



November 16, 2021

N21-32

Notice of Public Hearing

The Connecticut Department of Energy and Environmental Protection (Department) is holding a public hearing on a proposal to modify the Regulations of Connecticut State Agencies concerning Whelks, American Lobsters, Striped Bass Circle Hooks and Horseshoe Crabs. The hearing will be held:

December 6, 2021, 6:30 PM
Clinton Town Hall Auditorium
50 East Main St. (Route 1)
Clinton, CT 06413

Please Note: The hearing will start promptly at 6:30 PM and adjourn at 9:00 PM or earlier if the last person signed in to provide comment has spoken. Please note that all hearing attendees will be required to wear a mask or face covering.

For whelks, the proposed regulations define dimensions, structural configuration, and gear marking requirements for whelk pots, prohibit the setting of whelk pots on leased shellfish beds and in marked navigation channels, require use of bait bags in whelk pots, prohibit the hauling and setting of whelk pots from one half hour after sunset to one half hour before sunrise, and implement a minimum size limit of 5-1/2 inch shell length or 3 inch shell width.

For lobsters, the proposed regulations make permanent the requirements of Addendums IV and XI to Amendment 3 of the Atlantic States Marine Fisheries Commission's (ASMFC) American Lobster Interstate Fishery Management Plan (FMP) which were previously implemented via temporary Commissioner's Declarations. These requirements include a 3-3/8 inch minimum carapace length limit, 5-3/4 inch by 2 inch escape vent size for lobster pots, and the fall seasonal closure for Lobster Management Area 6. Note that the term "make permanent" means to add these rules to the Regulations of State Agencies, thus negating the need for periodic renewal of temporary Commissioner's Declarations; these rules could still be modified in the future if changes to the ASMFC Lobster FMP allow for it.

For striped bass, the proposed regulations make permanent the requirement of Addendum VI to Amendment 1 of the ASMFC Striped Bass FMP to use circle hooks when recreationally fishing for striped bass with bait, a rule previously implemented in 2020 via emergency regulation.

For horseshoe crabs, the proposed regulations implement "lunar closures" (5-day commercial fishery closures centered on the new or full moon phase) during the last moon phase in May and the first moon phase in June, as well as a reduction in the daily commercial fishing possession limit from 500 to 150 crabs.

Availability of Additional Information:

The Notice of Intent to modify the regulations has been published on the Secretary of State's website at <https://eregulations.ct.gov/eRegsPortal> under Case No. PR2021-027. The proposed regulation, fiscal impact analysis and small business impact statement are available for public inspection on that website and by contacting the Fisheries Division by phone (860-434-6043) or by email (deep.marine.fisheries@ct.gov).

Written Comments:

Interested persons are invited to provide written comment on the proposal. Comments are due not later than 5:00 p.m. on December 19, 2021 via the eRegulations System; by U.S. mail to the attention of Justin Davis, DEEP Marine Fisheries Office, PO Box 719, Old Lyme, CT 06371; or by electronic mail to deep.marine.fisheries@ct.gov.

For further information, contact the DEEP Marine Fisheries Program by email at deep.marine.fisheries@ct.gov, by mail at P.O. Box 719, Old Lyme, CT 06371 or by telephone at 860.434.6043 between the hours of 8:30 AM and 4:30 PM, Monday through Friday.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. If you are seeking a communication aid or service, have limited proficiency in English, wish to file an ADA or Title VI discrimination complaint, or require some other accommodation, including equipment to facilitate virtual participation, please contact us at 860-418-5910 or by email at deep.accommodations@ct.gov. Any person needing an accommodation for hearing impairment may call the State of Connecticut relay number - 711. In order to facilitate efforts to provide an accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program or event.