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Affirmative Action/Equal Opportunity Employer

Notice of Intent to Amend Regulations and Notice of Public Hearing

The Commissioner of Energy and Environmental Protection, pursuant to Sections 4-168(a) and 22a-6 of the General Statutes of Connecticut, hereby gives notice of her intention to amend sections 26-112-39, 26-112-43, 26-112-44, 26-112-45, 26-112-46, and 26-112-48 of the Regulations of Connecticut State Agencies. These regulations will be adopted under authority of Sections 26-48a and 26-112 of the General Statutes.

The proposed amendments to the regulations will amend regulations concerning angler access in easement areas; fishing methods, creel and possession limits (culling, catch-and-release) and gear types (cast nets); closed fishing seasons, harvest regulations for certain species (trout, Kokanee Salmon), and Trout Management Lakes (one new waterbody added to list. Several minor and technical changes, corrections and updates are made.

Many of these proposals are intended to bring inland sport fishing regulations into compliance with, or to facilitate, provisions of Public Act 21-12 prohibiting closed fishing seasons for trout, while also maintaining and enhancing fishing opportunities throughout the state. These proposed regulations include provisions eliminating the closed fishing season for trout and all closed seasons specific to areas with the exception of several limited closures intended to protect fish health.

Below is a summary of the proposed changes:

Section 1. Updates provisions concerning behavior in easements/leased properties and provisions concerning use of state boat launches to conform with current Boating regulations.

Section 2. Eliminates the existing definition of closed season as a closure of an area to all fishing; establishes definitions and restrictions for “culling” and “cast nets”; and clarifies that an angler in the inland district may continue to fish (catch-and-release) once they reach their creel/possession limits.

Section 3. Eliminates the current closed seasons at all lakes and ponds and for all rivers and

streams (with exceptions for closures intended to protect fish health).

Section 4. Amends trout seasons to conform with provisions of PA 21-12 prohibiting closed seasons for trout; revises statewide trout and kokanee creel limits (establishing a five fish limit for trout and a five fish limit for kokanee); and establishes a catch-and-release only requirement for trout and Kokanee during the proposed open season from March 1 to 6 am on the second Saturday in April.

Section 5. Updates provisions of several subsections to conform with provisions of sections 2, 3 and 4 concerning seasons, closed areas and trout creel limits; amends trout regulations at East Twin Lake to reflect increases in alewife populations; adds Long Pond to the list of Trout Management Lakes; and adds a new special management area (“tidal waters and tributaries”, formerly “rivers and streams open year-round” in sec. 26-112-44).

Section 6. Eliminates the closed season at Quassapaug Lake; and establishes a prohibition on ice fishing at several lakes and ponds (Factory Pond, Lake Chamberlain, Lake Saltonstall, Maltby Lakes).

Additionally, there are several technical changes and updates.

The proposed regulations, statement of purpose, a small business impact statement and a fiscal note indicating no additional expense to the state or municipal governments to implement these proposed regulations are posted and available for download (pdf) on the eRegulations system (<https://eregulations.ct.gov/eRegsPortal/>). They are also posted on the Department of Energy and Environmental Protection’s Fisheries Division webpage (<https://portal.ct.gov/DEEPFishing>).

Copies of the proposed regulations, statement of purpose, small business impact statement and fiscal note are also available by contacting the Department of Energy and Environmental Protection’s Fisheries Division by phone (860-424-3474) or by email (deep.inland.fisheries@ct.gov).

One public hearing has been scheduled to obtain public comment to determine whether to adopt the proposed regulations or to adjust the measures. This hearing will be held through Zoom, a remote online public hearing platform. All interested persons are invited to express their views on the proposed regulations at the following public hearing:

Date: March 16, 2022.

Time: 6:30 pm.

Zoom Link: https://ctdeep.zoom.us/meeting/register/tJUtc-GsqTsoH9RzNXr7B9fJsfUV_tafBX-k

Interested persons may also choose to present their views regarding the proposed regulations in writing during the public comment period. Written comments should be submitted no later than 11:59 PM on April 1, 2022. Based on public comment, the proposed regulations may be adjusted to meet the objective of the proposal. Comments may be submitted using one of the following

methods:

- Online via the eRegulations system (<https://eregulations.ct.gov/eRegsPortal/>) on the Secretary of State's website. Go to "Open for Public comment", select this regulation and follow instructions for submitting comments.
- By email to william.foreman@ct.gov.
- By mail or delivery service to Bill Foreman at the Department of Energy and Environmental Protection, Fisheries Division, 79 Elm Street, Hartford, CT, 06106-5127.

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. Please contact us at (860) 418-5910 or deep.accommodations@ct.gov if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. **Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.**



— Rick Jacobson —
Chief
Bureau of Natural Resources