

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Agency

Department of Energy and Environmental Protection

Subject

Commercial Fishing in the Inland and Marine Districts

Inclusive Sections

§§ 26-142a-1—26-142a-16

CONTENTS

Sec. 26-142a-1.	Inland commercial species
Sec. 26-142a-2.	Locations. In the inland district commercial fishing is permitted only in the following areas:
Sec. 26-142a-3.	Repealed
Sec. 26-142a-3a.	Area-gear restrictions
Sec. 26-142a-4.	Seasons
Sec. 26-142a-5.	Closed season for fyke, trap and pound nets in Connecticut River
Sec. 26-142a-6.	Commercial fishing gear specifications
Sec. 26-142a-7—26-142a-11.	Repealed
Sec. 26-142a-7a.	Species — area limitations
Sec. 26-142a-8a.	Species restrictions
Sec. 26-142a-9.	Repealed
Sec. 26-142a-12.	Taking and sale of bait species
Sec. 26-142a-13—26-142a-14.	Repealed
Sec. 26-142a-15.	When a license is not required
Sec. 26-142a-16.	Definitions

Commercial Fishing in the Inland and Marine Districts

Sec. 26-142a-1. Inland commercial species

Subject to the provisions of section 26-142a-3a to section 26-142a-7a, inclusive, of the Regulations of Connecticut State Agencies, only the following species may be taken for commercial purposes in those areas of the inland district described in section 26-142a-2 of the Regulations of Connecticut State Agencies:

- (a) Carp (*Cyprinus carpio*)
- (b) Common sucker (*Catostomus commersonii*)
- (c) American eel (*Anguilla rostrata*)
- (d) Sea lamprey (*Petromyzon marinus*)
- (e) Atlantic tomcod or "frostfish" (*Microgadus tomcod*)
- (f) Hickory shad (*Alosa mediocris*)
- (g) American shad (*Alosa sapidissima*)
- (h) Alewife (*Alosa pseudoharengus*)
- (i) Blueback (glut or river) herring (*Alosa aestivalis*)
- (j) White perch (*Morone americana*)
- (k) Yellow perch (*Perca flavescens*)
- (l) Catfish species (*Ictalurus* spp.)

(m) **Bait species.** Only the following species of minnows and other bait species, except as provided in section 26-55-5 of the Regulations of Connecticut State Agencies, may be taken commercially for sale as bait:

- (1) golden shiner or "pond shiner" (*Notemigonus crysoleucas*);
- (2) common shiner (*Luxilus cornutus*);
- (3) fallfish (*Semotilus corporalis*);
- (4) creek chub (*Semotilus atromaculatus*);
- (5) spottail shiner or "river bait" (*Notropis hudsonius*);
- (6) bridle shiner (*Notropis bifrenatus*);
- (7) blacknose dace (*Rhinichthys atratulus*);
- (8) longnose dace (*Rhinichthys cataractae*);
- (9) pearl dace (*Margariscus margarita*);
- (10) bluntnose minnow (*Pimephales notatus*);
- (11) fathead minnow (*Pimephales promelas*);
- (12) cutlips minnow (*Exoglossum maxillingua*);
- (13) chub sucker (*Erimyzon oblongus*);
- (14) banded killifish (*Fundulus diaphanus*);
- (15) mummichug (*Fundulus heteroclitus*);
- (16) striped killifish (*Fundulus majalis*);
- (17) tidewater silverside (*Menidia beryllina*);
- (18) Atlantic silverside (*Menidia menidia*);
- (19) bay anchovy (*Anchoa mitchilli*);
- (20) sheepshead minnow (*Cyprinodon variegatus*);

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-2

Department of Energy and Environmental Protection

- (21) mullet species (*Mugil* spp.);
- (22) Frogs (except northern leopard frog, *Rana pipiens*);
- (23) perch bugs;
- (24) helgramites;
- (25) mayfly nymphs;
- (26) other aquatic insects;
- (27) crayfish (except rusty crayfish, *Orconectes rusticus*);
- (28) shrimp (families Crangonidae, Palaemonidae, and Penaeidae).

(n) Any species of crustaceans, except as provided in section 26-55-5 of the Regulations of Connecticut State Agencies, provided lobsters and blue crabs shall meet minimum legal size requirements and be taken by legal methods, as specified in Title 26, Chapter 490 of the Connecticut General Statutes.

(Effective September 18, 1990; Amended December 27, 2006; Amended October 4, 2011)

Sec. 26-142a-2. Locations. In the inland district commercial fishing is permitted only in the following areas:

(a) Connecticut River system:

(1) The main body of the river from the I-95 highway bridge at Old Saybrook-Old Lyme to the Massachusetts-Connecticut state line.

(2) The coves and portions of tributaries which are subject to tidal fluctuation except the Farmington River and its coves and flood waters and the Salmon River and its coves and flood waters.

(3) The temporary or seasonal pools formed by the flood waters of the Connecticut River.

(4) That portion of the Hockanum River lying within the boundaries of the township of East Hartford.

(5) Bait species as defined in section 26-142a-1 (n) may be taken for commercial purposes in the Hockanum River and its impoundments or portions of impoundments within the township of East Hartford.

(6) That portion of the Blackhall River which lies within the inland district and which is subject to tidal fluctuation.

(7) That portion of the Lieutenant River which lies within the inland district and which is subject to tidal fluctuations.

(b) Housatonic River system:

(1) The main body of the river from the Merritt Parkway upstream to the Derby electric plant in Derby.

(2) The coves and portions of tributaries subject to tidal fluctuation.

(3) The temporary or seasonal pools formed by the flood waters of the Housatonic River within the limits established by (1) above.

(4) The impoundments known as Lake Housatonic and Lake Zoar may be fished commercially for eels, carp and suckers only.

(c) Quinnipiac River system:

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Department of Energy and Environmental Protection

§26-142a-3a

(1) The main body of the river lying between the marine-inland district demarcation line and a point five hundred feet downstream of the Hanover Dam, Meriden.

(2) The coves and portions of tributaries subject to tidal fluctuation.

(3) Bait species may be taken for commercial purposes in the river and its impoundments to a point five hundred feet downstream of the Hanover Dam, Meriden.

(d) Thames River system:

(1) The main body of the river which lies within the inland district and which is subject to tidal fluctuation.

(2) The coves and portions of tributaries subject to tidal fluctuation.

(3) The temporary or seasonal pools caused by flood waters within the limits established by (1) above.

(e) **Quinebaug River system:** Bait species may be taken for commercial purposes in the main body of the river from the Massachusetts state line downstream to the bridge on Route 6 at Danielson and from its impoundments or portions of impoundments from the Massachusetts state line downstream to Providence Street in Putnam.

(f) French River system:

(1) The main body of the river lying within the boundaries of the township of Thompson.

(2) Bait species may be taken for commercial purposes in the main body of the river and its impoundments lying within the township of Thompson.

(g) Shetucket River system:

(1) Bait species may be taken for commercial purposes in the main body of the river and its impoundments from the junction of the Willimantic River and Natchaug River downstream to the Scotland Dam, Windham.

(2) Bait species may be taken for commercial purposes in the main body of the river and its impoundments from the Route 97 bridge in Sprague downstream to the bridge on Route 12 in Lisbon-Norwich.

(Effective May 19, 1995)

Sec. 26-142a-3. Repealed

Repealed January 1, 1981.

Sec. 26-142a-3a. Area-gear restrictions

(a) No commercial fishing gear shall be used for taking any fish in that portion of North Cove, as indicated by posters and known as Fall River, in the township of Essex.

(b) Pound nets and trap nets shall not be used to take any fish in the area lying between lines drawn south in Long Island Sound to the New York state line from Fenwick Dock, Old Saybrook, and from Mill Creek (Mile Creek), Old Lyme.

(c) No pound net shall be set less than five thousand two hundred and eighty (5280) feet from the documented location of any other pound net.

(d) No fixed commercial fishing gear shall be set at any time within any navigable channel as indicated by United States Coast Guard channel markers or within any fairway

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-4

Department of Energy and Environmental Protection

as designated by an approved harbor management plan adopted under Chapter 444a of the General Statutes. No fixed fishing gear shall be set in any mooring area as designated by an approved harbor management plan adopted under Chapter 444a of the General Statutes during the period May 1 through October 15. For the purposes of this section, fairway is defined as a harbor channel which is not marked by United States Coast Guard channel markers but is designated as a navigation channel in an approved harbor management plan; mooring area is defined as an area in which vessels are commonly moored with permanent mooring tackle, and fixed commercial fishing gear means the following: gill nets anchored or tied in a fixed position; trap nets; fyke nets; pound nets; and the buoys of fish pots, eel pots, whelk pots, or lobster pots including those set by holders of the personal use lobster license.

(Effective July 26, 1996; Amended May 11, 2022)

Sec. 26-142a-4. Seasons

(a) There shall be no closed season on carp, suckers, eels and minnows taken for commercial purposes in the waters described in section 26-142a-2 of the Regulations of Connecticut State Agencies.

(b) The closed season for the taking of yellow perch, white perch, and catfish species for commercial purposes shall be April first to September thirtieth inclusive except that catfish species may be taken as a species incidental to the shad fishery subject to the provisions of section 26-142a-6(c)(2)(A) of the Regulations of Connecticut State Agencies.

(c) The closed season for the taking of American shad for commercial purposes shall be June sixteenth to March thirty-first inclusive and no shad shall be taken for commercial purposes from Friday night at sundown to Sunday night at sundown.

(d) The closed season for the taking of alewives and blueback (glut or river) herring for commercial purposes shall be June sixteenth to March thirty-first inclusive, and no alewives or blueback (glut or river) herring shall be taken for commercial purposes from Friday night at sundown to Sunday night at sundown except by scoop nets or sport fishing.

(e) The closed season for the taking of tomcod for commercial purposes shall be April sixteenth to November thirtieth inclusive.

(f) The closed season for the taking of blue crabs for any purpose shall be December first to April thirtieth inclusive.

(Effective September 18, 1990; Amended March 31, 2003; Amended December 27, 2006)

Sec. 26-142a-5. Closed season for fyke, trap and pound nets in Connecticut River

From April first to June fifteenth, both inclusive, fyke, trap and pound nets shall not be used in the main body of the Connecticut River. Nothing herein shall be construed so as to prevent the use of minnow traps as described in section 26-142a-6 (f) in the Connecticut River during the period April first to June fifteenth.

(Effective January 7, 1976)

Sec. 26-142a-6. Commercial fishing gear specifications

Commercial fishing gear shall conform to the following specifications:

(a) The bowl of pounds, trap nets and fykes shall have a mesh of not less than two inches when stretched.

(b) Seines shall have a mesh of not less than two and one-half inches when stretched, except that:

(1) seines used for taking shad shall have a mesh of not less than five inches when stretched;

(2) seines used for taking lamprey eels shall have a mesh of not less than two inches when stretched; and

(3) seines used for taking tomcod also known as “frostfish,” shall have a mesh of not less than one and one-half inches when stretched and fifty feet of the center or bunt of such seine shall be not less than one and one-quarter inches when stretched.

(c) Gill nets

(1) In the inland district, gill nets shall have a mesh of not less than five inches when stretched except that nets used for taking white perch, catfish species and yellow perch shall have a mesh of not less than three and one half inches when stretched.

(2) In the marine district gill nets shall have a mesh of not less than three inches when stretched with the following exceptions:

(A) gill nets used for taking American shad shall have a mesh of not less than five inches when stretched;

(B) gill nets used for taking tomcod shall have a mesh of not less than one and one-quarter inches when stretched; and

(C) gill nets used for taking white perch, catfish species and yellow perch shall have a mesh of not less than three and one-half inches when stretched.

(3) The use of gill nets constructed of a single strand or multiple strands of material known as monofilament is prohibited for the taking of American shad from sunrise to sunset. The twine thickness of any such gill net shall be no greater than .28mm diameter (#69).

(4) All gill nets being fished under authority of a personal use gill net license issued under section 26-142a of the Connecticut General Statutes shall be personally attended by the licensee.

(d) Scap nets or scoop nets may have a mesh of any size, except that for the taking of American shad such nets shall have a mesh size of not less than five inches when stretched. Scoop or scap nets for the taking of alewives and river herring means a single hoop attached to a handle with the hoop not more than thirty-six inches across the widest point and a net with a mesh bag not more than thirty-six inches from the hoop to the end of the bag. Such net shall be constructed of flexible mesh material and shall be manually operated by a single individual. The use of any such net constructed of metal mesh or stiff plastic mesh is prohibited.

(e) Minnow seines and traps for the taking of bait species only may have a mesh of any size.

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-6

Department of Energy and Environmental Protection

(f) Minnow traps for the taking of bait species only shall have a length of not more than thirty-six inches and a diameter of not more than eighteen inches. Such traps shall be equipped with not more than two funnels and the entrance opening shall not exceed one and one-half inches in diameter. Such traps shall not be equipped with leaders or wings.

(g) Trawl nets in Connecticut Waters

(1) No person shall use any trawl net codend with a mesh size less than 5½ inches (diamond mesh) or six inches (square mesh) on any vessel fishing in Connecticut waters except as provided in subdivisions (3), (4), (6) and (7) of this subsection.

(2) From May 1 to October 31, inclusive, when in possession of more than 100 pounds of summer flounder or from November 1 to April 30, inclusive, when in possession of more than 200 pounds of summer flounder, no person shall use any trawl net with a mesh size in the body, extension or codend less than 5½ inches (diamond mesh) or six inches (square mesh).

(3) From November 1 to April 30 inclusive, if a person on a vessel is in possession of 100 pounds or less of winter flounder or 200 pounds or less of summer flounder, such person may use a fly net with a codend mesh of any size to take Atlantic herring.

(4) From May 1 to October 31 inclusive, no person shall use any trawl net with a mesh size less than 4½ inches (diamond mesh) or five inches (square mesh), except that:

(A) A person may use a trawl net with mesh of any size in the body and wings of the net provided the codend is at least 75 meshes in length and the terminal 75 meshes of the codend have a mesh size of no less than five inches (diamond mesh) or 5½ inches (square mesh).

(B) For the taking of squid from May 15 to July 31 inclusive, a person may use a trawl net with a mesh of any size provided the codend mesh size is no less than 1-7/8 inches (diamond mesh) and no more than 100 pounds of scup or 100 pounds of black sea bass are in such person's possession.

(C) For the taking of butterfish and squid from October 1 to October 31, inclusive, a person may use a trawl net with a mesh of any size provided the codend mesh size is no less than 3 inches (diamond mesh) and no more than 200 pounds of scup or 100 pounds of black sea bass are in such person's possession.

(5) No person shall possess more than 100 pounds of winter flounder while fishing with a trawl net with a codend mesh less than 6½ inches (diamond mesh) or 6½ inches (square mesh).

(6) From May 1 to October 31, inclusive, no person shall possess more than 200 pounds of scup while fishing with a trawl net that does not:

(A) have a mesh size of at least 5 inches (diamond mesh) or 5½ inches (square mesh) throughout the entire net; or

(B) meet the specifications of subdivision (4)(A) of this subsection.

(7) From May 1 to October 31, inclusive, no person shall possess more than 100 pounds of black sea bass while fishing with a trawl net that does not meet the specifications of subdivision (4)(A) of this subsection.

(8) In Connecticut waters, no person shall possess any codend or trawl net with mesh

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Department of Energy and Environmental Protection

§26-142a-6

sizes less than specified in subdivisions (2) to (7), inclusive, of this subsection on any vessel having winter flounder, summer flounder, black sea bass or scup on board in excess of the limits specified in subdivisions (2) to (7), inclusive, of this subsection unless the codend is detached from the main body of the net or the entire trawl net is removed and detached from the net reel or is covered on a net reel and is bound securely and unavailable for immediate use.

(9) For the purposes of this subsection, codend is the retaining bag of the net. The minimum mesh size is the maximum opening of any single mesh, measured when wet after use, by the median of eleven consecutive measurements taken at least five meshes from the lacings parallel to the longitudinal axis of the net. The “body of the net” is the main part of the net immediately behind (posterior to) the footrope, excluding the wings. The “extension of the net” is that part of the net between the body and the codend. A “fly net” is an otter trawl constructed of a minimum of 5½-inch stretch mesh webbing in the wings and forward body (belly) section extending at least twelve meshes or 5½ feet along the longitudinal axis of the net.

(10) The use of any means, device or material including but not limited to ropes, lines, liners, net strengtheners, or double nets which obstructs or diminishes the size of the meshes in the top of the codend or of that part of the net which does not contact the seabed during normal fishing activity, is prohibited. All netting in trawl nets not made on a braiding machine, whether of braided or twisted twine, whether machine or hand made, shall have only one knot, which shall be the weavers knot or sheet bend. The ends of the twine, called bars, that exit the knot shall be constructed so that their lay does not cross or twist.

(11) Any person who takes winter flounder or summer flounder while fishing pursuant to the provisions of subdivisions (2), (3) or (5) of this subsection, and any person who takes scup or black sea bass while fishing pursuant to the provisions of subdivisions (4), (6) or (7) of this subsection shall separate these fish by species and keep these fish apart from the main catch. All possession limits specified in subdivisions (2) to (7), inclusive, of this subsection shall apply to the aggregate of all persons onboard the vessel.

(12) No bottom trawl net shall be equipped with rollers or cookies (hard rubber disks on the sweep of the net) in excess of six inches in diameter.

(h) Fish pots and fish traps

(1) No person shall use fish pots or fish traps except for the taking of finfish. This subsection shall not apply to pound nets, trap nets, or lobster pots. Subdivision (3) of this subsection shall not apply to pots or traps used to take American eel and minnow traps used to take the bait species listed in section 26-142a-12(b) of the Regulations of Connecticut State Agencies.

(2) Fish pots or fish traps shall be not more than 72 inches in length, width, or height.

(3) No person shall use any fish pots or fish traps unless such pot or trap has on any side of the catch chamber but not the bottom, a circular escape vent with an unobstructed opening not less than 3.1 inches (78.7 millimeters) in diameter or a square escape vent with an unobstructed opening not less than 2.25 inches (57.2 millimeters) on each side. Each fish

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-7—26-142a-11

Department of Energy and Environmental Protection

pot or fish trap shall also have an escapement panel on any side of the catch chamber but not the bottom which, when open, will provide an unobstructed opening not less than seven and three quarters inches by seven and three quarters inches (197 millimeters by 197 millimeters) or which shall be comprised of the entire side, or end, of a square or rectangular pot or trap. Such escapement panels shall be held in the closed position with ungalvanized, uncoated iron wire, the stock of which shall not be more than 0.094 inch (2.39 millimeters) diameter, or magnesium alloy, timed float releases (pop up devices) or similar magnesium alloy fasteners, or with untreated natural fiber such as cotton, hemp, or jute string of 3/16 inch (0.188 inch, or 4.8 millimeters) diameter or smaller.

(4) No person shall use any fish pots or fish traps and the buoys thereof unless such pot, trap, and buoy is affixed with the commercial fishing license plate number of the owner in numbers not less than three-quarters of an inch in height.

(i) Whelk pots

(1) No person shall use whelk pots except for the taking of whelk.

(2) No person shall use in the waters of this state a whelk pot, trap or similar device with a volume larger than 22,950 cubic inches.

(3) Whelk pots shall have an unobstructed opening on the top side of no less than 140 square inches, and each side of the opening shall be at least 10 inches in length.

(4) No person shall use any whelk pot and the buoys thereof unless such whelk pot is marked legibly with the commercial fishing license plate number and the buoy is so marked with numbers not less than three-quarters of an inch in height.

(5) All whelk pot buoys used by any person in the waters of this state shall be of uniform color or uniform pattern of coloration, such color or pattern to be determined by such person. Any person engaged in whelk fishing shall maintain one of such person's whelk pot buoys on such person's vessel in a position visible from all directions.

(6) No person shall set, tend or assist in setting or tending any whelk pot, trap or similar device for the catching of whelk on any leased shellfish bed without the permission of the lease holder.

(7) All bait used in whelk pots, traps or similar devices shall be wholly contained within a mesh bag.

(8) No person shall from one-half hour after sunset to one-half hour before sunrise, set, tend or assist in setting or tending any whelk pot, trap or similar device for the catching of whelk or any live car or other device in which whelks are kept in the water after having been removed from the pots, traps or trawls in which they were caught.

(Effective July 26, 1996; Amended June 27, 1997; Amended June 26, 1998; Amended October 30, 1998; Amended July 21, 1999; Amended July 1, 2002; Amended August 26, 2005; Amended December 27, 2006; Amended December 22, 2008; Amended May 11, 2022)

Sec. 26-142a-7—26-142a-11. Repealed

Repealed January 1, 1981.

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Department of Energy and Environmental Protection

§26-142a-7a

Sec. 26-142a-7a. Species — area limitations

(a) American shad

(1) In the inland district American shad shall not be taken except as provided by section 26-112-45 (b) of the regulations of Connecticut State Agencies and American shad may be taken with nets for commercial purposes only in the main body of the Connecticut River from the I-95 highway bridge in Old Saybrook-Old Lyme to the William H. Putnam Memorial Bridge on Route 3, Glastonbury-Wethersfield.

(2) In the marine district the following restrictions shall apply to the taking of American shad: (A) shad shall not be netted between lines drawn south in Long Island Sound to the New York State line from Menunketesuck Point, Westbrook and from Hatchett Point, Old Lyme except with seines, pounds and gill nets. (B) the taking of shad by commercial fishing methods is prohibited in the Pawcatuck River upstream from a line drawn southerly from the southern extremity of Pawcatuck Point to the Connecticut-Rhode Island State line.

(b) Alewives and Blueback (Glut or River) Herring

(1) Alewives and blueback herring shall not be taken in the inland district except as provided by section 26-112-45(a) of the regulations of Connecticut State Agencies and may be taken with nets for commercial purposes only in the main body of the Connecticut River from the I-95 highway bridge in Old Saybrook-Old Lyme to the William H. Putnam Memorial Bridge on Route 3 in Glastonbury-Wethersfield, in the main body of the Housatonic River from Route 1 upstream to the Derby electric plant below Derby Dam, in the main body of the Quinnipiac River from the bridge on Route 17, New Haven to the bridge on Route 22, North Haven, and the main body of the Thames River which lies within the inland district and which is subject to tidal fluctuation.

(2) Alewives and blueback herring shall not be taken in the marine district from Saturday night 12:00 midnight to Tuesday night 12:00 midnight except in those portions of the main body of the Connecticut River, the main body of the Housatonic River, and the main body of the Thames River lying south of the inland district demarcation line.

(c) **White Perch, Catfish species and Yellow Perch:** In the inland district, and subject to the provisions of sections 26-176 and 26-181 of the General Statutes and section 26-142a-4 (b) of these regulations, white perch, catfish species and yellow perch may be taken for commercial purposes only in (1) the Connecticut River, its coves and flood waters from the I-95 highway bridge in Old Saybrook-Old Lyme to Whalebone Creek range light number forty but not including Hamburg Cove and the Eight Mile River in the township of Lyme eastward of a north-south line extending through the red nun channel marker at the entrance to Hamburg Cove and the Eight Mile River and not including Whalebone Creek or Hadlyme cove in the township of Lyme and (2) the Thames River, its coves and flood waters from 500 feet north of the I-95 bridge, New London to the Mohegan-Pequot Bridge, Montville-Preston.

(Effective July 26, 1996; Amended December 27, 2006)

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-8a

Department of Energy and Environmental Protection

Sec. 26-142a-8a. Species restrictions

(a) **Blue Crabs.** No person shall take or attempt to take any blue crabs in any waters of this state except by scoop or scap net, handline or manually operated and personally attended devices described below:

(1) Manually closed, caging devices similar to the Star Crab Trap manufactured by the Cuba Specialty Manufacturing Company, Houghton, New York.

(2) Circular, topless traps not exceeding twenty-six (26) inches in diameter.

(3) Semicircular cylindrical traps not exceeding twelve (12) inches in diameter with hinged entrances or ends controlled by drawstrings.

No person shall take, offer for sale or possess at any time any female blue crab bearing eggs visible thereon or from which the egg pouch or bunion has been removed. No person shall take, offer for sale or possess any hard shell blue crab measuring less than five inches across the shell (carapace) from tip to tip of spikes; but soft shell blue crabs not less than three and one-half inches across the shell from tip to tip of spikes may be taken, sold and possessed. No person on the waters of this state or on any parcel of land, structure, or portion of a roadway abutting tidal waters shall possess any uncooked blue crab meat without the shell (carapace) attached. No more than two claws per crab may be possessed.

Any blue crabs taken contrary to these regulations shall, without avoidable injury, be returned immediately to the water from which taken.

(b) **Minimum Legal Length.** No person shall possess any fish taken by any commercial fishing gear or for commercial purposes less than the lengths specified below measured from the tip of the snout to the end of the tail and, notwithstanding section 26-159a-4 of the Regulations of Connecticut State Agencies, no person shall buy, sell, offer for sale or possess in a place where fish are offered for sale, any of said species less than the minimum legal length stated herein.

(1) Atlantic tomcod (frostfish) (*Microgadus tomcod*) - 7 inches

(2) Tautog (blackfish) (*Tautoga onitis*) - 14 inches

(3) Scup (porgy) (*Stenotomus chrysops*) - 9 inches

(4) Black sea bass (*Centropristis striata*) - 11 inches

(5) Winter flounder (*Pseudopleuronectes americanus*) - 12 inches

(6) Bluefish (*Pomatomus saltatrix*) - 9 inches

(7) Summer flounder (fluke) (*Paralichthys dentatus*) - 14 inches

(8) Atlantic cod (*Gadus morhua*) - 22 inches

(9) Weakfish (*Cynoscion regalis*) - 16 inches

(10) Yellowtail flounder (*Pleuronectes ferrugineus*) - 13 inches

(11) Haddock (*Melanogrammus aeglefinus*) - 22 inches

(12) Pollock (*Pollachius virens*) - 19 inches

(13) Witch flounder (*Glyptocephalus cynoglossus*) - 14 inches

(14) American plaice (*Hippoglossoides platessoides*) - 14 inches

(15) Redfish (*Sebastes marinus*) - 9 inches

(16) (A) Channeled whelk (*Busycotypus canaliculatus*) – Effective August 1, 2022, 4.75

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Department of Energy and Environmental Protection

§26-142a-8a

inches in shell length or 1 15/16 inches in shell height; effective January 1, 2024, 5 inches in shell length or 2 inches in shell height; effective January 1, 2026, 5 ¼ inches in shell length or 2 1/8 inches in shell height; and effective January 1, 2028, 5 ½ inches in shell length or 2 ¼ inches in shell height.

(B) Knobbed whelk (*Busycon carica*) - Effective August 1, 2022, 4.75 inches in shell length or 1 15/16 inches in shell height; effective January 1, 2024, 5 inches in shell length or 2 inches in shell height; effective January 1, 2026, 5 ¼ inches in shell length or 2 1/8 inches in shell height; and effective January 1, 2028, 5 ½ inches in shell length or 2 ¼ inches in shell height.

(C) For whelk species, shell length shall be defined as the longest length of the shell from the spire apex to the siphonal canal and shell height shall be the distance along a straight perpendicular line from a point on the opercular side of the shell to the farthest point of the top of the shell. Shell height is measured with the whelk retracted, and shell placed with the operculum stably positioned against a flat surface. To properly measure shell height using a gauge: Minimum legal shell height shall be the shell height specified in this subdivision between opposing parallel surfaces, measured with the whelk retracted and shell placed with the operculum stably positioned against one of the parallel surfaces. The whelk shall be considered legal-sized if it does not fit between the opposing parallel surfaces.

Any of said species less than the minimum legal length taken by any commercial fishing gear shall, without avoidable injury, be returned immediately to the water from which taken. No person on board any vessel engaged in commercial fishing or landing species taken by commercial fishing gear shall possess any summer flounder fillet less than the minimum total length for the species unless the carcass of the fish from which the fillet was removed has been retained and meets the minimum length. This subsection shall not be construed to prevent filleting of fish on shore or at the dockside. Whelk measuring less than the minimum shell length or shell height shall not comprise by number more than three percent of whelk in possession by any person, except holders of a commercial whelk fishing license may possess whelk measuring less than the minimum size provided: any such licensee is actively fishing in a designated shellfishing area with written permission of the shellfish lease holder, any whelk measuring less than the minimum size are stored in a container separate from all other catch, such whelk are kept covered with a fabric wetted with sea water, and such whelk are released, without avoidable injury, to the waters of Long Island Sound on the same day that they were taken and prior to landing or off loading, provided no such whelk shall be released onto any shellfishing ground leased by another shellfisherman under section 26-149 of the Connecticut General Statutes and designated under the provisions of section 26-227 of the Connecticut General Statutes. Holders of a license to harvest shellfish issued by the Department of Agriculture pursuant to section 26-192c of the Connecticut General Statutes who are in possession of clams or oysters harvested from a designated shellfishing area may possess and land whelk measuring less than the minimum size provided: any whelk measuring less than the minimum size are stored in containers with

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-9

Department of Energy and Environmental Protection

clams and oysters prior to landing, such whelk are separated from clams and oysters after landing and held in cages stored in sea water, and such whelk are released, without avoidable injury, to the waters of Long Island Sound not later than 24 hours after landing, provided no such whelk shall be released onto any shellfishing ground leased by another shellfisherman under section 26-149 of the Connecticut General Statutes and designated under the provisions of section 26-227 of the Connecticut General Statutes.

(Effective May 19, 1995; Amended June 27, 1997; Amended October 23, 1997; Amended July 1, 2002; Amended March 31, 2003; Amended February 26, 2004; Amended May 11, 2022)

Sec. 26-142a-9. Repealed

Repealed February 26, 2004.

Sec. 26-142a-12. Taking and sale of bait species

(a) The species listed in this subsection, to the exclusion of all other species, may be taken commercially in the inland district under an inland commercial bait license, or in the marine district under a marine commercial bait license. These species may also be offered for sale as bait species under a bait dealers license.

- (1) golden shiner or "pond shiner" (*Notemigonus crysoleucas*);
- (2) common shiner (*Luxilus cornutus*);
- (3) fallfish (*Semotilus corporalis*);
- (4) creek chub (*Semotilus atromaculatus*);
- (5) spottail shiner or "river bait" (*Notropis hudsonius*);
- (6) bridle shiner (*Notropis bifrenatus*);
- (7) blacknose dace (*Rhinichthys atratulus*);
- (8) longnose dace (*Rhinichthys cataractae*);
- (9) pearl dace (*Margariscus margarita*);
- (10) bluntnose minnow (*Pimephales notatus*);
- (11) fathead minnow (*Pimephales promelas*);
- (12) cutlips minnow (*Exoglossum maxillingua*);
- (13) chub sucker (*Erimyzon oblongus*);
- (14) banded killifish (*Fundulus diaphanus*);
- (15) mummichug (*Fundulus heteroclitus*);
- (16) striped killifish (*Fundulus majalis*);
- (17) tidewater silverside (*Menidia beryllina*);
- (18) Atlantic silverside (*Menidia menidia*);
- (19) sand lance or "sand eels" (*Ammodytes* spp.);
- (20) bay anchovy (*Anchoa mitchilli*);
- (21) sheepshead minnow (*Cyprinodon variegatus*);
- (22) mullet species (*Mugil* spp.);
- (23) frogs (except northern leopard frog, *Rana pipiens*);
- (24) perch bugs;

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

Department of Energy and Environmental Protection

§26-142a-15

- (25) helgramites;
- (26) mayfly nymphs;
- (27) other aquatic insects;
- (28) crayfish (except rusty crayfish, *Orconectes rusticus*);
- (29) green crabs (*Carcinus maenas*);
- (30) fiddler crabs (*Uca* spp.);
- (31) hermit crabs (*Pagurus* spp.);
- (32) Asian (Japanese) shore crab (*Hemigrapsus sanguineus*); and
- (33) shrimp (families Crangonidae, Palaemonidae, and Penaeidae).

(b) In addition to the bait species listed in subsection (a) of this section, the following species, if legally taken under the appropriate commercial license and meeting the minimum legal length requirements specified in section 26-142a-8a of the Regulations of Connecticut State Agencies, may be offered for sale as bait under a bait dealer's license:

- (1) menhaden (*Brevoortia tyrannus*);
- (2) alewives (*Alosa pseudoharengus*);
- (3) blueback or "glut" herring (*Alosa aestivalis*);
- (4) American eel (*Anguilla rostrata*);
- (5) butterfish (*Peprilus triacanthus*);
- (6) Atlantic mackerel (*Scomber scombrus*);
- (7) whiting (*Merluccius bilinearis*);
- (8) squid (*Loligo* sp.);
- (9) Atlantic herring (*Clupea harengus*);
- (10) hickory shad (*Alosa mediocris*);
- (11) Horseshoe crabs (*Limulus polyphemus*).

(c) Each bait dealer shall keep the following records on forms furnished by the department:

(1) the date and quantity by species and source of each consignment of bait received by the licensee;

(2) the total annual sale of bait by species made by the licensee during the license period. The above records shall be filed with the department within thirty days after the expiration date of the license.

(d) This regulation does not apply to fish used to bait lobster pots or eel pots.

(Effective January 1, 1986; Amended March 31, 2003; Amended December 27, 2006; Amended October 4, 2011)

Sec. 26-142a-13—26-142a-14. Repealed

Repealed September 28, 1977.

Sec. 26-142a-15. When a license is not required

In the marine district a commercial fishing license is not required to take, for personal use only, menhaden, hickory shad, alewives, glut herring, sea herring, eels, lampreys and

Regulations of Connecticut State Agencies

TITLE 26. Fisheries & Game

§26-142a-16

Department of Energy and Environmental Protection

bait species by the use of:

- (1) cast nets;
- (2) minnow traps not more than twenty inches long and fifteen inches in diameter;
- (3) scoop or scap nets not more than thirty-six inches in diameter;
- (4) umbrella nets not more than four feet in length by four feet in width;
- (5) seines not more than thirty feet in length; and
- (6) not more than two eel pots.

(Effective April 22, 1994; Amended December 27, 2006)

Sec. 26-142a-16. Definitions

The following definitions shall apply to regulations adopted under authority of sections 26-112, 26-142a, 26-157b, 26-157c, and 26-159a of the general statutes:

(1) "Bycatch" is that portion of a commercial fishery catch that is taken incidental to the directed fishing effort. Directed fishing is indicated by the primary species or group of species sought, the commercial gear utilized, the area and time of the year when the fishing occurs. Bycatch may include but not be limited to an amount of a species allowed to be taken during fishing with small mesh or a regulated gear type.

(2) For sport fishing purposes, "culling" or "high-grading" means discarding or returning a previously retained fish to the water in order to retain a more desirable fish. Any fish placed on a stringer, in a container, cooler, live well or similar device, or otherwise not immediately released to the water shall count against the daily creel limit.

(3) For commercial fishing purposes, to "land" means to tie up to a dock, the land or structure attached to the land, bring ashore, off-load, or to begin to off-load finfish, lobsters, crabs, sea scallops, or squid which were taken by commercial fishing gear or taken for commercial purposes.

For sportfishing purposes, to "land" means to fail to immediately return any finfish, lobster, or crab, without avoidable injury, to the waters from which such species were taken.

(4) "Landing limit" is the total number or weight of finfish, crustaceans, squid, sea scallops or horseshoe crabs, of any species or species group that may be legally landed in this state.

(5) "Possession limit" regarding commercial fishing is the total number or weight of finfish, crustaceans, squid, sea scallops or horseshoe crabs, of any species or species group that may be legally possessed while on the waters of the state by a holder of a license or registration issued under authority of section 26-142a of the general statutes concerning the taking of lobsters, finfish, crabs, squid, sea scallops or horseshoe crabs.

(6) "Lath" is the wood used to construct the outer surface of a lobster pot.

(Effective May 19, 1995; Amended January 25, 2007)