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ENVIRONMENTAL PROTECTION

DIVISION OF FISH AND WILDLIFE

Fish and Game Council

Adopted Amendments: N.J.A.C. 7:25-6.2 to 6.3, 7:25-6.4, 7:25-6.6 to 6.7, 7:25-6.9 to 6.11, 7:25-6.13 to 6.14, and 7:25-6.20 to 6.22.

2014-2015 Fish Code

Proposed: September 16, 2013 at 45 N.J.R. 2078(a).

Adopted: by the Fish and Game Council, David Burke, Acting Chair.

Filed: **with substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 13:1B-29 et seq. and 23:1-1 et seq.

DEP Docket Number: 05-13-08.

Effective Date: January 1, 2013.

Expiration Date: July 13, 2014.

The Fish and Game Council (Council) is adopting amendments to N.J.A.C. 7:25-6.2 through 6.4, N.J.A.C. 7:25-6.6 through 6.7, N.J.A.C. 7:25-6.9 through 6.11, N.J.A.C. 7:25-6.13 through 6.14, and N.J.A.C. 7:25-6.20 through 6.22. The proposed amendments

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were published in the New Jersey Register on September 16, 2013 at 45 N.J.R. 2078(a).

The 60-day comment period closed on November 15, 2013. Additional notice was achieved by faxing notification to all State House press offices, postings on the Department of Environmental Protection's (Department) website and the Division of Fish and Wildlife's website, and e-mailing the Department's rulemaking LISTSERV and the Division's 10,000 freshwater LISTSERV members.

Summary of Hearing Officer's Recommendation and Agency Response:

A public hearing was conducted by the Council's Fish Committee on October 8, 2013 at the Division of Fish and Wildlife's Central Region Office, Clarksville-Robbinsville Road in Robbinsville, New Jersey. Four members of the public attended. After reviewing the testimony given at the public hearing and written comments received during the comment period, the Fish Committee recommended that the Council adopt the proposed amendments with modifications in response to further information received from the Department as described in the Summary of Public Comments and Agency Responses below. The Fish Committee is a subcommittee of the Fish and Game Council that reviews regulatory changes governing freshwater fish species and makes recommendations to the full Council.

The Council held a public meeting on November 19, 2013 at the Division of Fish and Wildlife's Central Region Office, Clarksville-Robbinsville Road in Robbinsville, New Jersey. The Council, after having considered the testimony from the October 8, 2013

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hearing, written comments received relevant to the proposed amendments, and the recommendation of the Fish Committee, adopted the amendments with modifications suggested by the Fish Committee. Based upon public comment during the 60-day public comment period and additional data provided by the Department, the Council is making one substantive change to proposed amendments not requiring additional public notice and comment as outlined below. A copy of the hearing record may be obtained by contacting the New Jersey Division of Fish and Wildlife, P.O. Box 400, Trenton, New Jersey 08625-0400.

Summary of Public Comments and Agency Responses:

The following commenters submitted oral or written comments on the proposed amendments to N.J.A.C. 7:25-6.

1. Abrusia, Frank
2. Adam, Erik, Trout Unlimited
3. Adamkiewicz, Martin
4. Amann, William
5. Andrae, Karsten, Trout Unlimited
6. Andrews, Bernard
7. Applegate, John, Trout Unlimited
8. Armenti, Joseph
9. Ayars, Charles

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10. Baker, Michael
11. Balogh, Michael
12. Barends, John
13. Barker, Al
14. Barile, Kenneth
15. Barley, Alan, Ridge and Valley Chapter of Trout Unlimited
16. Baron, Gary
17. Barwick, Edward
18. Bator, Michael
19. Bavaro, Anthony, WAKPA Sportsmens Club
20. Beaugard, Carol
21. Bellezza, Donald
22. Benitez, Ron
23. Bergamo, Diane
24. Bergamo, Jenna
25. Bergamo, Michelle
26. Bergamo, Patrick
27. Bergen, Ted
28. Bertoni, Bob
29. Bielanowski, Nicholas
30. Biss, Ken
31. Blumetti, Dean

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32. Bock, David, East Jersey Chapter of Trout Unlimited
33. Borowski, William, East Jersey Chapter of Trout Unlimited
34. Bowman, Mike
35. Brady, Gary, East Jersey Chapter of Trout Unlimited
36. Brasko, Andrew
37. Bruestle, Roger, Trout Unlimited
38. Budge, Katherine
39. Burke, Kathleen, Trout Unlimited
40. Burley, Stephen
41. Burns, Howard
42. Butler, Betty
43. Butler, Douglas
44. Byerley, Curt
45. Byleckie, Walter
46. Callahan, Donald
47. Callari, Thomas
48. Capes, James
49. Carmen, Richard
50. Chiavola, Elio, East Jersey Chapter of Trout Unlimited
51. Chumas, George
52. Collett, Martin
53. Condit, Larry

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54. Contessa, Anthony
55. Conti, Angelo
56. Corio, Frank
57. Coronato, Charles
58. Corradetti, Brian
59. Cowden, Brian, Trout Unlimited
60. Curtis, Dan
61. Dec, Walter
62. Delucia, Gene
63. Demby, George
64. Devenney, Joe, Trout Unlimited
65. Dillon, Thomas
66. DiRenzo, James
67. DiSessa, Ken
68. Divorak, Bill
69. Donne, Tom
70. Driza Jr., George
71. Eftychiou, Costas
72. Ege, Fred
73. Ehret, Kirby
74. Ellis, James
75. Espejonreynes, Sonia

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76. Fallon, George, Trout Unlimited

77. Fede, Fede

78. Fedosh, Michael, Monmouth County Environmental Commission

79. Fernandez, Luis, East Jersey Chapter of Trout Unlimited

80. Fernandez, Richard, Trout Unlimited and United Bowhunters of New Jersey

81. Ferraro, Stephen

82. Fiore, Conrad

83. Fitzpatrick, John

84. Fleisch, John

85. Focaccia, Angelo

86. Fraidowitz, Bruce

87. Friedman, Carol

88. Fulmer, David, Trout Unlimited

89. G, John

90. Geist, Francine

91. Geist, Tim

92. Gerace, Dr. Joseph

93. Giacalone, Gary

94. Gittleman, Richard

95. Glynn, Timothy

96. Goldfarb, William, SEBS Rutgers University (Emeritus)

97. Griffen, Steve

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98. Harding, James

99. Hardy, Bill

100. Harvie, Joseph, Monroe Township Office of Public Information

101. Hicswa, George

102. Hoetzl, Carl

103. Holland, James

104. Holst, Carl

105. Hopken, Robert

106. Hoppe, Stephen

107. Hrycak, William, Hudson River Fisherman's Association

108. Huber, Andrew

109. Huber, Willi

110. Hundertmark, Richard

111. Illegible, V.

112. Jacinto, Abraham, North Jersey Chapter of Trout Unlimited

113. Jackson, James

114. Jacoby, Edward

115. Janiga, Edward

116. Jasper, Aaron

117. Johnston, Timothy

118. Joy, James

119. Kaczorowski, David

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120. Kafara, Jim
121. Kelly, Matt
122. Kennedy, Thomas
123. Kibler, William, Raritan Headwaters
124. Kim, John
125. King, Brittany
126. King, David
127. King, Thomas
128. Kinney, Jamie
129. Koehler, Andrew
130. Koehler, Erica
131. Kowtko, Brian
132. Kowtko, Gregory
133. Kristopovich, Ken
134. Kroncke, John
135. Kroncke, Robert
136. Krueger, Bryan, Trout Unlimited, Northwest Chapter
137. Krull, Bob, Trout Unlimited
138. Kujawski, Dennis, Trout Unlimited
139. Kummer, Richard
140. Kurtyka, Martin, East Jersey Chapter of Trout Unlimited
141. Latta, Thomas, Hacklebarney Chapter of Trout Unlimited

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142. Leary, William
143. Leonard, Edward
144. Leyemdecker, Henry
145. Licks, David
146. Liptak, Rich
147. Little, John
148. Lombardi, Lynette
149. Loproto, Jeffrey
150. Lunden, Kenneth
151. Lunden, Robert
152. Luszcz, John
153. Luty, Greg, Trout Unlimited
154. Madison, William
155. Madura, Fred, Trout Unlimited
156. Mainardi, Cathy, Ray Nerle Chapter of Trout Unlimited
157. Malizia, Richard
158. Mallick, Michael
159. Maltese, Matthew
160. Mann, Thomas
161. Mantz, Mike, Jersey Shore Chapter of Trout Unlimited
162. Marciniak, Stanley
163. Marek, Kenneth

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164. Maroldi, James
165. Martin, Andrew
166. Martinko, Ted
167. Martyniuk, Peter
168. Mas, Greg
169. Mason, Donald
170. Matlosz, Michael
171. McDonald, Ken
172. McDonald, Lois, Trout Unlimited
173. Meakin, John, Trout Unlimited
174. Meier, Glenn
175. Meirs, Mary Ann
176. Merritt, Bill
177. Mewes, Hans
178. Meyer, John
179. Michel, Gary
180. Mikitiuk, Michael, Trout Unlimited
181. Miller, David
182. Miraglia, Mary
183. Montefusco, Elaine
184. Montefusco, John
185. Montefusco, Linda

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186. Montefusco, Michele
187. Moos, Charlie
188. Mount, Thomas
189. Munsey, Chris
190. Nann, Brian, Trout Unlimited
191. Nash, James, Trout Unlimited
192. Nasuta, John
193. Neate, Will
194. Nee, Russell J.
195. Nesti, Alaine
196. Newsome, William
197. Ninke, William
198. Novak, Tom
199. O'brien, Chris
200. O'brien, Douglas
201. Ogrodik, Peter
202. OKeefe, Tim, Trout Unlimited
203. Oliver, William
204. Oliveri, Joseph
205. Olivo, Joseph
206. Parise, John, Fred S. Burroughs Chapter of Trout Unlimited
207. Parker, Walter

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208. Paventa, Mike
209. Peterson, Gary
210. Petto, James
211. Phiefer, Glenn
212. Picorale, Frank
213. Pittman, Daniel
214. Policastro, Joe
215. Polidoro, Karen, Monroe Township Environmental Commission
216. Polyi, Joseph
217. Post, Richard
218. Praschil, Bill
219. Preston, Charles
220. Quintile, Chris
221. Quirk, James
222. Radisic, Nikola
223. Raia, Jack Nordstedt, John
224. Reed Jr., John
225. Reed, Susan
226. Reese, James
227. Rembish, Edward
228. Ricciotti, Bob
229. Rice, John, Trout Unlimited

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230. Richelo, Gerard

231. Riggs, John, Monroe Township Department of Planning and Environmental
Protection

232. Rispoli, Ron, Trout Unlimited

233. Rist, Darren

234. Rizzo, J.

235. Romano Jr., Robert, Trout Unlimited

236. Rossi, Dominick

237. Round, Oliver

238. Rude, Harvey, Trout Unlimited

239. Rudel, Thomas

240. Rudella, Michael, Hacklebarney Chapter of Trout Unlimited

241. Rudella, Walter

242. Rush, Wayne

243. Ruskai, Ron

244. Sabol, Greg

245. Salegna, John

246. Sankowich, Michael

247. Santosusso, Kenneth

248. Sarhage, Lorraine

249. Sawyer Jr., Walter

250. Schindler, Steven

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251. Schirripa, Len
252. Schroettnig, Stephen
253. Schurak, Ira
254. Seborowski, Ray
255. Sharanevych, Oleh
256. Shepperd, Gary
257. Sielaff, Gerald
258. Signorella, Mike
259. Silvia, William, Trout Unlimited
260. Simonson, Fred
261. Sincaglia, Anthony
262. Sisco, Richard
263. Skinner, Jared
264. Smith, Barry
265. Smith, David
266. Smith, Richard
267. Snyder, Kenneth
268. Sohayda, Roger
269. Spangenberg, Frank
270. Speidel, Joseph
271. Sperduto, Tom
272. Squilanti, Todd

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273. Stephenson, Paul
274. Stevens, Jeremy
275. Stone, Stephen
276. Tafaro, Edward
277. Temmermand, James
278. Tereshin, Igor
279. Thomas, Rich
280. Tillery, Jason, East Jersey Chapter of Trout Unlimited
281. Tomiello, William
282. Toner, Peter
283. Toohey, Mike, Fred S. Burroughs Chapter of Trout Unlimited
284. Townes, John
285. Turner, Michael
286. Tweett, Joe
287. Uporsky, David, Trout Unlimited
288. Vacca, Paula
289. Van Benschoten, Andrea
290. Vance, Bill
291. Vance, William
292. Van Hentenryck, Ann, Trout Unlimited
293. Varkoly, George
294. Vickers, Gordon

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295. Vreeland, Charles, Trout Unlimited
296. Warga, Robert
297. Warkentin, Don
298. Warner, Jason
299. Warren, William, Trout Unlimited
300. Weaver, Martin
301. Weglinski, Warren
302. Westerman, Richard
303. Whitten, William
304. Williams, Kendell
305. Wilson Jr., Robert, Cranford Rod and Gun Club
306. Wolf, James
307. Wolitz, Mildred
308. Wonsala Jr., Anthony
309. Woodward, Brian
310. Wyciskala, John
311. Yacullo, Robert
312. Yemm, Kathleen
313. Young, Arthur, Trout Unlimited
314. Zajkowski, Robert
315. Zeck, Glenn, Trout Unlimited
316. Zmuda, Matthew

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317. Zywiec, Vince

318. The following 59 commenters submitted an identical form comment letter regarding the list of waters stocked with trout:

Aguilies, Rafael

Basik, Walle

Betz, Albert

Burke, Daniel

Cameron, Jaime

Cerontowski, Ronald

Colcrum, David

DePresco, Bobby

Doherty, Kimmarie

Dueker, George

Elias, M.

Florek, Casey

Guarino, Tommy

Hiljman, A.

Hodi, Ron

Horbatt, Wayne

Illegible

Illegible

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Illegible

Illegible, A.

Illegible, D.

Illegible, E.

Illegible, James

Illegible, O.

Illegible, Paul

Illegible, R.

Illegible, William

Illegible, Y.

Jensen, David

LaMantia, Scott

Meyers, James

Pacyna, Pat

Pavikicco, Joe

Pengue, Nick

Pine, Heather

Price, Cathy

Price, Rose

Quiles, Anthony

Quiles, Nicholas

Rapp, Eric

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Reid, G.

Reid, Joe

Russo, Jack

Ruts, Charles

Saliski, Michael

Saloom, Keith

Semancher, Robert

Shearn, Michael

Shunt, P.

Slaille, Edward

Slaille, Susan

Slaricek, Christopher

Thames, David

Torino, Mylissa

Williams, C.

Williams, Daniel

Williams, Meyhan

Williams, Patricia

Yoncak, Kurt

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319. The following 10 Trout Unlimited members submitted an identical form comment letter regarding the creation of catch and release only, artificial lures and flies only regulations on a 4.2 mile section of the Big Flat Brook:

Alora, Al

Bovowski, Joan

Bovowski, William

Illegible

Illegible, Edward

Lood, Timothy, Trout Unlimited

Lublaneski, Ted

McConachy, David

Nordstedt, John

S., Kim

320. The following 20 Trout Unlimited members submitted an identical email regarding the creation of catch and release only, artificial lures and flies only regulations on a 4.2 mile section of the Big Flat Brook and a 2.5 mile section of the South Branch of the Raritan in the Ken Lockwood Gorge Wildlife Management Area:

Bergeron, John

Byk, Jon

Cianciulli, Timothy

Conway, Brian

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Dickinson, Lewis

Flagler, Timothy

Grobert, Matthew

Jefferson, Andy

Kelly, Patricia

Kesse, Allen

Kornhaber, Gregory

Langell, James

Martino, Christopher

Maurer, Eric

McDermott, Paul

Pecker, Howard

Perlmutter, Stuart

Striffler, Michael

Tilis, Seth

Walker, David, Trout Unlimited

A summary of the comments timely submitted and the Council's responses follows. The number(s) in parentheses after each comment identifies the respective commenter(s) listed above.

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N.J.A.C. 7:25-6

1. COMMENT: The proposed changes to the Fish Code are supported in their entirety. (1, 8, 20, 29, 37, 51, 55, 60, 77, 83, 87, 88, 89, 94, 97, 103, 117, 122, 162, 165, 172, 185, 193, 210, 216, 230, 237, 238, 240, 241, 244, 253, 255, 259, 275, 279, 292, 309, 313, 315)

RESPONSE: The Council acknowledges the comments in support of the rule.

2. COMMENT: The public hearing should have been held at the Pequest Trout Hatchery located in Warren County instead of at the Division's Central Region Office at Assunpink. (72)

RESPONSE: The State Fish Code encompasses rules and regulations for the State's freshwater fisheries resources for the entire State. The Fish and Game Council selected the Division's Central Region Office, located in Monmouth County, for the public hearing as it is more centrally located than the Pequest Trout Hatchery, located in Warren County, and as such provides a greater opportunity for anglers from all across the state to participate.

3. COMMENT: The Trout Unlimited proposals for the Big Flat Brook and Ken Lockwood Gorge are supported. (79)

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RESPONSE: The adopted amendments for the establishment of catch and release only, artificial lures and flies only on a 4.2 mile section of the Big Flat Brook, and the 2.5 mile section of the South Branch of the Raritan in Ken Lockwood Gorge, although supported by Trout Unlimited, were developed by the Bureau of Freshwater Fisheries. In 2011, Trout Unlimited had requested that the Fish and Game Council designate a shorter segment of the Big Flat Brook, from Three Bridges downstream to the Roy Bridge, as a Year Round Trout Conservation Area. The area would have been restricted to artificial lures and flies only but would have allowed the daily harvest of one trout measuring 15 inches and over. The Division, however, recommended catch and release only regulations in order to determine the extent harvest plays in the limited trout availability that occurs shortly after the spring stocking period ends. The low number of trout may be a result of one or more factors, including significant harvest by anglers and/or a variety of ecological conditions.

4. COMMENT: The State minimum size limit on trout should be increased from nine inches to twelve inches. (289)

RESPONSE: In 2008, the Statewide minimum size limit on trout was increased from seven inches to nine inches to afford a greater level of protection to small, naturally reproducing trout populations, where only a few individuals exceeded the existing seven-inch size limit. As trout stocked from the Pequest Trout Hatchery average 10.5 inches, the current nine inch minimum size protects naturally occurring trout while allowing

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harvest of stocked trout. Since the majority of waters stocked by the Division do not have sufficient temperatures and/or oxygen levels to support trout throughout the year, it is important to continue to allow the harvest of stocked trout.

5. COMMENT: The proposed catch and release only, and artificial lures and flies only regulations, on a 4.2 mile section of the Big Flat Brook, and the 2.5 mile section of the South Branch of the Raritan in Ken Lockwood Gorge should be expanded to include the section of the Pequest River currently regulated as a Seasonal Trout Conservation Area. (133)

RESPONSE: The Council has proposed no changes to the Seasonal Trout Conservation Area regulations on the Pequest River. The newly established catch and release areas were developed for two river sections that have reproducing trout populations. Although the Pequest Trout Conservation Area supports an excellent year round trout fishery, it does not support a reproducing trout population. The popular fishery is maintained through active stocking from the adjacent Pequest Trout Hatchery. In addition, the Council and the Division of Fish and Wildlife manage the State's fishery resources for a variety of angler interests. In general, strict Year Round Catch and Release Only Areas appeal to very conservative anglers who prefer fishing for wild trout and do not desire to harvest fish. Year Round Trout Conservation Areas are somewhat less restrictive and appeal to more experienced anglers who still like the opportunity to occasionally harvest trout, with a daily creel limit of one trout, measuring 15 inches or

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more in length. Neither Year Round Catch and Release Only Areas, nor Year Round Trout Conservation Areas allow the use of bait at any time. Seasonal Trout Conservation Areas (STCA), such as the Pequest River, provide an angler more fishing opportunities at the State's more protected trout waters by allowing an angler to harvest six trout per day in April and May, during the height of trout fishing activity, but then restrict an angler's harvest to one trout per day, 15 inches or more in length, during the remainder of the year. During the first two months of the season, STCAs also allow the use of bait as well as artificial lures and flies; after May and through March, only artificial lures and flies may be used. The Council is satisfied with the balance of fishing opportunities and protections that these various regulations provide and is not seeking to regulate anymore of the State's trout waters, including the Pequest River, as Year Round Catch and Release Only.

6. COMMENT: The Council should not reduce the number of rivers and streams stocked with trout, as landowners no longer allow anglers to access streams because the State no longer stocks them. (194)

RESPONSE: A number of stocking points along privately owned stream sections have been lost over the years due to changes in ownership, liability concerns, or as a direct result of poor angler behavior (improper disposal of garbage, destruction of property, etc.). Discontinuing stocking of a privately owned section of water is generally at the request of the landowner unless the landowner has failed to provide access to all

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anglers. Stocking at several small streams with reproducing trout populations was discontinued in recent years to protect natural reproducing trout populations. Angler interest in fishing for stocked trout in these small tributaries was very low to non-existent, and all of the streams had other trout angling opportunities nearby. The Division, in cooperation with the Fish and Game Council, continually evaluates angler use and interest for its successful trout stocking program. The Division readily seeks out additional opportunities for stocked trout and, although stocking points have been lost over the years, a number of stocking locations have been added as well. Furthermore, in order to limit requests to discontinue stocking a private stream as a result of angler behavior, the Division has posted reminders to anglers emphasizing the importance of respecting private property in all trout stocked waters' signs. Respectful behavior of all anglers will help protect the number of angling opportunities in the years to come.

7. COMMENT: American Shad in the Delaware River should be no kill with the exception of a one fish limit for accidental mortality. (229)

RESPONSE: The Council has proposed no changes to the taking of American shad in the Delaware Bay and Delaware River and its tributaries for the 2014–2015 Fish Code. Data analysis of the Delaware stock, completed in conjunction with the Delaware River Basin Fish & Wildlife Management Cooperative, was integrated into the Delaware Basin Sustainability Plan (DBSP). The DBSP, reviewed and approved by the Atlantic States Marine Fisheries Commission in February 2012, establishes that American shad

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stocks in the Delaware River are sustainable. As such, angling regulations remain unchanged for the Delaware River and its tributaries, with three fish allowed per day at N.J.A.C. 7:25-6.20. States comprising the Delaware River Basin Fish & Wildlife Management Cooperative continue to monitor the shad stocks in the Delaware River.

8. COMMENT: Trout stocking in Yellow Brook should be increased to 300 trout. (282)

RESPONSE: The number of trout stocked into a particular waterbody is determined by a formula which incorporates physical, biological and social factors associated with the particular waterway. The trout stocking formula and the specific criteria for assessing these factors are established in the Coldwater Management Plan, not in the Administrative Code. The Coldwater Management Plan is available on the Division's website at <http://www.njfishandwildlife.com/cwfmp.htm>

9. COMMENT: The amendments will have no effect unless they are enforced. (221)

RESPONSE: The Council acknowledges enforcement is an important component to any regulatory change. For that purpose, Bureau of Law Enforcement personnel are active participants in the rulemaking process and they work diligently to enforce all Council regulations. The Division also alerts anglers to regulatory changes through the

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Freshwater Digest, signage along affected waterways, and through the Division website to educate them on important rule changes.

10. COMMENT: The impact of fracking is detrimental to water quality in New Jersey streams. (155)

RESPONSE: The practice of fracking of marcellus shale for natural gas reserves is beyond the scope of the State Fish Code and the authority of the Fish and Game Council.

11. COMMENT: A no-hunting buffer zone should be created along fishing streams. (182)

RESPONSE: The creation of a no-hunting zone along streams for fishing is beyond the scope of the State Fish Code.

12. COMMENT: There has been a decrease in the number of large party boats targeting flounder, weakfish and other species, as well as a decrease in the number of sportfishing vessels targeting these species. These factors should be considered in establishing flounder and weakfish size and creel limits. (204)

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RESPONSE: The State Fish Code establishes season, size and creel limits for freshwater fish species, and regulations on migratory fish species while those species are in fresh waters of the State, not marine fish species such as flounder and weakfish. Changes to size and creel limits for flounder and weakfish would require a marine fisheries regulatory change promulgated by the Department in conjunction with Marine Fisheries Council and are beyond the scope of this proposal and the authority of the Fish and Game Council.

13. COMMENT: There should be a maximum size limit for striped bass similar to redfish. (263)

RESPONSE: The Council has proposed no changes to the taking of striped bass for the 2014–2015 Administrative Code. Similar to other anadromous species, striped bass reside in fresh water for only a few months each spring for spawning purposes. As they are more widely targeted—both recreationally and commercially—in marine waters, regulation changes concerning their take are generated by the Department’s Bureau of Marine Fisheries in cooperation with the Marine Fisheries Council. Freshwater regulations are then amended to be consistent with marine regulations. Therefore the maximum size limit of striped bass is beyond the scope of this proposal and the Authority of the Fish and Game Council.

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N.J.A.C 7:25-6.3(i)

14. COMMENT: The addition of Manalapan Lake, located in Middlesex County, to the Division's trout stocking program is supported. (38, 100, 143, 195, 215, 231, 318)

RESPONSE: The Council acknowledges the comments in support of this amendment.

15. COMMENT: The addition of Franklin Lake, located in Monmouth County, to the Division's trout stocking program is supported. (78)

RESPONSE: The Council acknowledges the comment in support of this amendment.

16. COMMENT: The discontinuing of trout stocking at Shadow Lake, located in Monmouth County, is opposed. (78, 81)

RESPONSE: As addressed in the proposal, limited public access at Shadow Lake results in poor angler participation. Opening day angler counts in 2005 (15 anglers), 2006 (7 anglers), 2011 (16 anglers) and 2013 (18 anglers) document the low angler turnout. The Council was advised that continuing to stock Shadow Lake was an inefficient use of the State's limited supply of cultured trout. As an alternative to Shadow

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Lake, local anglers may enjoy eight other trout-stocked waterbodies within a ten-mile radius of the lake.

17. COMMENT: The discontinuing of trout stocking at Lake Takanassee, located in Monmouth County, is opposed. (78)

RESPONSE: The bulkhead at Takanassee Lake was severely damaged during Hurricane Sandy, resulting in draining of the lake. The timeframe for completing bulkhead repairs and refilling the lake is uncertain. Moreover, Takanassee Lake is immediately adjacent to the Atlantic Ocean and periodic saltwater intrusion has impacted the lake's freshwater fisheries, including the viability of stocked trout. As a result, the Council decided that continued stocking of the lake with trout was not the best use of these limited resources. Therefore, as part of this proposal, the Council has replaced Lake Takanassee with Franklin Lake located three miles further inland. Franklin Lake has excellent angler access and will maintain local trout fishing opportunities.

18. COMMENT: The addition of Nomahegan Park Pond, located in Union County, to the Division's trout stocking program is opposed because the pond is not accessible due to plantings and a fence installed around the pond, and the fish were removed from the lake. (312)

RESPONSE: As part of a lake restoration project, Union County recently dredged Nomahegan Park Pond. Shoreline vegetation was replanted around the pond

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perimeter to stabilize its banks and to serve as a natural filter for runoff entering the pond.

The temporary snow fence installed to protect the new plants until they become established will be removed prior to trout stocking, allowing anglers access around the entire perimeter of the pond. The fish were removed and relocated as a result of the dredging project. However, the pond was restocked with a variety of warmwater fish species in 2013.

19. COMMENT: The addition of Mountain Lake, located in Warren County, to the Division's trout stocking program is supported. (148, 150, 151, 175, 269, 307)

RESPONSE: The Council acknowledges the comments in support of this amendment.

20. COMMENT: The addition of Mountain Lake, located in Warren County, to the Division's trout stocking program is opposed because the lake lacks public access and the muskies stocked in the lake will eat the trout. (98)

RESPONSE: Mountain Lake was removed from the Division's trout stocking program in 2006 due to the lake's large size and limited public access resulting in poor angler turnout. Since that time, Liberty Township has acquired property along the shoreline as well as a boat ramp improving public access. The Council is reinstating trout stocking to acknowledge the Township's affirmative efforts towards improving angling

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access. The Division will continue to monitor angler participation through opening day angler counts in order to determine if the access improvements result in a significant increase in anglers fishing for trout than in past years.

To meet the variety of fishing interests of the angling public, the Division stocks several lakes with trout, for a seasonal angling opportunity, as well as larger esocids, such as Muskellunge and Northern pike. Although some predation may occur, both programs have proven successful in waters where both types of fish are actively stocked.

N.J.A.C. 7:25-6.4

21. COMMENT: The year-round catch and release only, and artificial lures and flies only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are supported. (2, 4, 11, 15, 16, 26, 27, 32, 33, 40, 41, 49, 52, 53, 56, 67, 71, 72, 75, 76, 84, 86, 91, 92, 96, 98, 99, 108, 110, 112, 114, 116, 119, 120, 126, 133, 136, 141, 142, 145, 146, 154, 157, 160, 163, 164, 166, 169, 170, 174, 178, 179, 184, 186, 188, 196, 197, 199, 202, 206, 212, 217, 218, 224, 225, 226, 228, 233, 236, 243, 246, 250, 252, 256, 260, 264, 271, 276, 281, 283, 287, 291, 292, 293, 294, 295, 302, 303, 305, 310, 314, 317, 319, 320)

RESPONSE: The Council acknowledges the comments in support of this amendment.

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22. COMMENT: The year-round catch and release only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are supported. The commenters did not indicate either support or opposition to allowing spin casting with artificial lures in this long-standing fly fishing only stretch. (3, 10, 12, 14, 17, 18, 19, 21, 22, 23, 24, 25, 30, 34, 35, 36, 39, 43, 44, 46, 47, 48, 50, 54, 57, 61, 62, 64, 70, 74, 80, 82, 83, 95, 104, 106, 115, 121, 124, 125, 127, 128, 129, 130, 131, 132, 137, 138, 139, 141, 147, 153, 155, 156, 158, 161, 167, 171, 176, 181, 183, 187, 189, 190, 191, 203, 207, 208, 214, 220, 222, 229, 232, 237, 239, 247, 249, 251, 258, 265, 268, 272, 284, 286, 288, 290, 296, 298, 301, 304, 306, 311)

RESPONSE: The Council acknowledges the comments in support of this aspect of the rule.

23. COMMENT: The year-round catch and release only, and artificial lures and flies only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are supported, but the regulations should be further restricted to single barbless hooks only to improve survival and minimize injury to trout when released. (5, 63, 80, 85, 101, 107, 109, 198, 261, 262, 277, 299)

RESPONSE: There is a considerable amount of data on delayed hooking mortality associated with catch and release. The extent of mortality is affected by numerous variables including, but not limited to, species of fish, water temperature, hook

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size, artificial versus live bait, handling time, and hook location. The many variables affecting survival provide for a wide range of results in the literature. Typical study results document mortalities ranging from zero percent to 15 percent.

The Council does not disagree that barbless single hooks may reduce handling time. However, as it is one of several factors determining the extent of delayed hooking mortality, the Council prefers to address the issue through education rather than regulation at this time. Furthermore, special regulation areas, such as the 4.2 mile stretch of the Big Flat Brook discussed here, typically attract more experienced anglers who are well versed in proper angling and handling techniques. Proper angling and handling techniques are essential to the safe release of any fish caught, regardless of the type of hook used. As such, the risk of injury or delayed mortality with the use of treble hooks—when fished properly—is anticipated to be no greater than with other hook types. The Council will continue to monitor results of electrofishing surveys in the Big Flat Brook and can amend regulations in the future if warranted.

24. COMMENT: The year-round catch and release only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are supported, but the use of artificial lures (spin casting) should be prohibited. (28, 31, 69, 105, 149, 177, 182, 235, 273, 280, 297) Seven of the eleven commenters are concerned increased fishing pressure will result if spin casting is allowed. (28, 31, 69, 105, 182, 273, 280) One commenter indicated all Trout Conservation Areas should be

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fly fishing only (177), while another commented that the Blewitt Tract, a 0.5 mile section of the Big Flat Brook, should remain fly fishing only. (235)

RESPONSE: The Council manages the State's aquatic resources for a diversity of angling interests. Restricting all Trout Conservation Areas (TCA) to fly fishing prevents spin casters from having any opportunity to fish the State's premier trout waters. Increased angling interest in fishing the traditional fly fishing only section of the Big Flat Brook is anticipated to be offset by the no-harvest restrictions that will only appeal to a narrower set of anglers. The Council's past experiences with incorporating fly fishing only areas into more conservative harvest regulations have shown that the regulations result in a more dispersed angling activity over the course of the year, thus mitigating the pressures of increased interest. Continuing to regulate the 0.5 mile Blewitt section separately from the 4.2 mile stretch, as suggested by one commenter, will prevent the Council from addressing the longstanding confusion caused by the differing regulations that were previously applied to various sections of the 4.2 mile stretch of the Big Flat Brook.

25. COMMENT: The use of artificial lures (spin casting) should be prohibited because more injury and mortality are associated with the use of lures, especially treble hooks. One five commenters indicated that catch and release regulations were more appropriate with fly fishing only regulations. (254) The commenters did not indicate either support or opposition to proposed year round catch and release only regulations for

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a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge. (6, 66, 173, 254, 257)

RESPONSE: As noted in Comment 23, special regulation areas, particularly those requiring catch and release of all fish, typically attract more experienced anglers who are well versed in proper angling and handling techniques. Proper angling and handling techniques are essential to the safe release of any fish caught, regardless of the type of hook used or method of fishing. As such, the risk of injury or delayed mortality with the use of treble hooks—when fished properly—is anticipated to be no greater than with other hook types. Catch and release regulations therefore are not more appropriate with fly fishing versus artificial lures (spin casting). The Council will continue to monitor results of electrofishing surveys in the Big Flat Brook and can amend regulations in the future if warranted.

26. COMMENT: The year round catch and release only, and artificial lures and flies only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are opposed. (13, 68, 73, 93, 111, 135, 144, 152, 159, 192, 201, 209, 223, 242, 254, 257, 270, 285) Ten of the 18 commenters are concerned with eliminating the last remaining fly fishing only area in the State, and there are many other areas throughout the state for spincasters. (13, 68, 93, 144, 209, 242, 254, 257, 270, 285) Three of the 18 commenters contend that the Blewett Tract must remain

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fly fishing only in accordance with the original landowner's wishes. (152, 223, 254) One commenter believes the regulation changes will not improve trout abundance because the habitat and water temperatures limit summer time trout availability. (223) Two of the commenters have further concerns that the regulation change will result in a reduction or elimination of trout stocking in this area. (135, 254)

RESPONSE: The Council manages the State's aquatic resources for a diversity of angling interests. Not unlike spin casting with artificial lures, fly fishing is permitted in all areas open to the general public for fishing, not just within specially designated stretches. As such, while the amendment does eliminate the only area in the State restricted to fly fishing only, fishing with a fly rod is permitted everywhere there is public access for fishing . The Council understands that certain fly anglers prefer not to share the stream with anglers using spincasting gear. And although the Council acknowledges that fly fishing only stretches often carry a perception of high-quality fishing, through these regulatory changes the Council is hopeful that a true holdover fishery will result as current electrofishing surveys indicate few trout remaining by mid-summer. Temperature data loggers installed by the Division indicate sufficient water temperatures to support trout throughout the year.

The middle section (0.5 miles), of the 4.2 mile stretch, known as the Blewett Tract, is within the Delaware Water Gap National Recreation Area. The property was formerly owned by the Blewett family who allowed anglers to fish, provided they fly-fished. When the property was obtained by the Federal government, this tradition (year-

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round fly fishing only, no bait or spin fishing) was formally adopted in the 1962 Fish Code. The Blewett stretch was long believed by anglers to be deed-restricted for this fly fishing regulation. However, a copy of the deed revealed that no such restriction existed as part of the property acquisition. The Council believes that the adopted catch and release regulations— and improvements to the fishery that will result—fulfill the original spirit of providing anglers a quality trout fishery experience on this section of the Big Flat Brook.

The Division at this time is not planning any changes to current stocking practices in the Big Flat Brook as a result of these regulation changes.

27. COMMENT: The year-round catch and release only regulations for a 4.2 mile section of the Big Flat Brook, from the Route 206 bridge downstream to the Roy Bridge are opposed. The harvest should continue—even if at a reduced level—because some level of hooking mortality is likely and anglers should be allowed to keep fish that will not survive. The commenters did not indicate either support or opposition to allowing spin casting with artificial lures in this traditional fly fishing only stretch. (118, 140, 159, 201, 211, 223, 227, 264, 278, 282, 308)

RESPONSE: Although this stretch of the Big Flat Brook has had gear restrictions, prior to adoption of the current amendments making it catch and release only, it carried a liberal harvest limit of six trout per day from Opening Day to May 31, and four trout at all other times. Electrofishing surveys conducted during the summer of

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2007 and 2012 indicate very few trout remained by mid-summer. The low number of trout may be a result of one or more factors, including significant harvest by anglers and/or a variety of ecological conditions. Year-round catch and release regulations will help ascertain the role the liberal harvest plays in limited trout availability, while restoring the quality holdover trout fishery. By allowing harvest to continue in this stretch, even at reduced levels, it would be difficult to assess the impact of current harvest regulations and the recovery of the fishery would be delayed.

The Council acknowledges that there may be some occasional mortality with incorrectly hooked trout and the catch and release regulations will prevent anglers from keeping any fish that would not survive. However, conservative no-harvest regulations tend to attract more experienced anglers, and through education, any mortality would be considerably reduced. The Council also believes that the overall benefits to these regulations in improving the fishery outweigh these concerns.

28. COMMENT: The year-round catch and release only regulations for a 2.5 mile stretch of the South Branch of the Raritan River within Ken Lockwood Gorge Wildlife Management Area are supported. (2, 3, 4, 7, 10, 12, 14, 15, 16, 17, 19, 21, 33, 34, 36, 39, 43, 44, 46, 47, 49, 50, 52, 57, 59, 61, 65, 67, 70, 72, 80, 82, 83, 84, 86, 90, 91, 92, 95, 96, 104, 105, 106, 115, 116, 119, 120, 123, 124, 125, 126, 128, 131, 132, 133, 138, 139, 141, 145, 154, 155, 156, 157, 158, 160, 161, 166, 168, 170, 176, 177, 180, 181, 183, 184, 187, 189, 190, 191, 196, 197, 199, 200, 202, 212, 214, 217, 218, 219, 222, 224,

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229, 232, 234, 246, 247, 249, 252, 257, 260, 264, 272, 276, 280, 281, 283, 284, 286, 287, 288, 290, 293, 294, 296, 297, 298, 300, 303, 304, 306, 310, 311, 314, 316, 317, 320)

RESPONSE: The Council acknowledges the comments in support of this amendment.

29. COMMENT: The year-round catch and release only regulations for a 2.5 mile stretch of the South Branch of the Raritan River within Ken Lockwood Gorge Wildlife Management Area are supported, but the use of treble and/or barbed hooks should be prohibited. (113, 205, 299)

RESPONSE: The Council acknowledges the comments in support of this amendment.

As addressed in the response to Comment 23, the Council agrees that barbless single hooks may reduce handling time. However, as it is one of several factors determining the extent of delayed hooking mortality, the Council prefers to address the issue through education rather than regulation at this time. Special regulation areas typically attract more experienced anglers who are well versed in proper angling and handling techniques. Proper angling and handling techniques are essential to the safe release of any fish caught, regardless of the type of hook used. The Council will continue to monitor results of electrofishing surveys in the South Branch of the Raritan River

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within Ken Lockwood Gorge Wildlife Management Area and can amend regulations in the future if warranted.

30. COMMENT: The year-round catch and release only regulation for a 2.5 mile stretch of the South Branch of the Raritan River within Ken Lockwood Gorge Wildlife Management Area is opposed because the regulation change will result in decreased stocking, anglers will no longer be able to keep large trophy trout, and anglers would still prefer to have the opportunity to harvest a trout. (118, 159, 278, 285, 308)

RESPONSE: The Division at this time is not planning any changes to current stocking practices in the Ken Lockwood Gorge as a result of these regulation changes. In response to anglers concerns of not being able to keep large trophy trout, 99.5 percent of trout captured during electrofishing surveys in the Ken Lockwood Gorge are less than the current 15-inch minimum size limit, indicating that the current harvest of larger trout may be preventing the fishery from fully developing to its potential. Angler catch records provide further evidence of the low occurrence of larger trout, with 96 percent of the 1,197 trout reportedly caught measuring less than 15 inches. It is acknowledged that anglers wishing to harvest a trout would be forced to seek other areas to fish. However, the Council feels that the overall benefits to these regulations in protecting the wild trout population outweighs displacement of a small number of anglers.

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31. COMMENT: The catch and release regulations are supported in general.

(102, 245, 267, 274)

RESPONSE: The Council acknowledges the comments in support of the rule.

32. COMMENT: Baits that have been coated with a scent or chemical attractant should be banned from all catch and release, artificial lure only streams. The commenter had concerns with baits produced by one particular manufacturer which may not indicate the bait is infused with a chemical attractant. (45)

RESPONSE: The use of scented baits of all kinds is prohibited from the two newly created catch and release only, artificial lures and flies only stretches on the Big Flat Brook and South Branch of the Raritan section in Ken Lockwood Gorge. The manufacturer referenced by the commenter produces a full range of fishing tackle. Any substance—either a natural or synthetic compound— whether labeled or not that contains a concentration of bait scent is prohibited in these areas.

N.J.A.C. 7:25-6.9(a)

33. COMMENT: Regulating Tilcon Lake as a Holdover Trout Lake is supported. (302)

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RESPONSE: The Council acknowledges the comments in support of this amendment.

34. COMMENT: Regulating Tilcon Lake as a Holdover Trout Lake is opposed due to concerns that it will attract more anglers, resulting in more garbage, and the lake would be closed during the pre-season stocking period, which is also a popular time for bass fishing. (213)

RESPONSE: Holdover trout lakes are open to fishing year round and are not subjected to the pre-season fishing closure, so the regulation will not impact anglers targeting other species such as bass. Although New Jersey offers a diversity of stream trout fishing opportunities, Tilcon would be one of only six public lakes that support trout year round. Holdover trout regulations not only establish reduced creel limits and seasons on brook, brown and rainbow trout, but also establish 12-inch minimum size, and a daily creel limit of two per day for landlocked salmon, a close cousin of brown trout. The establishment of a landlocked salmon fishery in Tilcon Lake would enhance recreational fishing opportunities for this species currently stocked in only two other waterbodies within the State. Unlike other trout species stocked, landlocked salmon are stocked only in the fall. The Division has no plans to stock brook, brown or rainbow trout species into Tilcon Lake. In response to the amendment resulting in increased garbage from park visitors, the Council notes that it is equally disheartened with the extensive littering that occurs within the State's natural areas. However, the Council does not

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believe this regulation change will result in additional trash issues because the remote, undeveloped access and small parking area will still continue to be a deterrent to a majority of anglers.

N.J.A.C. 7:25-6.10(d)

35. COMMENT: The amendment prohibiting the possession, take or sale of alewife or blueback herring from any freshwater stream or river is supported. (78)

RESPONSE: The Council acknowledges the comments in support of this amendment.

N.J.A.C. 7:25-6.11(a)2iv

36. COMMENT: The amendment prohibiting the use of gill nets, staked or floating, in freshwater rivers or streams where the presence of migratory populations of alewife or blueback herring has been documented is supported. (78)

RESPONSE: The Council acknowledges the comments in support of this amendment.

N.J.A.C. 7:25-6.13(d)

37. COMMENT: The elimination of catch and release regulations for largemouth and smallmouth bass in Lake Audrey (Cumberland County), and the

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establishment of a 15-inch minimum size limit and a daily creel and possession limit of three for largemouth and smallmouth bass in the lake are opposed. The lake should continue to be regulated as catch and release only, and further restricted to artificial lures only. (317)

RESPONSE: As addressed under Agency-Initiated Changes, pH levels at Lake Audrey have continued to decline since the proposal. Current levels are too low to support either species of bass or forage species such as sunfish. As a result, the Council is not adopting this amendment. Existing catch and release only regulations will still apply.

N.J.A.C. 7:25-6.13(o)

38. COMMENT: The closure of all American shad fisheries with the exception of the Delaware Bay, Delaware River and its tributary State waters is supported. (78)

RESPONSE: The Council acknowledges the comments in support of amendment.

N.J.A.C. 7:25-6.22

39. COMMENT: The harvest of snapping turtles is opposed. (42)

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RESPONSE: The commercial and recreational harvest of snapping turtles has been allowed for over 20 years. The adopted amendments establish stricter, more enforceable float designs to ensure greater survival of both targeted and untargeted species of turtles. The amendments do not expand the harvest of snapping turtles or allow the harvest of any other currently non-targeted turtle species.

40. COMMENT: The current regulations pertaining to the harvest of snapping turtles are extremely restrictive and the harvest of snapping turtles should be expanded into marine waters. (9, 58) One commenter notes a belief that it was allowed in the past. (58)

RESPONSE: The commercial and recreational harvest of snapping turtles is regulated through the State Fish Code, promulgated by the New Jersey Fish and Game Council, which pertains to the fresh waters of the State as delineated by designated license lines in N.J.A.C. 7:25-16.1. Three turtles may be harvested recreationally with a freshwater fishing license. Commercial harvest requires a permit issued by the Bureau of Freshwater Fisheries. The permits are only valid in fresh waters of the State. For a \$2.00 application fee an applicant can obtain a permit to harvest an unlimited number of turtles in up to ten fresh waters of the State. Applicants indentify the waterbodies they wish to trap on their application. Harvesters may obtain multiple permits. As a result, current snapping turtle harvest regulations are quite liberal.

The harvest of snapping turtles has never been permitted in marine waters. Expanding the harvest of snapping turtles into marine waters would require a marine

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fisheries regulatory change promulgated by the Department in conjunction with Marine Fisheries Council. Commercial harvesters inquiring about expanding harvest into marine waters have been instructed to contact the Division's Bureau of Marine Fisheries.

Summary of Agency-Initiated Changes

In addition to the change in response to comments explained above, the Fish and Game Council is modifying the following provision on adoption:

N.J.A.C. 7:25-6.13(d)

The Council had proposed to amend N.J.A.C. 7:25-6.13(d) to remove catch and release regulations for largemouth and smallmouth bass in Lake Audrey (Cumberland County), a 120 acre borrow pit, and to establish a 15-inch minimum size limit and a daily creel and possession limit of three for largemouth and smallmouth bass in the lake. The proposed change was in response to declining pH levels—initially stabilized by liming—that were no longer conducive to supporting a reproducing smallmouth bass population. At the time, largemouth bass continued to demonstrate good growth rates. However, pH measurements taken in August 2013, subsequent to the publication of the proposed amendments, indicate a continued decline in pH with levels as low as 4.24 documented. Levels of pH less than 5.7 are too low to sustain either bass species or any other warmwater fish species. In addition, electrofishing surveys conducted this past summer indicate only a few remaining adult bass and a complete absence of sunfish that once provided the forage base to sustain the fishery. Accordingly, the Council is not making

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this change at this time. Should pH levels change in Lake Audrey and the lake become conducive to supporting a reproducing smallmouth bass population, the Council will consider proposing this change as part of a future rulemaking.

Federal Standards Analysis

Executive Order No. 27 (1994) and N.J.S.A. 52:14B-1 et seq. require State agencies which adopt, readopt or amend State regulations that exceed any Federal standards or requirements to include in the rulemaking document a Federal standards analysis.

The United States Fish and Wildlife Service regulates the harvesting of freshwater fish in National Wildlife Refuge Areas in New Jersey pursuant to the National Wildlife Refuge System Administration Act, 16 U.S.C. § 668dd (1966), and regulations (50 CFR –32.49).

In all other areas of the State, where there are no Federal regulations pertaining to the harvest of freshwater fish, the State's Fish Code applies.

The adopted amendments to the Fish Code do not contain any standards or requirements that exceed Federal regulations involving the National Wildlife Refuge Areas.

Accordingly, Executive Order No. 27 (1994) and N.J.S.A. 52:14B-1 et seq. do not require further analysis.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks *[thus]*):

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7:25-6.13 Warmwater fish

(a)-(c) (No change.)

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

(e) The minimum length for Largemouth and Smallmouth Bass shall be 12 inches with a daily creel and possession limit of five in total, except for Alloway Lake (Salem County), Assunpink Lake (Monmouth County), *[Lake Audrey (Cumberland 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)-(n) (No change.)

(o) (No change from proposal.)

(p)-(u) (No change.)