

325 CMR: CONNECTICUT RIVER ATLANTIC SALMON COMMISSION

325 CMR 2.00: ATLANTIC SALMON MANAGEMENT IN THE CONNECTICUT RIVER

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2.01: Purpose and Scope

325 CMR 2.00 was adopted by the Connecticut River Atlantic Salmon Commission, pursuant to its Statement of Practices and Procedures, at its regular meeting of March 26, 1985 and after public hearings in Hartford, Connecticut on February 26, 1985, Greenfield, Massachusetts on March 1, 1985 and in White River Junction, Vermont on March 6, 1985. 325 CMR 2.00 is adopted under the authority of the statutes of Connecticut (Chap. 494, Sec. 26-302), Massachusetts (St. 1981, c. 716 as amended by St. 1983 c. 610), New Hampshire (108:1, 1979), and Vermont (Chap. 112, Sec. 4651-4662; 1979, No. 89) and by the consent of the U.S. Congress (Public Law 98-138, 97 Stat. 866).

325 CMR 2.00 is designed to conserve the Connecticut River Atlantic Salmon.

2.02: Definitions

Angling means fishing with hook and line which must be personally attended.

Division means the Division of Fisheries and Wildlife, 100 Cambridge Street, Boston, Massachusetts 02202.

Fly fishing means angling with the use of a single fly with either a single or double (side by side) hook, whose gape may not exceed ½ inch, dressed with hair, feathers, tinsel, thread, yarn or similar material. The use of lead core lines are prohibited. Additional weight may not be built into the fly in its construction, as in a weighted nymph, and no additional weight or other attachments such as spinners or swivels shall be attached to the hook, leader or line, and the use of open or close face spinning reels, spin cast reels, free spool reels, bait casting reels or similar devices is prohibited.

River means that portion of the main stem of the Connecticut River which lies within the boundaries and jurisdiction of the Commonwealth of Massachusetts.

Snagging or snatching, lifting or jigging means taking or attempting to take any fish by foul hooking, that is hooking the fish in any part of the body other than inside the mouth.

Take or taking means killing or capturing or otherwise rendering into possession.

2.03: Connecticut River Basin Atlantic Salmon License

(1) License. No person shall take, attempt to take, assist in taking or possess on the waters or the shores of the River or any of its tributaries any Atlantic salmon without first having obtained a Connecticut River Basin Atlantic Salmon License from the Division.

(2) Forms. Such license shall be issued by the Division on forms provided by the Commission and shall be valid during the calendar year of issue.

(3) Other Permits. No person shall be issued such license unless such person has first obtained a valid Fresh water Fishing License from the Division.

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2.03: continued

(4) Display. Such license shall be displayed in a conspicuous manner on the outer garment at all times when angling for Atlantic salmon.

(5) Fee. The fee for such license shall be \$10.50.

2.04: Seasons, Methods and Limits

(1) Closed Season. No person shall take or attempt to take from the River or possess on the waters or shores of the River any Atlantic salmon except that the Commission, acting under Article VIII, Section 6 of its Statement of Practices and Procedures, when it has evidence that sufficient numbers of Atlantic salmon have returned to the River, may declare an open season in the River or in specified sections of the River for such periods as it deems appropriate and may close such season for cause.

(2) Notice. Notice of an open season shall be published in the Massachusetts Register.

(3) Open Season. Upon the declaration of an open season for Atlantic salmon in the River, the Commission shall provide to the Division, Connecticut River Atlantic Salmon Tags to be issued, at no additional cost, to holders of the Connecticut River Basin Atlantic Salmon License in a number determined by the Commission to be the individual season creel limit. Any person taking any Atlantic salmon in the main stem of the Connecticut River shall immediately attach thereto a Connecticut River Salmon Tag.

(4) Prohibition. The possession of any Atlantic salmon on the waters or shores of the River without such tag attached or the removal of such tag prior to preparation for consumption is prohibited.

(5) Method. During any open season declared by the Commission and published in the Massachusetts Register Atlantic salmon may be taken by fly fishing only.

(6) Minimum Length. The minimum length for Atlantic salmon shall be 15 inches.

(7) Limits. The daily and seasonal creel limit shall be as determined by the Commission upon declaration on an open season and upon publication in the Massachusetts Register.

(8) Inspection. Any Atlantic salmon taken under the provisions of this section must be presented for inspection within 48 hours to any officer authorized to enforce this 325 CMR 2.00.

(9) Snagging. The snagging of Atlantic salmon is prohibited.

(10) Light. The taking of Atlantic salmon with the aid of an artificial light is prohibited.

(11) Dam restriction. No Atlantic salmon may be taken within 250 feet of any dam or fishway.

(12) Gaffs. The use of a gaff to land Atlantic salmon is prohibited.

(13) Return. All Atlantic salmon taken contrary to 325 CMR 2.04 shall be immediately returned, without avoidable injury, to the water from which taken.

2.05: Scientific Purposes

Nothing in 325 CMR 2.00 shall prohibit a duly authorized employee agent or officer of the Department of Fisheries, Wildlife and Recreational Vehicles acting within the scope of official employment, from taking or possessing Atlantic salmon for the purposes of research, management or propagation.

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2.06: Penalties

(1) Fines. Any person who violates any provision of 325 CMR 2.00 shall be subject to the penalties set forth in M.G.L. c. 131, § 90.

(2) License Revocation. Upon conviction of any person for any violation of any provision of 325 CMR 2.00, the Connecticut River Basin License issued to such person and the right to obtain such license shall automatically be suspended for a period of one year for the first violation, two for the second violation and five years for the third and subsequent violations. Upon suspension of said license, any Connecticut River Atlantic Salmon Tags issued under the provisions of 325 CMR 2.00 shall be surrendered to the State of issuance.

REGULATORY AUTHORITY

325 CMR 2.00: St. 1981, c. 716; St. 1983, c. 610

NON-TEXT PAGE