, 26-31, 2011 and January 2-February 11, 2012 in Zones 7-15, 36, 41, 49, 50 and 51.

4. November 27, 28 and December 4-9, 11, 12, 16-23, 26-30, 2006 and January 1-31, 2007; November 26, 27 and December 3-8, 10, 11, 15-24, 26-31, 2007 and January 1-31, 2008; December 1, 2, 8-13, 15, 16, 20-24, 26-31, 2008 and January 1-31, 2009; November 30 and December 1, 7-12, 14, 15, 19-24, 26-31, 2009 and January 1-30, 2010; November 29, 30 and December 6-11, 13, 14, 18-24, 27-31, 2010 and January 1-31, 2011; and November 29, 30 and December 5-10, 12, 13, 17-24, 26-31, 2011 and January 2-31, 2012 in Zones 5, 17, 19, 25, 42, 48, and 68.

5. November 7-11, and December 12-31, 2005 and January 2-7, 2006; November 6-10, and December 11-23, 26-30, 2006 and January 2-6, 2007; November 5-9 and December 10-24, 26-31, 2007 and January 2-5, 2008; November 10-14 and December 15-24, 26-31, 2008 and January 2-10, 2009; November 9-13 and December 14-24, 26-31, 2009 and January 2-9, 2010; and November 8-12 and December 13-24, 27-31, 2010 and January 3-8, 2011 in Zone 37.

6. November 12, 16-19, 2005; November 11, 15-18, 2006; November 10, 14-17, 2007; November 15, 19-22, 2008; November 14, 18-21, 2009; November 13, 17-20, 2010; November 12, 16-19, 2011 in Zone 38.

7. November 28-December 3, 12-31, 2005 and January 2-31, 2006; November 27-December 2, 11-30, 2006 and January 1-31, 2007; November 26-December 1, 10-31, 2007 and January 1-31, 2008; December 1-6, 15-31, 2008 and January 1-31, 2009; November 30-December 5, 14-31, 2009 and January 1-30, 2010; and November 29-December 4, 13-31, 2010 and January 1-31, 2011 in Zone 39.

8. November 4, 11, 18, 20-22, 24 and 25, 2006; November 3, 10, 12, 17, 19-21, 23 and 24, 2007; November 8, 11, 15, 22, 24-26, 28 and 29, 2008; November 7, 11, 14, 21, 23-25, 27 and 28, 2009; November 6, 11, 13, 20, 22-24, 26 and 27, 2010; and November 5, 11, 12, 19, 21-23, 25 and 26, 2011 in Zone 40.

9. November 26-30 and December 1-3, 12-31, 2005 and January 2-7, 2006; November 25-30 and December 1, 2, 11-23, 26-30, 2006 and January 1-6, 2007; November 24-30 and December 1, 10-24, 26-

31, 2007 and January 1—5, 2008; November 29 and December 1—6, 15—24, 26—31, 2008 and January 1—10, 2009; November 28—30 and December 1—5, 14—24, 26—31, 2009 and January 1—9, 2010; and November 27—30 and December 1—4, 13—24, 27—31, 2010 and January 1—8, 2011 in Zone 53.

10. November 28 and 29 and December 12—31, 2005 and January 2—7, 2006; November 27, 28 and December 11—31, 2006 and January 1—6, 2007; November 26, 27 and December 10—31, 2007 and January 1—5, 2008; December 1, 2, 15—31, 2008 and January 1—10, 2009; November 30 and December 1, 14—31, 2009 and January 1—9, 2010; and November 29, 30 and December 13—31, 2010 and January 1—8, 2011 in Zone 54.

11. November 26, 27 and December 3-8, 10, 11, 15-24, 26-31, 2007 and January 1-4, 2008; December 1-5, 15, 16, 20-24, 26-31, 2008 and January 1-9, 2009; November 30 and December 1, 7-12, 14, 15, 19-24, 26-31, 2009 and January 1-8, 2010; and, November 29, 30 and December 6-11, 13, 14, 18-24, 27-31, 2010 and January 1-7, 2011 in Zone 57.

12. November 26—December 3, 9 and 10, 2005 and January 7 and 14, 2006; November 25—December 2, 8, 9, 2006 and January 6, 13, 2007; November 24—December 1, 7, 8, 2007 and January 5, 12, 2008; November 29—December 6, 12, 13, 2008 and January 3, 10, 2009; November 28—December 5, 11, 12, 2009 and January 2, 9, 2010; and November 27—December 4, 10, 11, 2010 and January 8, 15, 2011 in Zone 66.

13. November 7—10, 14—17, 2005; November 6—9, 13, 16, 2006; November 5—8, 12—15, 2007; November 10—13, 17—20, 2008; November 9—12, 16—19, 2009; and November 8—11, 15—18, 2010 in Zone 67.

14. November 26-30 and December 3-8, 10, 11, 15-24, 26-31, 2007 and January 1-4, 2008; December 1-5, 8-13, 15, 16, 20-24, 26-31, 2008 and January 1, 2, 2009; November 30 and December 1, 7-12, 14, 15, 19-24, 26-31, 2009 and January 1, 2010; and November 29 and December 3, 6-11, 13, 14, 18-24, 27-31, 2010 and January 1-8, 2011; and November 28-December 2, December 5-10, 12, 13, 17-24, 26-31, 2011 and January 2-February 11, 2012 in Zone 58.

15. At other times as determined by the Director.

(e) Antlerless permits for muzzleloader rifle permit season are valid only in the designated deer management zones or other designated areas and are not transferable. Bonus muzzleloader permits with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless muzzleloader permit for use during this season.

(f) Method: The taking of two deer, one antlered and one antlerless, or two antlerless, except as noted in (c)1 through 3 above, or the taking of deer as designated for special hunts is authorized to holders of valid permits for muzzleloader rifle

permit season in designated deer management zones. The taking of two deer, one antlered and one antlerless, or two antlerless or the taking of deer as designated for special hunts is authorized to holders of valid farmer permits for muzzleloader rifle permit season only on the farm occupied and designated on the permit application.

1. Limited quota, special deer permits for muzzleloader rifle permit season will be issued on an individual basis to holders of valid and current firearm licenses and qualified farmers. Only one application per regular firearm license holder may be submitted, whether for muzzleloader rifle or shotgun permit seasons, during the initial application period. Duplicate or multiple applications will cause all applications to be void. All persons, while their hunting licenses are void under the authority of law or as imposed by a court, are prohibited from making application for, or otherwise procuring a muzzleloader deer permit. For special management zones where the agency administering the affected land requires that hunters attend mandatory hunter orientation as a condition of access, failure to attend the designated session shall result in invalidation of the muzzleloader season permit for the zone. Limited quota, special deer permit zones include the following deer management zones: 37, 38, 39, 40, 53, 54, 57, 58, 61, 66, 67, 68, and 70. Only one antlerless muzzleloader rifle permit season permit may be purchased per zone. Only one bonus muzzleloader permit with antlered deer transportation tag may be purchased per season.

2. All other deer permits for muzzleloader rifle permit season will be issued on an individual basis to holders of valid and current firearm licenses and rifle permits via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division. These permits may be issued beginning on the effective date of the current Game Code, or as authorized by the Division, through the last day of the season. Qualified applicants may purchase permits via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division for the following deer management zones: 1-19, 21-31, 34-36, 41-43, 45, 46-51, 55, 63 and 65. Qualified farmers may obtain permits as provided in (i) below. Only one muzzleloader rifle permit season permit may be purchased per zone.

(g) Permits for muzzleloader rifle permit season consist of back display which includes a "deer transportation tag" or proper and valid supplemental tag. The back display portion of the permit will be conspicuously displayed on the outer clothing in addition to the valid firearm license.

(h) Muzzleloader Rifle Permit Season limited quota, special deer permits shall be applied for as follows:

1. Holders of valid and current firearm hunting licenses shall apply by submitting an application which has been properly completed in accordance with instructions. First time permit applicants who do not yet possess a valid hunting license may apply for a muzzleloader rifle deer season permit provided they have applied for a hunter education course prior to the permit application period and have provided such related information as may be required on the application.

2. Youth Hunting license holders are eligible.

3. Only one application whether for limited quota antlerless and bonus muzzleloader rifle or shotgun permit season or as provided for in (h)1 above, may be submitted by any regular firearm license holder during the initial permit application period. During the initial application period, regular firearm license holders may also submit one application for either a left-over shotgun or muzzleloader deer permit in the event such permits are available following the initial drawing. Applications for more than the allowable number of permits during the initial application period will cause all applications by an individual to be void and subject the applicant to prosecution.

4. The application shall be filled in to include: Conservation ID Number or name, address, current firearm hunting license number, deer management zone applied for, and any other information requested. Only those applications will be accepted for participation in random selection, which are received during the period of June 1–August 31 inclusive. Applications submitted after August 31 will not be considered for the initial drawing. Selection of permittees will be made by random selection.

5. Unsuccessful applicants will be notified. Any permit obtained by fraud shall be void.

6. Successful applicants will be notified. Unless otherwise indicated, the non-refundable permit application fee payable to “Division of Fish and Wildlife” must accompany the completed application. If selected to receive a permit, the full permit fee will be payable to the Division.

7. Nothing contained herein shall preclude the Division from issuing unfilled limited quota, special deer permits on a first come-first served basis to any properly licensed hunter or qualified farmer after the permit selection process.

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

1. Only the owner or lessee of a farm, who resides thereon, or the spouse or children of that farmer 10 years of age or older who reside in the farmer’s household, may apply on forms provided for an occupant farmer, muzzleloader rifle permit season permit. Under this subsection, a

farm is an area of five acres or more and producing a gross income in excess of \$500.00 and is tax assessed as farmland. Farmer muzzleloader rifle permit season permits will be issued only in those deer management zones where a muzzleloader rifle, permit season is prescribed.

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

3. Application forms may be obtained from the County Agricultural Agent, the Division of Fish and Wildlife, P.O. Box 400, Trenton, N.J. 08625-0400, or other Division offices.

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

5. Qualified farmers may apply for one shotgun antlerless and one bonus permit season permit in any management zone in addition to one muzzleloader antlerless and one bonus rifle permit season permit in any management zone where a muzzleloader rifle permit season is prescribed. Qualified farmers may also apply for either the muzzleloader rifle permit season permits or shotgun permit season permits as a regular firearm hunting license applicant. No farmer may use more than one bonus permit for any season. Application for more than the allowable number of permits during the initial application period will cause all applications by an individual to be void.

6. Nothing contained herein shall preclude the Division from issuing unfilled or unclaimed permits on a first come-first served basis to any qualified farmer or properly licensed hunter after the permit selection process.

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

1. The antlerless and bonus muzzleloader rifle permit season permits are valid only in the deer management zone (DMZ) designated and are not transferable from individual

to individual. The muzzleloader rifle permit season permit hunter is responsible for hunting in the correct DMZ as indicated and in ascertaining the boundaries.

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

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

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

MUZZLELOADER RIFLE PERMIT SEASON PERMIT QUOTAS

Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved
1	1	1,140	Sussex
2	1	2,510	Sussex
3	1	1,180	Sussex, Passaic, Bergen, Morris
4	2	1,270	Sussex, Warren
5	4	3,510	Sussex, Warren
6	1	1,760	Sussex, Morris, Passaic, Essex, Warren
7	3	1,690	Warren, Hunterdon
8	3	2,920	Warren, Hunterdon, Morris, Somerset
9	3	530	Morris, Somerset
10	3	1,760	Warren, Hunterdon
11	3	1,090	Hunterdon
12	3	1,860	Mercer, Hunterdon, Somerset
13	3	365	Morris, Somerset, Union
14	3	1,020	Mercer, Somerset, Middlesex, Burlington
15	3	1,260	Mercer, Monmouth, Middlesex
16	1	1,240	Ocean, Monmouth
17	4	845	Ocean, Monmouth, Mercer, Burlington
18	1	660	Ocean
19	4	1,570	Camden, Burlington
21	1	1,350	Burlington, Ocean
22	1	350	Burlington, Ocean
23	1	1,420	Burlington, Camden, Atlantic
24	1	700	Burlington, Ocean
25	4	1,265	Gloucester, Camden, Atlantic, Salem
26	1	1,860	Atlantic
27	1	1,050	Salem, Cumberland
28	1	1,330	Salem, Cumberland, Gloucester
29	1	965	Salem, Cumberland
30	1	610	Cumberland
31	1	435	Cumberland
34	1	1,720	Cape May, Cumberland
35	1	1,460	Gloucester, Salem
36	3	100	Bergen, Hudson, Essex, Morris, Union, Somerset, Middlesex, Passaic
37	5	480	Burlington, Ocean (Fort Dix Military Reservation)
38	6	10	Morris (Great Swamp National Wildlife Refuge)
39	7	100	Monmouth (Earle Naval Weapons Station)
40	8	50	Monmouth (Earle Naval Weapons Station – Waterfront)
41	3	590	Mercer, Hunterdon
42	4	500	Atlantic
43	1	255	Cumberland
45	1	590	Cumberland, Atlantic, Cape May
46	1	528	Atlantic
47	1	440	Atlantic, Cumberland, Gloucester
48	4	780	Burlington
49	3	120	Burlington, Camden, Gloucester

Deer Mgt. <u>Zone No.</u>	Season Dates <u>Code</u>	Permit <u>Quota</u>	Portions <u>of Counties Involved</u>
50	3	510	Middlesex, Monmouth
51	3	410	Monmouth, Ocean
53	9	100	Ocean (Lakehurst Naval Engineering Station)
54	10	50	Morris (Picatinny Arsenal-ARRAD Com)
55	1	210	Gloucester
56		0	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
57	11	40	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
58	14	35	Burlington, Ocean (Edwin B. Forsythe National Wildlife Refuge)
61	1	40	Atlantic (Atlantic County Park System)
63	1	280	Salem
64		0	Monmouth (Monmouth Battlefield State Park)
65	1	390	Gloucester, Camden
66	12	15	Atlantic (Federal Aviation Administration William J. Hughes Technical Center)
67	13	350	Sussex (High Point State Park)
68	4	80	Burlington (Parker Preserve)
70	1	15	Burlington, Ocean (Edwin B. Forsythe National Wildlife Refuge)
Total		49,783	

(l) See (d)1 through 13 above for corresponding season date codes.

(m) Permit quotas in Zones 37, 38, 39, 40, 53, 54, 57, 58, 61, 66 and 67 are contingent upon approval by appropriate land management agencies for those zones.

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

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (c), substituted "supplemental" for "second"; amended dates of permit season throughout (d); inserted (d)8 and 9; recodified former (d)8

as (d)10; in (f)1, substituted "law or as imposed by a court" for "N.J.S.A. 23:3-22," and added provision relating to special management zones; added (f)2; in (k), amended year for permit quotas and amended season dates, anticipated harvest, and quotas in permit table and added Sussex to table; amended dates of season dates throughout (l); added (l)8 and 9; and in (m), added zone 67.

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

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

Rewrote (c), (d), and (f); in (g), inserted "or a proper and valid bonus tag" at the end of the first sentence; in (h), inserted new application requirement "social security number" in 4; in (i), inserted new application requirement "social security number" in 3; in (k), changed season dates, Anticipated Deer Harvest numbers and Permit Quota numbers; and in (l), changed season dates.

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

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

Rewrote the section.

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

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

In (h)4, substituted a reference to June 1-September 10 for a reference to August 15-September 10; and in (i)3, substituted a reference to June 1 to September 10 for a reference to August 1 to 15.

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).

Rewrote (c), (d) and (k); in (g), added the last sentence; in (l), made an internal reference change; and in (m), changed zone references.

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

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

Rewrote the 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).

Rewrote the section.

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

Rewrote the section.

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

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

Updated dates in (c), (d); in (f)1 and (m), deleted zone "52"; in (k), updated the Muzzleloader Rifle Permit Season Permit Quotas; in (l), substituted "13" for "12".

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

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

Rewrote (c) through (f) and (h) through (k); and in (m), deleted "59," following "58,".

7:25-5.29 White-tailed deer shotgun permit season

(a) The Director with the approval of the Council may authorize the issuance of shotgun permit season permits for the taking of deer anywhere within the State or at any State or Federal installation.

(b) If the anticipated harvest of deer has not been accomplished during this season, additional days of shotgun permit deer hunting may be authorized by the Director. Such authorization and the dates thereof shall be announced by press and radio.

(c) Bag limit: A properly licensed hunter who did not take two antlered deer during the current year, six-day firearm season may take one antlered deer during the shotgun permit season. Only one antlered deer may be taken Statewide during the shotgun permit season, regardless of the number of permits obtained. Hunters taking an antlered deer in accordance with the provisions set forth in this section must have a valid "Antlered Buck Stub 6-Day Firearm Or Permit Shotgun Only" from their firearm or all around sportsman license from the calendar year in which the season begins. One deer, either antlered or antlerless, may be taken in Zones 1, 3, 4, 21, 23, 24, 37, 43, 45, and 46. Two deer, either one antlered and one antlerless or two antlerless may be taken in Zones 6, 18, 30, 34, 55, and 65. One antlered deer and an unlimited number of antlerless deer may be taken in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 38-42, 47-51, 53, 54, 56, 57, 58, 61, 63, 64, 66, 68, and 70. In Zones 7, 8, 9, 10, 11, 12, 13, 14, 15, 36, 41, 49, 50, 51 and 58, only antlerless deer may be taken on November 20-22 and 24 and December 4-9, 2006; November 28-30 and December 3-8, 2007; December 3-5 and December 8-13, 2008; December 2-4 and December 7-12, 2009; December 1-3 and December 6-11, 2010; and November 30-December 2 and December 5-10, 2011. In Zones 5, 17, 19, 25, 42, 48 and 57, only antlerless deer may be taken during the period of December 4-9, 2006; December 3-8, 2007; December 8-13, 2008; December 7-12, 2009; December 6-11, 2010; and December 5-10, 2011. In Zone 40, an antlerless deer must be taken before taking or attempting to take an antlered deer during the prescribed season. Only one deer may be taken at a time per permit until the season limit is reached except in Zones 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 19, 25, 36, 38, 39, 40, 41, 42, 48, 49, 50, 51, 54, 56, 57, 58, 64, 66 and 68 where the limit is two deer at a time per permit until the season concludes. New Jersey Supplemental Deer Transportation Tags are valid on the day of issuance in all zones. All deer tagging and registration provisions apply. In addition, hunters taking an antlered deer must immediately detach, date and initial the "Antlered Buck Stub—6-Day Firearm or Permit Shotgun Only," from their firearm or all around sportsman license from the calendar year in which the season began, and surrender the stub with the transportation tag at the checking station. In zones where the shotgun permit season extends into January or February, the buck stub from the calendar year in which the season began shall be valid until the end of the shotgun permit season. Beginning in 2007, the "Antlered Buck Stub" requirement is discontinued. Beginning in 2007, hunters must use an antlered deer transportation tag from their bonus shotgun permit which is designated for use during the permit shotgun season, when registering an antlered deer. The bonus shotgun permit with antlered deer transportation tag, which is valid only for the harvest of one antlered deer, must be purchased in addition to an antlerless shotgun permit. The bonus shotgun permit with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless permit. The bonus shotgun permit with antlered deer transportation tag must be purchased prior to the season opener or at the time of the purchase of the initial antlerless shotgun permit if

the season has already begun. The season bag limits apply to both regular and farmer deer permits; however, all farmer shotgun permits are valid for taking antlerless deer only, when used during the six-day firearm buck season and on any other days authorized through the last day of the six-day firearm buck season.

1. In Zones 3, 6, 9, 13, 27, 29, 35, 37, 40, and 63, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in 2007, it shall be legal to kill, take or attempt to take an antlered deer with less than three antler points on one side in Zone 6.

(d) Duration of the permit shotgun deer season is as set forth in (d)1 through 19 below. There is no season in Zone 67. Legal hunting hours shall be from ½ hour before sunrise to ½ hour after sunset on the following dates:

1. December 14—16, 2005; December 13—15, 2006; December 12—14, 2007; December 17—19, 2008; December 16—18, 2009; and December 15—17, 2010 in Zones 6, 18, 30, 34, 55 and 65.

2. December 14-16, 2005 and January 7-14, 2006; December 13-15, 2006 and January 6-13, 2007; December 12-14, 2007 and January 5-12, 2008; December 17-19, 2008 and January 10-17, 2009; December 16-18, 2009 and January 9-16, 2010; and, December 15-17, 2010 and January 8-15, 2011 in Zones 2, 16, 22, 26-29, 31, 35, 47, 53, 63, and 70.

3. December 14, 2005; December 13, 2006; December 12, 2007; December 17, 2008; December 16, 2009; and December 15, 2010 in Zones 1, 3, 4, 21, 23, 24, 43, 45 and 46.

4. November 20-22, 24 and December 4-9, 13-15, 2006 and January 6-February 10, 2007; November 28-30 and December 3-8, 12-14, 2007 and January 5-February 9, 2008; December 3-5 and December 8-13, 17-19, 2008 and January 10-February 14, 2009; December 2-4 and December 7-12, 16-18, 2009 and January 9-February 13, 2010; December 1-3 and December 6-11, 15-17, 2010 and January 8-February 12, 2011; and November 30-December 2 and December 5-10, 14-16, 2011 and January 7-February 11, 2012 in Zones 7-15, 36, 41, and 49-51.

5. December 4-9, 13-15, 2006 and January 6-31, 2007; December 3-8, 12-14, 2007 and January 5-31, 2008; December 8-13, 17-19, 2008 and January 10-31, 2009; December 7-12, 16-18, 2009 and January 9-30, 2010; December 6-11, 15-17, 2010 and January 8-31, 2011; and December 5-10, 14-16, 2011 and January 7-31, 2012 in Zones 5, 17, 19, 25, 42, 48, 57 and 68.

6. December 17, 2005; December 16, 2006; December 15, 2007; December 20, 2008; and December 19, 2009; and December 18, 2010 in Zone 37.

7. November 12, 16—19, 2005; November 11, 15—18, 2006; November 10, 14—17, 2007; November 15, 19—22, 2008; November 14, 18—21, 2009; November 13, 17—20, 2010; and November 12, 16—19, 2011 in Zone 38.

8. December 3, 5—10, 17, 24 and 31, 2005 and January 7, 14, 21 and 28, 2006; December 2, 4—9, 16, 23 and 30, 2006 and January 6, 13, 20 and 27, 2007; December 1, 3—8, 15, 22 and 29, 2007 and January 5, 12, 19 and 26, 2008; December 6, 8—13, 20 and 27, 2008 and January 3, 10, 17, 24 and 31, 2009; December 5, 7—12, 19 and 26, 2009 and January 2, 9, 16, 23 and 30, 2010; and December 4, 6—11, 18 and 25, 2010 and January 1, 8, 15, 22 and 29, 2011 in Zone 39.

9. November 3, 10, 12, 17, 19—21, 23 and 24, 2007; November 8, 11, 15, 22, 24—26, 28 and 29, 2008; November 7, 11, 14, 21, 23—25, 27 and 28, 2009; November 6, 11, 13, 20, 22—24, 26 and 27, 2010; and November 5, 11, 12, 19, 21—23, 25 and 26, 2011 in Zone 40.

10. (Reserved)

11. December 5—10 and 31, 2005 and January 14, 2006; December 4—9, and 23, 2006 and January 13, 2007; December 3—8, and 22, 2007 and January 12, 2008; December 8—13, and 27, 2008 and January 10, 2009; December 7—12, and 26, 2009 and January 9, 2010; and December 6—11, and 18, 2010 and January 8, 2011 in Zone 54.

12. December 12—16, 2005; December 11—15, 2006; December 10—14, 2007; December 15—19, 2008; December 14—18, 2009; and December 13—17, 2010 in Zone 56.

13. November 28-30 and December 3-8, 12-14, 2007 and January 5-12, 2008; December 3-5 and December 8-13, 17-19, 2008 and January 3-10, 2009; December 2-4 and December 7-12, 16-18, 2009 and January 2-9, 2010; December 1-3 and December 6-11, 15-17, 2010 and January 1-8, 2011; and November 30-December 2 and December 5-10, 14-16, 2011 and January 7-14, 2012 in Zone 58.

14. (Reserved.)

15. December 5—10, 14—16, 2005; December 4—9, 13—15, 2006; December 3—8, 12—14, 2007; December 8—13, 17—19, 2008; December 7—12, 16—18, 2009; and December 6—11, 15—17, 2010 in Zone 61.

16. December 3—8, 2007, December 8-13, 2008, December 7-12, 2009, December 6-11, 2010, and December 5-10, 2011 in Zone 64.

17. November 26—December 3, 9 and 10, 2005 and January 7 and 14, 2006; November 25—December 2, 8 and 9, 2006 and January 6 and 13, 2007; November 24—December 1, 7 and 8, 2007 and January 5 and 12, 2008; November 29—December 6, 12 and 13, 2008 and January

3 and 10, 2009; November 28—December 5, 11 and 12, 2009 and January 2 and 9, 2010; and November 27—December 4, 10 and 11, 2010 and January 8 and 15, 2011 in Zone 66.

18. At other times as determined by the Director.

19. The permit shotgun season for persons possessing farmer shotgun permit season permits includes the six-day firearm season in addition to the day or days the season is open for applicable zones by qualified farmers on the farm occupied and designated in the application, or in the zone designated on a non-occupant farmer permit. All other regulations applicable to the zone and farmer shotgun permits shall apply.

(e) Antlerless shotgun permit season permits are valid only in the designated deer management zones or other designated areas and are not transferable. Bonus shotgun permit with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless shotgun permit during this season.

(f) Method: The taking of deer with a shotgun under a shotgun permit season permit or a farmer shotgun permit season permit is permitted in designated deer management zones by holders of a shotgun permit season permit and, on their own property, by holders of a farmer shotgun permit season permit.

1. Limited quota, special deer permits for shotgun permit season will be issued on an individual basis to holders of valid and current firearm licenses, persons who have applied for the shotgun hunter education course prior to the permit application period and qualified farmers. Only one application, whether for shotgun or muzzleloader permit season, may be submitted by regular firearm license holders for the initial permit drawing. Applications for more than the allowable number of permits during the initial application period will cause all applications by an individual to be void and subject the applicant to prosecution. All persons, while their hunting licenses are void under the authority of law or as imposed by a court are prohibited from making application for, or otherwise procuring, a shotgun deer permit. For special management zones where the agency administering the affected lands requires that hunters attend mandatory hunter orientation as a condition of access, failure to attend the designated session shall result in invalidation of the shotgun season permit for the zone. Limited quota, special deer permit zones include the following deer management zones: 37, 38, 39, 40, 53, 54, 56, 57, 58, 61, 64, 66, 67, 68, and 70. Only one antlerless shotgun permit season permit may be purchased per zone. Only one bonus shotgun permit with antlered deer transportation tag may be purchased per season.

2. All other special deer permits for shotgun permit season will be issued on an individual basis to holders of valid and current firearm licenses via the Division's ELS

or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate system as may be designated by the Division. These permits may be issued beginning on the effective date of the current Game Code, or as authorized by the Division, through the last day of the season. Qualified applicants may purchase permits from authorized agents for the following deer management zones: 1-31, 34-36, 41, 42, 43, 45-51, 55, 63 and 65. Qualified farmers may obtain permits as provided in (i) below. Only one shotgun permit season permit may be purchased per zone.

(g) Permits for shotgun permit season consist of a back display, which includes a "deer transportation tag," or proper and valid supplemental tag. The back display portion of the permit will be conspicuously displayed on the outer clothing in addition to the valid firearm license in the case of a shotgun permit season permit, and without the license in the case of the farmer shotgun permit season permit. Upon harvesting a deer during this season, the "deer transportation tag" portion of the permit must be detached, completely filled out, and affixed to the deer immediately upon killing. This completely filled in "deer transportation tag" allows legal transportation of the deer of either sex to an authorized checking station only. Personnel at the checking station will issue a "possession tag." Any permit holder killing a deer during this season must transport this deer to an authorized checking station by 7:00 P.M. E.S.T. on date killed to secure the legal "possession tag." The possession of a deer of either sex after 7:00 P.M. E.S.T. on the date killed without a legal "possession tag" shall be deemed illegal possession. The legal possession tag must be securely affixed or locked on the deer before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked before leaving the deer check station. Any legally killed deer which is recovered too late to be brought to the check station by closing time must be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. Said deer must be brought to a checking station on the next open day to receive a legal "possession tag." If the season has been concluded, said deer must be taken to a regular deer checking station on the following weekday to receive a legal "possession tag." For deer management zones where the shotgun permit season is more than one day and the bag limit is two deer, a valid and proper "New Jersey Supplemental Deer Transportation Tag" will be issued upon registration of the first deer. This permit will allow this person to continue hunting and take one additional legal deer during the shotgun permit season, provided the season is open the following day(s) or on any additional days that shotgun permit season hunting is authorized. For deer management zones where the shotgun permit season is three days or more and the bag limit is three deer or more, additional "New Jersey Supplemental Deer Transportation Tags" will be issued upon registration of the second, third or applicable deer until the bag limit is reached. This permit will allow this hunter to continue hunting and

take one additional legal deer during the shotgun permit season, provided the season is open or on any additional days that shotgun permit season hunting is authorized. Permittees will be able to continue hunting on the designated season dates after registration of deer and issuance of appropriate tags. Beginning in 2007, supplemental tags will only be issued for and valid for antlerless deer, and no supplemental tags will be issued for antlered deer. In addition, hunters taking an antlered buck must immediately detach, date and initial the "Permit Shotgun Only Antlered Buck Stub" from their firearm or all around sportsman license from the calendar year in which the season began, and surrender the stub with the transportation tag at the checking station. In zones where the shotgun permit season extends into January or February, the buck stub from the calendar year in which the season began shall be valid until the end of the season. Beginning in 2007, the "Antlered Buck Stub" requirement is discontinued. Beginning in 2007, hunters must use an antlered deer transportation tag from their bonus shotgun permit, which is designated for use during the permit shotgun season, when registering an antlered deer. The bonus shotgun permit with antlered deer transportation tag which is valid only for the harvest of one antlered deer, must be purchased in addition to an antlerless shotgun permit. The bonus shotgun permit with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless permit. The bonus shotgun permit with antlered deer transportation tag must be purchased prior to the season open or at the time of the purchase of the initial antlerless shotgun permit if the season has already begun.

(h) Shotgun Permit Season limited quota, special deer permits shall be applied for as follows:

1. Holders of valid and current firearm hunting licenses, including juvenile firearm license holders, may apply by submitting an application properly completed in accordance with instructions. First time permit applicants who do not yet possess a valid hunting license may apply for a shotgun deer hunting permit provided they have applied for a hunter education course prior to the permit application period and have provided such related information as may be required on the application.

2. Permits for shotgun permit season will be issued on an individual basis to holders of valid and current firearm licenses, and persons with hunter education courses pending as indicated in (h)1 above. Only one application, whether for antlerless or bonus shotgun or muzzleloader, permit season or as provided for in (h)1 above, may be submitted by any one individual during the initial application period and only one application, whether for a leftover shotgun or leftover muzzleloader permit, may be submitted by any one individual during the initial application period. Applications for more than the allowable number of permits during the initial application period will cause all applications to be void and subject the applicant to prosecution.

3. The application shall be filled in to include: Conservation ID Number or name, address, current firearm hunting license number or as provided for in (h)1 above, deer management zone applied for, and any other information requested. Only those applications will be accepted for participation in random selection, which are received during the period of June 1–August 31. Applications submitted after August 31 will not be considered for the initial drawing. Selection of permittees will be made by random selection.

4. Unsuccessful applicants will be notified. Any permit obtained by fraud is void.

5. Successful applicants will be notified. Unless otherwise indicated, the non-refundable permit application fee payable to “The Division of Fish and Wildlife” shall accompany the completed application. If selected to receive a permit, the full permit fee will be payable to the Division.

6. Nothing herein contained shall preclude the Division from issuing unfilled and unclaimed permits on a first come-first served basis to any properly licensed hunter after the permit selection process.

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

1. Only the owner or lessee of a farm, who resides thereon, or the spouse or children of that farmer 10 years of age or older who reside in the farmers household, may apply on forms provided for an occupant farmer shotgun permit season permit. Under this section, a farm is an area of five acres or more and producing a gross income in excess of \$500.00 and is tax assessed as farmland. The occupant Farmer Shotgun Permit Season Permit will be issued in all deer management zones.

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

3. Application forms may be obtained from the County Agricultural Agent, the Division of Fish and Wildlife, P.O. Box 400, Trenton, N.J. 08625-0400, or Division field offices.

4. The application form shall be filled in to include: Conservation ID Number or name, age, size of farm, address, social security number, and any other information requested thereon. Properly completed application forms will be accepted during the period of June 1 to October 1. After that date, permits may not be received in time for the

opening day of the season. There is no fee required, and all qualified applicants will receive a farmer shotgun permit season permit, delivered by mail.

5. Qualified farmers may apply for one antlerless and one bonus shotgun permit season permit in any management zone in addition to one antlerless and one bonus muzzleloader rifle permit season permit in any management zone where a muzzleloader rifle permit season is prescribed. Qualified farmers may also apply for either the permit shotgun or permit muzzleloader season permit as a regular firearm hunting license applicant. No farmer may use more than one bonus permit for any season. Application for more than the allowable number of permits during the initial application period will cause all applications by an individual to be void and subject the applicant to prosecution.

6. In deer management zones where no regular permit shotgun season has been authorized, the season for qualified and permitted farmers will include the six-day firearm season and the Wednesday following the six-day firearm season and as provided for in (d)19 above, and the bag limit will be one deer per permit. Only one antlerless deer may be taken on this permit during the six-day season. On the Wednesday following six-day firearm season, either an antlered or antlerless deer may be taken, if no antlerless deer were taken on this permit during the six-day season. If two antlered deer were taken by the farmer permittee during the regular six-day firearm season, the permit is only valid for taking one antlerless deer.

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

1. The antlerless and bonus shotgun permit season permits are valid only in the deer management zone (DMZ) designated and are not transferable from individual to individual. The shotgun permit season permit hunter is responsible for hunting in the correct DMZ as indicated and in ascertaining the boundaries.

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

3. The non-occupant farmer antlerless and bonus shotgun season permits are valid only on private land within the deer management zone designated in the permit and are not valid on public lands within the DMZ. These permits are not transferable from deer management zone to deer management zone or from individual to individual. The non-occupant farmer shotgun permit season hunter is re-

sponsible for hunting on private lands in the correct DMZ as indicated and in ascertaining the boundaries.

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

SHOTGUN PERMIT SEASON PERMIT QUOTAS

Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved	Deer Mgt. Zone No.	Season Dates Code	Permit Quota	Portions of Counties Involved
1	3	645	Sussex	37	6	100	Burlington, Ocean (Fort Dix Military Reservation)
2	2	3,250	Sussex	38	7	390	Morris (Great Swamp National Wildlife Refuge)
3	3	303	Sussex, Passaic, Bergen, Morris	39	8	160	Monmouth (Earle Naval Weapons Station)
4	3	744	Sussex, Warren	40	9	50	Monmouth (Earle Naval Weapons Station – Waterfront)
5	5	8,360	Sussex, Warren	41	4	1,300	Mercer, Hunterdon
6	1	2,210	Sussex, Morris, Passaic, Essex, Warren	42	5	1,330	Atlantic
7	4	3,490	Warren, Hunterdon	43	3	55	Cumberland
8	4	7,280	Warren, Hunterdon, Morris, Somerset	45	3	170	Cumberland, Atlantic, Cape May
9	4	1,240	Morris, Somerset	46	3	146	Atlantic
10	4	3,590	Warren, Hunterdon	47	2	850	Atlantic, Cumberland, Gloucester
11	4	2,370	Hunterdon	48	5	1,760	Burlington
12	4	4,140	Mercer, Hunterdon, Somerset	49	4	310	Burlington, Camden, Gloucester
13	4	1,000	Morris, Somerset, Union	50	4	1,780	Middlesex, Monmouth
14	4	2,820	Mercer, Somerset, Middlesex, Burlington	51	4	1,510	Monmouth, Ocean
15	4	2,650	Mercer, Monmouth, Middlesex	53	2	100	Ocean (Lakehurst Naval Engineering Station)
16	2	1,630	Ocean, Monmouth	54	11	50	Morris (Picatinny Arsenal-ARRAD Com)
17	5	1,650	Ocean, Monmouth, Mercer, Burlington	55	1	80	Gloucester
18	1	120	Ocean	56	12	25	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
19	5	2,830	Camden, Burlington	57	5	40	Atlantic (Edwin B. Forsythe National Wildlife Refuge)
21	3	270	Burlington, Ocean	58	13	50	Burlington, Ocean (Edwin B. Forsythe National Wildlife Refuge)
22	2	785	Burlington, Ocean	61	15	80	Atlantic (Atlantic County Park System)
23	3	260	Burlington, Camden, Atlantic	63	2	600	Salem
24	3	106	Burlington, Ocean	64	16	100	Monmouth (Monmouth Battlefield State Park)
25	5	3,400	Gloucester, Camden, Atlantic, Salem	65	1	120	Gloucester, Camden
26	2	2,365	Atlantic	66	17	65	Atlantic (Federal Aviation Administration William J. Hughes Technical Center)
27	2	1,540	Salem, Cumberland	67		0	Sussex (High Point State Park)
28	2	1,530	Salem, Cumberland, Gloucester	68	5	170	Burlington (Parker Preserve)
29	2	1,390	Salem, Cumberland	70	2	25	Burlington, Ocean (Edwin B. Forsythe National Wildlife Refuge)
30	1	520	Cumberland				
31	2	390	Cumberland				
34	1	1,370	Cape May, Cumberland				
35	2	2,910	Gloucester, Salem				
36	4	260	Bergen, Hudson, Essex, Morris, Union, Somerset, Middlesex, Passaic				
				Total		78,664	

(l) Shotgun permit season permits not applied for by the deadlines enumerated in (h)3 and (i)4 above may be reallocated to muzzleloader rifle, permit season applicants.

(m) See (d)1 through 19 for corresponding season date codes.

(n) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:3-56.2, 23:4-42, 23:4-43, 23:4-47, 23:4-48 and all other applicable statutes.

(o) Permit quotas for Zones 37, 38, 39, 40, 53, 54, 56-59, 61, 64, 66 and 67 are contingent upon approval by appropriate land management agencies for those zones.

(p) Deer Management Zones are located as follows:

1. Zone No. 1: That portion of Sussex County lying within a continuous line beginning at the intersection of Rt. 521 (River Rd.) and Mashipacong Rd.; then west along the northern boundary of the Delaware Water Gap National Recreation Area to the east bank of the Delaware River; then north along the east bank of the Delaware River to the New York State line; then east along the New York State line to Rt. 519; then south along Rt. 519 to its intersection with Rt. 206 at Branchville; then northwest along Rt. 206 to the intersection with Rt. 633; then south along Rt. 633 to its intersection with Rt. 521; then northwest along Rt. 521 to its intersection with Rt. 206; then northwest on Rt. 521/Rt. 206 to its intersection with Rt. 560; then west along Rt. 560 to the intersection with Ridge Rd; then north on Ridge Rd. to the intersection with Rt. 646; then east on Rt. 646 to the intersection with Rt. 645 in Hainesville; then north on Rt. 645 to the intersection with Rts. 206 and 521; then north on Rts. 206 and 521 to Montague; then north on Rt. 521 (River Rd.) to the intersection with Mashipacong Rd, the point of beginning. The island of Mashipacong lying in the Delaware River is included in this zone. High Point State Park (Zone 67) is excluded from Zone 1.

2. Zone No. 2: That portion of Sussex County lying within a continuous line beginning at the intersection of Rt. 94 and the New York State line; then south along Rt. 94 to its intersection with Rt. 23 at Hamburg, then southeast along Rt. 23 to its intersection with Rt. 517 at Franklin; then south along Rt. 517 to its intersection with Rt. 206 at Andover; then north along Rt. 206 to its intersection with Rt. 519 at Newton; then north along Rt. 519 to the New York State line; then east along the New York State line to Rt. 94 to the point of beginning.

3. Zone No. 3: That portion of Sussex, Morris, Passaic, and Bergen Counties lying within a continuous line beginning at the intersection of Rt. 94 and the New York State line; then east along the New York State line to its intersection with Rt. 202 near Suffern; then south along Rt. 202 to its intersection with Rt. 287 in Oakland; then south on Rt. 287 to its intersection with Rt. 23 in Riverdale; then west along Rt. 23 to its intersection with Rt. 94 at Ham-

burg; then north along Rt. 94 to the point of beginning on the New York State line.

4. Zone No. 4: That portion of Sussex and Warren Counties lying within a continuous line beginning at the intersection of Rt. 521 (River Rd.) and New Mashipacong Rd; then running along Rt. 521 to the intersection with Rt. 206 in Montague; then south on Rt. 206 to the intersection with Rt. 645 (Layton-Hainesville Road); then south on Rt. 645 to the intersection with Rt. 646 in Hainesville (Jagger Road); then west on Rt. 646 to the intersection with Ridge Rd; then south on Ridge Rd. to the intersection with Rt. 560 (Dingman's Bridge Road); then southeast along Rt. 560 to its intersection with Rt. 206; then south on Rt. 206 to the intersection with Rt. 521; then south along Rt. 521 to its intersection with Beavans Road at the Hampton Township-Frankford Township border; then northwest along Beavans Road to its intersection with the base of the Kittatinny Ridge; then southwest along the east base of the Kittatinny Ridge to the Delaware River at the Delaware Water Gap north and west of Quarry Road; then north along the east bank of the Delaware River to the northern park boundary of the Delaware Water Gap National Recreation Area; then east along the northern park boundary of the Delaware Water Gap National Recreation Area to Rt. 521 (River Rd.), the point of beginning. Namanock, Minisink, Depew, Tocks, Poxono and Labar Islands in the Delaware River are included in this zone.

5. Zone No. 5: That portion of Warren and Sussex Counties lying within a continuous line beginning at the intersection of Rt. 521 and Beavans Road at Hampton Township-Frankford Township border; then southeast on Rt. 521 to its intersection with Rt. 633; then north on Rt. 633 to its intersection with Rt. 206 in Branchville; then southeast along Rt. 206 to its intersection with Rt. 519 at Branchville; then south along Rt. 519 to its intersection with Rt. 206 at Newton; then south along Rt. 206 to its intersection with Rt. 517 at Andover; then south along Rt. 517 to its intersection with Rt. 46 at Hackettstown; then west along Rt. 46 to its intersection with the Delaware River at Manunkachunk; then north along the east bank of the Delaware River to its intersection with the Zone 4 boundary at the Delaware Water Gap north and west of Quarry Road; then northeast along the base of the Kittatinny Ridge to its intersection with Beavans Road at the Hampton Township-Frankford Township border; then southeast along Beavans Road to its intersection with Rt. 521 at the point of beginning.

6. Zone No. 6: That portion of Morris, Sussex, Passaic, Warren and Essex Counties lying within a continuous line beginning at the intersection of Rt. 80 and Rt. 517 at Allamuchy; then northeast along Rt. 517 to its intersection with Rt. 23 at Franklin; then southeast along Rt. 23 to its intersection with Rt. 618; then south along Rt. 618 to its intersection with Rockaway Valley Road; the southwest along Rockaway Valley Road to its intersection with Diamond Spring Road; the south along Diamond Spring Road

to its intersection with West Main Street in Denville; then south along West Main Street to its intersection with Rt. 80; then west along Rt. 80 to the point of beginning at Allamuchy. Picatinny Arsenal (Zone 54) is excluded from Zone 6.

7. Zone No. 7: That portion of Hunterdon and Warren Counties lying within a continuous line beginning at the intersection of Rts. 31 and 78 at Clinton; then north along Rt. 31 to its intersection with Rt. 46 at Buttzville; then west on Rt. 46 to the Delaware River at Manunkachunk; then south along the east bank of the Delaware to its intersection with Rt. 78 at Phillipsburg; then east along Rt. 78 to the point of beginning at Clinton.

8. Zone No. 8: That portion of Hunterdon, Morris, Somerset and Warren Counties lying within a continuous line beginning at the intersection of Rts. 22 and 206 near Somerville; then north along Rt. 206 to its intersection with Rt. 80 near Netcong; then west along Rt. 80 to its intersection with Rt. 517 at Allamuchy; then south along Rt. 517 to its intersection with Rt. 46 at Hackettstown; then west along Rt. 46 to its intersection with Rt. 31 at Buttzville; then southeast along Rt. 31 to its intersection with Rt. 22 at Clinton; then east along Rt. 22 to the point of beginning at Somerville.

9. Zone No. 9: Those portions of Morris and Somerset Counties lying within a continuous line beginning at the intersection of Rt. 206 and Rt. 80 near Netcong; then east along Rt. 80 to its intersection with Rt. 46; then east on Rt. 46 to the intersection with Rt. 10 in Ledgewood; then east on Rt. 10 to the intersection with Morris Tpk.; then east and south on Morris Tpk. to Calais Rd.; then west on Calais Rd. to Combs Hollow Rd.; then south on Combs Hollow Rd. to Calais Rd.; then south on Calais Rd. to Mountain Ave. in Mendham; then south and east on Mountain Ave. to Hilltop Rd. (Rt. 525); then south on Rt. 525 to the intersection with Rt. 78; then west on Rt. 78 to the intersection with Rt. 206 near Pluckemin; then north on Rt. 206 to the intersection with Rt. 80 in Netcong, the point of beginning.

10. Zone No. 10: That portion of Hunterdon and Warren Counties lying within a continuous line beginning at the intersection of Rts. 31 and 12 in Flemington; then north along Rt. 31 to its intersection with Rt. 78 at Clinton; then west along Rt. 78 to the Delaware River at Phillipsburg; then south along the east bank of the Delaware River to Rt. 12 at Frenchtown; then east along Rt. 12 to the point of beginning at Flemington.

11. Zone No. 11: That portion of Hunterdon County lying within a continuous line beginning at the intersection of Rts. 12 and 31 and 202 at Flemington; then southwest along Rt. 202 to the Delaware River; then northwest along the east bank of the Delaware River to its intersection with Rt. 12 at Frenchtown; then east along Rt. 12 to the point of beginning at Flemington. Shyhawks, Treasure, Rush, Bull

and Eagle Islands lying in the Delaware River are in this zone.

12. Zone No. 12: That portion of Somerset, Hunterdon and Mercer Counties lying within a continuous line beginning at the intersection of Rts. 31 and 22 at Clinton; then east on Rt. 22 to its intersection with Rt. 206 at Somerville; then south along Rt. 206 to its intersection with Rt. 546 at Lawrenceville; then west on Rt. 546 to its intersection with Rt. 31 at the Pennington traffic circle; then north along Rt. 31 to the point of beginning at Clinton. That portion of Round Valley Recreation Area designated as open to deer hunting is included in Zone 12.

13. Zone No. 13: That portion of Morris, Somerset and Union Counties lying within a continuous line beginning at the intersection of Rts. 22 and 206 at Somerville; then north on Rt. 206 to the intersection with Rt. 78 near Pluckemin; then east on Rt. 78 to the intersection with Rt. 525; then north on Rt. 525 to Mountain Ave. in Mendham; then north and west on Mountain Ave. to Calais Rd.; then north on Calais Rd. to Combs Hollow Rd.; then north on Combs Hollow Rd. to Calais Rd.; then east on Calais Rd. to Morris Tpk.; then north and west on Morris Tpk. to Rt. 10; then west on Rt. 10 to Rt. 46 in Ledgewood; then west on Rt. 46 to the intersection with Rt. 80 near Netcong; the east on Rt. 80 to the intersection with Rt. 511; then south on Rt. 511 to the intersection with Rt. 124 in Morristown; then southeast along Rt. 124 to the intersection with Rt. 82; then southwest along Rt. 82 to the intersection with Rt. 22; then southwest along Rt. 22 to the point of beginning at Somerville. The Great Swamp National Wildlife Refuge (Zone 38) is excluded from Zone 13.

14. Zone No. 14: That portion of Mercer, Middlesex, Somerset and Burlington Counties lying within a continuous line beginning at the intersection of Routes 22 and 206 at Somerville; then east along Route 22 to its intersection with Interstate 287; then south on Interstate 287 to its intersection with Route 18; then south on Route 18 to its intersection with the New Jersey Turnpike; then southwest along the New Jersey Turnpike to its intersection with Route 545; then northwest on Route 545 which becomes Farnsworth Avenue; then continuing northwest on Farnsworth Avenue to its intersection with W. Burlington Street; then southwest on W. Burlington Street to its intersection with Interstate 295; then north on Interstate 295 to its intersection with the Delaware River at Bordentown; then northwest along the east bank of the Delaware River to Route 546 at Washington's Crossing; then east on Route 546 to its intersection with Route 206 at Lawrenceville; then north along Route 206 to the point beginning at Somerville. Rotary and Blauguard Islands lying in the Delaware River are in this zone.

15. Zone No. 15: That portion of Monmouth, Mercer and Middlesex Counties lying within a continuous line beginning at the intersection of the New Jersey Turnpike and Rt. 522 near Jamesburg; then south on the Turnpike to

its intersection with Rt. 195; then east on Rt. 195 to its intersection with Rt. 537 near Holmeson; then northeast on Rt. 537 to its intersection with Rt. 522 in Freehold; then northwest on Rt. 522 to its intersection with the New Jersey Turnpike, the point of beginning. Monmouth Battlefield State Park is excluded from this zone.

16. Zone No. 16: That portion of Monmouth and Ocean Counties lying within a continuous line beginning at the intersection of Rt. 537 and Rt. 571 near Holmeson; then southeast on Rt. 571 to the intersection with Rt. 547; then northeast on Rt. 547 through Farmingdale to the intersection with Tinton Falls Rd.; then north on Tinton Falls Rd. to the intersection with Rt. 33 and Rt. 34; then north on Rt. 34 to the intersection with the fenced boundary of the Earle Naval Weapons Depot property; then westward along the fenced border of the Earle Depot to the intersection with Rt. 33; then west along Rt. 33 to the intersection with Rt. 537 in Freehold; then southwest on Rt. 537 to the intersection with Rt. 571 near Holmeson, the point of beginning.

17. Zone No. 17: That portion of Mercer, Monmouth, Burlington and Ocean Counties lying within a continuous line beginning at the intersection of the New Jersey Turnpike and Interstate 195; then east along Interstate 195 to the intersection with Rt. 537 near Holmeson; then southwest along Rt. 537 to the intersection with Hawkin Road (Prosperstown-Colliers Mills Road: Rt. 640); then southeast along Hawkin Road (Prosperstown-Colliers Mills Road: Rt. 640); to the intersection with Colliers Mills Road; then west along Colliers Mills Road to its intersection with Woodruff Rd.; then southwest along Woodruff Rd. to the intersection with Rt. 539; then southeast along Rt. 539 to the border of Fort Dix Military Reservation; then westward along the Fort Dix Military Reservation boundary to Rt. 545 near Wrightstown; then northwest along Rt. 545 to the intersection with the New Jersey Turnpike; then northeast along the New Jersey Turnpike to its intersection with Interstate 195 the point of beginning.

18. Zone No. 18: That portion of Ocean County lying within a continuous line beginning at the intersection of Rt. 530 and the Garden State Parkway at South Toms River; then west along Rt. 530 to the intersection with Rt. 70; then west along Rt. 70 to the border of Fort Dix Military Reservation; then northward along the Fort Dix Military Reservation boundary to the northernmost intersection of the Fort Dix Military Reservation border and Rt. 539; then northwest along Rt. 539 to the intersection with Woodruff Rd.; then northeast along Woodruff Rd. to the intersection with Colliers Mills Road; then east along Colliers Mills Road to the intersection with Hawkin Road (Prosperstown-Colliers Mills Road: Rt. 640); then northwest along Hawkin Road (Prosperstown-Colliers Mills Road: Rt. 640) to the intersection with Rt. 537 near Prosperstown; then northeast along Rt. 537 to the intersection with Rt. 571 near Holmeson; then southeast along Rt. 571 to the Garden

State Parkway; then south along the Garden State Parkway to the point of beginning near South Toms River.

19. Zone No. 19: That portion of Burlington and Camden Counties lying within a continuous line beginning at the intersection of Rt. 530 and Rt. 646 (New Lisbon-Four Mile Rd.); then southeast on Rt. 646 to its intersection with Turkey Buzzard Bridge Road; then west on Turkey Buzzard Bridge Rd. to its intersection with Rt. 644 (Buddtown-Ong's Hat Road); then southeast on Rt. 644 to its intersection with Rt. 70 at Four Mile Circle; then west on Rt. 70 to its intersection with Burr's Mill Road; then southwest on Burr's Mill Rd. to its intersection with Avenue Road; then south on Avenue Rd. to its intersection with Sooy Place Road; then south on Sooy Place Rd. to its intersection with Irick's Causeway; then southwest on Irick's Causeway to its intersection with Rt. 532 (Chatsworth Road); then south and southeast on Rt. 532 to its intersection with South Park Rd.; then south on South Park Rd. to its intersection with White Horse-Speedwell Rd.; then south on White Horse-Speedwell Rd. to its intersection with Eagle Rd.; then southwest on Eagle Rd. to its intersection with the railroad tracks; then west following the railroad tracks to their intersection with Carranza Rd.; then northwest on Carranza Rd. to its intersection with Tuckerton Rd.; then north and northwest on Tuckerton Rd. to its intersection with Forked Neck Rd. (Dingletown Rd.); then west along Forked Neck Road to its intersection with Rt. 206; then south along Rt. 206 to its intersection with Rt. 541, Stokes Road; then northwest along Rt. 541 to its intersection with Willow Grove Road; then southwest on Willow Grove Road to its intersection with Atsion Road; then northwest on Atsion Road to its intersection with Rt. 534, Jackson Road; then west along Rt. 534 to its intersection with Rt. 73; then north along Rt. 73 to its intersection with the New Jersey Turnpike; then northeast along the New Jersey Turnpike to its intersection with Rt. 38; then east along Rt. 38 to its intersection with Rt. 530; then east along Rt. 530 to its intersection with Rt. 616 (Vincentown-Pemberton Road); then northeast on Rt. 616, Hanover Street, into the town of Pemberton to its intersection with Elizabeth Street; then east on Elizabeth Street, which becomes Pemberton-Brown's Mills Road (Rt. 687) to its intersection with Rt. 530 (Pemberton-By-Pass Road); then east on Rt. 530 to its intersection with Rt. 646 (New Lisbon-Four Mile Road), the point of beginning. Fort Dix Military Reservation (Zone 37) is excluded from Zone 19.

20. Zone No. 20: Not designated.

21. Zone No. 21: That portion of Ocean and Burlington Counties lying within a continuous line beginning at the intersection of Rt. 530 and the Garden State Parkway near South Toms River; then south along the Parkway to its intersection with Rt. 72; then northwest along Rt. 72 to its intersection with Rt. 644 (Buddtown-Ong's Hat Road) at Four Mile Circle; then northwest on Rt. 644 to its intersection with Turkey Buzzard Bridge Road; then northeast

on Turkey Buzzard Bridge Rd. to its intersection with Rt. 646 (New Lisbon-Four Mile Road); then northwest on Rt. 646 to its intersection with Rt. 530 (Pemberton-Brown's Mills Road); then east along the southern border of Fort Dix Military Reservation to its intersection with Rt. 70; then east on Rt. 70 to its intersection with Rt. 539 and Rt. 530 near Whiting; then east along Rt. 530 to its intersection with the Garden State Parkway near South Toms River, the point of beginning. Fort Dix Military Reservation (Zone 37) is excluded from Zone 21.

22. Zone No. 22: That portion of Ocean and Burlington Counties lying within a continuous line beginning at the intersection of the Garden State Parkway and Rt. 72 near Manahawkin; then south along the Garden State Parkway to its intersection with Stage Road; then west along Stage Road to its intersection with Leektown Road; then west along Leektown Road (which turns into Rt. 653 to its intersection with the Wading River); then south along the east bank of the Wading River to its intersection with the Mullica River and the Atlantic-Burlington County line; then east along the Atlantic-Burlington County line to the Atlantic Ocean; then east to the Atlantic Ocean; then north along the Atlantic Ocean to Rt. 72 at Ship Bottom; then west along Rt. 72 to the Garden State Parkway, the point of beginning. The Edwin B. Forsythe National Wildlife Refuge (Zone 58) is excluded from Zone 22.

23. Zone No. 23: That portion of Burlington, Atlantic and Camden Counties lying with a continuous line beginning at the intersection of Rt. 563 and the Mullica River at the Atlantic-Burlington County line near Green Bank; then north and west along the north bank of the Mullica River to its intersection with Rt. 542 at Pleasant Mills; then west along Rt. 542 to its intersection with Nescochague Creek; then northwest along Nescochague Creek to Great Swamp Branch; then westward along Great Swamp Branch to its intersection with Rt. 206 (just south of the intersection of Rt. 206 and Middle Road); then north along Rt. 206 to its intersection with Albertson Brook (about four miles north of Hammonton); then westward along Albertson Brook until it becomes Blue Anchor Brook; then westward along Blue Anchor Brook to its intersection with Rt. 30, near Cedar Ave., south of Ancora; then northwest along Rt. 30 to its intersection with Rt. 73; then north on Rt. 73 to its intersection with Rt. 534, Jackson Road; then east along Rt. 534 to its intersection with Atsion Road; then southeast on Atsion Road to its intersection with Willow Grove Road; then northeast on Willow Grove Road to its intersection with Rt. 541, Stokes Road; then southeast along Rt. 541 to its intersection with Rt. 206; then north along Rt. 206 to its intersection with Forked Neck Road; then east along Forked Neck Road (Dingletown Rd.) to its intersection with Tuckerton Rd.; then southeast and south on Tuckerton Rd. to its intersection with Carranza Rd.; then southeast on Carranza Rd. to its intersection with the railroad tracks; then east following the railroad tracks to their intersection with Eagle Rd.; then northeast on Eagle Rd. to its intersection with White Horse-Speedwell Rd.; then north on

White Horse-Speedwell Rd. to their intersection with South Park Rd.; then north on South Park Rd. to its intersection with Rt. 532 (Chatsworth Rd.); then northwest on Rt. 532 to its intersection with Irick's Causeday; then northeast on Irick's Causeway to its intersection with Sooy Place Road (Vincentown-South Park Road); then northwest on Sooy Place Rd. to its intersection with Avenue Road; then northeast on Avenue Rd. to its intersection with Burr's Mill Road; then northeast on Burr's Mill Rd. to its intersection with Rt. 70; then east on Rt. 70 to its intersection with Rt. 72 at Four Mile Circle; then southeast on Rt. 72 to its intersection with Rt. 563; then southwest along Rt. 563 to its intersection with the Mullica River at the Atlantic-Burlington County line, the point of beginning near Green Bank.

24. Zone No. 24: That portion of Burlington and Ocean Counties lying within a continuous line beginning at the intersection of Rt. 563 and Rt. 72; then southeast along Rt. 72 to its intersection with the Garden State Parkway; then south along the Parkway to its intersection with Stage Road; then west along Stage Road to its intersection with Leektown Road; then west along Leektown Road (which turns into Rt. 563) to its intersection with the Wading River; then south along the east bank of the Wading River to its intersection with the Mullica River and the Atlantic-Burlington County line; then west along the north bank of the Mullica River to its intersection with Rt. 563 near Green Bank; then north along Rt. 563 to its intersection with Rt. 72, the point of beginning.

25. Zone No. 25: That portion of Salem, Gloucester, Atlantic and Camden Counties lying within a continuous line beginning at the intersection of Rt. 54 and Rt. 40 near Buena; then west on Rt. 40 to its intersection with Rt. 553; then north on Rt. 553 to its intersection with Rt. 610 (Aura Road); then southeast on Rt. 610 to its intersection with Rt. 655 (Fries Mills Road); then north on Rt. 655 to its intersection with Rt. 322; then west on Rt. 322 to its intersection with Rt. 47 at Glassboro; then north on Rt. 47 to its intersection with County Road 635 (Hurville-Grenloch Road); then eastward on County Road 635 to its intersection with County Road 705 (County House Road); then southeast along Rt. 705 to its intersection with County Road 688 (Turnerville-Hickstown Road); then eastward along County Road 688 to its intersection with County Road 689 (Berlin-Crosskeys Road); then northeast along County Road 689 to its intersection with Rt. 73 at Berlin; then south on Rt. 73 to its intersection with Rt. 30; then southeast along Rt. 30 to its intersection with Blue Anchor Brook, just past Cedar Avenue, south of Ancora; then eastward along Blue Anchor Brook until it becomes Albertson Brook at Fleming Pike; then eastward along Albertson Brook to its intersection with Rt. 206 (about four miles north of Hammonton); then south on Rt. 206 to its intersection with Great Swamp Branch (just pass the intersection of Rt. 206 and Middle Road); then eastward along Great Swamp Branch to its intersection with Nescochague Creek; then eastward along Nescochague Creek to

Nescochague Lake, at Pleasant Mills; then westward along the north and western shore of Nescochague Lake to its intersection with Hammonton Creek; then westward along Hammonton Creek to its intersection with Rt. 30 (White Horse Pike), near Hammonton; then southeast on Rt. 30 to its intersection with Weymouth Road (Rts. 640-559); then southward on Weymouth Rd. to its intersection with the Atlantic City Expressway; then west along the Atlantic City Expressway to its intersection with Eighth Street; then south along Eighth Street to its intersection with Rt. 322; then westward on Rt. 322 to its intersection with Rt. 54; then southward on Rt. 54 to its intersection with Rt. 40 near Buena, the point of beginning. Zone 65 is excluded from Zone 25.

26. Zone No. 26: That portion of Atlantic County lying within a continuous line beginning at the intersection of Rts. 40 and 54 near Buena; then southeast on Rt. 40 to its intersection with Rt. 50; then north on Rt. 50 to its intersection with Rt. 322; then east on Rt. 322 to its intersection with Cologne Avenue; then north on Cologne Avenue to its intersection with Duerer Street; then east on Duerer Street to its intersection with Rt. 575; then northeast on Rt. 575 to its intersection with the Garden State Parkway; then north along the Garden State Parkway to its intersection with the Mullica River and the Atlantic-Burlington County line; then northwest along the south bank of the Mullica River to its intersection with Rt. 542 at Pleasant Mills; then west on Rt. 542 to its intersection with Nescochague Creek at Pleasant Mills; then south along the west bank of Nescochague Creek to Nescochague Lake; then southwest along the western bank of Nescochague Lake to its intersection with Hammonton Creek; then westward along Hammonton Creek to its intersection with Rt. 30 (White Horse Pike), near Hammonton; then south on Rt. 30 to its intersection with Weymouth Road (Rts. 640-559); then south on Weymouth Road to its intersection with the Atlantic City Expressway; then northwest along the Atlantic City Expressway to its intersection with Eighth Street; then southwest along Eighth Street to its intersection with Rt. 322 (Black Horse Pike); then northwest along Rt. 322 to its intersection with Rt. 54; then southwest along Rt. 54 to its intersection with Rt. 40 at Buena, the point of beginning. The Atlantic County Park System (Zone 61) is excluded from Zone 26.

27. Zone No. 27: That portion of Cumberland and Salem Counties lying within a continuous line beginning at the intersection of Rts. 77 and 40 at Pole Tavern; then northwest on Rt. 40 to its intersection with Rt. 48; then west on Rt. 48 through Penns Grove to the Delaware River; then south along the east bank of the Delaware River to its intersection with the Salem Canal at Deepwater; then eastward along the south bank of the Salem Canal to its intersection with the Salem River; then southward along the west bank of the Salem River to its intersection with Rt. 49 at Salem; then southeast on Rt. 49 to its intersection with Salem County Rt. 667 (Pecks Corner-Cohansey Road) at Pecks

Corner; then eastward along Rt. 667 to its intersection with Rt. 540; then east along Rt. 540 to its intersection with Rt. 77; then north on Rt. 77 to its intersection with Rt. 40 at Pole Tavern, the point of beginning.

28. Zone No. 28: That portion of Gloucester, Cumberland and Salem Counties lying within a continuous line beginning at the intersection of Rts. 77 and 40 at Pole Tavern; then east on Rt. 40 to its intersection of Rt. 47 at Malaga; then south on Rt. 47 to its intersection of Rt. 49 in Millville; then west on Rt. 49 to its intersection with Salem County Rt. 667 (Pecks Corner-Cohansey Road) at Pecks Corner; then eastward along Rt. 667 to its intersection with Rt. 540; then east on Rt. 540 to its intersection with Rt. 77; then north on Rt. 77 to Pole Tavern, the point of beginning.

29. Zone No. 29: That portion of Salem and Cumberland Counties lying within a continuous line beginning with the intersection of Rts. 77 and 49 at Bridgeton; then northwest on Rt. 49 to its intersection with Alloway Creek at Quinton; then southwest along the northern bank of the Alloway Creek to its intersection with the Delaware River; then south along the east bank of the Delaware River to the Cohansey River; then along the northwest bank of the Cohansey River to Bridgeton, the point of beginning.

30. Zone No. 30: That portion of Cumberland County lying within a continuous line beginning at Fairton on the Cohansey River; then west along the south bank of the Cohansey River to the Delaware River; then southeast along the east bank of the Delaware River to the Maurice River; then north along the west bank of the Maurice River to Haleyville-Mauricetown Road (County Road 676); then west on Haleyville-Mauricetown Road to its intersection with the Central Railroad of New Jersey (C.R.R.N.J.); then west along the C.R.R.N.J. line to its intersection with Newport-Centre Grove Road (County Road 629); then southwest on Newport-Centre Grove Road to its intersection with Rt. 553; then northwest on Rt. 553 to Fairton, the point of beginning.

31. Zone No. 31: That portion of Cumberland County lying within a continuous line beginning at the intersections of Rts. 77 and 49 at Bridgeton; then east on Rt. 49 to the Maurice River near Millville; then south along the west bank of the Maurice River near Millville; then south along the west bank of the Maurice River to Buckshutem Creek; then west on the north bank of Buckshutem Creek to its intersection with Buckshutem Road (County Road 670); then northwest on Buckshutem Road to its intersection with Cedarville Road (County Road 610); then southwest on Cedarville Road to its intersection with Newport Centre Grove Road (County Road 629); then southwest on Newport Centre Grove Road to its intersection with Rt. 553; then northwest along Rt. 553 to the Cohansey River at Fairton; then north on the east bank of the Cohansey River to Bridgeton, the point of beginning.

32. Zone No. 32: Not designated.

33. Zone No. 33: Not designated.

34. Zone No. 34: That portion of Cumberland and Cape May Counties lying within a continuous line beginning at the intersection of Rt. 47 and Rt. 548 in Port Elizabeth; then east on Rt. 548 to its intersection with Rt. 49; then northwest on Rt. 49 to its intersection with the Tuckahoe River at Head of the River; then eastward along the south bank of the Tuckahoe River and Atlantic-Cape May County line to Great Egg Harbor Bay; then continuing eastward along the Atlantic-Cape May County line to the Atlantic Ocean at the Great Egg Harbor Inlet; then southwest along the Atlantic Ocean to Delaware Bay; then north and west along the east bank of Delaware Bay to the Maurice River; then north along the east bank of the Maurice River to Port Elizabeth and Rt. 548, the point of beginning.

35. Zone No. 35: That portion of Salem and Gloucester Counties lying within a continuous line beginning at the east bank of the Delaware River at Penns Grove; then southeast on Rt. 48 to its intersection with Rt. 40; then

southeast on Rt. 40 to its intersection with Rt. 553; then north on Rt. 553 to the intersection with Rt. 610 (Aura Road); then southeast on Rt. 610 to its intersection with Rt. 47 at Clayton; then north on Rt. 47 to its intersection with County Rt. 635 (Lambs Road) at Glassboro; then west on Rt. 635 to its intersection with Mantua Creek at Glassboro; then northwest along the Mantua Creek to the Delaware River; then southwest along the east bank of the Delaware River, to Penns Grove, the point of beginning. Chester and Mond's Islands lying in the Delaware River are in this zone.

36. Zone No. 36: That portion of Bergen, Hudson, Essex, Passaic, Morris, Union, Somerset and Middlesex Counties lying within a continuous line beginning at the intersection of Rt. 202 and the New York State line near Suffern; then south on Rt. 202 to its intersection with Rt. 287 in Oakland; then south along Rt. 287 to its intersection with Rt. 23; then northwest along Rt. 23 to its intersection with Rt. 618; then south along Rt. 618 to its intersection with Rockaway Valley Road; then southwest along

Rockaway Valley Road to its intersection with Diamond Spring Road; then south along Diamond Spring Road to its intersection with West Main Street in Denville; then south along West Main Street to its intersection with Rt. 80; then east along Rt. 80 to intersection with Rt. 511; then south on Rt. 511 to its intersection with Rt. 510; then west on Rt. 510 to its intersection with Rt. 124 at Morristown; then southeast on Rt. 124 to its intersection with Rt. 82; then southeast along Rt. 82 to its intersection with Rt. 22; then southwest on Rt. 22 to its intersection with Rt. 287 near Somerville; then southeast on Rt. 287 to its intersection with Rt. 18 near South Bound Brook; then southeast on Rt. 18 to its intersection with the New Jersey Turnpike; then north on the Turnpike to its intersection with the Raritan River; then east along the north bank of the Raritan River to Raritan Bay and the New York State line; then north along the New York State line to Arthur Kill and west bank of the Hudson River; then west along the New Jersey-New York border to the point of beginning near Suffern.

37. Zone No. 37: That portion of Fort Dix Military Reservation, U.S. Dept. of the Army, designated as open for deer hunting, lying within Burlington and Ocean Counties.

38. Zone No. 38: That portion of Great Swamp National Wildlife Refuge, U.S. Department of the Interior, designated as open for deer hunting, lying within Morris County.

39. Zone No. 39: That portion of Naval Weapons Station Earle, U.S. Department of the Navy designated as open for deer hunting, lying within Monmouth County.

40. Zone No. 40: That portion of Naval Weapons Station Earle, Waterfront Section, U.S. Department of the Navy, designated as open for deer hunting, lying within Monmouth County.

41. Zone No. 41: That portion of Hunterdon and Mercer Counties lying within a continuous line beginning at the intersection of Rt. 31 and Rt. 202 at Ringoes; then south along Rt. 31 to its intersection with Rt. 546 at then Pennington traffic circle; then west along Rt. 546 to the Delaware River; then north along east bank of Delaware River to its intersection with Rt. 202; then north along Rt. 202 to the point of beginning at Ringoes.

42. Zone No. 42: That portion of Atlantic County lying within a continuous line beginning at the intersection of the south bank of the Mullica River and the Garden State Parkway; then south along the Garden State Parkway to its intersection with Rt. 575; then southwest along Rt. 575 to its intersection with Duerer Street; then west on Duerer Street to its intersection with Cologne Avenue; then south on Cologne Avenue to its intersection with Rt. 322; then west on Rt. 322 to its intersection with Rt. 50; then south on Rt. 50 to its intersection with the Great Egg Harbor River at Mays Landing; then south along the east bank of the Great Egg Harbor River to the Atlantic-Cape May

County line in Great Egg Harbor Bay; then eastward along the Atlantic-Cape May County line to its intersection with the Atlantic Ocean at the Great Egg Harbor Inlet; then northeast along the Atlantic Ocean to Great Bay; then west along the south shore of Great Bay to the confluence of the Mullica River; then west along the south bank of the Mullica River to its intersection with the Garden State Parkway, the point of beginning. The Edwin B. Forsythe National Wildlife Refuge (Zones 56 and 57), the Atlantic County Park System (Zone 61) and the lands (excluding Laurel Memorial Park Cemetery), roads, right of ways and easements within the contiguous boundary of the Federal Aviation Administration William J. Hughes Technical Center (Zone 66) are excluded from Zone 42.

43. Zone No. 43: That portion of Cumberland County lying within a continuous line beginning at the intersection of Buckshutem Road (County Road 670) and Cedarville Road (County Road 610); then southwest on Cedarville Road to its intersection with Newport Centre Grove Road (County Road 629); then southwest on Newport Centre Grove Road to its intersection with the Central Railroad of New Jersey (C.R.R.N.J.); then east on the C.R.R.N.J. line to its intersection with Haleyville Road (County Road 676) at Mauricetown Station; then east on Haleyville Road to its intersection with the Maurice River at Mauricetown; then north along the west bank of the Maurice River to the north bank of Buckshutem Creek at Laurel Lake; then west along the north bank of Buckshutem Creek to Buckshutem Road; then northwest on Buckshutem Road to its intersection with Cedarville Road, the point of beginning.

44. Zone No. 44: Not designated.

45. Zone No. 45: That portion of Cumberland, Atlantic and Cape May Counties lying within a continuous line beginning at the intersection of Broad Street (Rt. 552 spur) and Delsea Drive (Rt. 47); then northeast along Rt. 552 spur to Rt. 552; then continuing northeast along Rt. 552 to its intersection with the Tuckahoe River at Milmay; then south along the west bank of the Tuckahoe River to its intersection with Rt. 49 at Hunter's Mill; then southeast on Rt. 49 to its intersection with Rt. 548; then west on Rt. 548 to its intersection with Delsea Drive (Rt. 47) and the Manumuskin River in Port Elizabeth; then west along the south bank of Manumuskin River to its intersection with the Maurice River; then north along the east bank of the Maurice River to its intersection with Rt. 49 in Millville; then east on Rt. 49 to its intersection with Delsea Drive (Rt. 47); then north on Rt. 47 to its intersection with Broad Street (Rt. 552 spur), the point of beginning.

46. Zone No. 46: That portion of Atlantic County lying within a continuous line beginning at the intersection of Rt. 49 and the Tuckahoe River at Hunter's Mill; then southeast along Rt. 49 to its intersection with the Tuckahoe River and the Atlantic-Cape May County line at Head of River; then eastward along the north bank of the Tuckahoe

River to Great Egg Harbor Bay and the Egg Harbor Township line on the Egg Harbor River; then northwest along the west bank of the Egg Harbor River to its intersection with Rt. 40 at Mays Landing; then west on Rt. 40 to its intersection with Estell Ave.; then south on Estell Ave. to its intersection with Rt. 552 then southwest on Rt. 552 to its intersection with the Tuckahoe River at Milmay; then south along the east bank of the Tuckahoe River to its intersection with Rt. 49 at Hunter's Mill the point of beginning. The Atlantic County Park System (Zone 61) is excluded from Zone 46.

47. Zone No. 47: That portion of Gloucester, Atlantic and Cumberland lying within a continuous line beginning at the intersection of Rts. 47 and 40 at Malaga; then southeast on Rt. 40 to its intersection with Estell Avenue; then south on Estell Avenue to its intersection with Rt. 552; then southwest on Rt. 552 to spur 552; then west on spur 552 to its intersection with Rt. 47 at Millville; then north on Rt. 47 to Malaga, the point of beginning.

48. Zone No. 48: That portion of Burlington County lying within a continuous line beginning at the intersection of the New Jersey Turnpike and Route 38 near Moorestown; then east along Route 38 to its intersection with Route 530; then east along Route 530 along the Pemberton by-pass to its intersection with the southern boundary of Fort Dix Military Reservation; then northward along the western Fort Dix boundary to its intersection with County Road 670; then east on County Road 670 to its intersection with Route 545 at Wrightstown; then northwest on Route 545 which becomes Farnsworth Avenue; then continuing northwest on Farnsworth Ave. to its intersection with W. Burlington Street; then southwest on W. Burlington Street to its intersection with Interstate 295; then north on Interstate 295 to its intersection with Crosswicks Creek at Bordentown; then west along the south bank of Crosswicks Creek to its intersection with the Delaware River at Bordentown; then southwest along the east bank of the Delaware River to Route 541 at the City of Burlington; then southeast along Route 541 to its intersection with Interstate 295; then southwest along Interstate 295 to its intersection with Rancocas Creek; then east along Rancocas Creek to its intersection with the New Jersey Turnpike; then southwest along the New Jersey Turnpike to its intersection with Route 38, the point of beginning. New Bold and Burlington Islands lying in the Delaware River are in this zone.

49. Zone No. 49: That portion of Gloucester, Camden and Burlington Counties lying within a continuous line beginning at the mouth of Mantua Creek on the Delaware River; then northeast along the east bank of the Delaware River to Rt. 541 at the City of Burlington; then southeast along Rt. 541 to its intersection with Interstate 295; then southwest along Interstate 295 to its intersection with Rancocas Creek; then east along the Rancocas Creek to its intersection with the New Jersey Turnpike; then southwest along the New Jersey Turnpike to its intersection with Rt.

73; then south along Rt. 73 to its intersection with County Road 689 (Cross Keys Road) at Berlin; then southwest along County Road 689 to its intersection with County Road 688 (Turnersville-Hickstown Road); then west along County Road 688 to its intersection with County Road 705; then northwest along County Road 705 (County House Road) to its intersection with County Road 635 (Grenlode-Hurffville Road); then southwest on County Road 635 to its intersection with Mantua Creek; then northwest along Mantua Creek to its mouth at the Delaware River, the point of beginning. Petty Island lying in the Delaware River is in this zone.

50. Zone No. 50: That portion of Monmouth and Middlesex Counties lying within a continuous line beginning at the intersection of the New Jersey Turnpike and Rt. 522 near Jamesburg; then southeast on Rt. 522 to the intersection with Rt. 537 at Freehold; then southwest on Rt. 537 to the intersection with business Rt. 33; then east on Rt. 33 to the intersection with the western edge of the fenced boundary of the Earle Naval Weapons Depot; then north and east along the fenced boundary of the Earle Depot to the intersection of County Route 38 (Wayside Rd.) and Rt. 547 at the most eastern point of the fenced boundary of Naval Weapons Station—Earle; then northeast on Rt. 547 to the intersection with the Garden State Parkway; then north on the Garden State Parkway to the intersection with Rt. 36 near Eatontown; then east on Rt. 36 to the Atlantic Ocean; then north along the Atlantic coastline to the Raritan Bay; then south and west along the southern shore of Raritan Bay to Raritan River; then continuing west along the south bank of the Raritan River to the intersection with the New Jersey Turnpike; then southwest along the New Jersey Turnpike to the intersection with Rt. 522, the point of beginning. Monmouth Battlefield State Park (Zone 64), Naval Weapons Station, Earle (Zones 39 and 40), and Fort Monmouth (Zone 62), are excluded from this zone.

51. Zone No. 51: That portion of Monmouth and Ocean Counties lying within a continuous line beginning at the intersection of Rt. 547 and Rt. 571 near Lakehurst; then southeast along Rt. 571 to the intersection with the Garden State Parkway; then south on the Garden State Parkway to its intersection with Rt. 72 near Manahawkin; then east along Rt. 72 to the Atlantic Ocean at Ship Bottom; then north along the Atlantic coastline to the intersection with Rt. 36 in Long Branch; then west on Rt. 36 to the intersection with the Garden State Parkway near Eatontown; then south on the parkway to the intersection with Rt. 547; then south on Rt. 547 to the intersection with county route 38 (Wayside Road) at the eastern fenced boundary of Naval Weapons Station, Earle; then south along the eastern fenced boundary of Naval Weapons Station, Earle to the intersection with Rt. 34; then south on Rt. 34 to the intersection with Tinton Falls Rd. and Rt. 33; then south on Tinton Falls Rd. to the intersection with Rt. 547 (Asbury Rd.); then south on Rt. 547 through

Farmingdale to the intersection with Rt. 571, the point of beginning.

52. Zone No. 52: Not designated.

53. Zone No. 53: That portion of Lakehurst Naval Air Engineering Center, U.S. Department of the Navy, designated as open for deer hunting, lying within Ocean County.

54. Zone No. 54: That portion of U.S. Army Armament Research and Development Command (ARRADCOM), U.S. Department of the Army, designated as open for deer hunting, lying within Morris County.

55. Zone No. 55: That portion of Gloucester County lying within a continuous line beginning at the intersection of Rts. 47 and 322 at Glassboro; then east along Rt. 322 (County Rt. 536) to its intersection with Rt. 655 (Fries Mill Road); then south on Rt. 655 to its intersection with Rt. 610 (Academy Avenue); then west on Rt. 610 to its intersection with Rt. 47 (Delsea Drive) at Clayton; then north along Rt. 47 to its intersection with Rt. 322 at Glassboro, the point of beginning.

56. Zone No. 56: That portion of Edwin B. Forsythe National Wildlife Refuge, U.S. Department of the Interior, located south of Stoney Hill Road, designated as open for deer hunting, lying within Atlantic County.

57. Zone No. 57: That portion of Edwin B. Forsythe National Wildlife Refuge, U.S. Department of the Interior, located north of Stoney Hill Road and south of the Mullica River, designated as open for deer hunting, lying within Atlantic County.

58. Zone No. 58: Those portions of Edwin B. Forsythe National Wildlife Refuge, including the Barnegat Division, U.S. Department of the Interior, located north of the Mullica River and north of Route 72, designated as open for deer hunting, lying within Ocean County.

59. Zone No. 59: Not designated.

60. Zone No. 60: Not designated.

61. Zone No. 61: Those portions of the Atlantic County Park System, County of Atlantic, designated as open for deer hunting, lying within Atlantic County.

62. Zone No. 62: Not designated.

63. Zone No. 63: That portion of Salem County lying within a continuous line beginning at the intersection of the Salem Canal and the Delaware River at Deepwater; then eastward along the south bank of the Salem Canal to its intersection with the Salem River; then southward along the west bank of the Salem River to its intersection with Rt. 49 at Salem; then southeastward on Rt. 49 to its intersection with Alloway Creek at Quinton; then, southwest along the northern bank of the Alloway Creek to its intersection with the Delaware River; then northward along the east bank of the Delaware River and New Jersey State line to Finns Point and Fort Mott State Park; then north-

ward along the New Jersey State Line through Killcohook National Wildlife Refuge to the Delaware River; then northwest along the east bank of the Delaware River; then northwestward along the east bank of the Delaware River and New Jersey State line to its intersection with the Salem Canal at Deepwater, the point of beginning. The Supawna Meadows National Wildlife Refuge (Zone 59) is excluded from Zone 63.

64. Zone No. 64: That portion of Monmouth Battlefield State Park, designated as open for deer hunting, lying within Monmouth County.

65. Zone No. 65: That portion of Camden and Gloucester Counties lying within a continuous line beginning at the intersection of Rt. 322 and County Road Rt. 659 (Malaga-New Brooklyn Road) in Monroe Township, Gloucester County; then northeast along Rt. 659 to its intersection with County Road Rt. 536 at New Brooklyn; then northward along Rt. 536 to its intersection with County Road Rt. 720 (Brooklyn-Blue Anchor Road); then southeast on Rt. 720 to its intersection with Rt. 73 near Blue Anchor; then southward along Rt. 73 to its intersection with Piney Hollow Road; then southwest along Piney Hollow Road to its intersection with Rt. 322; then west along Rt. 322 to its intersection with County Road Rt. 659, the point of beginning.

66. Zone No. 66: That portion of Atlantic County including lands, roads, right of ways and easements within the contiguous boundary of the Federal Aviation Administration William J. Hughes Technical Center, excluding Laurel Memorial Park Cemetery. Lands open for deer hunting only and persons authorized to hunt deer on the facility shall be determined by the Federal Aviation Administration William J. Hughes Technical Center, the administrative agency.

67. Zone No. 67: That portion of High Point State Park, located north and east of Deckertown Turnpike (Rt. 650), designated as open to hunting, lying within Sussex County.

68. Zone No. 68: That portion of the Franklin Parker Preserve and Four Mile Spring Preserve, designated as open for hunting, lying within Woodland Township, Burlington County.

69. Zone No. 70: Those portions of Edwin B. Forsythe National Wildlife Refuge, including the Barnegat Division, U.S. Department of the Interior, located north of the Mullica River and south of Route 72, designated as open for deer hunting, lying within Burlington and Ocean Counties.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

In (c), amended zones and dates of season; in (d), inserted internal cite and provision banning season in zones 24, 40, 62, and 67, and amended dates of season throughout; in (f)1, substituted "law or as imposed by a court" for "N.J.S.A. 23:3-22," and added provision relating to special management zones; in (g), amended zones, inserted "until the season bag limit is reached", and inserted "Supplemental Deer" preceding "Permit and Transportation Tag"; in (k), amended year for permit quotas and amended season dates, anticipated harvest, and quotas in permit table and added Sussex to table; in (l), amended year referenced; in (m), amended dates of season dates throughout; in (o), added zone 67; and in (p), amended zones 1, 22, 23, 24, 26, 42, 46, 47, 66, and added zone 67. Amended by R.1998 d.408, effective August 3, 1998 (operative August 8, 1998).

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

Rewrote the section.

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

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

Rewrote the section.

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

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

In (h)3, substituted a reference to June 1-September 10 for a reference to August 15-September 10; and in (i)3, substituted a reference to June 1 to September 10 for a reference to August 1 to 15.

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).

Rewrote (c), (d) and (k); in (g), changed zone references; in (i)5 and (m), made internal reference changes; and in (l), changed date.

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

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

Rewrote the 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).

Rewrote the section.

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

Rewrote the section.

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

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

In (c) and (d), updated dates and deleted zone "52"; in (f) and (o), deleted zone "52"; in (k), updated Shotgun Permit Season Permit Quotas; in (p), updated deer management zones and areas in 1, 3, 4, 5, 6, 36, 37 and 52.

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

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

Rewrote (c) through (k) and (p).

7:25-5.30 White-tailed deer bow permit season

(a) The Director with the approval of the Council may authorize the issuance of bow permit season permits for the taking of deer anywhere within this State or at any State or Federal installation.

(b) If the anticipated harvest of deer has not been accomplished during this season, one additional day of bow permit deer hunting may be authorized by the Director. Such authorization and date thereof shall be announced by press and radio.

(c) Bag Limit: Only one antlered deer may be taken State-wide during the bow permit season, regardless of the number of permits obtained. Hunters taking an antlered deer in accordance with the provisions set forth in this section must have a valid "Antlered Buck Stub Permit Bow Only" from their bow and arrow or all around sportsman license from the calendar year in which the season began. Two deer, one antlered and one antlerless or two antlerless may be taken in Zones 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 53, 55 and 65. One antlered and an unlimited number of antlerless deer may be taken in Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 37, 39-42, 47-51, 54, 57, 58, 61, 63, 66, 68, and 70, except as noted in (c)1 and 2 below. Only one deer may be taken at a time per permit until the season limit is reached. All supplemental tags are valid on the date of issuance and only in the zone for which the special season permit was issued. All deer registration requirements apply. In Zones 7, 8, 9, 10, 11, 12, 13, 14, 15, 36, 40, 41, 49, 50 and 51, Earn-A-Buck regulations are in effect until December 9, 2006. Beginning in 2007, Earn-A-Buck regulations are no longer in effect in Zones 7-15, 36, 41, 49, 50, 51, and 58. Deer shall be tagged immediately with the bow and arrow permit "transportation tag", completely filled in, and shall be transported to a checking station before 7:00 P.M. E.S.T. on the day killed to secure a legal possession tag. The legal possession tag must be securely affixed or locked before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked on the deer before leaving the deer check station. In addition, hunters taking an antlered deer must immediately detach, date and initial the current year "Antlered Buck Stub-Permit Bow Only" from bow and arrow or all around sportsman license, and surrender the stub with the transportation tag at the checking station. Beginning in 2007, the "Antlered Buck Stub" requirement is discontinued. The possession of a deer after 7:00 P.M. E.S.T. on the date killed without a legal possession seal shall be deemed illegal possession. Upon completion of the registration of the first deer, one valid and proper "New Jersey Supplemental Deer Transportation Tag" (supplemental tag) will be issued which will allow the person to continue hunting and take one additional deer during bow permit season, provided the season is open. The supplemental tag shall be valid on the day of issuance and all registration requirements apply. Beginning in 2007, supplemental tags will only be issued for antlerless deer; no supplemental tags will be issued for antlered deer.

1. In Zones 2, 5, 7-17, 19, 22, 25-29, 31, 35, 36, 37, 39-42, 47-51, 54, 57, 58, 61, 63, 66, 68, and 70, supplemental tags for the taking of a third and subsequent deer will be issued upon registration of deer at official deer checking stations until the season concludes. A supplemental tag may be used to take an antlerless deer, subject to the above provisions and is only valid in that deer management zone for which the special season permit was originally issued. The supplemental tag is valid on the date of issuance. All tagging and registration requirements apply.

2. In Zones 3, 6, 9, 13, 27, 29, 35, 37, 40 and 63, it shall be illegal to kill, take or attempt to take any antlered deer which does not have a minimum of three antler points on one side. Beginning in 2007, it shall be legal to kill, take or attempt to take an antlered deer with less than three antler points on one side in Zone 6.

3. Hunters may satisfy the "earn a buck" requirement for the permit bow season by taking two antlerless deer during the fall bow season in Zones 7, 8, 9, 10, 11, 12, 13, 14, 15, 36, 40, 41, 49, 50 and 51. To be eligible to participate in this program, hunters must first register two antlerless deer at an official deer checking station designated as participating in the program by the Division. Upon harvesting the first antlerless deer, hunters will be provided with "Bank A Doe Harvest Record Card." In addition to name, phone number, address, date of birth and license number, the hunter is required to record the date of harvest, metal possession seal number and check station name on the card for both the first and second antlerless deer taken during the fall bow season. Hunters who take two antlerless deer from any earn a buck zone and satisfy the registration requirements of this section may take an antlered deer first during the permit bow season in Zones 7, 8, 9, 10, 11, 12, 13, 14, 15, 36, 40, 41, 49, 50 and 51. Hunters who are successful in taking an antlered deer first during the permit bow season must register their deer at the same participating check station as where they registered their antlerless deer. Hunters must submit the Bank A Doe Harvest Record Card in addition to their buck tag and permit transportation tag when registering an antlered buck as their first deer at a participating deer checking station. Beginning in 2007, Earn-A-Buck and Bank-A-Doe regulations are no longer in effect.

(d) Duration of the bow permit season is as set forth in (d)1 through 6 below. There is no season in the following Zones: 38, 56, 64 and 67 or any time as determined by the Director. Legal hunting hours shall be ½ hour before sunrise to ½ hour after sunset.

1. October 28-November 25, 2006; October 27-November 24, 2007; November 1-29, 2008; October 31-November 28, 2009; and, October 30-November 27, 2010 in Zones 1, 3, 4, 6, 18, 21, 23, 24, 30, 34, 43, 45, 46, 55 and 65.

2. October 28-November 18 and November 23-December 23, 26-30, 2006; October 27 - December 24, 26-31, 2007; November 1 - December 24, 26-31, 2008; October 31 - December 24, 26-31, 2009; October 30 - December 24, 27-31, 2010; and October 29 - December 31, 2011 in Zones 7-15, 36, 41, 49-51, and 58.

3. October 29—December 31, 2005 and January 2—31, 2006; October 28, 2006—January 31, 2007; October 27, 2007—January 31, 2008; November 1, 2008—January 31, 2009; October 31, 2009—January 31, 2010; and October 30, 2010—January 31, 2011 in Zone 61.

4. October 29—December 31, 2005; October 28—December 30, 2006; October 27—December 31, 2007; November 1—December 31, 2008; October 31—December 31, 2009; and October 30—December 31, 2010 in Zones 39, 40, 54 and 66.

5. October 29—December 31, 2005; October 28—December 23, 26—30, 2006; October 27—December 24, 26—31, 2007; November 1—December 24, 26—31, 2008; October 31—December 24, 26—31, 2009; and October 30—December 24, 27—31, 2010 in Zone 37.

6. October 29—November 26, 2005; October 28—November 25, 2006; October 27—November 24, 2007; November 1—29, 2008; October 31—November 28, 2009; and October 30—November 27, 2010 in Zone 53.

7. October 28-December 23, 26-30, 2006; October 27-December 24, 26-31, 2007; November 1-December 24, 26-31, 2008; October 31-December 24, 26-31, 2009; October 30-December 24, 27-31, 2010; and October 29-December 24, 26-31, 2011 in Zones 2, 5, 16, 17, 19, 22, 25-29, 31, 35, 42, 47, 48, 57, 63, 68, and 70.

(e) Antlerless bow permit season permits are valid only in the designated deer management zones or other designated areas and are not transferable. Bonus bow permits with antlered deer transportation tags may be used in any zone for which the hunter has already purchased an antlerless bow permit.

(f) Method: The taking of two deer one antlered and one antlerless or two antlerless except as noted in (c) and (c)1 above or the taking of deer as designated for special hunts with a bow under a bow permit season permit or a farmer bow permit season permit, is permitted in designated deer management zones by holders of a bow permit season permit and on the farm occupied and designated in the application by holders of a farmer bow permit season permit.

1. Bow permit season permits will be issued on an individual basis to holders of valid and current bow licenses, persons who have a bow hunter education course pending as of the permit application period and qualified farmers.

2. For special deer management zones where the agency administering the affected lands requires hunters to attend a mandatory orientation session as a condition of access, failure to attend the designated session shall result in invalidation of the special bow season permit for the zone.

3. Limited quota, special deer permits for bow permit season will be issued on an individual basis to holders of valid and current bow licenses and qualified farmers. Limited quota, special deer permit zones include the following deer management zones: 37, 38, 39, 40, 53, 54, 57, 58, 59, 61 and 66. Only one antlerless bow permit season permit may be purchased per zone. Only one bonus

bow permit with antlered deer transportation tag may be purchased per season.

4. All other special deer permits for bow permit season will be issued on an individual basis to holders of valid and current firearm licenses and rifle permits via the Division's ELS or, in the event of ELS operating difficulties, by providing the same information at ELS locations through such alternate systems as may be designated by the Division. These permits may be issued beginning on the effective date of the current Game Code, or as authorized by the Division, through the last day of the season. Qualified applicants may purchase permits for the following deer management zones: 1-19, 21-31, 34-36, 41, 42, 43, 45-51, 55, 63, 65 and 68. Qualified farmers may obtain permits as provided in (i) below. Only one antlerless bow permit season permit may be purchased per zone. Only one bonus bow permit with antlered deer transportation tag may be purchased per season.

(g) Permits consist of back display which includes a deer transportation tag or proper and valid "supplemental tag" or a proper and valid bonus tag. The back display portion of the permit will be conspicuously displayed on the outer clothing in addition to the valid bow license, and without the license in the case of the farmer bow and arrow permit season permit. The "Deer Transportation Tag" portion of the permit must be completely filled out and affixed to the deer immediately upon killing. This completely filled in deer transportation tag allows legal transportation of the deer of either sex to an authorized checking station only. Beginning in 2007, hunters must use an antlered deer transportation tag from their bonus bow permit, which is designated for use during the permit bow season, when registering an antlered deer. The bonus bow permit with antlered deer transportation tag, which is valid only for the harvest of one antlered deer, must be purchased in addition to an antlerless bow permit. The bonus bow permit with antlered deer transportation tag may be used in any zone for which the hunter has already purchased an antlerless permit. The bonus bow permit with antlered deer transportation tag must be purchased prior to the season open or at the time of the purchase of the initial antlerless bow permit if the season has already begun. Personnel at the checking station will issue a "possession tag." Any permit holder killing a deer of either sex during this season must transport this deer to an authorized checking station by 7:00 P.M. E.S.T. on date killed to secure the legal "possession tag." The legal possession tag must be securely affixed or locked before the deer is transported or removed from the authorized deer checking station. Hunters are responsible for legal possession tags being securely affixed or locked before leaving the deer check station. The possession of a deer of either sex after 7:00 P.M. E.S.T. on date killed without a legal "possession tag" shall be deemed illegal possession. Any legally killed deer which is recovered too late to be brought to the check station by closing time must be immediately reported by telephone to the nearest Division of Fish and Wildlife law enforcement regional headquarters. Such deer must be brought to a checking station on the next open day to

receive a legal "possession tag." If the season has been concluded, such deer must be taken to a regular deer checking station on the following weekday to receive a legal "possession tag."

(h) Bow Permit Season limited quota, special deer permits shall be applied for as follows:

1. Holders of valid bow and arrow licenses, including juvenile bow license holders, and all around sportsman licenses shall apply by submitting an application which has been properly completed in accordance with instructions. First time permit applicants who do not yet possess a valid hunting license may apply to a bow permit season hunting permit provided they have applied for a hunter education course prior to the permit application period and have provided such related information as may be required on the application.

2. Application for a bow permit season permit shall not preclude an individual from applying for either the muzzle-loader rifle or shotgun season permits.

3. Only one application for limited quota, bow permits may be submitted per regular bow license holder during the initial application period and only one application for a left-over permit may be submitted by any one individual during the initial application period. Application for more than the allowable number of permits during the initial application period will cause all applications by an individual to be void and subject the applicant to prosecution. All persons, while their hunting licenses are void under the authority of law or as imposed by a court are prohibited from making application for or otherwise procuring a bow deer permit.

4. The application shall be filled in to include: Conservation ID Number or name, address, current bow and arrow hunting license number, deer management zone applied for, and any other information requested. Only those applications will be accepted for participation in random selection, which are received during the period of June 1 to August 31. Applications made after August 31 will not be considered for the initial drawing. Selection of permittees will be made by random selection.

5. Unsuccessful applicants will be notified. Any permit obtained by fraud is void.

6. Unless otherwise indicated, the non-refundable permit application fee payable to "Division of Fish and Wildlife" must accompany the completed application. If selected to receive a permit, the full permit fee will be payable to the Division.

7. Successful applicants will receive their permit by mail.

8. Nothing herein contained shall preclude the Division from issuing unfilled or unclaimed permits on a first-come,

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

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

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

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

3. Application forms may be obtained from:

- i. County Agricultural Agent,
- ii. Division of Fish and Wildlife, PO Box 400, Trenton, NJ 08625-0400; and
- iii. Division field offices.

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

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

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

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

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

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

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

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

BOW PERMIT SEASON PERMIT QUOTAS

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

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

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

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

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

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

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

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

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

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

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

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

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

Rewrote the section.

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

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

In (h)4, substituted a reference to June 1 to September 10 for a reference to August 15 to September 10; and in (i)3, substituted a reference to June 1 to September 10 for a reference to August 1 to 15.

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).

Rewrote (c), (d) and (k); and in (f), made an internal reference change. 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.2002 d.272, effective August 19, 2002, (operative August 24, 2002).

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

Rewrote the 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).

Rewrote the section.

Administrative correction.

See: 36 N.J.R. 2420(b).

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

Rewrote the section.

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

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

In (c), updated zones and added 3; in (d), updated dates and zones; in (f)3 and (m), deleted zone "52"; in (k), updated Bow Permit Season Permit Quotas.

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

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

Rewrote (c) through (k).

7:25-5.31 White-tailed deer permit shotgun season and permit muzzleloader season, Great Swamp National Wildlife Refuge (Zone 38)

(a) This section applies only to the Great Swamp National Wildlife Refuge. (Zone 38).

(b) Nothing in this section shall affect the validity or operation of any other section of this Code.

(c) Duration of the Great Swamp Permit Shotgun Season and Permit Muzzleloader Season shall be from ½ hour before sunrise to ½ hour after sunset on the following dates: November 12, 16—19, 2005; November 11, 15—18, 2006; November 10, 14—17, 2007; November 15, 19—22, 2008; November 14, 18—21, 2009; November 13, 17—20, 2010; and November 12, 16—19, 2011 (concurrent) or as may otherwise be designated by the U.S. Fish and Wildlife Service. If the anticipated harvest of deer has not been accomplished during the season, one or more of the following days of shotgun and muzzleloader permit deer hunting may be authorized by the Director: November 30 and December 1—3, 2005; November 29 and 30 and December 1 and 2, 2006; November 28—30 and December 1, 2007; December 3—6, 2008; December 2—5, 2009; and December 1—4, 2010. Such authorization and date thereof would be announced by press and radio.

(d) Bag Limit: One antlered deer may be taken with a Great Swamp Permit Shotgun Season Permit or a Great Swamp Permit Muzzleloader Season Permit provided that the

hunter has a valid antlered buck stub for the appropriate season, and an unlimited number of antlerless deer, may be taken with a Great Swamp Permit Shotgun Season Permit or a Great Swamp Permit Muzzleloader Season Permit. Two deer may be taken at a time per permit. All tagging and registration regulations apply.

(e) Great Swamp permit shotgun season permits and permit muzzleloader season permits are valid only in designated portions of the Great Swamp National Wildlife Refuge and are not transferable.

(f) Method: The taking of the designated bag limit of deer with a Great Swamp (Zone 38) permit shotgun season permit or permit muzzleloader season permit will be permitted in designated areas of the Great Swamp National Wildlife Refuge. A total of 390 Great Swamp, shotgun permit season permits and 10 muzzleloader permit season permits will be issued. Daily hunter quotas, hunt procedures and hunting methods in this area shall be provided by the U.S. Fish and Wildlife Service.

(g) Procedures for applying for a Great Swamp permit shotgun season permit and a permit muzzleloader season permit will be the same as outlined in N.J.A.C. 7:25-5.28 and 5.29. Applicants for the Great Swamp Permit Shotgun Season Permit and Permit Muzzleloader Season Permit must indicate Zone 38 on the application in the space reserved for deer management zone number.

(h) All hunters shall comply with the instructions of State conservation officers, State deputy conservation officers, other Division personnel and instructions of U.S. Fish and Wildlife Service personnel.

(i) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:10-5, 25:4-42, 23:4-43, 23:4-47, 23:4-48, 13:1B-30 et seq. and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates of season and specified additional days which may be authorized by the Director.

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

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

In (c), changed season dates.

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

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

Rewrote (c) through (g).

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), changed dates.

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

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

In (c), changed dates.

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

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

Changed dates in (c); rewrote (d); in (f), substituted "480" for "450" and "20" for "50" in the second sentence.

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).

In (c), substituted "November 19-22, 2003; November 17-20, 2004; and November 16-19, 2005" for "December 4-7, 2002" and "December 3-6, 2003; December 1-4, 2004; and November 30 and December 1-3, 2005" for "January 8-11, 2003"; in (f), substituted "290" for "480" and "10" for "20".

Amended by R.2004 d.385, effective October 4, 2004 (operative October 9, 2004).

See: 36 N.J.R. 2325(a), 36 N.J.R. 4513(b).

In (c), updated the dates and inserted "and muzzleloader" before "permit deer hunting" in the second sentence; in (f), substituted "390" for "290" before "Great Swamp" in the second sentence.

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

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

In (c), updated dates; in (d), deleted "; however, an antlerless deer must be taken before an antlered deer" at the end of the first sentence.

7:25-5.32 Special Wildlife Management Permits

(a) Special permits, known as special wildlife management permits, may be issued by the Director, in his or her discretion for the taking of any game species, indigenous animal, exotic animal, potentially dangerous indigenous animal, or potentially dangerous exotic animal by any lawful manner and means and at any time subject to the requirements of this section. Such permits shall be valid for the times, conditions and areas or installations indicated thereon and need not conform to the provisions applicable to general permits.

(b) In granting this special wildlife management permit, the Director shall consider any data available to him including, but not limited to, damage being done to crops or property, the hazard posed to safe airport operations, the biological condition of the animal or any other special management problem. The permittee and their agent(s) shall adhere to the following conditions:

1. The permittee and their agents shall conform to applicable Federal, State, and local statutes, rules, codes, and ordinances pertaining to the use and discharge of firearms, and the setting of traps.

2. The permittee and their agents shall comply with the means, methods of take, dates, hours, recordkeeping requirements and other conditions prescribed by the Division and listed on the special wildlife management permit. Failure to comply with any of the conditions or requirements of the permit or the provisions of this subchapter may be cause for revocation of the permit and may cause denial of issuance of subsequent permits.

3. Only firearms prescribed by the Division may be used to kill wild deer, wild turkey, black bear, coyote, woodchuck, fox, raccoon, opossum, skunk or other wildlife listed on the permit. For situations involving the use of a

firearm, the permit will not be issued until a field investigation is performed by Division personnel. Under exigent circumstances, the Division may issue a permit for one day only without prior confirmation of necessity by field investigation; provided that a field investigation can be performed by Division personnel within seven days.

4. Firearms shall not be discharged from any vehicle.

5. No loaded firearm shall be possessed and no firearm may be discharged within 450 feet of an occupied building or school playground unless the permittee or their agent has written authorization in hand from the owners or lessees of said building(s).

6. The permit is valid only for the lands, species, times and dates specified on the permit.

7. Permits issued to airports to control wildlife on or near runways will be valid only during the hours in which the airport runway(s) is/are operational, unless otherwise specified on the permit.

8. Permits must be made available for visual inspection to any interested party.

9. Division representatives must have access to lands listed on the permit at any reasonable time.

10. Permittees must keep written daily records of all shooting activity and mortality, including the date, species and sex of any animal killed. Said records must be available to the Division for inspection at any time.

11. Wildlife killed pursuant to the permit must be disposed of as prescribed by the permit. No wildlife killed under a permit may be sold or bartered; however, the Division may authorize the permittee to annually keep for consumption of meat only up to ten deer or five wild turkey or one black bear shot under a permit and/or may designate a not for profit or non-commercial organization that may receive deer killed under the permit. Wildlife taken on the permit and designated for consumption shall be tagged immediately with possession seals provided by the Division. A written record including the date, possession seal number and person or organization receiving wildlife shall be made and provided to the Division within two weeks of the expiration of the permit. Deer antlers, turkey feathers, skins and other inedible parts must be disposed of and may not be kept by the permittee or their agents.

12. Wildlife carcass disposal shall be the responsibility of the permittee and shall be in compliance with State and local statutes, rules, codes, ordinances and the conditions of the permit. Transportation of wildlife carcasses for disposal shall be as directed by the Division.

13. All agents listed on the permit who are involved in the handling or shooting of firearms under the permit must have a valid New Jersey firearm license and a valid State

of New Jersey Firearms Purchaser Identification Card. Persons listed on the permit that do not have a valid New Jersey Firearm License and a valid State of New Jersey Firearms Purchaser Identification Card may assist by holding lights, driving a vehicle, or other ways, but are prohibited from handling or shooting of firearms.

14. Within two weeks of the expiration of the permit, the permittee shall file a written report of activities. The report shall include the date, species and number of wildlife taken; the sex of any deer, black bear or turkey killed; and any additional information that may be required.

15. Failure to comply with any of the provisions of the subchapter or requirements of the permit may be reason to cause revocation of the permit or denial of subsequent permits.

(c) Issuance of additional permit shotgun and muzzle-loader season deer permits for specific farms within over-subscribed deer management zones shall be based on the following criteria:

1. The farm must include an area of 10 acres or more, produce a gross income in excess of \$500.00, be assessed as farm land and have a documented history of deer damage;

2. The permit shall only be valid for the specific farm applied for and shall not be transferable; and

3. Site specific permits shall be issued for use only on farms with a history of deer damage. Site specific shotgun permits will only be issued if the regular permits are sold out. Site specific muzzleloader permits will only be issued if the regular quota of muzzleloader permits is sold out. There will be no limit on the number of site specific

permits that can be issued. The permits shall be for antlerless deer only.

(d) Subject to the requirements of the subsection, the Director may, in his or her discretion, designate special deer management areas and issue Special Deer Management Permits to administer alternative deer control methods as part of an approved community based deer management plan.

1. As used in this section, except as otherwise noted:

“Agent” means a volunteer(s) or paid individual(s) listed by the cooperator on their Special Deer Management Permit to employ alternative deer control methods. Agents are restricted to weapons and/or ammunition as specified in the Game Code at N.J.A.C. 7.25-5.23 and 5.24.

“Alternative deer control methods” means those techniques other than traditional hunting employed to reduce deer populations, which techniques may include, but not be limited to, shooting by agents, capture and euthanize, capture and remove, the use of materials and methods to limit reproduction and controlled hunting.

“Biological carrying capacity” means the maximum number of deer that a given land area can support in good health over an extended period of time.

“Community based deer management plan” is a plan submitted by a cooperator in accordance with N.J.S.A. 23:4-42.4 and this section involving the use of alternate control methods to reduce the number of deer in an area designated as a special deer management area.

“Controlled hunting” means an alternative deer control method involving the capturing, taking or killing of deer during a modified season which is usually more restrictive than traditional hunting in terms of hunter density, methods of take, size of huntable area, etc. than deer hunting elsewhere in New Jersey as approved by the Council.

“Cooperator” means the local authority(ies), including airports, county boards of agriculture, municipal governing bodies, or a combination thereof, and/or instrumentalities thereof that have secured the approval of their applicable governing body(ies), cooperating in the administration of a community based deer management plan.

“Coordinator” means the Division of Fish and Wildlife employee(s) designated by the Director as the Division’s official representative who with the local authority(ies) will develop and monitor the administration of the community based deer management plan.

“Council” means the Fish and Game Council which is an 11-member body which has legislative authority to determine seasons, bag limits and manners and means of take for game species, and establishes policy regarding these matters.

“Cultural carrying capacity” means the number of deer that can co-exist compatibly with the local human population in a given area.

“Deer” means white-tailed deer (*Odocoileus virginianus*).

“Director” means the Director of the Division of Fish and Wildlife.

“Division” means the New Jersey Department of Environmental Protection, Division of Fish and Wildlife.

“Huntable” means those sites on which, due to their size, location and available habitat, traditional or controlled deer hunting seasons can be conducted.

“Special Deer Management Area” is an area designated by the Division as an area having excessive agricultural or property damage caused by an over abundance of white-tailed deer or an area within and adjacent to an airport where deer constitute a hazard to the safe operation of aircraft.

“Special Deer Management Permit” is a permit issued to the cooperator by the Division upon approval of the community based deer management plan by the Division and the Council authorizing the reduction of a deer population within a designated special deer management area, subject to conditions set by the Division and Council.

“Traditional hunting” means the pursuit of deer by licensed hunters during annual prescribed open seasons as approved by the Council and provided by the game code (firearm and bow) without additional restrictions.

2. A cooperator experiencing significant agricultural or property damage caused by deer or a significant number of deer-vehicle collisions caused by deer or a hazard to the safe operation of aircraft caused by deer may request assistance from the Division in order to develop an application requesting designation of a special deer management area(s) for lands under their jurisdiction. Such applications shall contain a quantitative description of the significant damage caused by deer to agricultural crops or property, or the number of deer-vehicle collisions within the proposed special deer management area; and a map and description of the proposed deer management area, including the approximate acreage of the proposed deer management area. Whenever possible, the boundaries of the area shall coincide with readily recognizable boundaries such as roads, natural features such as streams or already established legal boundaries such as well posted property or administrative boundaries.

i. A cooperator may submit an application for designation as a special Deer Management Area concurrently with an application for approval of a community based deer management plan. Two or more municipalities may submit a single application for a special deer management area that covers more than one municipality.

ii. The Division or the county board of agriculture may request the Center for Wildlife Damage Control of Rutgers University to coordinate and facilitate the

development of a special deer management area and a community based deer management plan for an agricultural area.

iii. After consultation with the cooperator, the Division and Council may modify the area proposed for designation in an application.

3. Following the designation of a Special Deer Management Area or concurrent with the application for such an area, the cooperator, with the Division coordinator and, if applicable, the Center for Wildlife Damage, may submit for approval by the Division and Council a community based deer management plan. Such plan shall be submitted to the Division 120 days prior to the proposed date of implementation and shall:

i. Include a quantitative estimate of the current deer population or deer population density and the intended target population or density necessary to reduce the damage caused by deer;

ii. Describe the proposed alternative control methods to reduce the number of deer in the special deer management area including the extent to which traditional hunting is or is not applicable. The description of the proposed alternative method shall include detailed information, including but not limited to, the capture methodology, the type of traps and destination of deer to be removed or the method of euthanasia; the culling methodology including type of weapons, type of ammunition, hours of culling activities, shooting methodology such as baiting, shooting from platforms or detailed information on other methods to be employed. Any proposal for reduction by limiting reproduction shall also adhere to the provisions of N.J.A.C. 7:25-5.37, in addition to those applicable provisions of this section N.J.A.C. 7:25-5.32;

iii. Identify any organization that shall participate in the implementation of the alternative control methods proposed in the plan, and describe their qualifications. Cooperators shall include documentation denoting that volunteers or employees of the cooperator, or their agents which will cull deer using firearms possess a valid firearm hunting license, a valid rifle permit if required, and a valid New Jersey Firearms Purchaser Identification Card or proof that the person is in compliance with the applicable laws of the person's state of residence. Cooperators shall provide a notarized letter that all agents involved in culling deer using firearms have passed the following shooting qualifications. Agents using rifles are required to pass that portion of the New Jersey Division of Criminal Justice, Scoped Rifle Qualifications from 50 and 25 yards which requires shooting two-inch and one and one-half inch targets from a sitting or kneeling position with artificial support. Agents using shotguns with slugs must be able to shoot a three-inch group, twice at 40 yards. Unless otherwise

authorized, qualified agents using rifles must shoot deer at no more than 50 yards. Unless otherwise authorized, qualified agents using shotguns must shoot deer at no more than 40 yards;

iv. Describe the methods and timing thereof that shall be used to notify the public, including residents located within and adjacent to the special deer management area, of the alternative control methods proposed in the plan and the specific times and places when and where they will be used. Such methods shall at a minimum include written notice to adjacent landowners when the control method includes culling deer;

v. Describe the precautions that will be taken to ensure the safety of the public. Such provisions shall at a minimum include the use of local police or appropriate law enforcement authority to enforce the closure of roads if necessary, the restriction of the normal use of public land not normally open to hunting, when deemed necessary by the Division or Council, or if required by the county prosecutor as a condition for the use of silencers or suppressors;

vi. Document the written consent of each affected landowner for access to that person's land if access to private property is necessary to implement the plan;

vii. Attach a resolution adopted by the cooperator's governing body endorsing the application for approval of a community based deer management plan and special deer management permit. If the proposed alternate control methods require exemptions from restrictions concerning traditional weapons and/or ammunition used for deer hunting, exemptions regarding the hunting by the aid of lights and/or motor vehicles, the transportation of weapons within motor vehicles and/or the normal hours authorized for hunting deer, a resolution endorsing the plan adopted by the governing body of the municipality(ies) in which the special deer management area is located shall also be included;

viii. Include a description of a plan to implement the following measures: discouragement of deer feeding, support of traditional hunting where practicable, reasonable efforts to utilize deer killed by non-traditional means, including a plan by the cooperator to ensure donation of venison to the needy;

ix. If the alternate deer control includes the use of silencers or suppressors, include prior written authorization from the county prosecutor of the county in which the special deer management area is located; and

x. Include such additional information as the Division or the Council may determine to be necessary to properly review a community based deer management plan.

4. All costs associated with the application of alternative deer control options, including, but not limited to, those associated with the processing of venison, shall be borne by the Cooperator.

5. Fertility control methodologies, including contraception, contragestation and sterilization materials and procedures, may be used by the cooperator and/or its agents who have been issued the Special Permit to Inhibit Wildlife Reproduction approved by the Council and issued by the Division at N.J.A.C. 7:25-5.37. Approval for such efforts shall be restricted to bona fide researchers, following review and approval of a study plan by the Council and the Department of Animal Science, Cook College-Rutgers University. Any experimental use of chemicals and vaccines to inhibit wildlife reproduction on free-ranging deer populations shall be restricted to those individuals granted an Investigational Exemption for a New Animal Drug (INAD) by the U.S. Food and Drug Administration and the Special Permit to Inhibit Wildlife Reproduction, for use of those specific substances at specified locations.

6. Upon approval of the Special Deer Management Area and community based deer management plan by the Division and the Council, the Division shall issue a special deer management permit authorizing the cooperator to implement the alternate control method(s). The permit shall incorporate the community based deer management plan by reference and shall identify duration of the permit, the time, place and alternate control method authorized by the Division and Council, the name of each individual authorized to administer the alternate control method, any exemption or variance from a law, rule or regulation authorized by the Council and any special conditions established by the Council.

i. Individuals administering the alternative control method must not have been convicted of any violation of the fish and game laws of this State or any other state, or of any violation of any provision of the New Jersey Fish or Game Codes within five years of the issuance of the special deer management permit; or of violation of any law or rules authorized by these statutes included in N.J.S.A. 23:4-16.d, 23:7-1, 23:7-3, 23:9A-1 or 23:9A-2, or N.J.S.A. 23:4-42, 23:4-43, 23:4-44, 23:4-45, 23:4-46, 23:4-47, 23:4-47.1, or 23:4-48, within 10 years of issuance of the special deer management permit. Any individual who has been convicted of said laws or regulations shall be ineligible to administer alternate control methods as provided for in the deer management permit.

7. No person shall implement an alternate control method except when in possession of a Special Deer Management Permit issued by the Division. The permittee shall provide a copy of the permit issued by the Division to that individual named in the permit that is authorized to administer the alternate control method.

8. During the implementation of the alternate control method, the Division may monitor operations in order to

ensure compliance, ensure public safety, ensure the proper treatment of any animals captured, ensure proper disposition of deer remains, carcasses and/or venison. Unless otherwise authorized on the permit, antlers and other parts not disposed of are the property of the State.

9. Upon expiration of a special deer management permit, the cooperator shall file a report, which shall include information on the costs, and efficacy of the alternate control method(s) employed to reduce the deer population and reduce deer damage.

10. Failure to comply with any of the provisions or requirements as contained in the Special Deer Management Permit and any applicable law may be cause for revocation of the permit or denial of subsequent permits.

(e) Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 13:1B-27 et seq., 13:1B-30, 23:4-1 et seq., 23:4-42, 23:4-43, 23:4-44, 23:4-45, 23:4-47, 23:4-52, 23:4-63.3 and other applicable statutes.

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

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

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

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

Rewrote the section.

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

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

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

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

Added (d)6i.

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).

In (d), rewrote 3iii and inserted "approved by the Council and" following "Reproduction" and substituted "Council" for "Division" preceding "and the Department of Animal Science" in 5.

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

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

Rewrote (b), adding 1-15.

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

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

In (a), inserted ", indigenous animal, exotic animal, potentially dangerous indigenous animal, or potentially dangerous exotic animal".

Case Notes

Challenge to adoption of state management plan for suburban deer population by way of a policy statement was rendered moot in view of the subsequent adoption and revisions of regulation and later adoption of statute. *Mercer County Deer Alliance v. DEP*, 349 N.J.Super. 440, 793 A.2d 847.

State's Community Based Plan for the Management of Suburban Deer Population-Policy and Program did not exceed statutory authority by permitting the killing of deer overpopulations in accordance with the strict conditions of issued permits. *Mercer County Deer Alliance v. DEP*, 349 N.J.Super. 440, 793 A.2d 847.

7:25-5.33 Pheasants and quail stamp designated areas

(a) Designated wildlife management areas where the special "pheasant and quail" stamp is required.

1. No person shall at any time hunt for, pursue, kill, take or attempt to take with a firearm or bow and arrow, or have in possession any pheasant or quail in the following designated wildlife management areas unless such person has first procured and has in possession a valid special "pheasant and quail" stamp.

2. Designated wildlife management areas:

Assunpink	Bevan-Cedarville (Millville)
Berkshire Valley	Nantuxent
Black River	Peaslee
Clinton	Pt. Republic
Colliers Mills	Stafford Forge
Dix	MacNamara
Flatbrook-Roy	(Tuckahoe-Corbin City)
Glassboro	Walpack
Greenwood (including Pasadena-Howardsville)	Winslow Whittingham
Heislerville	Pequest
Mad Horse	Fort Dix
Manahawkin	Manasquan River
Medford	
Delaware River Gap National Recreation Area.	

3. Authority: The authority for the adoption of the foregoing section is found in N.J.S.A. 23:3-61.1, 23:3-61.2, 23:3-61.3, 23:3-61.4, and other applicable statutes.

7:25-5.34 Controlled hunting—hunting restrictions on wildlife management areas

(a) No wildlife management areas have been selected for limited hunter density for the 2005—2006; 2006—2007; 2007—2008; 2008—2009; 2009—2010; or 2010—2011 seasons. However, hunting with firearms shall be prohibited on the day prior to the opening of the regular small game seasons for pheasant established in N.J.A.C. 7:25-5.2 and quail established in N.J.A.C. 7:25-5.3 including November 12, 2005; November 11, 2006; November 10, 2007; November 8, 2008; November 7, 2009; and November 13, 2010 on those wildlife management areas designated as pheasant and quail stamp areas in N.J.A.C. 7:25-5.33.

(b) Authority: 13:1B-30, 23:4-1, 23:4-12, 23:7-9 and other applicable statutes.

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

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

Amended by R.1996 d.404, effective August 19, 1996 (operative August 24, 1996).

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

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

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

Amended dates referenced.

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

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

In (a), changed season dates.

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

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

In (a), changed dates throughout.

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

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

In (a), changed dates.

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

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

Rewrote (a).

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).

In (a), deleted "2002-2003," following "density for the" and deleted "November 8, 2002," preceding "November 7, 2003".

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

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

Rewrote (a).

7:25-5.35 Special wildlife salvage permit

(a) Special permits known as scientific salvage permits may be issued by the Director for the salvage and possession of accidentally killed or naturally dead wildlife other than migratory birds and nongame birds and endangered wildlife species that are named on the State of New Jersey and the federal lists of each endangered species.

(b) The special permits may be issued to properly accredited persons associated with educational or scientific institutions for strictly educational or scientific purposes only. In the event that the permittee separates from the educational or scientific institution, the special permit shall become void. Specimens collected by the permittee will remain with the educational or scientific institution. If the educational or scientific institution does not want to retain the specimen collection or ceases to exist, the permittee shall contact the Division for proper disposition of specimens.

(c) The scientific salvage permit issuance fee shall be \$7.00 to defray expenses attending granting the permit and the permit shall be valid until revoked for cause and shall not be transferable. The permittee shall submit an annual report of activities by January 31 to the Division. The report shall include the species and number of specimens collected, the date of acquisition of each specimen and the disposition of each specimen. Failure to submit an annual report of activities by the due date shall result in permit revocation.

(d) Upon proof that a holder of the special salvage permit has killed, injured, destroyed or attempted to kill, injure or destroy with any weapon, trap, snare or other device of any kind any wild animal, except as provided by N.J.S.A. Title 23 or the proper Game Code, or has in possession any species of wildlife other than those named in this permit or other wildlife possession permit, the special permit shall become void and the permit holder shall be subject to the penalties provided by law.

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

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

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

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

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

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

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

7:25-5.37 Special permit to inhibit wildlife reproduction

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

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

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

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

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

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

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

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

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

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

Rewrote (a).

Petition for Rulemaking.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rewrote section.

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

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

7:25-5.39 Severability

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

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

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

SUBCHAPTER 6. 2008-2009 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 21, 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 number of rods, and lines or hand lines shall not exceed three per person.

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).

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:

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