

Legislative Regulation Review Committee

2009-034

Department of Environmental Protection

HUNTING, TRAPPING, & Falconry regulations

REGULATION OF

NAME OF AGENCY

Department of Environmental Protection

concerning

subject matter of Regulation

Proposed Amendments to Hunting, Trapping, and Falconry Regulations

Proposed Amendments to Sections 26-66-1, 26-66-4, 26-66-7, 26-66-12, 26-67e-1, 26-67e-4, 26-67e-5, 26-67e-16, 26-86a-1, 26-86a-2, 26-86a-6, 26-86a-8, 26-86a-9, and 26-86a-10 of the Regulations of Connecticut State Agencies.

Section 1. 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 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. 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) Use of crossbows is prohibited, except during the January bow and arrow season on private land in deer management zones described pursuant to section 26-86a-6(b) of the Regulations of Connecticut State Agencies or except that a person who has a permanent physical disability to the degree that he or she cannot operate a long, recurve or compound bow may obtain a permit to take deer or turkey with a crossbow. A person applying for [this] a crossbow permit under the disability provision of this section must show proof that he or she has successfully completed the Connecticut conservation education/firearms safety advanced bowhunter education course or its equivalent[, and must personally appear before the commissioner, or his designee, with certification] and present a certificate from a licensed physician that he or she is so disabled. Upon satisfactory proof of disability, the commissioner may issue such a permit under this section which must be carried at all times while hunting. Such permit shall not be a replacement for and is valid only with any license or permit required for archery hunting under the provisions of chapter 490 of the Connecticut General Statutes or regulations promulgated thereunder. Any crossbow and bolt combination to be used for hunting as permitted under this subsection shall meet the following specifications: (1) The draw weight of the crossbow shall be not less than 125 pounds nor more than 200 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; (4) The bolt weight shall be not less than 450 grains, including the broadhead; (5) the broad head 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 shall be considered a loaded weapon, whether or not a bolt is loaded on the crossbow.

(c) There shall be no hunting from one-half hour after sunset to one-half hour before sunrise, 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.

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(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. Permits to use of 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 Environmental Protection.

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

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(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 his 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), no person shall hunt raccoons or opossums from 1/2 hour after sunset to 1/2 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 or 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(d) of the Regulations of Connecticut State Agencies. This provision relating to rifle and shotgun ammunition shall not apply to persons holding valid private land shotgun and/or rifle deer permits. Waterfowlers hunting from a boat, blind or stationary position may only use the ammunition specified in section 26-66-4(t) 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 during the open season for hunting deer with bow and arrow; (2) archery deer hunting during the private land muzzleloader or shotgun/rifle deer seasons while hunting from an elevated tree stand more than 10 feet from the ground in zones designated by the commissioner; (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;

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[or] (7) deer hunting by a landowner on his own property; or (8) archery hunting on state lands designated by the commissioner and listed in his applicable annual Connecticut Hunting and Trapping Guide as open to bowhunting only while hunting from an elevated stand more than ten feet from the ground.

Purpose: This proposal would allow bowhunters to use crossbows on private lands in deer management zones (DMZs) 11 and 12 (southwestern and coastal Connecticut) during the January archery deer season. Deer management efforts over the past 15 years have focused on increasing the deer harvest to stabilize population growth. These efforts have been successful statewide, but have been hampered in DMZs 11 and 12 where firearms hunting is limited due to small property ownerships and high human populations. In such settings, crossbows would increase hunter success and participation by recruiting additional hunters into the archery season. While crossbows are similar to traditional bowhunting equipment in terms of safety and effectiveness, they are easier to operate, especially during cold weather that is typical in January. Several northeastern states, including Maryland and Pennsylvania, have recently legalized crossbows for managing suburban deer populations. A survey of homeowners in Greenwich (Kilpatrick et al. 2006) found that a majority of large, suburban and rural landowners in the town supported the use of crossbows as a method of increasing the deer harvest. The Department believes that crossbows provide a safe and efficient tool for removing additional deer from areas where they are overabundant.

Currently an applicant requesting a crossbow permit must attend an interview before a board of agency representatives to demonstrate, with written documentation from a physician, their inability to operate conventional archery equipment due to a permanent disability and therefore making them eligible to use a crossbow for hunting. While interviews are sometimes helpful to clarify a person's disability as written by a licensed physician, the results of such interviews are rarely used as a basis for issuance or denial of a crossbow permit. The Department believes that the written documentation provided by the applicant and the physician is adequate to allow the Department to determine whether a crossbow permit should be issued. Removing the interview requirement will relieve the Department of an unnecessary administrative burden while also saving applicants the inconvenience of attending an interview.

This proposal will also exempt hunters from wearing fluorescent orange while bowhunting on State areas designated as bowhunting only while hunting from an elevated stand more than ten feet from the ground. Firearms are not allowed for deer hunting on these areas, therefore the chance of a firearms hunting accident is negligible.

Sec. 2. 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 general statutes, except as provided in section 26-66-1(c).

(a) There shall be a minimum distance of one hundred yards between all occupied duck hunting blinds, whether such blinds be permanent, temporary, drift or float.

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(b) 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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.

(g) 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.

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

(i) The open season for taking crows shall be from the third Saturday in October through the first Saturday in March.

(j) Repealed, October 18, 1995.

(k) 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.

(l) Repealed, February 1, 1988.

(m) [No] 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.

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(n) 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.

(o) 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.

(p) 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.

(q) 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.

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

(s) There shall be no waterfowl hunting in Assekonk Swamp, North Stonington.

(t) For waterfowl 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.

(v) 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.

(w) 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.

(x) 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.

(y) Repealed.

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(z) 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.

(aa) 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 tip of the unnamed peninsula immediately west of Harbor Drive.

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

(cc) 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.

(dd) 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 Hendrick's Point.

(ee) 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.

Purpose: Effective September 11, 2006, the United States Fish and Wildlife Service implemented its Final Rule associated with its Environmental Impact Study on resident Canada geese. The Final Rule transfers much of the responsibility of administering resident Canada goose control to the individual states. Consistent with the options provided under the Final Rule, this regulation proposal would remove the three-shell restriction on persons hunting resident Canada geese during the month of September. Research has indicated that no migratory geese are present in Connecticut during this time period and the regulation change will enable waterfowl hunters to harvest additional resident birds. Connecticut's current resident goose population is the source of many nuisance situations and is estimated at approximately 28,000 geese. The additional harvest resulting from this regulation change will assist the Department in its efforts to reduce the resident goose population.

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Sec. 3. Section 26-66-7 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-66-7. Seasons and bags 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 [two and the beaver season bag limit shall be twenty-five] four.

(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 [the first Sunday following the first Saturday in November through November 30] November 20th through December 31st. The open season for trapping beaver shall be from December 1 through March [15th] 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*), Indiana bat and harbor seal.

[(d) There shall be no trapping of any furbearing animal from March 16 through the first Saturday in November.]

Purpose: This proposal would eliminate the season limit on beaver which is currently 25, and would extend the end of the beaver trapping season from March 15th to March 31st. Beaver populations are thriving throughout Connecticut and are the source of hundreds of problems, many of which cause severe property damage or threats to public health and safety. Trapping is an effective way to manage beaver populations and regulated trappers provide a free service to landowners who are experiencing beaver-caused damage. Based upon pelt tagging results, approximately 250 individuals trapped beavers over the past two seasons. Due to relatively low pelt prices, and the difficulty and skill required to successfully trap beavers, the demand for trappers is exceeding their availability. Extending the season by two weeks and removing the bag limit will enable those who do trap beavers to more effectively assist landowners with beaver management. The Department will continue to monitor beaver harvest through its mandatory pelt tagging program.

This proposal would expand the season bag limit on fisher from two to four and amends the fisher trapper season from November 20th through December 31st. The fisher population is abundant and well-distributed throughout Connecticut and the trapping season allows for a regulated use of this abundant resource. In addition, fisher are increasingly the source of complaints in regards to depredations upon pets and small livestock. Since the first fisher trapping season was initiated in 2005, a total of 165 fisher were trapped during the 2005-06 season, 276 were trapped during 2006-07, and 205 were trapped during the 2007-08 season. During the first two seasons, an average of 132 trappers reported harvesting at least one fisher. During the 2007-08 season, 121 trappers harvested at least one fisher.

Trappers and furbuyers have indicated that fisher pelts are most prime during the month of December. Therefore, this regulation proposal maintains a one-month fisher trapping season, but shifts the season from November to December when fisher pelts are of the greatest value. The Department proposed to repeal subsection 26-66-7(d) because regulated season dates for furbearer species are already defined in subsections 26-66-7(b).

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Sec. 4. 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) In such areas of the state as designated by the commissioner and listed in his applicable annual Connecticut hunting and trapping guide, the open spring private land season for hunting bearded wild turkey shall begin the [first] last Wednesday in [May] April and end [25 consecutive days thereafter] the last Saturday in May. The [Saturday] two Saturdays before the [first] last Wednesday in [May] April shall be designated as [a] junior turkey hunting training [day] days. On [this day] these days, only hunters having a valid Connecticut junior hunting license and a spring season turkey permit may hunt on private lands for which they have written permission. The accompanying adult mentor shall have in his/her possession a valid Connecticut hunting license, a spring season turkey permit and written permission from the landowner. The adult mentor shall not carry a firearm, but may assist in calling. 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 5:00pm. The season bag limit shall be three bearded wild turkeys.

(2) In such areas of the state as designated by the Commissioner and listed in his applicable annual Connecticut hunting and trapping guide, the open spring state land season for hunting bearded wild turkey shall begin the [first] last Wednesday in [May] April and end [25 consecutive days thereafter] the last Saturday in May. The [Saturday] two Saturdays before the [first] last Wednesday in [May] April shall be designated as [a] junior turkey hunting training [day] days. On [this day] 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. 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 5:00pm. The season bag limit shall be two bearded wild turkeys.

(3) In such areas of the state as designated by the Commissioner and listed in his 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) In such areas of the state as designated by the Commissioner and listed in his applicable annual Connecticut Hunting and Trapping Guide, the open fall firearms season for hunting wild turkey 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

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either bearded or non-bearded on state lands and two turkeys either bearded or non-bearded on private lands.

(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 [bow capable of propelling a hunting type arrow of not less than four hundred grains, one hundred fifty yards free flight on level ground] , recurved or compound bow with a minimum draw weight of 40 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 General Statutes.

(2) No animal, including a dog, may be used in hunting or pursuing any wild turkey.

(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 [voided his or her turkey permit due to the use of all the harvest tags attached to the permit,] 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) shall not be required to carry written consent.

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(e) Permits and tags.

(1) (A) [A permit is required to hunt turkey on state-owned or private lands. Only one application shall be submitted per person for the spring turkey season except that individuals who have been rejected in the lottery may apply for a private land permit during the spring season.] During both the spring and the fall firearms turkey [season] seasons an individual may apply for and purchase [both a] one state land and [a] 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 must return such notice with the appropriate fee as specified in section 26-48a-2.

(2) (A) Upon receipt of a completed application signed by [all landowners] 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 must:

(i) Be located in a designated turkey hunting zone; and

(ii) Be open to the public for turkey hunting, subject to the provisions of section 26-66-12(d) of the Regulations of Connecticut State Agencies.

(3) No wild turkey permit [or tag] may be used unless it is validated by the Department of 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 wild turkey permit becomes void when the last tag is punched or separated from the permit.] A valid wild turkey permit must 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 must [detach the tag from the turkey permit, punch out and remove the proper areas on the tag indicating the month and day the wild turkey was killed and immediately attach the tag to the carcass] 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, must be kept with the turkey at all times.

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(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) [No person shall obtain more than one turkey permit of any type during the spring season except that, the commissioner upon receiving a completed application form containing the false statement clause, shall issue to any person a replacement turkey permit, when he is satisfied that the original permit of such a person has been lost, destroyed or mutilated beyond recognition.] 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, [shall be required to complete and return the report card included with the wild turkey permit within 10 days following the close of the wild turkey season in order to be eligible for a wild turkey permit the following season] who are contacted by the Department for the purposes of surveying turkey hunting activity must complete a hunting season activity report by the method specified in the hunting and trapping guide published annually by the Department of Environmental Protection.

(2) During the open spring firearms/archery season, the open fall firearms season or the open fall archery season, the [tag from the turkey permit for that season] fully completed and signed tag specified in sec. 26-66-12(e)(4) shall remain [attached to] with any harvested turkey [so marked] until it is packaged for consumption or mounted for display. The [affixing of the tag on] 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 [form] reporting required under subdivision (3) has been completed [and mailed to the Department].

(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 [on the form provided by the Department. The person taking the turkey shall provide all information required on the form and mail the completed form to the Department] within 24 hours after taking such turkey by the method specified in the hunting and trapping guide published annually by the Department of Environmental Protection.

Purpose: This proposal establishes an earlier opening day for the spring turkey season. The current opening date of the first Wednesday in May was established in 1981 with the advent of modern-day turkey hunting in Connecticut. That date was conservatively selected as a time when most breeding had been completed and hens would be incubating eggs. However, as the turkey population as expanded, the timing of breeding has become less distinctive. Breeding behavior typically begins in late March and may continue into June. Therefore, moving the season one week forward is not expected to have a disruptive impact upon breeding or recruitment.

This proposal establishes a second youth hunting day and allows hunting on those two Saturdays to continue until 5:00 PM, rather than the traditional noon closing. The youth hunting days have become very

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popular with new hunters and the longer day will allow more hunting opportunity for youths at a time of the year when organized sports and other activities are competing for recreational time.

This proposal allows spring wild turkey hunters to obtain both a private land and a state land permit. The current restriction of only one permit type per spring hunter was established when turkeys were less numerous and was intended primarily to reduce the potential for hunter crowding. However, with turkeys now present in every Connecticut town, this change will provide spring turkey hunters with more opportunities on where they may hunt. Because the spring season is restricted to males only, and is timed to occur after most breeding has taken place, any additional harvest resulting from this change will have limited impact on the total turkey population.

The definition for a bow has been amended because the current definition is ambiguous and impractical in determining whether the bow is capable of propelling an arrow "not less than four hundred grains, one hundred fifty yards free flight on level ground". The amended definition of "a minimum draw weight of 40 pounds" provides clarity and is enforceable. The proposal would also allow the use of #7 shot which is within the range of legal shot sizes for hunting turkey.

Language has also been added to clarify that those "assisting" private land turkey hunters require the same written signed and dated landowner consent forms as do those who are actually hunting.

The language has been amended from requiring that all landowners must sign an application for a person to receive a free private land turkey hunting permit to only one landowner signature required. In many instances only one deeded landowner is accessible for signing the form and the other owners are often unavailable. Siblings have been added to the list of eligible family members to receive a free permit. This is consistent with deer hunting laws.

The Department of Environmental Protection has implemented a system that allows persons to purchase licenses and special hunting permits directly over the Internet. In 2009, the system will be expanded to allow persons to print turkey permits on their home printers. Currently, turkey permits are printed on special stock and are only available by mail or at the department's main office in Hartford. To facilitate this new system of permit distribution, it is necessary to modify regulations dealing with the methods of tagging and reporting the harvest of turkeys. Changes in this section describe the new tagging and reporting procedures. These changes will simplify the procedure for sportsmen to obtain turkey permits and to fulfill reporting requirements without compromising the law enforcement and biological needs of the state's turkey management program.

Sec. 5. Section 26-67e-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-67e-1. Definitions

(a) For the purposes of sections 26-67e-1 to 26-67e-18, inclusive of the Regulations of Connecticut State Agencies:

(1) "Captive-bred raptor" means a raptor that has been born and raised in captivity for a period of more than fourteen days[, and is sterile and unable to breed with native raptors];

(2) "Commissioner" means the Commissioner of Environmental Protection;

(3) "Department" means the Department of Environmental Protection;

(4) "Falconer" means a person who engages in falconry as defined in section 26-67d of the Connecticut General Statutes and holds a valid Connecticut falconry permit;

(5) "Falconry" means "falconry" as defined in section 26-67d of the Connecticut General Statutes;

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(6) "Hybrid raptor" means a raptor that is the offspring of species that are genetically dissimilar and is sterile or unable to breed with native raptors;

(7) "Imping" means the process of grafting new feathers onto the wing or tail of a bird to repair damage or to increase flying capacity;

(8) "Non-resident" means any person who does not have a domiciliary residence in Connecticut; and,

(9) "Resident" mean any person who has a domiciliary residence in Connecticut.

Purpose: The intention of these definitions to be consistent with federal language in CFR 21.30 Raptor propagation permits (d)(12) which states that "Hybridization between species (interspecific hybridization) is authorized only if each raptor produced by interspecific hybridization is either imprinted on humans (hand-raised in isolation from the sight of other raptors from two weeks of age until it is fully feathered) or surgically sterilized." By removing the language under the definition of captive-bred raptors and moving it to apply to hybrid raptors, we are more closely representing the federal language and making our definition consistent with our state regulatory language listed in Section 26-67e-13 in which approved raptor species is defined as "any species of hybrid raptors, provided that the hybrid is sterile or unable to breed with wild native raptors."

Sec. 6. Section 26-67e-4 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-67e-4. Permit duration and revocation

(a) The duration of a falconry permit shall be:

(1) Three years, beginning on [January] July 1 and ending on [December 31] June 30 for any person who is a resident of Connecticut; or,

(2) one year, beginning on [January] July 1 and ending on [December 31] June 30 for any person who is a non-resident.

(b) The commissioner may at any time revoke, in accordance with the provisions of the Uniform Administrative Procedures Act, a falconry permit for violating the terms of a permit or any statute or regulation governing falconry in the state of Connecticut.

Purpose: Changing the permit dates from the calendar year to a July-June season more adequately reflects the needs and activities of falconers. All new falconers are required to capture a bird during its first passage year in the months of September-December. New permittees therefore always begin their activities in the fall. Based on the current system of issuing permits on a calendar year cycle, a new falconer can get a three year permit but they can not utilize their permit for the first eight months of the first calendar year. Thus, new falconers pay for a three year permit that is only valid for a little over two years.

Sec. 7. Section 26-67e-5 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-67e-5. Permit fees

(a) The fee for an apprentice, general or master class permit shall be:

(1) \$175.00 for the initial permit or if the permit has lapsed or has been revoked; and,

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(2) \$150.00 for the renewal of a current permit.

(b) The fee for a non-resident permit shall be the same as for a Connecticut resident permit for a resident of a state which allows the same privilege to residents of this state. If no such privilege exists, the fee for a non-resident permit shall be [\$75.00] \$14.00 annually.

(c) The permit fees specified in subsections (a) and (b) of this section are not refundable.

Purpose: In most states falconers are only required to carry their own state falconry permit, their federal falconry permit and to purchase a small game hunting license to bring their bird into another state for hunting purposes. To date, Connecticut is the only state that requires a non-resident falconry permit in addition to a small game hunting license for non-resident falconers to hunt in our state. In Connecticut, a small game non-resident hunting license costs \$67 and the current nonresident falconry permit fee is \$75, thus, it would cost a minimum of \$142 for a non-resident falconer to bring their bird to Connecticut for the purpose of hunting or exercising their bird. Since 2005 when Connecticut's Falconry program started 16 residents have become licensed with the help of non-resident falconers who agreed to provide CT Falconers with training and a sponsorship. To date, no non-resident permits have been issued due to the high fees and application requirements. The CT Falconry Association has requested that this fee be reduced in order to make our program more equitable with our surrounding states and to provide an opportunity for Connecticut sponsors to hunt in Connecticut for a reasonable fee. Currently the fee for non-resident CT falconers to hunt in New York is \$55, in Massachusetts \$65, Rhode Island \$45, and New Jersey either \$135 for the season or \$35 for a three day permit. By reducing our fee to \$14 annually, non-resident falconers will still be spending a minimum of \$81 to hunt with their bird in Connecticut for a one year period.

Sec. 8. Section 26-67e-16 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-67e-16. Record keeping and reporting

(a) A falconer shall maintain complete and accurate records for each raptor that identifies:

(1) The species, sex, age, and lineage of each raptor;

(2) date of acquisition;

(3) the date of the death, loss, release, or transfer to another person of each raptor and an explanation of the reasons therefore; and,

(4) name, address, and permit number of the person(s) who previously possessed the raptor, and date of transfer.

(b) The records required in subsection (a) of this section shall be maintained in chronological order, retained for a minimum of five years after the date of death, loss, or transfer of any raptor possessed by a falconer and shall be available for inspection at any reasonable time upon request of the commissioner or his designee. The United States Fish and Wildlife Service Form 3-186A may be used. A supplemental report shall also be prepared and attached to the Form 3-186A to address the lineage of each bird and to explain the loss, release or transfer or death of each raptor.

(c) A falconer shall submit to the commissioner an annual activity report by [~~December~~] July 1 on a form provided by the commissioner that identifies:

(1) The number, species, and band number of raptors used;

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- (2) the number, species, date, and location of all kills of any animal for which there is no season or is out of season;
- (3) the number, species, date, and location of all kills of any animal for which there is an open season; and,
- (4) the number and species of replacement raptors.

Purpose: Changing the permit dates from the calendar year to a July – June season more adequately reflects the needs and activities of falconers. Existing falconers typically hunt small game and thus are hunting with their bird from September until March. Based on the current system of issuing permits on a calendar year cycle, falconers must send a hunting report for the months of September – December and then again at the end of the season in March or April. By changing the dates of the permit issuance, a falconer will need only to report their hunting activities once a year rather than send in reports twice a year. It also means that their permits will not expire in the middle of the hunting season but instead, at a time of year when they are typically inactive. The federal permitting office mimics the state permitting cycle and allows for a choice between the calendar year or, the July –June cycle so there will not be a conflict in amending our permitting dates.

Sec. 9. Section 26-86a-1 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-1. Check stations and reporting

(a) Any person taking a deer during the archery, muzzleloader and/or free landowner seasons as established in section 26-86a of the Connecticut General Statutes must report within 24 hours [on the form provided by the department] by the method specified in the hunting and trapping guide published annually by the Department of Environmental Protection. All persons issued a deer permit that are contacted by the Department for the purposes of surveying deer hunting activity must complete a hunting season activity report by the method specified in the hunting and trapping guide published annually by the Department of Environmental Protection.

(b) Any person, taking a deer with a shotgun [or], rifle [during the open regulated season], or bow and arrow on days specified in the hunting and trapping guide published annually by the Department of Environmental Protection must register such deer and have a metal possession seal affixed to the carcass at an official Department of Environmental Protection deer check station. Such deer shall be registered on the same date taken[, except that deer taken on Christmas Day shall be registered not later than the first day following Christmas Day that such deer check stations are open]. This provision shall not apply to owners and lineal descendants hunting on their own property with a free landowner deer season permit.

(c) No person shall register or allow to be registered in his name, any deer which he did not legally kill.

(d) No person shall possess any deer affixed with a metal possession seal unless such deer has been registered at an official deer check station.

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(e) The metal possession seal shall remain attached to any deer so marked until it is cut up and packaged for consumption.

(f) Any deer registered at an official deer check station shall be subject to the collection of biological data, including but not limited to the removal of teeth, lower jaw and organs.

(g) No person shall submit any deer killed other than during a regulated sport hunting deer season to be recognized by the state for any official trophy program or officially verified by the state for use in any national official record book entries.

(h) No person shall affix a metal possession seal to any deer not properly tagged in accordance with section 26-86a-2 (c) of the Regulations of Connecticut State Agencies.

(i) No person other than an authorized operator of an official department of environmental protection check station shall possess or affix a metal possession seal to any deer carcass. The authorized check station operator or their designated employee shall personally affix the metal possession seal on the deer carcass being registered.

(j) The operator of any deer check station shall maintain accurate records of any information required by the department in registering legally taken deer and or in operating such check station. Such records shall be made available for inspection by any State Conservation Officer or other Department official during normal business hours.

Purpose: The Department of Environmental Protection intends on modernizing its methods for hunters to report the harvest of deer. Currently, the only methods of reporting are by mail and mandatory check stations. New methods of reporting may include automated telephone and internet reporting. The department desires to implement more efficient reporting techniques as new technologies become available. By removing specific reporting techniques from regulation and having sportsmen refer to the annual hunting and trapping guide for reporting requirements, the department will be more flexible in implementing new technologies. Also, the current regulations require that all deer taken during the 21 day shotgun/rifle season, be taken to a check station. The primary reason for requiring that deer be brought to check stations is to obtain harvest estimates and to collect biological data. The department feels that they can reduce the number of days that they require sportsmen to bring deer to a check station without compromising harvest estimates or biological data. By removing specific required check station days from regulation and having sportsmen refer to the annual hunting and trapping guide for the days they would be required to bring harvested deer to a check station, the department can reduce the number of mandatory check station days. However, if in the future, it is determined that additional biological data are needed, the department could easily change the specified check station days without having to change regulations.

Also, this change requires that hunters taking a deer with a bow and arrow during the shotgun/rifle deer season must comply with the same requirements as firearms hunters thereby having their deer checked at an official deer check station on days specified in the Department's hunting and trapping guide.

Sec. 10. 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 shall be on the basis of a random computer selection of single accurately completed applications. The number of permits to be

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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 [or deer tag] may be used unless it is validated by the department of environmental protection and signed by the hunter upon receipt. A state land deer [tag and] permit is valid only for the area and for the season for which it is identified. A landowner deer permit [and tag] is valid only for the property listed on the application by which such permit [and tag were] was obtained. [Deer tags and permits become void when punched or separated.] A valid deer [tag] permit must 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 must [detach the deer tag from the permit, punch out and remove the proper areas on the tag indicating the month and day the deer was killed and immediately attach the tag to the carcass. The tag attached to the deer killed during the archery only season must remain attached] 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 must 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 deer tags] or loan to another or permit another to have or use such permit [or tag] issued to himself or use any permit [or tag] 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) [except that upon receiving the appropriate fee and a written application form containing the false statement clause, the commissioner shall issue to any person, a replacement deer permit for the appropriate fee, when he is satisfied that the original permit of such person has been lost, destroyed or mutilated beyond recognition].

(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 using private land deer permits to check legally harvested antlerless deer at designated deer check stations may be issued a replacement antlerless only deer tag. Such tag shall be valid [for use in checking an additional antlerless deer to be harvested] 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 [will] 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) [The tag designated as antlerless-only on the private land shotgun permit shall be valid only for the days and deer management zones specified on the antlerless-only tag] 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.

Purpose: Amendments to this section provide clarity that a replacement either-sex deer tag may be issued in a designated management zone. The decision to issue another tag is determined on objectives for each deer management zone.

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The Department of Environmental Protection has implemented a system that allows persons to purchase licenses and special hunting permits directly over the Internet. In 2009, the system will be expanded to allow persons to print deer permits on their home printers. Currently, deer permits are printed on special stock and are only available by mail or at the department's main office in Hartford. To facilitate this new system of permit distribution, it is necessary to modify regulations dealing with the methods of tagging harvested deer. Changes in this section describe the new tagging procedures. These changes will simplify the procedure for sportsmen to obtain deer permits and to fulfill tagging requirements.

Sec. 11. 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 1/2 hour before sunrise to sunset--prevailing time standard. The hours for hunting deer authorized under deer damage permits issued per Sec. 26-82 shall be from 1/2 hour before sunrise to 1/2 hour after sunset--prevailing time standard.

(b) The open season for hunting deer with bow and arrow on state land shall be two distinct hunting periods: the first period starting on September 15 and continuing through the second Tuesday before Thanksgiving Day, the second period starting on the fourth Wednesday after Thanksgiving Day and continuing through the last day of December. On private lands and on those state lands designated by the commissioner and listed in his applicable annual Connecticut hunting and trapping guide as open to bow hunting only, the deer bow hunting season shall run from September 15 through the last day of December. On those private lands in deer management zones designated by the commissioner and listed in his applicable annual Connecticut hunting and trapping guide, the open season for hunting deer with a bow and arrow shall [be two distinct hunting periods: the first period starting] start on September 15 and [continuing through the second Tuesday before Thanksgiving day, the second period starting on the fourth Wednesday after Thanksgiving day and continuing] continue through the last day of January. A hunter who hunts with a bow and arrow during the firearms deer [season on such state lands] seasons shall comply with the fluorescent orange clothing requirements under Section 26-66-1(r), tagging requirements under Section 26-86a-2(c) and check station requirements under Section 26-86a-1(b).

(c) The open season for hunting deer with muzzleloader on state land shall start the second Wednesday after Thanksgiving day and end after fourteen consecutive days.

(d) The open season for hunting deer with shotgun or rifle on private land shall start on the second Wednesday before Thanksgiving day and end after twenty-one consecutive days. The [Saturday] two Saturdays prior to the second Wednesday before Thanksgiving shall be designated as [a] junior deer hunting training [day] days. On [this day] these days, only hunters having a valid Connecticut junior firearms hunting license and a private land shotgun/rifle deer season permit may hunt on private lands for which they have written permission from the landowner. The accompanying adult mentor shall have a valid Connecticut hunting license, a valid deer permit and written landowner permission for the same property. The adult mentor shall not carry a firearm.

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(e) The open season for hunting deer with shotgun on state land shall be two separate seasons, one starting the second Wednesday before Thanksgiving day and ending after ten consecutive days, the other starting two days after Thanksgiving and ending after eleven consecutive days. The [Saturday] two Saturdays prior to the second Wednesday before Thanksgiving day shall be designated as [a] junior deer hunting training [day] days. On [this day] these days, only hunters having a valid Connecticut junior hunting license may hunt on state lands for which they have a valid state land shotgun deer permit. The accompanying adult mentor shall have a valid Connecticut hunting license and a valid deer permit. The adult mentor shall not carry a firearm.

(f) The open season for hunting deer with muzzleloader on private land shall start the second Wednesday after Thanksgiving day and end [after fourteen consecutive days] on December 31st.

(g) In those areas of the state as designated by the Commissioner, there shall be a special season for the taking of antlerless deer only with a muzzleloader, rifle or shotgun on private land only. This season shall start on the fourth Wednesday before Thanksgiving and end on the second Tuesday before Thanksgiving day.

Purpose: This proposal 1) allows archery hunters on private lands to use their archery permits and bow and arrow to hunt for deer during the shotgun/rifle season. Hunters using a bow and arrow during the firearms deer season will be required to wear fluorescent orange clothing as described in Section 26-66-1(r); 2) extends the muzzleloader deer season on private land to the end of December; and 3) establishes a second junior deer hunting training day.

Sec. 12. Section 26-86a-8 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-8. Deer permit limit

(a) Each deer permit shall limit the number of deer [taken under each such permit to one deer of a specific sex or antler size as specified on each valid deer tag so attached] by sex or antler class.

(b) When it is shown to the satisfaction of the commissioner that [such] a deer is unfit for human consumption [or that it contained an abnormally high level of viral infection] at the time it was taken during a regulated deer season, upon surrender of the carcass to a biological deer check station or to a wildlife biologist, the commissioner may issue the taker a special replacement deer permit of the same type, provided that season is still open.

(c) The commissioner may issue replacement tags for specific permit types to persons reporting deer taken during the regulated seasons as required at such times and places designated by the commissioner when it is determined to be biologically prudent for the resource and/or habitat.

Purpose: Changes in this section simplify the procedure for sportsmen to obtain deer permits. The Department has implemented a system that allows persons to purchase hunting permits directly over the Internet. To facilitate this new system, it is necessary to modify regulations dealing with issuance of permits.

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Sec. 13. Section 26-86a-9 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-9. Daily regulated deer hunting areas

(a) On areas identified in the [deer field guide] hunting and trapping guide published annually by the Department of Environmental Protection or designated by posting as wildlife management study areas, hunters and others using the area shall be required to observe the following:

(1) Enter and leave the area only at authorized check stations;

(2) Use the area by permit only; such permit shall be obtained at the check station or from an authorized issuing agent;

(3) Wear at all times while on the area an arm band or other visible identification furnished at the check station;

(4) As a condition of permit issuance, cooperate in the study, which may require that deer killed not be field dressed prior to submission to the check station and/or that the removal of teeth, jaws, body organs and tissue samples from deer killed be allowed.

(b) The issuance of permits by any agent for any daily regulated deer hunting area shall be on a first come, first served basis, and on days and at times approved by the department and advertised to the public.

Purpose: Technical change to clarify which guide contains the information about daily regulated deer hunting areas.

Sec. 14. Section 26-86a-10 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 26-86a-10. Hunting option

(a) In such areas of the state as designated by the Commissioner and listed in [his] the applicable annual Connecticut Hunting and Trapping Guide, during the private land muzzleloader season specified in Section 26-86a-6(f) of the Regulations of Connecticut State Agencies and during the private land shotgun/rifle season as specified in Section 26-86a-6(d) of the Regulations of Connecticut State Agencies, a person possessing a valid archery permit may use a bow and arrow to hunt deer on private land provided:

(1) Any deer killed with a bow and arrow during the said muzzleloader and shotgun/rifle seasons shall be [tagged with the archery deer tag] identified with a tag pursuant to section 26-86a-2(c) of the Regulations of Connecticut State Agencies [and] . In addition, any deer killed with a bow and arrow on days specified in the hunting and trapping guide published annually by the Department of Environmental Protection shall be registered at an official deer check station pursuant to section 26-86a-1(b) of the Regulations of Connecticut State Agencies.

(2) Any person hunting with a bow and arrow during the said muzzleloader and shotgun/rifle seasons shall wear above the waist a minimum of 400 square inches of fluorescent orange

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clothing visible from all sides at all times except as provided in section 26-66-1(r) of the Regulations of Connecticut State Agencies.

Purpose: Technical change to accommodate proposed regulation change to Sec. 26-86a-1 and Sec. 26-86a-2.

CERTIFICATION

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 26-66, 26-67e, 26-86a of the General Statutes.

Section _____ of the General Statutes, as amended by Public Act No. of the Public Acts.

Public Act No. _____ of the Public Acts.

After publication in the Connecticut Law Journal on November 18, 2008 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on the _____ day of _____

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The _____ day of _____.

	DATE	SIGNED(Head of Board, Agency or Commission)	OFFICIAL TITLE,
DULY AUTHORIZED			
In Witness Whereof:			
Commissioner/DEP	4/9/09		
Approved by the Attorney General as to legal sufficiency		SIGNED	OFFICIAL TITLE,
DULY AUTHORIZED			
in accordance with Sec. 4-169, as amended, C.G.S.:	5/14/09		ASSOC. ATTY GENERAL

- Approved
- Disapproved
- Disapproved in part, (Indicate Section Numbers disapproved only)
- Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance with Sec. 4-170, as amended, of the General Statutes.

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

DATE	SIGNED(Secretary of the State)	BY

INSTRUCTIONS

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of