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N.J.A.C. 7:25-6  
2014 -2015 FISH CODE

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TITLE 7. ENVIRONMENTAL PROTECTION  
CHAPTER 25. DIVISION OF FISH AND WILDLIFE RULES  
SUBCHAPTER 6. 2014 – 2015 FISH CODE  
2014-2015 Fish Code

**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.

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

(h) Except as provided in N.J.A.C. 7:25-6.19 and N.J.A.C. 7:25-6.19, those species of fish, that do not have specified daily creel and possession limits, the daily creel and possession limit shall be 25 in total.

**7:25-6.2 Definitions**

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

"Baitfish" means the following species:

- |                              |  |
|------------------------------|--|
| 1. Alewife (landlocked form) | Alosa pseudoharengus;                                    |
| 2. American Brook Lamprey    | Lampetra appendix;                                       |
| 3. American Eel              | Anguilla rostrata, greater than<br>six inches in length; |
| 4. Banded Killifish          | Fundulus diaphanus;                                      |

5. Bluntnose Minnow
6. Fathead Minnow
7. Gizzard Shad
8. Golden Shiner
9. Margined Madtom
10. Mummichog
11. Rainwater Killifish
12. Spotfin Killifish
13. Tadpole Madtom
14. All shiner, dace, and minnow  
of the following genera:

*Pimephales notatus*;  
*Pimephales promelas*;  
*Dorosoma cepedianum*;  
*Notemigonus crysoleucas*;  
*Noturus insignis*;  
*Fundulus heteroclitus*;  
*Lucania parva*;  
*Fundulus luciae*;  
*Noturus gyrinus*; and  
*Cyprinella*, *Exoglossum*  
*Hybognathus*, *Luxilus*, *Notropis*,  
*Rhinichthys* and *Semotilus*.

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

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

"Code" means the State Fish Code.

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

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

"Director" means Director of the Division.

"Division" means the Division of Fish and Wildlife.

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

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

- |                     |                                |
|---------------------|--------------------------------|
| 1. American Eel     | <i>Anguilla rostrata</i> ;     |
| 2. American Shad    | <i>Alosa sapidissima</i> ;     |
| 3. Black Bullhead   | <i>Ameiurus melas</i> ;        |
| 4. Bowfin           | <i>Amia calva</i> ;            |
| 5. Brown Bullhead   | <i>Ameiurus nebulosus</i> ;    |
| 6. Common Carp      | <i>Cyprinus carpio</i> ;       |
| 7. Channel Catfish  | <i>Ictalurus punctatus</i> ;   |
| 8. Gizzard Shad     | <i>Dorosoma cepedianum</i> ;   |
| 9. White Catfish    | <i>Ameiurus catus</i> ;        |
| 10. White Perch     | <i>Morone americana</i> ;      |
| 11. White Sucker    | <i>Catostomus commersoni</i> ; |
| 12. Yellow Bullhead | <i>Ameiurus natalis</i> ;      |
| 13. Yellow Perch    | <i>Perca flavescens</i> ; and  |

14. Any other marine fish species that is legal for taking with net in marine waters, except Striped Bass, Alewife and Blueback Herring.

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

- |                             |                                |
|-----------------------------|--------------------------------|
| 1. Alewife                  | <i>Alosa pseudoharengus</i>    |
| 2. American Eel             | <i>Anguilla rostrata</i>       |
| 3. Banded Killifish         | <i>Fundulus diaphanus</i>      |
| 4. Blueback Herring         | <i>Alosa aestivalis</i>        |
| 5. Bowfin                   | <i>Amia calva</i>              |
| 6. Bullhead, Brown          | <i>Ameiurus nebulosus</i>      |
| 7. Bullhead, Yellow         | <i>Ameiurus natalis</i>        |
| 8. Catfish, White           | <i>Ameiurus catus</i>          |
| 9. Creek Chub               | <i>Semotilus atromaculatus</i> |
| 10. Creek Chubsucker        | <i>Erimyzon oblongus</i>       |
| 11. Dace, Blacknose         | <i>Rhinichthys atratulus</i>   |
| 12. Dace, Longnose          | <i>Rhinichthys cataractae</i>  |
| 13. Darter, Shield          | <i>Percina peltata</i>         |
| 14. Darter, Swamp           | <i>Etheostoma fusiforme</i>    |
| 15. Darter, Tessellated     | <i>Etheostoma olmstedii</i>    |
| 16. Eastern Mosquitofish    | <i>Gambusia holbrooki</i>      |
| 17. Eastern Mudminnow       | <i>Umbra pygmaea</i>           |
| 18. Fallfish                | <i>Semotilus corporalis</i>    |
| 19. Hogchoker               | <i>Trinectes maculatus</i>     |
| 20. Hogsucker, Northern     | <i>Hypentelium nigricans</i>   |
| 21. Lamprey, American Brook | <i>Lampetra appendix</i>       |
| 22. Lamprey, Sea            | <i>Petromyzon marinus</i>      |
| 23. Longnose Gar            | <i>Lepisosteus osseus</i>      |
| 24. Madtom, Margined        | <i>Noturus insignis</i>        |
| 25. Madtom, Tadpole         | <i>Noturus gyrinus</i>         |
| 26. Minnow, Cutlip          | <i>Exoglossum maxillingua</i>  |
| 27. Minnow, Eastern Silvery | <i>Hybognathus regius</i>      |
| 28. Mummichog               | <i>Fundulus heteroclitus</i>   |
| 29. Perch, Pirate           | <i>Aphredoderus sayanus</i>    |
| 30. Perch, White            | <i>Morone americana</i>        |
| 31. Perch, Yellow           | <i>Perca flavescens</i>        |
| 32. Pickerel, Chain         | <i>Esox niger</i>              |
| 33. Pickerel, Redfin        | <i>Esox americanus</i>         |
| 34. Pumpkinseed             | <i>Lepomis gibbosus</i>        |
| 35. Quillback               | <i>Carpionodes cyprinus</i>    |
| 36. Sculpin, Slimy          | <i>Cottus cognatus</i>         |
| 37. Shad, American          | <i>Alosa sapidissima</i>       |

38. Shad, Hickory	<i>Alosa mediocris</i>
39. Shad, Gizzard	<i>Dorosoma cepedianum</i>
40. Shiner, Bridle	<i>Notropis bifrenatus</i>
41. Shiner, Comely	<i>Notropis amoenus</i>
42. Shiner, Common	<i>Luxilus cornutus</i>
43. Shiner, Golden	<i>Notemigonus crysoleucas</i>
44. Shiner, Ironcolor	<i>Notropis chalybaeus</i>
45. Shiner, Satinfin	<i>Cyprinella analostana</i>
46. Shiner, Spottfin	<i>Cyprinella spiloptera</i>
47. Shiner, Spottail	<i>Notropis hudsonius</i>
48. Shiner, Swallowtail	<i>Notropis procne</i>
49. Stickleback, Fourspine	<i>Apletes quadracus</i>
50. Stickleback, Threespine	<i>Gasterosteus aculeatus</i>
51. Stickleback, Ninespine	<i>Pungitius pungitius</i>
52. Striped Bass	<i>Morone saxatilis</i>
53. Sturgeon, Atlantic	<i>Acipenser oxyrinchus</i>
54. Sturgeon, Shortnose	<i>Acipenser brevirostrum</i>
55. Sucker, White	<i>Catostomus commersonii</i>
56. Sunfish, Banded	<i>Enneacanthus obesus</i>
57. Sunfish, Blackbanded	<i>Enneacanthus chaetodon</i>
58. Sunfish, Bluespotted	<i>Enneacanthus gloriosus</i>
59. Sunfish, Mud	<i>Acantharchus pomotis</i>
60. Sunfish, Redbreast	<i>Lepomis auritus</i>
61. Trout, Brook	<i>Salvelinus fontinalis</i>

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

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

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

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

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

"Oswego bass" or "black bass" shall mean largemouth and smallmouth bass.

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

"Potentially dangerous fish" means the following species:

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

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

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

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

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

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

- |                                 |                              |
|---------------------------------|------------------------------|
| 1. Atlantic (landlocked) Salmon | <i>Salmo salar</i>           |
| 2. Brook Trout                  | <i>Salvelinus fontinalis</i> |
| 3. Brown Trout                  | <i>Salmo trutta</i>          |
| 4. Lake Trout                   | <i>Salvelinus namaycush</i>  |
| 5. Rainbow Trout                | <i>Oncorhynchus mykiss</i>   |

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

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

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

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

(a) Except as provided in N.J.A.C. 7:25-6.4, 6.6 to 6.9, 6.19, 6.20 and (b)1 below, trout season shall commence 12:01 A.M. January 1 and extend to the pre-season closure. The trout season shall re-open on opening day and extend to include midnight December 31.

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

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

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

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

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

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

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

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

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

1. Each Monday during the in-season stocking period.
  - i. Manasquan River--Route 9 bridge downstream to Bennetts Bridge, Manasquan Wildlife Management Area.
  - ii. Metedeconk River, N. Br.--Aldrich Road Bridge to Ridge Avenue.
  - iii. Metedeconk River, S. Br.--Bennetts Mills dam to twin wooden foot bridge, opposite Lake Park Boulevard, on South Lake Drive, Lakewood.
  - iv. Rockaway River--Longwood Lake dam to Jersey City Reservoir in Boonton.
  - v. Toms River--Ocean County--Route 528, Holmansville, to confluence with Maple Root Branch and Route 70 to County Route 571.
  - vi. Wallkill River--Lake Mohawk Dam to Route 23, Hamburg.
2. Each Tuesday during the in-season stocking period.
  - i. Pohatcong Creek--Route 31 to Delaware River.
  - ii. Raritan River, S. Br.--Budd Lake dam through Morris, Hunterdon and Somerset Counties to Jct. with N. Br. Raritan River.
3. Each Wednesday during the in-season stocking period.

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

4. Each Thursday during the in-season stocking period.
  - i. Black River--Route 206 Chester, to the posted Black River Fish and Game club property at the lower end of Hacklebarney State Park.
  - ii. Paulinskill River and E. Br. and W. Br.--Limecrest Railroad Spur Bridge on E. Br., Sparta Township, and Warbasse Junction Road, Route 663, on W. Br., Lafayette Twp., to Columbia Lake.
  - iii. Ramapo River--State line to Pompton Lake.
5. Each Friday during the in-season stocking period.
  - i. Big Flat Brook--100 ft. above Steam Mill Bridge on Crigger Road in Stokes State Forest to Delaware River.
  - ii. Musconetcong River--Lake Hopatcong Dam to Delaware River including all main stem impoundments, but excluding Lake Musconetcong, Netcong.
  - iii. Pequest River--Source to Delaware River.
  - iv. Wanaque River--Greenwood Lake Dam to Wanaque Reservoir Dam and section from Wanaque Avenue Bridge, Pompton Lakes to Jct. with Pequannock River, excluding Wanaque Reservoir and Monksville Reservoir.

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

1. Atlantic County
  - Birch Grove Park Pond--Northfield
  - Hammonton Lake--Hammonton
  - Heritage Pond--Absecon
2. Bergen County
  - Dahnert's Lake--Garfield
  - Hackensack River--Lake Tappan to Harriot Avenue, Harrington Park
  - Hohokus Brook--Forest Road to Saddle River
  - Indian Lake--Little Ferry
  - Mill Pond--Park Ridge
  - Pascack Creek--Orchard Street, Hillsdale, to Lake Street, Westwood
  - Potash Lake--Oakland
  - Saddle River--Lake Street to Dunkerhook Road, Fair Lawn
  - Tenakill Creek--Closter, entire length
  - Whites Pond--Waldwick
3. Burlington County
  - Crystal Lake--Willingboro
  - Laurel Pond--Mt. Laurel
  - Pemberton Lake - Pemberton
  - Rancocas Creek, South/West Branch--Medford, Mill Street Park

- to Branch St. Bridge
- Sylvan Lake - Burlington
- 4. Camden County
  - Gloucester City Pond--Gloucester
  - Haddon Lake--Audubon
  - Oak Pond--Sicklerville
  - Rowands Pond--Clementon
- 5. Cape May County
  - Ponderlodge Pond - Villas
  - Tuckahoe Lake - Tuckahoe
- 6. Cumberland County
  - Cohansey River--Dam at Seeley's Pond to Powerline above  
Sunset Lake, Bridgeton
  - Giampietro Park Lake--Vineland
  - Mary Elmer Lake--Bridgeton
  - Maurice River--Willow Grove Lake dam to Sherman Avenue,  
Vineland
  - Shaw's Mill Pond--Newport
  - South Vineland Park Pond-Vineland
- 7. Essex County
  - Branch Brook Park Lake--Newark
  - Diamond Mill Pond--Millburn
  - Rahway River W/Br--Campbells Pond to Glen Ave.
  - Verona Park Lake--Verona
- 8. Gloucester County
  - Greenwich Lake--Gibbstown
  - Grenloch Lake--Turnersville
  - Harrisonville Lake--Harrisonville
  - Iona Lake--Iona
  - Swedesboro Lake--Swedesboro
  - Westville Lake--Westville
- 9. Hudson County
  - West Hudson County Park Pond--Harrison
  - Woodcliff Lake--North Bergen, James J. Braddock Park
- 10. Hunterdon County
  - Alexauken Creek--West Amwell Township, entire length
  - Amwell Lake--East Amwell
  - Beaver Brook--Clinton Township, entire length
  - Capoolong Creek--Pittstown, entire length
  - Delaware--Raritan Feeder Canal--Bulls Island to Hunterdon -  
Mercer County line
  - Hakihokake Creek--Holland Township, entire length
  - Lokatong Creek--Opdyke Road Bridge, Kingwood Township to  
Delaware Raritan Feeder Canal
  - Mannys Pond--Union Township
  - Mountain Farm Pond--Lebanon Township

Mulhockaway Creek--Pattenburg, source to Spruce Run Reservoir

Neshanic River--Kuhl Road to Hunterdon County Route 514

Nishisakawick Creek--Frenchtown/Everittstown, entire length

Rockaway Creek--Readington Township, entire length

Rockaway Creek, S/Br.--Lebanon to Whitehouse, entire length

Round Valley Reservoir--Clinton Township

Sidney Brook--Grandin, entire length

Spruce Run--Glen Gardner and Lebanon Township, entire length

Wickecheoke Creek--Covered Bridge County Rt. 604,

Sergeantsville to Delaware River

11. Mercer County

Assunpink Creek--Assunpink Site 5 dam upstream of Rt. 130

Bridge to Carnegie Road, Hamilton Township

Colonial Lake--Lawrence Township

Delaware--Raritan Canal--Mulberry Street, Trenton, to

Alexander St., Princeton

Delaware--Raritan Feeder Canal--Hunterdon-Mercer County line to Wilburtha Road

Rosedale Lake--Rosedale

Stony Brook--Woodsville to Port Mercer

12. Middlesex County

Farrington Lake--North Brunswick

Hook's Creek Lake--Cheesequake State Park

Ireland Brook--Farrington Lake to point 500 ft. upstream of

Riva Avenue

Lake Papaiani--Edison

Lawrence Brook--Davidson's Mill Pond dam to 2nd RR

Bridge (Raritan Railroad) below Main St., Milltown

Manalapan Lake – Monroe Township

Roosevelt Park Pond--Edison Township

13. Monmouth County

Echo Lake--Southard

Englishtown Mill Pond--Englishtown

Franklin Lake--West Long Branch

Garvey's Pond--Navesink

Hamilton Fire Pond--Neptune

Hockhockson Brook—Hockhockson Road to Garden State Parkway bridge (northbound)

14. Morris County

Beaver Brook--Rockaway, entire length

Burnham Park Pond--Morristown

Drakes Brook--Flanders, entire length

Hibernia Brook--Hibernia, entire length

India Brook--Mountainside Ave. to Rt. 24, Ralston

Lake Hopatcong--Lake Hopatcong

- Lake Musconetcong--Netcong
- Mt. Hope Pond--Mt. Hope
- Pequannock River--(See Passaic Co.)
- Passaic River--White Bridge Rd. to Rt. 24, Chatham Boro
- Pompton River--Pequannock Township (see Passaic Co.)
- Russia Brook--Jefferson Township, Ridge Road to Lake Swannanoa
- Speedwell Lake--Morristown
- Whippany River--Tingley Road, Morris Township, to Ridgedale Ave., Morristown
- 15. Ocean County
  - Lake Shenandoah--Lakewood, Ocean County Park
  - Pohatcong Lake--Tuckerton
  - Prospertown Lake--Prospertown
- 16. Passaic County
  - Barbour's Pond--West Paterson
  - Clinton Reservoir--Newark Watershed
  - Green Turtle Pond—Hewitt, Long Pond Iron Works State Park
  - Oldham Pond--North Haledon
  - Pequannock River--Route 23, Smith Mills to Paterson-Hamburg Turnpike, Pompton Lakes
  - Pompton River--Pompton Lake to Newark-Pompton Turnpike
  - Ringwood Brook--State line to Sally's Pond, Ringwood State Park
  - Sheppard Lake--Ringwood State Park
- 17. Salem County
  - Harrisonville Lake--Harrisonville
  - Maurice River--Willow Grove Lake Dam to Sherman Avenue, Vineland
  - Schadler's Sand Wash Pond--Penns Grove
- 18. Somerset County
  - Lamington River--Rt. 523 (Lamington Road) at Burnt Mills to Jct. with North Branch of Raritan River
  - Middle Brook, E/Br.--Martinsville, entire length
  - Passaic River--See Morris Co.
  - Peapack Brook--Peapack-Gladstone, entire length
  - Raritan River--Jct. of Raritan River N/Br. and S/Br. to Rt. 206 Bridge
  - Rock Brook--Zion, entire length
  - Spooky Brook Park Pond--Franklin
- 19. Sussex County
  - Alm's House Pond--Myrtle Grove, Hampton Township
  - Andover Junction Brook--Andover, entire length
  - Big Flat Brook, Upper--Saw Mill Pond, High Point State Park, to 100 ft. above Steam Mill Bridge on Crigger Road
  - Blue Mountain Lake--Delaware Water Gap National Recreation Area

- Clove Brook—Wantage, Junction of Route 23 and Mt. Salem Road to Route 565 bridge
  - Culver's Creek- Frankford Township, entire length
  - Dry Brook--Branchville, entire length
  - Franklin Pond Creek--Hamburg Mountain Wildlife Management Area, entire length
  - Glenwood Brook--Lake Glenwood dam to New York State line
  - Lake Aeroflex--Andover
  - Lake Hopatcong--Lake Hopatcong
  - Lake Musconetcong--Netcong
  - Lake Ocquittunk--Stokes State Forest
  - Little Flat Brook--Sandyston Township, entire length
  - Little Swartswood Lake--Swartswood
  - Lubbers Run--Byram Township, entire length
  - Neldon Brook--Swartswood, entire length
  - Papakating Creek--Plains Road bridge to Route 565, Lewisburg
  - Papakating Creek, W. Br.--Libertyville, entire length
  - Pond Brook--Middleville, entire length
  - Saw Mill Pond--High Point State Park
  - Silver Lake--Hamburg Mountain Wildlife Management Area
  - Stony Lake--Stokes State Forest
  - Swartswood Lake--Swartswood
  - Trout Brook--Middleville, entire length
  - Wawayanda Creek--Vernon
20. Union County
- Green Brook--Route 527, Berkeley Heights, to Route 22, Scotch Plains
  - Lower Echo Park Pond--Mountainside
  - Milton Lake—Rahway
  - Nomahegan Park Pond – Cranford
  - Rahway River--I-78 Bridge, Springfield, to St. George Ave. (Route 27), Rahway
  - Seeleys Pond--Berkeley Heights
  - Warinanco Park Pond--Roselle
21. Warren County
- Beaver Brook--Silver Lake Dam to Pequest River
  - Blair Creek--Hardwick Center to Blair Lake
  - Blair Lake--Blairstown
  - Brookaloo Swamp – Hope, entire length
  - Buckhorn Creek--Roxburg, entire length
  - Columbia Lake and Gatehole--Knowlton Township
  - Furnace Brook--Oxford, entire length
  - Furnace Lake--Oxford
  - Honey Run—Knowlton-Hope Township Line to Beaver Brook, Hope Township
  - Jacksonburg Creek--Jacksonburg, entire length
  - Lopatcong Creek--Route 519, Harmony Township to South Main Street, Phillipsburg

Merrill Creek Reservoir—Stewartsville  
Mountain Lake—Liberty Township  
Pohatcong Creek--Mt. Bethel to Route 31  
Pophandusing Creek--Oxford Road, Hazen, to Delaware River  
Trout Brook--Hackettstown, entire length  
White Lake--Hardwick Township

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

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

1. Big Flat Brook, Sussex County--from the concrete bridge on Route 206 downstream to the Roy Bridge on Mountain Road, a distance of approximately four miles, including the section of the Flat Brook, from the junction of the Big Flat Brook and the Little Flat Brook downstream to the Roy Bridge.
2. South Branch of the Raritan River, Hunterdon County--the stretch of water known as the "Ken Lockwood Gorge," a distance of approximately 2 1/2 miles.

(b) The following rules shall apply to the above designated catch and release only waters.

1. Fishing in catch and release only areas is permitted year-round;
2. Only artificial lures and flies may be used.
3. A person shall not have in possession while fishing any natural bait, live or preserved;
4. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait; and
5. A person shall not kill or have in possession while fishing any trout. All trout must be returned to the water immediately and unharmed.

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

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

1. Bear Creek (Southtown);
2. Bear Swamp Brook (Mahwah);
3. Black Brook (Clinton Wildlife Management Area);
4. Burnett Brook (Ralston);
5. Cold Brook (Oldwick);

6. Dark Moon Brook, also known as Bear Brook (Johnsonburg);
7. Dunnfield Creek (Worthington State Park)
8. Flanders Brook (Flanders);
9. Hance's Brook (Penwell);
10. Hickory Run (Califon);
11. India Brook (Source to Mountainside Ave., Mendham);
12. Indian Grove Brook (Bernardsville);
13. Jackson Brook (Source to Hedden Park Lake, Mine Hill Twp.);
14. Ledgewood Brook (Ledgewood);
15. Little York Brook (Little York);
16. Lomerson Brook, also known as Herzog Brook (Pottersville);
17. Merrill Creek (Stewartsville)
18. Mill Brook (Montague);
19. North Branch of Rockaway Creek (Mountainville);
20. Parker Brook (Montague);
21. Passaic River (Source to Rt. 202, Bernardsville);
22. Pequannock River (Newark Watershed, Oak Ridge; Road bridge downstream to rail road bridge; immediately upstream of Charlottesburg Reservoir; and from Rt. 23 bridge at Smoke Rise downstream to the Rt. 23 bridge at Smith Mills);
23. Rinehart Brook (Hacklebarney State Park);
24. Rocky Run (Clinton Twp.);
25. Saddle River (State Line to Lake Street, Upper Saddle River);
26. Stephensburg Creek (Stephensburg);
27. Stony Brook (Stokes State Forest);
28. Stony Brook (Washington Twp., Morris County);
29. Teetertown Brook (Lebanon Twp.(Hunterdon); Washington Twp. (Morris));
30. Trout Brook (Hacklebarney State Park);
31. Turkey Brook (Mount Olive);
32. Van Campens Brook (Delaware Water Gap National Recreation Area);
33. Wanaque River (Wanaque Reservoir dam to Wanaque Avenue bridge);
34. West Brook (Source downstream to Windbeam Club Property); and
35. Whippany River (Source to Tingley Road, Mendham Twp.);
36. Willoughby Brook, also known as Buffalo Hollow Brook (Clinton Twp.).

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

1. Fishing in Wild Trout Streams is permitted year-round.
2. Only artificial lures and flies may be used. While fishing, the use or possession of any natural bait, live or preserved, is prohibited.
3. A person shall not have in possession, while fishing, any substance, either as a natural or synthetic compound, that contains a concentration of bait scent or such scent enhanced bait.
4. A person shall not take, kill or have in possession, while fishing the portions of the

Pequannock River, Van Campens Brook and the Wanaque River, designated as Wild Trout Streams, any brown trout less than 12 inches. For all other designated Wild Trout Streams, and for brook and rainbow trout in the Wild Trout Stream designated portions of the Pequannock River, Van Campens Brook, and the Wanaque River, the minimum length for trout shall be nine inches.

5. During the period extending from opening day to September 15 no person shall have in possession while fishing any more than two legally sized dead, creeled or otherwise appropriated trout. No trout may be killed or possessed during other times of the year.

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

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

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

2. Musconetcong River, Hunterdon and Warren Counties--an approximate 1.2-mile stretch of the Musconetcong River near Point Mountain extending from the Penwell Road bridge downstream to the Point Mountain Road bridge;

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

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

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

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

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

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

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

ately and unharmed.

### **7:25-6.8 Special regulation trout fishing areas--Trophy Trout Lakes**

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

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

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

1. The minimum size of brook trout, brown trout, rainbow trout and all hybrids and strains thereof shall be 15 inches. Daily bag and possession limit for brown trout and rainbow trout shall be two in total.
2. There shall be no closed season for brook trout, brown trout, rainbow trout and all hybrids and strains thereof.
3. The minimum size for lake trout shall be 15 inches at Merrill Creek Reservoir with a daily creel and possession limit of two. The daily creel and possession limit shall be six fish, 15 inches to less than 24 inches in length, and one additional fish, 24 inches or greater, for a total of seven lake trout at Round Valley Reservoir.
4. During the period from midnight September 15 to December 1, the possession of lake trout is prohibited and all lake trout caught shall be immediately returned to the water unharmed.
5. A person shall not have in possession, while on the waters or adjacent lands of any designated Trophy Trout Lake, any fish, or any part thereof, which has been mutilated so that its size at capture cannot be determined, or so that it is unidentifiable as to species, except that this restriction shall not apply to fish which are being prepared for immediate on-site consumption.

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

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

1. Aeroflex Lake (Sussex);
2. Clinton Reservoir (Passaic);
3. Sheppard Lake (Passaic);
4. Tilcon Lake (Morris);

5. Wawayanda Lake (Sussex); and
6. White Lake, (Warren).

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

1. The minimum size of brook trout, brown trout, rainbow trout and all hybrids and strains thereof shall be 15 inches. Daily bag and possession limit for brown trout and rainbow trout shall be two in total.
2. There shall be no closed season for brook trout, brown trout, rainbow trout and all hybrids and strains thereof.
3. The minimum size for lake trout shall be 15 inches at Merrill Creek Reservoir with a daily creel and possession limit of two. The daily creel and possession limit shall be six fish, 15 inches to less than 24 inches in length, and one additional fish, 24 inches or greater, for a total of seven lake trout at Round Valley Reservoir.
4. During the period from midnight September 15 to December 1, the possession of lake trout is prohibited and all lake trout caught shall be immediately returned to the water unharmed.
5. A person shall not have in possession, while on the waters or adjacent lands of any designated Trophy Trout Lake, any fish, or any part thereof, which has been mutilated so that its size at capture cannot be determined, or so that it is unidentifiable as to species, except that this restriction shall not apply to fish which are being prepared for immediate on-site consumption.

#### **7:25-6.10 Baitfish**

(a) Any person, who has a fishing license or is under the age of 16 or over 70 years of age, may take up to 35 baitfish, except Alewife and/or Blueback Herring, per person per day from the freshwaters of the State. Alewife and Blueback Herring may only be possessed, taken, attempted to be taken, sold or purchased in accordance with (b) through (d) below. Except as provided in (d) below, no person shall possess, in any location, more than one day's limit, regardless of when the fish were taken and whether the fish are intended to be used as bait or food.

(b) The possession, take, attempt to take, sale or purchase of Alewife or Blueback Herring from any freshwater stream or river is prohibited.

(c) Up to 35 Alewife or Blueback Herring, no greater than six inches in length, may be taken for personal use from freshwater lakes in Morris, Passaic, Sussex, and Warren counties, and from Spruce Run Reservoir, located in Hunterdon County. Landlocked herring taken from lakes within these counties may only be used on the lake from which they were taken, on the day they were taken. Any unused herring must be returned to the waterbody upon the conclusion of the angler's fish-

ing trip on the day that they were taken. Landlocked herring taken pursuant to this subsection shall not be transported away from the shoreline of the lake by any mechanism. They shall not be sold.

(d) In freshwater lakes, other than those specified in (c) above, only purchased herring, no greater than six inches in length, may be possessed for up to seven days from date of purchase, when accompanied by a receipt. The receipt must list the name, address and telephone number of the place of purchase, the date of purchase, and quantity purchased. This receipt must be without erasures or alterations of any kind and must have a control number. Purchased herring may be possessed in excess of the daily limit.

(e) Except as provided for in trout-stocked waters listed in N.J.A.C. 7:25-6.3 through 6.9 and (f) below baitfish, except for Alewife and Blueback Herring, up to the daily limit may be taken from freshwaters of the State by the following means: hook and line; dip net not more than 24 inches in diameter; minnow traps not larger than 24 inches in length with a funnel mouth no greater than two inches in diameter; a cast net no greater than eight feet in diameter, and an umbrella net no greater than 3.5 feet square.

1. Seines may also be used subject to the following limitations:

- i. In lakes and ponds under 100 acres, the seine shall not be over 30 feet in length.
- ii. In lakes at or over 100 acres, the seine shall not be over 50 feet in length.
- iii. In streams, the seine shall not exceed 30 feet in length, or one-half the width of the stream at the point of use, whichever is less.

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

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

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

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

New Jersey Division of Fish and Wildlife

Bureau of Freshwater Fisheries  
PO Box 394  
Lebanon, New Jersey 08833

3. Applications shall be directed to:

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

4. The permittee shall agree to:

- i. Submit harvest reports by the 15th day of the following month;
- ii. Return species, other than baitfish, to the water immediately and unharmed;
- iii. Display name and address on any devices left in the water unattended;
- iv. Operate only one device per permit;
- v. Be present during the operation of the device;
- vi. Not transfer the permit to other operators;
- vii. Notification of, and permission from, the owner of the waterbody named in the application or the administering agency if that waterbody is publicly owned; and
- viii. Comply with any local ordinances or other State laws or regulations.

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

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

1. No person shall catch or take or attempt to catch and take fish of any kind or description by means of a net, or use a net of any character except for fyke nets and bait seines used for the purpose of taking of baitfish, from Saturday at 2:00 P.M. until the following Sunday at 12 midnight.
2. It shall be legal to take and sell foodfish as defined in N.J.A.C. 7:25-6.2 by the means identified in (i) to (v) below. American Shad may only be taken from the Delaware River and its tributaries.
  - i. Haul seines, the mesh of which shall not be less than two and three quarter inches stretched while being fished and not to exceed 70 fathoms in length, whether singly or attached, for all species may be used from November 1 to April 30. Permits for haul seines exceeding 70 fathoms in length will be issued for the Delaware River, upstream of the wing dam at Lambertville, only for permittees which have obtained approval from the Division prior to January 1, 2004. All permits issued by the Division after January 1, 2004 will restrict seines to a length not to exceed 70 fathoms in this section of the Delaware River.

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

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

iv. Drifting gill nets, the smallest of which shall be five and one quarter inches stretched measure while being fished and shall not exceed 100 feet in length, for all species may be used from March 1 to June 15. Drifting gill nets may not be used in freshwater rivers or streams where migratory Alewife or Blueback Herring are known to occur.

v. Gill nets with a mesh not smaller than two and three quarters stretched measure, while being fished and not exceeding 200 feet in length may be used from May 1 to June 10 for the purpose of taking [blueback herring and] white perch. Gill nets may not be used in freshwater rivers or streams where migratory Alewife or Blueback Herring are known to occur.

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

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

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

5. Applications shall be directed to:

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

6. The permittees shall agree to:

- i. Submit annual harvest reports, including species, and number of fish harvested, by date, by December 31;
- ii. Return species, other than foodfish, to the water immediately and unharmed;
- iii. Legibly display name and address on any and all devices left in the water unattended;
- iv. Operate only one device per permit;
- v. Be present during the operation of the device;
- vi. Not transfer the permit to other operators;
- vii. Notify and obtain permission from the owner of the water body or access to the water body named in the permit; and

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

**7:25-6.13 Warmwater fish**

(a) (Reserved)

(b) (Reserved)

(c) (Reserved)

(d) During the period of April 15 through June 15, the possession of largemouth and smallmouth bass is prohibited and all bass caught shall be immediately returned to the water unharmed, except for Lake Audrey (Cumberland County) where largemouth and smallmouth bass caught shall be immediately returned to the water unharmed at all times.

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

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

(g) The minimum length for northern pike shall be 24 inches, with a daily creel and possession limit of two. The minimum length for muskellunge and tiger muskie, shall be 36 inches, except for Mountain Lake (Warren County) and Echo Lake Reservoir (Passaic County) where the minimum length shall be 40 inches. The daily creel and possession limit for muskellunge and tiger muskie shall be one in total.

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

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

(j) Except as provided in N.J.A.C. 7:25-6.19 and 6.20, the minimum length for chain pickerel and redbfin pickerel shall be 15 inches.

(k) The daily creel and possession limit for chain pickerel and redbfin pickerel shall be five in to-

tal. There is no closed season.

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

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

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

(o) Except as provided for the Delaware River in N.J.A.C. 7:25-6.20, American shad may not be taken or possessed at any time.

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

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

(r) Hybrid striped bass may be taken in the Raritan River downstream of the Duke Island Park dam during the period of March 1 to December 31.

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

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

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

### **7:25-6.14 Ice fishing**

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

(b) A person, while fishing through the ice, may use not more than five devices for the taking of fish. Devices may consist of any combination of ice supported tip-ups, fishing rods, or hand lines. Each device may have only one single line attached.

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

2. The line from a fishing rod may have attached either one single pointed hook; or an artificial lure with not more than three single hooks and one burr of three hooks. On artificial lures, single hooks may not measure more than 1/2 inch from point to shaft, and hooks on burrs may not exceed 1/2 inch from point to point.

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

(d) All devices that are not hand-held must be clearly marked with the name and address of the user and shall not be left unattended.

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

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

(a) Except as provided in N.J.A.C. 7:25-6.3, 6.18 and 6.19, it shall be legal to take carp, including bighead, common, grass and silver, eels, flathead catfish, shad, American and gizzard, snakeheads, and suckers, or any hybrids of any of these species, at any time by use of bow and arrow with line attached, provided a person has a proper fishing license. For the purpose of this section a bow means any longbow, recurved bow or compound bow that is hand-held and hand-drawn.

### **7:25-6.16 Closed waters**

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

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

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

(a) It shall be illegal to fish or attempt to catch or kill fish by any manner or means in any waters for which the Director of the Division, upon approval of the Fish and Game Council, issues an Emergency Closure Notice. Such notice shall be effective and/or rescinded immediately upon public notification. It shall be based upon imminent threat to the wellbeing of the fishery resource and/or its users, and may include any exceptions to the total ban on fishing that the Director deems practical.

### **7:25-6.18 Wanton waste of fish prohibited; tagging and marking of fish**

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

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

1. Required permit information shall be as follows:

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

2. Applications shall be directed to:

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

3. The permittee shall agree to:

- i. Submit a report of the results of the tagging study to the Division;
- ii. Display permittee's name and address or phone number on fish tags;
- iii. Notification of, and permission from, the owner of the waterbody named in the application or the administering agency if that waterbody is publicly owned; and
- iv. Comply with any local ordinances or other State laws or regulations.

### **7:25-6.19 Greenwood Lake**

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

1. Species	Season	Size Limit	Daily Bag Limit
Trout	No closed season	No minimum	3
Largemouth bass and smallmouth bass	third Saturday in June until Dec. 1 Dec. 1 until third Saturday in June	12 inch minimum	5 in total  Catch and release only
Chain pickerel	No closed season	15 inch minimum	5
Muskellunge and any hybrid thereof	No closed season	36 inch minimum	1
Walleye	Jan. 1-last day of February and May 1-December 31	18 inches	3
Channel catfish	No closed season	12 inches	5
Black crappie and white crappie	No closed season	8 inches	10 in total
Yellow perch	No closed season	No minimum	50
Sunfish	No closed season	No minimum	50
All other species	No closed season	No minimum	No limit

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

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

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

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

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

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

1. Species	Season	Size Limit	Daily Bag Limit
Trout	8:00 A.M. on the first Saturday after April 11 to Oct. 15	No minimum	5
American Shad	No closed season	No minimum	3
Hickory shad	Closed season	Closed season	Closed season
Largemouth bass and smallmouth bass	Jan. 1 to the first Friday after April 10, and the first Saturday after June 11 to Dec. 31	12 inch minimum	5 in total
	First Saturday, after April 11, to the first Friday after June 10	Catch and release only	
Walleye	No closed season	18 inch minimum	3
Chain Pickerel	No closed season	12 inch minimum	5
Muskellunge and any hybrid thereof	No closed season	40 inch minimum	1
Northern Pike	No closed season	24 inch minimum	2
Baitfish, fish bait	No closed season	No minimum	50
Alewife and blueback (anadromous forms)	Closed		
Shortnose sturgeon	Closed-endangered species		
Atlantic sturgeon	Closed		
Striped bass and striped bass X white bass	Downstream of Calhoun Street	28 inch minimum	2

1. Species	Season	Size Limit	Daily Bag Limit
hybrid	Bridge season open March 1-30 and June 1-Dec. 31 Upstream of Calhoun Street Bridge season open March 1-Dec. 31	28 inch minimum	2
All other freshwater species	No closed season	No minimum	No limit

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

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

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

5. Bait fish may be taken and possessed for personal uses only but not to exceed 50 per day.

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

7. Hook and line fishermen are hereby restricted to the use of non-offset circle hooks while fishing with any natural bait during the months of April and May downstream of the Calhoun Street Bridge to the Commodore Barry Bridge. This restriction shall apply only to hooks of size 2 and larger and shall not apply to hooks of smaller sizes (such as those normally used for white perch fishing).

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

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

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

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

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

(d) Snapping turtles, bull frogs and green frogs may be taken in numbers greater than the daily limit under special permit issued by the Division, for the purposes of sale, at its discretion. In addition to any other Federal, State or local requirements that may be applicable to any sale authorized under this section, any sale must comply with Department of Health and Senior Services rule N.J.A.C. 8:23-2.1.

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

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

2. Applications shall be directed to:

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

3. The permittee shall agree to:

- i. Submit annual harvest reports, including the date, waterbody, species, number, and approximate total weights of snapping turtles, bull frogs or green frogs harvested, and the name, address and telephone number of purchaser(s), by December 31 of the current permit year;
- ii. Display his or her name and address on any traps left in the water unattended;
- iii. Notify and obtain permission from the owner of the waterbody where the trap is set;
- iv. Tend all traps at least once every 24 hours;
- vi. Use only those traps that provide a means of escape, or survival, of species of turtles other than snapping turtles;
- vii. Set traps in a manner that allows at least the topmost two inches of the trap to remain exposed, at all times, above the surface of the water;
- viii. Use flotation devices that have sufficient strength to support the weight of the trap and keep it afloat for at least 24 hours;
- ix. Comply with any local ordinances and other State laws or regulations and;

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

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

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

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

(b) Applications shall be made to the Division of Fish and Wildlife, Bureau of Freshwater Fisheries, PO Box 400, Trenton, New Jersey 08625-0400. Applications, in the form of a letter of request, shall be submitted at least 21 days prior to the event upon the organization's letterhead stationery. Applications shall contain the date or dates of the proposed event, the body of water involved, the number of disabled persons who will be authorized by the permit, and the number of care providers. Angling under the authority of this permit shall be in accordance to season, size, creel limit and equipment restrictions. The permit shall be issued when the Director determines that the event will provide a natural resource educational experience for disabled persons consistent with the goals of the Division.

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

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

(b) An application for a scientific collecting permit shall be made on an application form ob-

tained from and filed with the Division in accordance with (c) below. Applications shall include:

1. The applicant name;
2. The applicant address;
3. The applicant telephone number;
4. The dates of proposed sampling;
5. The body or bodies of water involved;
6. The purpose of the activity;
7. A listing of any equipment that is expected to be used;
8. The species to be collected;
9. The disposition of species collected;
10. The names of persons who will be authorized by the permit; and
11. If the activity is related to research or environmental study or assessment, a copy of the project proposal must be attached to the application.

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

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

(d) The Director shall grant the permit, subject to the requirements of this section, after a determination that the event will provide a natural resource educational experience or a scientific investigation consistent with the goals of the Division that cannot otherwise be accomplished in conformance with N.J.A.C. 7:25-6.

(e) The permittee shall agree to:

1. Abide by all permit conditions;
2. With the exception of sampling for educational purposes, notify the nearest regional law enforcement office 48 hours prior to sampling;
3. Notify and obtain permission from the owner of the waterbody prior to sampling;
4. Use standardized sampling protocols, as applicable;
5. Not transfer the permit to other persons;
6. Submit a report of field data by December 31;
7. Submit a copy of the final report, as soon as it becomes available, to New Jersey Division of Fish and Wildlife, Bureau of Freshwater Fisheries, PO Box 394, Lebanon, New Jersey 08833; and
8. Comply with any local ordinances and other State laws or regulations.

### **7:25-6.25 Water lowering**

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

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

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

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

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

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

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

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

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

lowerings on the associated waterway.

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

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

1. Lowering may not occur from February 1 to March 15, when reproducing populations of rainbow trout may be adversely impacted;
2. Lowering may not occur from March 1 to June 30, when anadromous fish populations may be adversely impacted;
3. Lowering may not occur from March 15 to June 15, when trout maintenance waters and/or the stocking of trout may be adversely impacted by the lowering;
4. Except when the extent of the lowering requires the collection and relocation of aquatic biota, lowering may not occur from April 1 to June 15, when warmwater fish populations, which include pickerel are present, otherwise lowering may not occur from May 1 to June 15;
5. Except in the event the Division determines that the lowering will have no adverse impacts to aquatic biota present, lowerings may not occur from July 1 to September 15;
6. Lowering may not occur from September 15 to March 15, when reproducing populations of brook and brown trout may be adversely impacted;
7. Lowering may not occur from September 15 to December 1, when reproducing populations of lake trout may be adversely impacted;
8. For waterways located north of Route 195, water levels must be lowered to the full approved extent by November 1; or
9. For waterways located south of Route 195, water levels must be lowered to the full approved extent by November 15.

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

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

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

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

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

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

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

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

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

(r) Requests to modify the expiration date of an existing water lowering permit must be submitted by the permittee in writing. Requests to extend the permit's expiration date must be submitted at least 21 days prior to the original expiration date. Requests shall include the permit number, waterbody name, location, owner, the change requested and the reason the modification is necessary. Requests shall be submitted to the Division at:

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

Lebanon, New Jersey 08833

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

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

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

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

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

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

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

1. Applicant name;
2. Applicant address;
3. Applicant phone number;
4. If different, pond owner's name and address;
5. Pond owner's signature;
6. Waterbody location;
7. Water body size;
8. Fish species present in the waterbody;
9. Waterbody access, public or private;
10. Species of fish requesting to stock;
11. Number of fish requesting to stock;
12. Size range of fish requesting to stock;

13. Source of fish;
14. If stocking is relative to an event or tournament, date of event;
15. If the fish are marked or tagged, the type of tag to be used;
16. Anticipated stocking date;
17. Applicant signature; and
18. If requesting to stock grass carp, the following additional information is required:
  - i. Percent of weed cover;
  - ii. Description of weed problem, including species; and
  - iii. Photographs of inlet and outlet structures.

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

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

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

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

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

1. The waterbody is less than 10 surface acres in size;
2. Inlet or outlet structures in the impoundment are situated and constructed in a way that prevents escape of fish from the impoundment and are permanently affixed; and
3. No more than a total of 100 grass carp may be stocked into any single impoundment.

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

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

(k) Except for fish taken from one waterbody and reintroduced to another waterbody pursuant to N.J.A.C. 7:25-6.25, the source of all fish to be introduced to the waters of the State must be from an

approved fish culture facility. A list of approved fish culture facilities shall be provided by the Division with the application for a fish stocking permit.

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

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

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

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

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

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

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

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

6. Perform any inspections required by this subsection using sample sizes and methods recommended by the American Fisheries Society Fish Health Section, located in Juneau, Alaska, or The World Organization for Animal Health (also known as Office International des

Epizooties), located in Paris, France, or generally accepted methods published in peer-reviewed journals. Additional information is provided at the American Fisheries Society website at <http://www.fisheries.org/units/fhs/>, or the website of the World Organization for Animal Health at [http://www.oie.int/eng/en\\_index.htm](http://www.oie.int/eng/en_index.htm).

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

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

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

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

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

#### **7:25-6.27 Revocation of permits; penalties**

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

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

#### **7:25-6.28 Requests for adjudicatory hearings**

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

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

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

1. The name, address, and telephone number of the person requesting the hearing;
2. A copy of the decision document;
3. A description of any facts or issues which the petitioner believes constitute a defense to the decision made by the Division;
4. Information supporting the request and specific reference to or copies of other written documents relied upon to support the request;
5. An estimate of the time required for the hearing (in days and/or hours); and
6. A request, if necessary, for a barrier-free hearing location for physically disabled persons.

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

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

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