

## Zebra Mussels in New England

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February 23, 2021 | 2021-R-0057

### Issue

This report summarizes laws and regulations in New England that restrict the movement or possession of zebra mussels. It updates part of OLR Report [2011-R-0013](#).

### Summary

Each New England state, except Maine, restricts the movement or possession of zebra mussels. Penalties vary by state. For example, importing zebra mussels in Connecticut is an infraction with a fine of up to \$85. In Massachusetts, intentionally placing a zebra mussel in inland waters is subject to a civil fine of up to \$5,000.

### Connecticut

Connecticut prohibits importing, introducing into the state, possessing, or liberating certain aquatic nuisance invertebrates, including zebra mussels. However, when it is in the public interest, the energy and environmental protection commissioner may issue importation or possession permits for control, eradication, research, or educational purposes ([Conn. Agencies Regs. § 26-55-5](#)).

A violation of the ban is an infraction and subject to a fine of up to \$85. Importing, possessing, or liberating each invertebrate is a separate offense, as is each day of a continuing violation ([CGS § 26-55\(e\)](#)).

### Massachusetts

Massachusetts prohibits knowingly or intentionally placing, or causing to be placed, an aquatic nuisance in or upon inland waters. "Aquatic nuisance" explicitly includes dreissena (zebra) mussels.

A violator is subject to a civil assessment of up to \$5,000; each day is a separate violation ([Mass. Gen. Laws Ann. ch. 21, § 37B](#)).

Massachusetts also prohibits placing in or upon inland waters a vessel, boat transporter, truck-trailer boat transporter, or any other equipment, if it has an aquatic nuisance attached to or growing on it, unless it was appropriately cleaned, decontaminated, or treated to kill or remove the aquatic nuisance. A knowing or willful violation of the ban is punishable by a fine of between \$25 and \$100 for the first violation; between \$100 and \$500 for a second violation; and at least \$1,000, up to 60 days' imprisonment, or both for a third or subsequent violation ([Mass. Gen. Laws Ann. ch. 21, § 37B](#) & [ch. 90B, § 5D](#)).

## **New Hampshire**

New Hampshire regulations prohibit anyone from importing or possessing certain designated wildlife, which includes zebra mussels ([N.H. Code Admin. R. Ann. Fis 803.04](#) and [804.03](#)). Improperly importing or possessing wildlife is a violation, punishable by a fine of up to \$1,000 per wildlife possessed ([N.H. Rev. Stat. §§ 207:14](#) & [651:2](#)).

## **Rhode Island**

Rhode Island regulations prohibit the possession of zebra mussels. Possessing an exotic wild animal, such as the zebra mussel, is subject to a judicially imposed fine of at least \$100. In addition, a violator is subject to administrative penalties, including a fine of up to \$300 per offense ([250 R.I. Code R. §§ 40-05-3.14](#) & [40-05-3.17 App. A](#)).

## **Vermont**

Vermont generally prohibits transporting zebra mussels and other aquatic nuisance species to or from any Vermont waters on the outside of a vehicle, boat, personal watercraft, trailer, or other equipment ([Vt. Stat. Ann. tit. 10 § 1454](#)). The law permits (1) exceptions for scientific or educational purposes, as granted by the environmental conservation secretary, and (2) proper harvesting or other control activities for eliminating or controlling the growth of zebra mussels and other aquatic nuisance species.

A violation may be brought by any law enforcement officer to the Judicial Bureau, which may assess penalties, fines, surcharges, and court fees. Alternatively, a violation may be brought to the Superior Court's Environmental Division, which may assess penalties. According to the [Vermont Fishing Guide](#), a violator is subject to a fine of up to \$1,000.

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