

Secretary of the State File Number

6312

Regulation of the
Department of Energy and Environmental Protection
Concerning

Wildlife Division - 2018

Regulations adopted after July 1, 2013, become effective upon posting to the Connecticut eRegulations System, or at a later date if specified within the regulation.

Posted to the Connecticut eRegulations System on **February 4, 2020**

EFFECTIVE DATE

February 4, 2020

Approved by the Attorney General on

December 10, 2019

Approved by the Legislation Regulation Review Committee on

January 28, 2020

Electronic copy with agency head certification statement electronically submitted to and received by the Office of the Secretary of the State on

January 30, 2020

Form ICM-ECOPY (NEW 6/2015)
State of Connecticut
Secretary of the State



IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form should be used only for regulations first noticed on and after March 23, 2015.

Electronic Copy Certification Statement

(Submitted in accordance with the provisions of section 4-172 of the Connecticut General Statutes)

Regulation of the
The Department of Energy and Environmental Protection
Concerning
Wildlife Division - 2018

Approved by the Legislative Regulation Review Committee: **January 28, 2020**

eRegulations System Tracking Number: **PR2017-074**

I hereby certify that the electronic copy of the above-referenced regulation submitted herewith to the Secretary of the State is a true and accurate copy of the regulation approved in accordance with sections 4-169 and 4-170 of the *Connecticut General Statutes*.

And I further certify that in accordance with the approval of Legislative Regulation Review Committee, all required technical corrections, page substitutions and deletions, if any, have been incorporated into said regulation.

In testimony whereof, I have hereunto set my hand on **January 30, 2020**.

Katherine S. Dykes
Commissioner
Department of Energy and Environmental
Protection

State of Connecticut
Regulation of
Department of Energy and Environmental Protection
Concerning
Wildlife Division - 2018

Section 1. Section 23-5c-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 23-5c-1. Regulations for the management of state natural area preserves and procedures for the adoption of a management plan for each preserve

(a) General Provisions

(1) Definitions

As used in these regulations, the following terms shall have the meanings indicated below, except where the context requires otherwise:

(A) “Commissioner” means the Commissioner of Energy and Environmental Protection.

(B) “Site manager” means the individual, agency, or organization designated by the [Commissioner] commissioner who has primary supervisory responsibility for a Natural Area Preserve and is responsible for the protection and care of that preserve in accordance with these rules and the Management Plan.

(C) “Management Plan” means a plan which sets forth in specific detail the purpose, character, protected resources, management, and other considerations for the protection and use of an individual Natural Area Preserve as described in subsection (b) of [Section 23-5c-1] this section.

(D) “Natural Area Preserve” or “preserve” is an area designated by the Governor of Connecticut pursuant to Section 23-5a to Section 23-5i of the Connecticut General Statutes.

(E) “Person” means “person” as defined by Section 22a-2(c) of the Connecticut General Statutes.

(F) “Protected resources” means “protected resources” as defined by Section [23-5(b)4] 23-5b(4) of the Connecticut General Statutes.

(2) Applicability of Regulations

These regulations shall apply to each Natural Area Preserve. There shall be a Management Plan for each Natural Area Preserve, such plan to be adopted according to provisions of subsection (b) of [Section 23-5c-1] this section.

(3) Appointment of Site Manager

The [Commissioner] commissioner shall appoint a site manager for each Natural Area Preserve who shall serve at the pleasure of the [Commissioner] commissioner. The site manager shall administer, manage, and protect the area in accordance with these regulations and the Management Plan for that Natural Area Preserve.

[(4)] [Reports

The site manager for each Natural Area Preserve shall submit to the Commissioner an annual report for such preserve, and such other periodic reports in such form and at such time as the Commissioner may request. The annual report shall include a record of management activities, visitor uses and activities, natural catastrophes, and other influences affecting conditions within the Natural Area Preserve.]

[(5)](4) Encroachments

No person shall construct, place, or continue any encroachments, including structures, easements, rights of way, or land uses in a Natural Area Preserve unless such encroachment is permitted by these regulations or the Management Plan for such preserve.

[(6)](5) **Publicity**

The [Commissioner] commissioner shall prepare information about Connecticut's Natural Area Preserves, which shall be made available to all interested persons. Such information should not promote the Natural Area Preserves in a manner that would attract more visitors than is compatible with the use of an area.

[(7)](6) **Existing Activities**

Until such time as a Management Plan is adopted, existing activities within a preserve shall continue unless the [Commissioner] commissioner finds [, in writing,] that an activity is adversely affecting protected resources.

(b) **Management Plans**

(1) **General**

The [Commissioner] commissioner shall prepare a Management Plan for each Natural Area Preserve.

[(2)] **[Public Notice]**

[(A)] [The Commissioner shall prepare a public notice of (1) his or her intent to issue, renew, or revoke a Management Plan; (2) a public comment period of 20 days or more; (3) the time and place of a public hearing on the intent to issue, renew, or revoke a Management Plan; and (4) the availability of the Management Plan for public review.]

[(B)] [The Commissioner shall cause the public notice to be published in a newspaper or newspapers having a substantial circulation in the area where the preserve is located.]

[(C)] [The public notice for designating a Natural Area Preserve under Section 23-5d(a) of the Connecticut General Statutes shall be sufficient public notice for the Management Plan if the Management Plan is offered for review during that process.]

[(D)] [The Commissioner shall prepare and publish a public notice for modification of a Management Plan in accordance with subparagraphs (b)(2)(A) and (B), except that a public hearing may be held at the discretion of the Commissioner, unless any person requests such hearing within 14 days from the date of publication of the notice in the newspaper.]

[(3)](2) **Effective Date**

A Management Plan, or a renewal, revocation or modification of a Management Plan, shall become effective upon approval by the [Commissioner] commissioner.

[(4)](3) A Management Plan shall consist of text and maps and [shall] may contain information on the following:

(A) Basic information on the preserve, including location, name, size, access, jurisdiction, and designation date.

(B) Purpose of the preserve, including general and specific goals.

(C) Protected resources, including special geological features, vegetation, and fauna.

(D) Management of visitors and use

[(1)](i) **Zones of Allowable Use**

The [Commissioner] commissioner may divide a Natural Area Preserve into zones of allowable uses. Use of Natural Area Preserves shall be allowed only to such extent and in such manner as will not permanently degrade the protected resources of the preserve. Zones shall be established giving consideration to the protected resources of the Natural Area Preserve as stated in the Management Plan and to the characteristics of the area such as use tolerance, natural attractions, and the presence of endangered or threatened species, species of special concern, or easily disturbed species or features. Location markers identifying the zones may be installed in the preserve.

[(2)] (ii) Character of Visitor Activity

[(A)] (I) Visitor activities and uses shall be set forth in the Management Plan and shall be consistent with Section 23-5c of the Connecticut General Statutes.

[(B)] (II) Visitors may be restricted to trails and may otherwise be restricted in movement or conduct as provided in a Management Plan.

[(C)] (III) Visitor presence and degree of development of trails and visitor-handling facilities shall be regulated to prevent disturbance of an area beyond what it can tolerate without significant harm.

[(E)] (IV) Special management problems and concerns

[(F)] (V) Administration of the preserve, including identification of the site manager and any special advisory committees, and enforcement bodies.

[(G)] (VI) Uses of the preserve, including trail construction and maintenance.

[(H)] (VII) Management provisions

[(I)] (VIII) Deviations from general management rules

[(J)] (IX) Trails

Location and form of any trails other than natural wildlife paths shall be specified in each Management Plan. Trails may be constructed to provide for allowable use of a Natural Area Preserve and to prevent deterioration of the area by uncontrolled traffic. Trail construction shall be kept to a minimum and designed to prevent soil erosion. Use of paving materials and elevated walks is permissible when necessary and provided for in a Management Plan. The trail plan shall conform to the goals of the Natural Area Preserve as stated in the Management Plan. Unless otherwise specified, trails shall be for pedestrian traffic only.

[(K)] (X) Other structures and improvements

All other structures and improvements shall be provided for in each Management Plan. Interpretive signs and structures to enhance environmental education are encouraged.

[(L)] (XI) Rules governing the use, seasonal restrictions, and visitation of a Natural Area Preserve.

Rules shall be consistent with [Section 23-5c-1] this section of the Regulations of Connecticut State Agencies. Rules may apply to an entire preserve or to specified zones or subdivisions of a [Preserve] preserve.

[(5)] (4) A Management Plan may provide for the following:

(A) Boundary Markers, Fences, and Barriers

If necessary to protect resources of the preserve, construction of boundary markers, fences, or barriers may be allowed, if constructed in a manner that will not create a detrimental effect on movement of wildlife or on other natural conditions. A survey of the preserve boundaries shall be kept on file with the [Commissioner] commissioner and with the clerk of each town where the preserve is located.

(B) Access Lanes

Installation and maintenance of vehicular access lanes may be allowed within a preserve if deemed essential by the [Commissioner] commissioner for fire control or other management activities. Clearing for such lanes shall be of a minimum width and length. Lanes shall be closed to all vehicles except service and emergency vehicles.

(C) Fire Breaks

Construction of fire breaks may be allowed when deemed necessary by the [Commissioner] commissioner and shall be kept to a minimum.

(D) Landscape Management

Cutting of grass, brush, trees, or other vegetation, pruning of trees, removal of dead wood, opening of scenic vistas, or planting may be allowed, if necessary to preserve the protected resources of the preserve.

(E) Safety Precautions

Installation of guard rails, fences, steps, and other devices necessary for visitor safety may be allowed. Control of plants and animals may be allowed pursuant to Section 23-5i of the Connecticut General Statutes.

(F) **Water Control**

Installation, change or maintenance of man-made water control structures may be allowed if necessary for the protection, maintenance or restoration of natural conditions or protected resources.

(G) **Erosion Control**

Control of erosion and soil deposition affecting a Natural Area Preserve may be allowed if necessary to preserve the protected resources of the preserve.

(H) **Management of Vegetation and Wildlife**

[(1)] (i) Control of vegetation and wildlife – Actions to control vegetation and controlled reduction of wildlife, may be allowed if necessary to preserve the protected resources of the preserve. Control measures shall be applied with caution and only to that part of the preserve where they are necessary. Control measures shall be undertaken only with adequate prior study of the preserve and with evidence of necessity.

[(2)] (ii) Control of native populations – Actions to increase or reduce populations of native plant or animals or to restrict movement of wildlife across boundaries of a Natural Area Preserve may be allowed, if necessary to preserve the protected resources of the preserve.

[(3)] (iii) Management of endangered or threatened species or species of special concern– Habitat manipulations to favor particular endangered or threatened species or species of special concern may be allowed if preservation of the species is designated in a Management Plan as a goal of the preserve.

[(4)] (iv) Introduction of plants or animals – The introduction of plants or animals into a Natural Area Preserve may be allowed only as provided in a Management Plan.

(I) **Access Control**

Ingress and egress may be restricted by a Management Plan to specified locations and conditions.

(J) **Recreational Activities**

Non-motorized recreational activities such as hunting, skiing, hiking, fishing, and canoeing may be allowed by a Management Plan. Such permitted activities shall be defined in the Management Plan and limited to appropriate times, places, and intensity.

(c) **Buffer Areas**

Buffer areas shall be established adjacent to Natural Area Preserves wherever possible, in order to minimize the adverse effects of external influences. Such areas may be managed for purposes which do not adversely affect the preserve. Buffer areas may be controlled by ownership, by dedication as part of the Natural Area Preserve or as a buffer to the preserve, by agreement, or by other appropriate means. Provision for buffer areas shall be included in the Management Plan where such areas are possible.

(d) **Research or Educational Activities**

A person wishing to engage in research or educational activities in a Natural Area Preserve shall obtain approval from the [Commissioner] commissioner. The [Commissioner] commissioner may approve research or educational activities with such conditions and restrictions as he or she deems necessary. A copy of the proposal for and results from any research conducted on a Natural Area Preserve shall be given to the [Commissioner] commissioner. A person authorized to engage in educational or research activities shall notify the site manager before commencing and upon completion of such activities.

(e) **Prohibited Activities**

(1) **Removal of or Introduction of Objects.**

There shall be no introduction to, removal from, or consumptive use of any material, product,

object, plant, or animal in a Natural Area Preserve unless specifically designated in the Management Plan.

(2) Fire Control

No fires may be started in a preserve, except as specifically designated in the Management Plan. Every effort [will] shall be made to prevent fires from spreading into a preserve. All uncontrolled fires shall be brought under control as quickly as possible. Any special procedures and methods to be used for prevention and control of fire shall be included in a Management Plan.

(f) **Records**

The [Commissioner] commissioner and the site manager shall keep records in duplicate for each Natural Area Preserve. The records shall include the Management Plan [, annual reports by the site manager], and other pertinent documentary material studies, reports, and descriptions of significant events and shall be open to the public at all reasonable times and places. Information exempted from the Freedom of Information Act may be withheld if the [Commissioner] commissioner deems such exemption necessary to protect the resources of the preserve.

Sec. 2. Section 26-16-3a of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-16-3a. Limitations of Public Use of State Controlled Wildlife Management Areas

(a) Target shooting is prohibited on any wildlife management area unless so designated by the Department.

(b) All-terrain vehicles, motorcycles, snowmobiles, and all other motorized vehicles shall be prohibited on any wildlife management area unless so designated by the Department.

(c) Horses and other riding animals shall be prohibited on any wildlife management area posted against such activities.

(d) Except as provided in Section 26-16-2 of the Regulations of Connecticut State Agencies, camping is prohibited on any state controlled Wildlife Management Area, except on the Sessions Woods Wildlife Management Area where camping, conducted in conjunction with an educational program approved by the [Commissioner] commissioner, shall be permitted only if authorized in writing by the [Commissioner] commissioner.

(e) Wildlife Management Areas shall be closed to the public from one-half hour after sunset until one-half hour before sunrise except for hunting, fishing or other activities authorized by the Department.

(f) Dogs must be on a leash no longer than seven (7) feet and under the control of their owner or keeper. The person responsible for the dog, must hold the leash at all times. The provisions of this subsection shall not apply to the proper use of dogs while in the act of hunting or the training of dogs for the specific purpose of hunting, however all dogs may be prohibited on any area or during any time period when so posted by the Department.

(g) In Wildlife Management Areas, the use of bicycles shall be prohibited on any trail, road, path or other area posted against such activity.

Sec. 3. Section 26-55-4 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-55-4. Importation and possession of deer, moose, and elk carcasses and parts

(a) No person shall import or possess whole carcasses or parts thereof of any deer, moose, or elk from wild or captive herds from other states or Canadian Provinces where chronic wasting disease has been confirmed, including, but not limited to, Colorado, Wyoming, Utah, New Mexico, Montana, South Dakota, Kansas, Minnesota, Wisconsin, Illinois, Nebraska, Oklahoma, New York, West Virginia, Alberta and Saskatchewan. Any additional states and provinces where chronic wasting disease is confirmed will be published in the Department's annual Hunting and Trapping Guide and on the Department's Web site. This provision shall not apply to meat that is de-boned, cleaned skullcaps, hides or taxidermy mounts.

(b) No person shall possess or use for the purposes of taking or attempting to take or attract deer, or for surveillance or scouting of deer, any product that contains or purports to contain deer urine.

Sec. 4. The Regulations of Connecticut State Agencies are amended by adding section 26-55-7 as follows:**(NEW) Sec. 26-55-7. Importation, transportation or liberation of butterflies**

(a) No person, firm or corporation shall import into this state, transport for the purpose of liberation within this state or liberate butterflies, in any life stage.

(b) The commissioner shall exempt from the provisions of subsection (a) of this section organizations or institutions such as municipal parks, zoos, laboratories and research facilities maintained by scientific or educational institutions, museums, public nonprofit aquaria or nature centers, as defined in section 26-55-6 of the Regulations of Connecticut State Agencies, except that the butterflies, in any life stage shall not be liberated to nor have access to the outside environment and provided:

(1) Any butterflies, in any life stage originating outside of Connecticut shall be permitted by the United States Department of Agriculture, and be in compliance with all other state or federal laws.

(2) The commissioner may inspect butterflies, in any life stage, being brought into the state and may order that butterflies, in any life stage, suspected of carrying diseases, pathogens or parasites capable of inducing any disease, be disposed of, at the expense of the person, firm, or corporation possessing them.

(3) The transporter of butterflies, in any life stage, shall be in possession of a copy of any applicable United States Department of Agriculture's permit covering such butterflies and any applicable butterfly health certification. Any box, package or container holding live butterflies, in any life stage, transported by a common carrier and destined for delivery in this state shall have attached thereto and in plain view a copy of the permit covering such importation and any applicable butterfly health certification.

Sec. 5. Section 26-66-1 of the Regulations of Connecticut State Agencies is amended to read as follows:**Sec. 26-66-1. Behavior and Actions of Hunters**

(a) The method of taking wild birds and wild [quadrupeds] mammals by hunting shall be restricted to firearms, high velocity air guns using a single ball or pellet type projectile, and compound, long or recurved bow, or crossbow. In designated areas, by special permit, the commissioner may allow the

use of modified versions of air guns or archery implements to achieve wildlife management objectives. No arrow or projectile which is coated with or contains any drugs, poison or known tranquilizing substance may be used or possessed while engaged in archery hunting.

(b) Any crossbow and bolt combination to be used for hunting shall meet the following specifications: (1) The draw weight of the crossbow shall be not less than 125 pounds; (2) The crossbow shall have a permanent fixed rifle type stock, and a functional and/or fully operational mechanical safety device; (3) The bolt (arrow) length shall be not less than eighteen inches, excluding the broadhead; and (4) The broadhead shall have two or more blades with a width not less than seven-eighths of an inch at the widest point. In addition, any crossbow in a drawn and cocked position with a bolt loaded in the crossbow shall be considered a loaded weapon.

(c) There shall be no hunting from one-half hour after sunset to one-half hour before sunrise, as provided by the National Oceanic and Atmospheric Administration's National Weather Service, except that raccoon and opossum hunting is permitted after sunset on state-owned lands which are open to hunting and on privately owned lands where landowners do not object, and provided the open season for hunting migratory game birds shall be governed by the provisions of Section 26-66-4 [, and provided further that on the third Saturday in October, hunting shall commence at 7:00 a.m. e.d.t. (eastern daylight time) except for waterfowl, turkey and archery deer hunting] of the Regulations of Connecticut State Agencies.

(d) There shall be no hunting with firearms, discharging of firearms or carrying of loaded firearms within five hundred feet of any building occupied by people or domestic animals or used for storage of flammable or combustible materials, unless written permission of owner of such buildings is obtained and carried while hunting to allow closer shooting distances, except that the above referred to distance shall be not less than two hundred fifty feet unless written permission of owner of such buildings is obtained and carried while hunting to allow closer shooting distances when waterfowl is hunted in tidal water areas from land shooting positions or from floating blinds anchored adjacent to land or from rock formations. The provisions of this subsection shall not apply to landowners, their spouses or lineal descendants when hunting within five hundred feet of buildings owned by them or, when hunting waterfowl, within two hundred fifty feet of such buildings, but shall apply when said persons are hunting within said distances of buildings not so-owned.

(e) No hunting weapon shall be discharged toward any person, building or domestic animal when the same is within range or from or across the traveled portion of any public roadway.

(f) Domestic animals, agricultural crops, signs, fences, installations and facilities of utility companies and other property shall not be damaged.

(g) No dogs shall be trained, run or exercised or be permitted to run at large during the period from June first to the opening of the upland hunting season on any land posted by the Department or its agents against such activity.

(h) Hunting, trapping, fishing and/or trespassing is prohibited on any wildlife refuge, closed area or safety zone posted by the Department or its agents against such activity.

(i) Hunting is prohibited from the traveled portion of a public road or on any road adjacent to any premises used for the breeding, rearing, or holding in captivity of wildlife, or premises used for zoological purposes, or posted by the Department or its agents against such activity.

(j) No animals, except a dog or bird of prey where permitted by law or regulation shall be used in hunting or pursuing any wild bird or wild [quadruped] mammal. Permits to use birds of prey may be issued at the discretion of the commissioner to those persons who are engaged in federal, state or university cooperative research programs for the reestablishment of wild populations of raptors.

(k) No motor vehicle shall be operated or parked upon any public or private road, parking area, lane, passageway, right-of-way, field or lot posted by the Department or its agents against such activity.

(l) Discarding of bottles, glass, cans, paper, junk, litter or trash is prohibited on lands and waters open to hunting or otherwise under the jurisdiction of the Department of Energy and Environmental Protection.

(m) Vehicles using department-controlled parking areas shall be parked only in authorized places.

(n) At department-controlled boat launching sites, no boat shall be moored or anchored in a manner that will obstruct or interfere with the launching of other boats, and no boat shall be left unattended in the water or beached on shore unless such boat has, in an exposed area, the name and address of the owner of such boat painted or branded thereon or in any legible manner attached thereto. Any boat anchored, moored, beached or stored in violation of this subsection, and not removed within forty-eight hours after notice has been served on the owner thereof, shall be subject to impoundment at the expense of the owner, and such owner shall be subject to the penalties provided for violations of the provisions of this subsection. For the purpose of this subsection, notice shall be considered to have been served on the owner when a warning card has been affixed to the owner's boat by a representative of the Department.

(o) At department-controlled boat launching areas on inland lakes and ponds, unattended boats left moored, anchored, beached or stored after December fifteenth and before March first shall be subject to impoundment at the expense of the owner and such owner shall be subject to the penalties provided for violations of the provisions of this subsection.

(p) Subject to the provisions of subsection (c) of this section, no person shall hunt raccoons or opossums from one-half hour after sunset to one-half hour before sunrise by the use of a rifle, revolver, or pistol that uses centerfire ammunition or rim fire ammunition having a cartridge case longer than that of a .22 caliber long rifle cartridge case and the projectile of which is heavier than 20 grains or by use of shotgun shells larger or heavier than number two shot. No person shall take or attempt to take raccoons or opossums by the use of a light from a motor vehicle.

(q) Rifles and handguns using centerfire ammunition or rim fire ammunition having a cartridge case longer than that of a .22 rim fire long rifle cartridge case and the projectile of which is heavier than 20 grains and shotgun ammunition of loads larger or heavier than number two shot shall not be possessed and pistols or revolvers using ammunition larger or heavier than .22 rim fire long rifle cartridge shall not be used for the purposes of hunting as defined in section 26-1 of the Connecticut General Statutes on any private land during the private land shotgun rifle deer season as specified in section 26-86a-6(b)(7) of the Regulations of Connecticut State Agencies. This provision relating to rifle, shotgun and revolver ammunition shall not apply to persons holding valid landowner, private land shotgun rifle and/or revolver deer permits. Waterfowlers hunting from a boat, blind or stationary position may only use the ammunition specified in section 26-66-4 (q) of the Regulations of Connecticut State Agencies.

(r) No person shall hunt, pursue, wound or kill any wildlife from September 1 through the last day of February without wearing above the waist at least a total of four hundred square inches of fluorescent orange clothing visible from all sides. This provision does not apply to:

(1) archery deer hunting from September 15 through the second Tuesday before Thanksgiving, and January 1 through January 31;

(2) archery deer hunting from the second Wednesday before Thanksgiving through December 31 while hunting from an elevated tree stand more than 10 feet from the ground;

(3) archery and firearms turkey hunting;

(4) waterfowl hunting from blinds or boats or from a stationary position;

(5) crow hunting from a blind or a stationary position;

(6) hunting raccoon and opossum from one-half hour after sunset to one-half hour before sunrise;

(7) deer hunting by a landowner on the landowner's own property; or

(8) coyote and fox hunting from a blind from September 1 through the first Friday in October, and

from January 1 through the last day in February.

Sec. 6. Section 26-66-3 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-3. Open Hunting Seasons and Bag Limits for Upland Game Birds and [Quadrupeds] Mammals

The following seasons are subject to the closures provided in subsection (i) of this section:

(a) The open season for taking chukar partridge and Hungarian partridge shall be from the third Saturday in October through the last day in February. The daily bag limit shall not exceed two chukar partridge and two Hungarian partridge, and the season bag limit shall not exceed ten chukar partridge and ten Hungarian partridge.

(b) The open season for taking European hare and cottontail rabbit shall be from the third Saturday in October through the last day of February. The daily bag limit shall not exceed one European hare and three cottontail rabbits, and the season bag limit shall not exceed ten European hare and twenty-five cottontail rabbits. The open season for taking ruffed grouse shall be from the third Saturday in October through the last day of November. The open season for taking gray squirrel shall be from the first day in September through the last day of February. The daily bag limit shall not exceed one ruffed grouse and eight gray squirrels and the season bag limit shall not exceed eight ruffed grouse and forty gray squirrels.

(c) The open season for taking snowshoe rabbit shall be from the third Saturday in November through January 31. The daily bag limit shall not exceed two and the season bag limit shall not exceed ten.

(d) The open season for taking raccoon and opossum shall be from the third Saturday in October through the third Saturday in January. During the shotgun season for hunting deer, raccoon and opossum hunting will not be permitted during the daylight hours from one-half hour before sunrise to one-half hour after sunset. The daily bag limit shall not exceed five for raccoon. There shall be no daily or seasonal bag limits on opossum.

(e) The open season for taking quail shall be from the third Saturday in October and continue for two consecutive weeks, except that the season shall continue through the last day in February on the following state-controlled field trial or dog training areas: Dr. John E. Flaherty Field Trial Area, Mansfield Hollow Dam, Nod Brook Management Area and Sugarbrook Field Trial Area. The daily bag limit shall not exceed two and the season bag limit shall not exceed ten.

(f) There shall be no open season on northern and southern flying squirrel, mink, moose, muskrat, beaver, otter, Canada lynx, harbor seal, pine marten, Indiana bat, black bear, fisher, bobcat and mountain lion [(felis concolor)] (*Felis concolor*).

(g) There shall be no closed season except as provided in section 26-66-1 (c) of the Regulations of Connecticut State Agencies and no daily or season bag limits on any of the following species: coyote, porcupine, red squirrel, weasel, or skunk.

(h) The open season for taking red fox and gray fox shall be from the third Saturday in October through the last day in February. The daily bag limit shall not exceed three and the season limit shall not exceed thirty, in combination.

(i) There shall be a closed season for all hunting and the training of dogs from the second Saturday in October through [7:00 a.m.,] one half-hour before sunrise, e.d.t. on the third Saturday in October except for turkey and archery deer hunting; rail and gallinule hunting in tidal marsh; waterfowl hunting; coyote hunting; the hunting of foxes and rabbits under the provisions of section 26-39 of the Connecticut General Statutes; hunting on licensed private shooting preserves operating under the

provisions of section 26-48 of the Connecticut General Statutes [as amended]; junior pheasant hunting training day under the provisions of Section 26-48a-1(a) of the Regulations of Connecticut State Agencies; field trials held under the provisions of section 26-51 and section 26-52 of the Connecticut General Statutes [as amended], the training of dogs under the provisions of Section 26-49 of the Connecticut General Statutes [as amended]; or the training of hunting dogs on any area approved by the Department for this purpose.

(j) The open season for taking woodchuck shall be from March 15 through November 15.

Sec. 7. Section 26-66-4 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-4. Wild Fowl and Shore Birds

The open season daily bag limit and possession limit for migratory game birds and the method of taking such game birds shall be the same as the open season, daily bag limit, possession limit and methods of taking fixed for such birds by the regulations of the United States Fish and Wildlife Service made under the provisions of an act of Congress relating to migratory birds, and as provided under the provisions of section 26-91 of the Connecticut General Statutes, except as provided in section 26-66-1(c) of the Regulations of Connecticut State Agencies.

(a) No person, except the commissioner, may construct or place any permanent blind or structure for hunting of waterfowl on state-controlled lands or waters. Any such permanent blind or structure may be removed or destroyed by the commissioner at any time.

(b) All waterfowl hunting on state-controlled lands and waters of Great Island, Old Lyme and Ragged Rock Creek, Old Saybrook, shall be from waterfowl hunting blinds only, except that cripples may be recovered by shooting within the area open to hunting.

(c) Waterfowl hunting in the Niantic River in the towns of Waterford and East Lyme is subject to the following regulations:

(1) Hunting is prohibited from shore or in the intertidal area without the permission of the riparian property owner;

(2) Hunting is prohibited in the water areas northerly of an east and west line which touches the southern tip of Sandy Point and includes Keeny Cove;

(3) Hunting from boats is permitted only along the midline of the river;

(4) Hunting is prohibited in Smith Cove and the channel entering Smith Cove in East Lyme.

(d) Waterfowl hunting is prohibited in Alewife Cove and entrance channel, Waterford and New London, and in Jordan Cove, north from the mean high water line on the northern side of the sand spit and island.

(e) Except during the regular duck season scaup, scoter, eider and old squaw may be hunted only in coastal waters and all waters of rivers and streams lying seaward from the first upstream bridge.

(f) There shall be no waterfowl hunting on or from the tidal waters of the inlet between Cuttings Road, Compo Beach Road and Owenoke Park, known as Gray's Creek, Westport.

(g) There shall be no waterfowl hunting in Cove Pond (Holly Pond) Stamford and Darien north of the dam.

(h) The open season for taking crows shall be from the second Saturday in January through the last Saturday in March and on Wednesday, Friday, and Saturday from the second Saturday in August through November 30.

(i) There shall be no waterfowl hunting in the tidal waters of Cove Harbor within 100 feet of the mean high tide mark of the Darien shore.

(j) Except when specifically authorized by the United States Fish and Wildlife Service for use

during a special hunting season and as published in the migratory bird hunting guide, no person shall take migratory game birds with a shotgun of any description capable of holding more than three shells, unless it is plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells.

(k) Waterfowl hunting in the Thames River in the Town of Waterford is prohibited in Smith Cove northwest and above the railroad tracks, and from the shores and waters in the vicinity of Mamacoke Island in Mamacoke Cove westward of a line running from the easternmost point of land at Harrison's Landing due north to the point where it intersects the southernmost tip of Mamacoke Island, and from the shores and waters within the unnamed cove west of Mamacoke Island southward of a line running due east from the southernmost point of shoreline of the unnamed waterbody west of the railroad tracks, the shores and waters of which shall also be closed to waterfowl hunting, to a point intersecting the shoreline of Mamacoke Island.

(l) Waterfowl hunting shall be prohibited in the area of Mason's Island known as Ram Point Cove inland of a line extending from the high water mark on the southernmost tip of Ram Point to the southernmost tip of Mason's Island bordering the eastern side of Ram Point Cove.

(m) There shall be no waterfowl hunting in the Black Hall River in Old Lyme in the area bordered on the south by Route 156 and on the north by the first upstream railroad crossing.

(n) No person shall kill or wound any waterfowl without making a reasonable effort to retrieve the bird. Any bird which is killed or wounded and not retrieved shall count in the daily bag total.

(o) A waterfowl hunting party shall include no more than 6 individuals with a minimum distance of 100 yards between parties.

(p) There shall be no waterfowl hunting in Assekong Swamp, North Stonington.

(q) For waterfowl, coot, and rail hunting, only the following shot shall be used:

(1) Non-toxic steel shot no larger than BB steel, or

(2) Bismuth-tin alloy (97% bismuth and 3% tin), Tungsten Polymer, or tungsten iron shot or tungsten-matrix (95.9% tungsten: 4.1 % polymer), tungsten-nickel-iron (Hevishot) or any other non-toxic shot approved for use by the United States Fish and Wildlife Service no larger than number two. No person may possess lead shot while waterfowl hunting.

(r) (1) There shall be no waterfowl hunting in any direction within a 500 foot radius of the mean high tide mark at Merwin Point in Milford.

(2) There shall be no waterfowl hunting within the area bounded by the shoreline and a line from the southernmost extension of the 500 foot radius at Merwin Point in Milford referenced in subdivision (1) of this subsection westward to the southeastern shoreline at Pond Point in Milford.

(s) Waterfowl hunting is prohibited in the area known as the Cedar Point peninsula, shoreward of a line extending from the southerly tip of the stone breakwall at the eastern end of Compo Beach to the tip of Cedar Point and to the westerly tip of Owenoke Point in Westport.

(t) There shall be no waterfowl hunting in or from the banks of the Mystic River between Route 1 and Route 27 in Mystic and Groton.

(u) There shall be no waterfowl hunting in or from the banks of Ash Creek north of a line drawn from the northern end of the steel railing on the fishing pier in Fairfield to the northern end of the stone seawall in Bridgeport at the mouth of the creek where it enters Long Island Sound.

(v) Waterfowl hunting is prohibited from the shore and water in the Giant's Neck area of East Lyme at the mouth of the Pataguanset River northward of a line running due west from the south end of the fixed pier located at the Giant's Neck Boat Association Launch to the south end of the breakwall located at the end of Point Road.

(w) Waterfowl hunting is prohibited from the shores and waters of Long Island Sound in Greenwich as follows:

(1) In Greenwich Cove, north of a line extending from the easternmost point of land at

Willowmere Point to the northernmost point of land on the peninsula immediately north of Meadow Place.

(2) In Cos Cob Harbor, north of a line extending due east from the southeasternmost point of land at the power plant property off of Sound Shore Road to the shoreline adjacent to Glen Avon Road.

(3) In Greenwich Harbor, Smith Cove and Indian Harbor, north of a line extending from the northernmost tip of the area known as Round Island on the west side of Greenwich Harbor to the southernmost tip of the peninsula at the end of Indian Field Road.

(4) In Byram Harbor, north of a line extending northeastward from the end of Dock Road to the southeastern most tip of Gamecock Island across Byram Harbor to the [southern most] southernmost tip of the unnamed peninsula immediately west of Harbor Drive.

(x) Waterfowl hunting is prohibited from the shores and waters of the Branford River in Branford from Route 1 south to Montowese Avenue.

(y) Waterfowl hunting is prohibited from the shores and waters in Post Cove in Deep River southward of the dike that extends across the northern edge of the cove.

(z) Waterfowl hunting is prohibited from the shores and waters in the area known as Long Shore Club Park in Westport shoreward of a line extending from the westerly tip of Owenoke Point to the southwest tip of Hendricks Point.

(aa) Waterfowl hunting at Plum Bank Marsh Wildlife Management Area in Old Saybrook is prohibited north and east of a line extending from Southview Circle southeast to Gull Lane.

(bb) Waterfowl hunting is prohibited from the shores and waters of the Quinnipiac River in New Haven [south from a line extending from the southernmost tip of Granis Island at the mouth of Hemingway Creek, across the river to Lombard Street] from the Middletown Avenue Bridge south to the Amtrak Route 1 Bridge.

(cc) Waterfowl hunting is prohibited from the shores and waters of the Housatonic River in Milford and Stratford southward from the I-95 bridge to a line extending from Edgemont Road in Milford across the river to Riverview Place in Stratford.

(dd) There shall be no waterfowl hunting on the West River in Guilford between Route 1 and Route 146.

(ee) There shall be no waterfowl hunting on the West River in West Haven between Route 1 and Route 122 (Kimberly Avenue).

Sec. 8. Section 26-66-5 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-5. Trapping. General

(a) Furbearing animals may be taken by deadfall, box trap, live trap, unpadded metal traps not having a spread or opening greater than 5 3/4 inches or padded metal traps not having a spread or opening greater than 5 15/16 inches, and smooth wire traps not having an opening greater than 6 1/2 inches, and species specific traps. For the purposes of this section, the following trap types shall have the features listed: (1) a species specific trap shall have all of the following features: [(1)] (A) a triggering mechanism and restraining mechanism enclosed by a housing; [(2)] (B) when set, triggering and restraining mechanisms accessible only via a single opening; [(3)] (C) an access opening measuring not greater than 2 inches in diameter if round, or not greater than 2 inches diagonally if rectangular in shape; [(4)] (D) a triggering mechanism that can only be activated by a pulling force; and [(5)] (E) a swivel mounted anchoring mechanism. [For the purposes of this section,] (2) a padded metal trap shall have all of the following features: [(1)] (A) spring strength shall not exceed 55 inch pounds with arms in the closed position and 85 inch pounds with arms in the

open position[:]; [(2)] (B) a gap between the arms of the trap such that in a closed position the gap shall be no less than 1/4 inch in width and no less than 4 inches in length[:]; [(3)] (C) provides and incorporates replaceable non-weather hardening, non-age hardening padding material not less than 3/32 inch thick covering the closing surfaces of, and securely affixed to, the arms[:]; [(4)] (D) a chain no longer than 6 inches in length[:]; [(5)] (E) swivels located at each end of the chain, with one center mounted below the trap and [(6)] (F) a shock absorbing spring incorporated into the anchoring chain. Unpadded metal traps or padded metal traps with a spread or opening not greater than seven and one-half inches, or conibear type traps or similar smooth wire traps not greater than ten inches square may be set for beaver in water bodies occupied or frequented by beaver, including but not limited to lakes, ponds, marshes, swamps, rivers and streams. No traps may have serrations or teeth.

(b) Subject to the provisions of [section 26-66-5(a) of the Regulations of Connecticut State Agencies] subsection (a) of this section unpadded metal traps and smooth wire traps shall only be placed, set or attended below the surface of the water in a pond, lake, stream, river, spring hole or tidal waters, except smooth wire traps having an opening of four and three quarters inches or less may extend above the surface of the water provided a portion of the trap frame must remain in contact with the water. Subject to the provisions of [section 26-66-5(a) of the Regulations of Connecticut State Agencies] subsection (a) of this section, padded metal traps shall only be placed, set or attended below the surface of the water in a pond, lake, stream, river, spring hole or tidal waters or in the burrow of wild animal, except from December 1 through January 31, coyotes may be trapped with padded metal traps placed, set or attended on or below the ground on private land subject to the following restrictions: (1) private land parcels shall be a minimum of 10 contiguous acres; (2) any person placing, setting or attending such traps shall carry in possession proof of completion of a land trapping course approved by the commissioner; (3) any person placing, setting or attending such traps shall carry in possession written landowner permission explicitly allowing use of padded metal traps on or below ground; (4) bait shall not be visible; (5) traps shall require a force greater than two pounds to be triggered; (6) traps shall be securely anchored to the ground. No trap shall be placed, set or tended within ten feet of the waterline of a muskrat house or beaver house.

(c) Any device, the object of which is to discharge a firearm, or cause the discharge of any shell, cartridge, explosive, poison or flammable material of any nature, is prohibited when used with any trap.

(d) Any person taking or possessing raw furs or carcasses of any beaver, [bobcat,] coyote, fisher, red fox, gray fox, wild mink or river otter shall have such raw fur or carcasses tagged, at no cost, by department representatives or, for coyote, red fox or gray fox taken by hunting, shall report the harvest by telephone or internet to the Department of Energy and Environmental Protection. Times, dates and locations of the regular tagging sessions and telephone or internet reporting options shall be listed in the abstract of hunting laws and regulations. All raw furs or carcasses shall be tagged or reported by the last scheduled tagging date of the current trapping season or before selling, exchanging, giving away, mailing or transporting beyond state boundaries, retaining for personal use, or otherwise disposing of the raw fur or carcass, whichever comes first. For the purposes of this section, raw fur means a pelt which has not been tanned, mounted or processed in any way. Fisher furs will not be tagged until the carcass of the animal is submitted to the commissioner or the commissioner's designated agent at the time of tagging.

(e) On privately owned lands, no person shall set, place, or attend any trap unless the person has in their possession the written permission of the owner. Dated permission must be obtained for the current season.

Sec. 9. Section 26-66-7 of the Regulations of Connecticut State Agencies is amended to read as

follows:

Sec. 26-66-7. Seasons and bag limits for trapping furbearing animals

(a) There shall be no daily or season bag limit for trapping any species of fur-bearing animal for which an open trapping season is provided, except that the otter season bag limit shall be eight and the fisher season bag limit shall be [four] two.

(b) The open season for trapping raccoon, wild mink, muskrat, river otter, gray fox, red fox, coyote, opossum, weasel and skunk shall be from the first Sunday following the first Saturday in November through March 15th. The open season for trapping fisher shall be from November 20th through December 31st. The open season for trapping beaver shall be from December 1 through March 31st.

(c) There shall be no open season for trapping snowshoe rabbit (varying hare), cottontail rabbit, gray squirrel, European hare, porcupine, red squirrel, woodchuck, Canada lynx, pine marten, black bear, bobcat, mountain lion [(felis concolor)] (*Felis concolor*), Indiana bat and harbor seal.

Sec. 10. Section 26-66-12 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-12. Wild Turkey Seasons, Bag Limits, Firearms, Ammunition, Archery Equipment, Methods, Permits, Tags and Reporting

(a) Season and bag limit:

(1) Spring Season. In such areas of the state as designated by the commissioner and listed in the applicable annual Connecticut [hunting] Hunting and [trapping] Trapping [guide] Guide, the open spring [private land] season for hunting bearded wild turkey on private and state lands shall begin the last Wednesday in April and end the last Saturday in May. From the second Saturday before the last Wednesday in April through the first Saturday before the last Wednesday in April shall be designated as junior turkey hunting training days. On these days, only hunters having a valid Connecticut junior hunting license and a [spring season turkey permit] Resident Gamebird Stamp may hunt on state land or on private lands for which they have written permission from the land owner. The accompanying adult mentor shall have in his/her possession a valid Connecticut hunting license, a [spring season turkey permit] Resident Gamebird Stamp and written permission from the landowner when hunting on private lands. The adult mentor shall not carry a firearm, but may assist in calling. The adult mentor shall remain within physical contact of, and in a position to provide direct supervision and instruction of, the junior hunter at all times. Hunting shall be allowed from one-half hour before sunrise until [12:00 noon, except on junior turkey hunting training days, when hunting shall be allowed from one-half hour before sunrise until 5:00 pm] sunset. The season bag limit shall be [three] five bearded wild turkeys.

[(2)] [In such areas of the state as designated by the Commissioner and listed in the applicable annual Connecticut hunting and trapping guide, the open spring state land season for hunting bearded wild turkey shall begin the last Wednesday in April and end the last Saturday in May. From the second Saturday before the last Wednesday in April through the first Saturday before the last Wednesday in April shall be designated as junior turkey hunting training days. On these days, only hunters having a valid Connecticut junior hunting license may hunt on state land for which they have a spring season turkey permit. The accompanying adult mentor shall have in his/her possession a valid Connecticut hunting license and a turkey permit for the spring season. The adult mentor shall not carry a firearm, but may assist in calling. The adult mentor shall remain within physical contact

of, and in a position to provide direct supervision and instruction of, the junior hunter at all times. Hunting shall be allowed from one-half hour before sunrise until 12:00 noon, except on junior turkey hunting training days, when hunting shall be allowed from one-half hour before sunrise until 5:00 pm. The season bag limit shall be two bearded wild turkeys.]

[(3)](2) Fall Archery Season. In such areas of the state as designated by the [Commissioner] commissioner and listed in the applicable annual Connecticut Hunting and Trapping Guide, the open fall season for hunting either bearded or non-bearded wild turkey with bow and arrow on private and state lands shall run concurrently with the archery deer season as specified in Section 26-86a-6(b) of the Regulations of Connecticut State Agencies. Hunting shall be allowed from one-half hour before sunrise until sunset. The season bag limit shall be two wild turkeys [either bearded or non-bearded].

[(4)](3) Fall Firearms Season. In such areas of the state as designated by the [Commissioner] commissioner and listed in the applicable annual Connecticut Hunting and Trapping Guide, the open fall firearms season for hunting [wild turkey] either bearded or non-bearded wild turkey with firearms on private and state lands shall begin on the first Saturday in October and end on October 31. Hunting shall be allowed from one-half hour before sunrise until sunset. The season bag limit shall be [one turkey either bearded or non-bearded on state lands and two turkeys either bearded or non-bearded on private lands] three wild turkeys.

(b) Firearms, ammunition, archery equipment.

During the regulated seasons, Wild turkey may only be hunted as specified with a 20 gauge or larger shotgun, smooth bore muzzleloader of 20 gauge or larger, or with bow and arrow. Shot sizes in all firearms shall be restricted to #4, 5, 6, 7, or 7 1/2. A shotgun used to hunt wild turkey shall not be capable of holding more than three shells and have its magazine plugged with a one-piece filler, incapable of removal without disassembling the gun, so its total capacity does not exceed three shells. Bow and arrow as used in this regulation section means a long, recurved or compound bow with a minimum draw weight of 40 pounds, or crossbow with a minimum draw weight of 125 pounds. The arrowhead shall have two or more blades and may not be less than seven-eighths of an inch at the widest point.

(c) Method of take

(1) No person shall hunt, pursue, kill, take or attempt to take any wild turkey without a validated turkey permit, in addition to the license required by Section 26-27 of the Connecticut General Statutes.

(2) No animal, including a dog, may be used in hunting or pursuing any wild turkey, except that a dog may be used to hunt turkey during the fall firearms season on private lands only.

(3) No person shall take or attempt to take any wild turkey with the aid of real or artificial bait; over any baited area; with the use of electronic amplified turkey calling device or live decoy.

(4) No person shall take or attempt to take any wild turkey by participating in a cooperative drive or assist in hunting, pursuing or killing of wild turkeys without a validated permit. This provision shall not prohibit a hunter that has harvested all of the turkeys allowed under their permit from calling for another hunter with a valid turkey permit.

(5) It shall be unlawful to shoot from a building or other permanent structure.

(6) No person shall take or attempt to take any wild turkey which is roosted in a tree.

(d) Written consent.

No person shall hunt or assist with the hunting of wild turkey on private land without carrying dated written permission of the landowner for the current season. During the spring and fall firearms seasons such written consent shall be on forms provided by the commissioner. Only those consent forms completely filled out, signed and dated by the landowner shall be valid. Persons hunting pursuant to section [26- 66-12 (e) (2) (A)] subsection (e)(2)(A) of this section shall not be required to carry written consent.

(e) **Permits and tags.**

(1) (A) During both the spring and the fall firearms turkey seasons an individual may apply for and purchase one state land and one private land permit. Application for all permits except state land designated areas requiring lottery selection shall be made on forms provided by the commissioner and shall be accompanied by the appropriate fee, as specified in Section 26-48a-2 of the Regulations of Connecticut State Agencies.

(B) The issuance of permits on designated state-owned lands for the spring and fall firearms seasons shall be on the basis of a random selection of single accurately completed applications on forms provided by the commissioner. The total number of permits to be issued shall be predetermined by the commissioner and announced prior to the actual selection of permits. Upon notification of selection, the applicant shall return such notice with the appropriate fee as specified in section 26-48a-2.

(2) (A) Upon receipt of a completed application signed by a landowner of record, the commissioner shall issue, without fee, a private land turkey hunting permit to the owner(s) of ten or more adjoining acres of private land and the husband or wife, parent, grandparent, sibling, and/or any lineal descendant of such owner(s), provided no such owner, husband, or wife, parent, grandparent, sibling, or lineal descendant shall be issued more than one such permit per season. Such permit shall be valid for hunting on the owner's land as specified in the permit application.

(B) The land listed in the application shall:

- (i) Be located in a designated turkey hunting zone; and
- (ii) Repealed June 11, 2014.

(3) No wild turkey permit may be used unless it is validated by the Department of Energy and Environmental Protection and signed by the hunter upon receipt. Such permit is valid only for the state land area and hunting period, or private land for which it is identified. A valid wild turkey permit shall be carried while hunting.

(4) Immediately upon killing a wild turkey, and before moving the carcass in any manner from where it was killed, a person shall write their conservation identification number; name; date and time of kill; town of kill; and permit type on a tag and then sign their name. This tag, signed and with complete information, shall be kept with the turkey at all times.

(5) No person shall change or alter a turkey permit or tag or loan to another or allow another to have or use such permit or tag issued to himself or use any permit or tag issued to another.

(6) During the spring season a person may obtain a single private land permit and a single state land permit. During the fall season a person may obtain a single archery permit, a single private land firearms permit and a single state land firearms permit.

(7) Information contained in the application for such turkey permit which is determined to be false or misleading shall be cause for rejecting such application or revoking such permit.

(f) **Reporting.**

(1) All spring and fall permittees, whether having taken a turkey or not, who are contacted by the Department for the purposes of surveying turkey hunting activity shall complete a hunting season activity report by the method specified in the hunting and trapping guide published annually by the Department of Energy and Environmental Protection.

(2) During the open spring firearms/archery season, the open fall firearms season or the open fall archery season, the fully completed and signed tag specified in [sec. 26-66-12(e)(4)] subsection (e)(4) of this section shall remain with any harvested turkey until it is packaged for consumption or mounted for display. The fully completed and signed tag kept with a turkey harvested in accordance with all applicable laws and regulations shall constitute lawful possession, provided that the reporting required under subdivision (3) of this subsection has been completed.

(3) Any person taking a turkey during the open spring firearms/archery season, the open fall

firearms season or the open fall archery season shall report the taking of such turkey within 24 hours after taking such turkey by the method specified in the [hunting and trapping guide] Hunting and Trapping Guide published annually by the Department of Energy and Environmental Protection.

Sec. 11. Section 26-66-13 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-13. Seasons, bag limits, and methods for taking amphibians

(a) There shall be no open season for taking Jefferson Salamanders, [(*Ambystoma jeffersonianum*)] (*Ambystoma jeffersonianum*), Blue-spotted Salamanders, [(*Ambystoma laterale*)] (*Ambystoma laterale*), Tremblay's Salamanders, [(*Ambystoma tremblayi*)] (*Ambystoma tremblayi*), Silvery Salamanders, [(*Ambystoma platineum*)] (*Ambystoma platineum*), Eastern Spadefoot Toads, [(*Scaphiopus h. holbrookii*)] (*Scaphiopus h. holbrookii*), Red-spotted Newts, (*Notophthalmus v. viridescens*), and Northern Leopard Frogs, [(*Rana pipiens*)] (*Rana pipiens*), in any developmental stage.

(b) The open season for taking adult Spotted Salamanders, [*Ambystoma maculatum*] (*Ambystoma maculatum*), and adult Marbled Salamanders, [*Ambystoma opacum*] (*Ambystoma opacum*), shall be from May 1 through August 31. During the open season, adult Spotted Salamanders and Marbled Salamanders shall only be taken by hand or hand-held implement. No person shall take any adult Spotted Salamanders or Marbled Salamanders by seine net. The daily and season bag limit shall not exceed three (3) of each species. There shall be no open season for taking eggs or juveniles of these species. For purposes of this section, "seine net" means a net with sinkers on one edge and floats on the other that hangs vertically in the water and encloses aquatic wildlife when its ends are pulled together or are drawn ashore.

[(c)] [There shall be no closed season and no daily or season bag limits on taking adult Red-spotted Newts, *Notophthalmus v. viridescens*. Adult Red-spotted Newts shall only be taken by hand or hand-held implement. No person shall take any adult Red-spotted Newt by seine net as defined in subsection (b) of this section, minnow trap, or by aid of a motorboat. There shall be no open season for taking eggs or juveniles of these species.]

Sec. 12. Section 26-86a-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-2. Permits and Tags

(a) The issuance of firearm permits on state-owned lands designated by the commissioner and listed in the applicable annual Connecticut Hunting and Trapping Guide shall be on the basis of a random computer selection of single accurately completed applications. The number of permits to be issued shall be predetermined by the commissioner and announced prior to the actual selection of permits. No person may be selected for more than one state land firearms deer permit.

(b) No deer permit may be used unless it is validated by the Department of Energy and Environmental Protection and signed by the hunter upon receipt. A state land deer permit is valid only for the area [and for the season] for which it is identified. A landowner deer permit is valid only for the property listed on the application by which such permit was obtained. A valid deer permit shall be carried while hunting.

(c) Immediately upon killing a deer, and before moving the carcass in any manner from where it

was killed, a person shall write their conservation identification number; name; date and time of kill; town of kill; and permit type on a tag and then sign their name. This tag, signed and with complete information shall be kept with the deer at all times until the carcass is cut up and packaged for consumption.

(d) No person shall change or alter deer permits or loan to another or permit another to have or use such permit issued to himself or use any permit issued to another.

(e) No person shall obtain more than one of the same type deer permit in any one year other than as specified in section 26-86a-8(c) of the Regulations of Connecticut State Agencies.

(f) Information contained in the application for such deer permits, which is determined to be false or misleading shall be cause for rejecting or revoking such applications or permits.

(g) No landowner shall make more than one application for the free landowner deer season permit for the same person.

(h) Persons checking antlerless deer legally harvested pursuant to private land deer permits at designated deer check stations may be issued a replacement antlerless only deer tag. Such tag shall be valid in the designated management zone during the designated season indicated on such tag by the commissioner only. Any person who checks a total of three antlerless deer at designated check stations may be issued a replacement either-sex deer tag for use during that same season in the designated management zones designated on such tag by the commissioner.

(i) Persons checking antlerless deer legally harvested pursuant to state land deer permits at designated deer check stations may be issued a replacement antlerless only deer tag. Such tag shall be valid on designated state lands [during the designated season] indicated on such tag by the commissioner. Any person who checks a total of three antlerless deer at designated check stations may be issued a replacement either-sex deer tag for use during that same season on state lands designated on such tag by the commissioner.

(j) Deer taken as antlerless-only with a private land shotgun/rifle permit may only be taken on days and in the zones specified on the permit.

Sec. 13. Section 26-86a-6 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-6. Open Seasons

(a) The hours for hunting deer authorized under the regulated sport hunting season permits shall be one-half hour before sunrise to sunset—prevailing time standard. The hours for hunting deer authorized under deer damage permits issued per Connecticut General Statutes section 26-82 shall be from one-half hour before sunrise to one-half hour after sunset—prevailing time standard.

(b) The open seasons shall be:

(1) for archery deer hunting on state lands open to archery deer hunting and firearms deer hunting, from September 15 through the second Tuesday before Thanksgiving Day and from the fourth Wednesday after Thanksgiving Day through December 31;

(2) for archery deer hunting on state lands open to archery deer hunting and closed to firearms deer hunting, and on private lands, from September 15 through December 31;

(3) for archery deer hunting on private lands in deer management zones designated by the commissioner and listed in the applicable annual Connecticut hunting and trapping guide, from September 15 through January 31;

(4) for muzzleloader deer hunting on state lands, from the second Wednesday after Thanksgiving Day through the fourth Tuesday after Thanksgiving Day;

(5) for muzzleloader deer hunting on private land, from the second Wednesday after Thanksgiving

Day through December 31;

(6) for shotgun deer hunting on state lands [there shall be two seasons:

(A) season A] , from the second Wednesday before Thanksgiving Day through [the first Friday after Thanksgiving Day;

(B) season B from the first Saturday after Thanksgiving Day through] the second Tuesday after Thanksgiving Day;

(7) for shotgun or rifle deer hunting on private land, from the second Wednesday before Thanksgiving Day through the second Tuesday after Thanksgiving Day;

(8) for revolver, as defined in section 29-27 of the Connecticut General Statutes, with a cartridge of .357 caliber or larger and subject to the revolver carry permit provisions of subsection (b) of section 29-28 of the Connecticut General Statutes, deer hunting on 10 or more acres of private land, the seasons shall be:

(A) by persons authorized to hunt deer pursuant to a free private land deer permit, as provided for in section 26-86a of the Connecticut General Statutes, and a revolver deer permit, from November 1 through December 31;

(B) by other residents of the state authorized to hunt deer pursuant to a private land shotgun rifle deer permit and a revolver deer permit, from the second Wednesday before Thanksgiving Day through the second Tuesday after Thanksgiving Day.

(c) Special seasons shall be:

(1) for rifle, shotgun or muzzleloader on private land in areas of the state designated by the [Commissioner] commissioner for antlerless deer only, from the fourth Wednesday before Thanksgiving through the second Tuesday before Thanksgiving Day;

(2) for shotgun deer hunting on state land by persons authorized to hunt deer pursuant to a Connecticut junior firearms hunting license and a state land shotgun deer permit, and accompanied by an adult simultaneously authorized to hunt deer pursuant to a Connecticut hunting license and a deer permit, from the third Saturday through the second Saturday before Thanksgiving Day. The adult mentor shall not carry a firearm and shall remain within physical contact of, and in a position to provide direct supervision and instruction of, the junior hunter at all times.

(3) for shotgun or rifle deer hunting on private lands by persons authorized to hunt deer on the subject property pursuant to a Connecticut junior firearms hunting license, a private land shotgun rifle deer permit and written permission of the landowner, the junior firearms permit holder shall be accompanied by an adult who is authorized to hunt deer on the subject property simultaneously authorized to hunt deer on the subject property pursuant to a Connecticut hunting license, private land shotgun rifle deer permit and written permission of the landowner, from the third Saturday through the second Saturday before Thanksgiving Day. The adult mentor shall not carry a firearm and shall remain within physical contact of, and in a position to provide direct supervision and instruction of, the junior hunter at all times.

R-39 Rev. 02/2012

Statement of Purpose**Sec. 23-5c-1. Regulations for the management of state natural area preserves and procedures for the adoption of a management plan for each preserve**

To streamline the designation of and management plans procedures for Natural Area Preserves without losing the integrity of the program. Additionally, to correct existing mislettered subsections.

Statement of Purpose**Sec. 26-16-3a. Limitations of Public Use of State Controlled Wildlife Management Areas**

To make technical corrections including references to the commissioner of the Department of Energy and Environmental Protection, and to add reference to the Regulations of Connecticut State Agencies.

Statement of Purpose**Sec. 26-55-4. Importation and possession of deer, moose, and elk carcasses and parts**

Chronic Wasting Disease can be spread through exposure to infected deer urine. The proposed regulation prohibiting the use of commercially available natural deer products seeks to safeguard the native deer population against unnecessary risk of contracting Chronic Wasting Disease.

Statement of Purpose**(NEW) Sec. 26-55-7. Importation, transportation or liberation of butterflies**

The proposed regulation prohibits the release of butterflies, in any life stage. The commercial market for butterflies has resulted in many species being raised by unregulated commercial interests resulting in:

- Disease and parasite transmission to Connecticut's native populations.
- Release of butterflies far from their native point of origin results in unsuitable genetic mixing, introduction of non-natives possibly resulting in an invasive species, and altered distribution and migration of butterflies.
- Creates a market for collection from the wild for breeding stock which is a particular concern with monarch butterflies.
- Alters normal behavior of butterflies regarding migratory physiology, over-wintering ability, and other natural behaviors that may affect the survival of the species.

The North American Butterfly Association has strongly recommended that states take action in banning the release of commercially-obtained butterflies. Also considering the Connecticut General Assembly passed Public Act 16-17 (AAC Pollinator Health) with the intent of protecting the health of bees and butterflies, this proposal provides additional safeguards for Connecticut's native pollinating butterflies. This proposal still allows for captive-rearing of butterflies for conservation situations with educational institutions.

Statement of Purpose**Sec. 26-66-1. Behavior and Actions of Hunters**

The proposed regulation changes the time of opening day for small game hunting. Currently, opening day allows hunting to begin at 7:00 a.m. while every other day of small game season hunting is allowed from one-half hour before sunrise. Considering there are no adverse concerns for small game management, the recommendation is to have opening day begin one-half hour before sunrise making for consistency throughout the season.

R-39 Rev. 02/2012

Statement of Purpose**Sec. 26-66-3. Open Hunting Seasons and Bag Limits for Upland Game Birds and Mammals**

The proposed regulation changes the time of opening day for hunting and the training of hunting dogs. Currently, opening day allows hunting and the training of hunting dogs to begin at 7:00 a.m. while every other day of hunting is allowed from one-half hour before sunrise. Considering there are no adverse concerns for game management, the recommendation is to have opening day begin one-half hour before sunrise making for consistency throughout the season.

Statement of Purpose**Sec. 26-66-4. Wild Fowl and Shore Birds**

This regulation change closes waterfowl hunting on one area of the Quinnipiac River in New Haven and two areas of the West River due to safety precautions.

Statement of Purpose**Sec. 26-66—5 Trapping. General.**

This regulation requires trappers to submit fisher carcasses for research purposes.

Statement of Purpose**Section 26-66-7 Seasons and bag limits for trapping furbearing animals**

This regulation change reduces the season bag limit for fisher from four to two.

Statement of Purpose**Sec. 26-66-12. Wild Turkey Seasons, Bag Limits, Firearms, Ammunition, Archery Equipment, Methods, Permits, Tags and Reporting**

The proposed regulation extends the day length for turkey hunting from ending at 12:00 noon to ending at sunset for spring State and private lands; and from 5:00 p.m. to sunset for junior turkey hunting training days. This change is consistent with the proposed change to fall archery and firearms turkey hunting. The proposed regulation also simplifies the regulations by eliminating distinctions between private and state lands during the spring season. There are no adverse concerns for wild turkey management.

Statement of Purpose**Sec. 26-66-13. Seasons, bag limits, and methods for taking amphibians**

The proposed regulation prohibits the taking of red-spotted newts. Newts have been documented to be extremely susceptible to the emerging disease Bsal (*Batrachochytrium salamandrivorans*), also known as salamander chytrid disease, and experience high mortality rates. The disease is not in North America at this time, but it will likely occur if measures aren't taken to prevent further transmission. Unrestricted take and movement of newts would be a vector for transmission and spread of the disease which has the potential for negative population-level impacts. The disease is spread to naïve populations by direct salamander-to-salamander contact or by movement of aquatic fungal spores that can cling to nets or other collection equipment.

Statement of Purpose**Sec. 26-86a-2. Permits and Tags**

Eliminating the need to have the appropriate “A” or “B” season identified on the required permit for

R-39 Rev. 02/2012

state land shotgun deer season. See also Sec. 26-86a-6.

Statement of Purpose**Sec. 26-86a-6 Open Seasons**

Eliminating the need to have both an “A” and “B” season (9 days each) for state land shotgun deer season. This change will allow hunters to deer hunt on state land for a total of 18 days rather than just 9 days. See also Sec. 26-86a-2.

IMPORTANT NOTICE FOR CONNECTICUT STATE AGENCIES
This form is to be used for proposed permanent and technical amendment regulations only and must be completed in full.

AGENCY CERTIFICATION

Department of Energy and Environmental Protection

Proposed Regulation Concerning

Wildlife Division - 2018

eRegulations System Tracking Number PR2017-074

I hereby certify the following:

(1) The above-referenced **regulation** is proposed pursuant to the following statutory authority or authorities: **Sections 22a-6, 23-4, 23-5c, 26-16, 26-55, 26-65, 26-66, 26-86a**

For technical amendment regulations proposed without a comment period, complete #2 below, then skip to #8.

(2) As permitted by Section 4-168(h) of the *Connecticut General Statutes*, the agency elected to proceed without prior notice or hearing and posted the text of the proposed technical amendment regulation on eRegulations System website on **[Not Applicable]**.

For all other non-emergency proposed regulations, complete #3 - #7 below, then complete #8)

(3) The agency posted notice of intent with a specified comment period of not less than 30 days to the eRegulations System website on **April 12, 2019**. **This notice was amended on May 22, 2019 to confirm that written comments would be received through May 29, 2019. A second amendment was made August 13, 2019 to provide the statutory authority under which the regulations are being amended.**

(4) *(Complete one)* No public hearing held or was required to be held. **OR** One or more public hearings were held on: **May 29, 2019**.

(5) The agency posted notice of decision to move forward with the proposed regulation to the eRegulations System website on **August 13, 2019**.

(6) *(Complete one)* No comments were received. **OR** Comments were received and the agency posted the statements specified in subdivisions (1) and (2) of CGS Section 4-168(e) to the eRegulations System website on **August 13, 2019**.

(7) The final wording of the proposed regulation was posted to the eRegulations System website on **August 13, 2019** and the **updated final version for resubmittal to the Legislative Regulation Review Committee was posted on November 27, 2019**.

(8) Subsequent to approval for legal sufficiency by the Attorney General and approval by the Legislative Regulation Review Committee, **the final regulation shall be effective**

(Check one and complete as applicable)

When posted to the eRegulations System website by the Secretary of the State.

OR On _____

(Date must be a specific calendar date not less than 11 days after submission to the Secretary of the State)

Katherine S. Dykes

SIGNED
(Head of Board, Agency or Commission, or duly authorized deputy)

Commissioner

OFFICIAL TITLE

11-27-19
DATE

**OFFICE OF THE ATTORNEY GENERAL
REGULATION CERTIFICATION**

**Agency: Connecticut Department of Energy and Environmental
Protection**

REGULATION NUMBER PR2017-074

**This Regulation is hereby APPROVED by the Attorney
General as to legal sufficiency in accordance with Connecticut
General Statutes Section 4-169.**

DATE: 12/10/2019

Signed:



***Joseph Rubin, Assistant Deputy Attorney General
Duly Authorized***

The Connecticut General Assembly

Legislative Regulation Review Committee

Senator Craig Miner
Senate Chair



Representative Susan Johnson
House Chair

Official Record of Committee Action

January 28, 2020

Agency: Department of Energy and Environmental Protection
Description: Wildlife Division - 2018
LRRC Regulation Number: 2019-023A
eRegulation Tracking Number: PR2017-074

The above-referenced regulation has been

Approved with Technical Corrections and Deletions

by the Legislative Regulation Review Committee in accordance
with CGS Section 4-170.

Kirstin L. Breiner
Committee Administrator



State of Connecticut
Office of the Secretary of the State

Confirmation of Electronic Submission

Re: Regulation of the Department of Energy and Environmental Protection
concerning Wildlife Division - 2018
eRegulations System Tracking Number PR2017-074
Legislative Regulation Review Committee Docket Number 2019-023A

The above-referenced regulation was electronically submitted to the Office of the Secretary of the State in accordance with Connecticut General Statutes Section 4-172 on January 30, 2020.

Said regulation is assigned Secretary of the State File Number 6312.

The effective date of this regulation is February 4, 2020.

A handwritten signature in black ink that reads "Denise W. Merrill".

Denise W. Merrill
Secretary of the State
February 4, 2020

By:

/s/ Kristin M. Karr

Kristin M. Karr
Administrative Law
Information Systems Manager