

Readopt with amendment Fis 603.09, eff. 4-22-16 (Doc #11079), to read as follows:

Fis 603.09 Groundfish Restrictions.

(a) For the purposes of this section, "recreational fishing" means the taking of fish by angling and spearfishing for personal use only and which are not sold.

(b) No person shall take or possess fish, except by recreational fishing as specified in (c), less than the minimum total lengths specified in Table 603.01:

Table 603.01 Commercial Size Limits

| <u>Fish Species</u> | <u>Minimum Total Length Limit</u> |
|---------------------|-----------------------------------|
| Atlantic cod | 19 inches |
| Haddock | 16 inches |
| Pollock | 19 inches |
| Winter flounder | 12 inches |
| Witch flounder | 13 inches |
| Yellowtail flounder | 12 inches |
| American plaice | 12 inches |
| Redfish | 7 inches |
| Atlantic halibut | 41 inches |

(c) No person shall take or possess fish by recreational fishing less than the minimum total lengths specified in Table 603.02:

Table 603.02 Recreational Size Limits

| <u>Fish Species</u> | <u>Minimum Total Length Limit</u> |
|---------------------|-----------------------------------|
| Haddock | 17 inches |
| Pollock | no minimum length |
| Winter flounder | 12 inches |
| Yellowtail flounder | 13 inches |
| American plaice | 14 inches |
| Summer flounder | 15 inches |
| Redfish | 9 inches |
| Atlantic halibut | 41 inches |

(d) Summer flounder shall only be taken by recreational fishing.

(e) Fillets of all groundfish species that are skinned shall retain at least 2 square inches of contiguous skin intact that enable the identification of fish species.

(f) Cod shall have head and tail intact or as fillets no less than 14 inches in length while on or leaving the waters of the state.

(g) Haddock shall have head and tail intact or as fillets no less than 10 inches in length while on or leaving the waters of the state.

(h) From April 1 through June 30, cod, haddock, and winter flounder shall not be taken for the purpose of sale.

(i) The waters of the state that are included in the Gulf of Maine Cod Spawning Protection Area described in 50 CFR 648.81 (o) (1) shall be:

(1) Closed to all fishing from April 1 through June 30, except by:

a. Fishing with a line in hand or rod in hand with gear that has no more than one ounce of artificial weight, a single artificial lure weighing one ounce or less; and

b. Commercial vessels using gear described in 50 CFR 648.2; and

(2) Closed to the taking and possession of groundfish, as defined in Fis 601.08, from April 1 through June 30 except possession shall be permitted only if transiting the area with groundfish caught outside the Gulf of Maine Cod Spawning Protection Area and provided:

a. Commercial vessels have gear stowed in accordance with the provisions of 50 CFR 648.23 (b); and

b. Private recreational or charter/party vessels that have all bait and hooks removed from fishing rods or handlines and the groundfish species on board have been gutted.

(j) Any Atlantic cod taken by recreational anglers from tidal waters shall be immediately released back into the waters from which it was taken.

(k) The recreational fishing daily limit for winter flounder shall be no more than 8 winter flounder.

(l) Persons only licensed to commercially take finfish under RSA 211:49-a and RSA 211:49-b shall be restricted to daily limits per vessel in accordance with the weight limits for federally permitted, limited access vessels pursuant to 50 CFR §648.87 (c)(2)(ii)(A) for sector vessels or 50 CFR §648.86 for common pool vessels and non-federally permitted vessels in state waters.

(m) Commercial vessels that have not been assigned a federal groundfish permit may possess a maximum of 500 lbs. of winter flounder per vessel.

(n) The possession limit for Atlantic halibut on all vessels shall be no more than one fish per trip.

(o) Atlantic halibut shall have head and tail intact while on or leaving the waters of the state.

(p) No person shall take or possess Atlantic wolffish.

(q) From March 1 through April 14 and September 17 through October 31, no person shall take or possess haddock by recreational fishing.

(r) The recreational fishing daily limit for haddock shall be no more than 12 haddock.

Adopt Fis 603.25, to read as follows:

Fis 603.25 Bluefin Tuna

(a) For the purposes of this section, the following terms shall have the following meanings:

(1) "Curved fork length" (CFL) means the length of an intact fish measured from the tip of the upper jaw to the fork of the tail along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel;

(2) "Pectoral fin curved fork length" (PFCFL) means the length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel; and

(3) "Recreational fishing" means the taking of finfish by any method for personal use only and which are not sold, traded, or bartered.

(b) No person shall take, retain, or possess a bluefin tuna that is less than 27 inches CFL if recreational fishing, or 73 inches CFL if taken for the purpose of sale, trade or bartering;

(c) No person shall take, retain or possess a bluefin tuna, with the head removed, that is less than 20 inches PFCFL if recreational fishing, or 54 inches PFCFL if taken for the purpose of sale, trade, or bartering.

(d) No person shall take, retain, or possess more bluefin tuna than they are allowed under 50 CFR §635 relative to federal permit category or seasonal limits.

(e) Once the vessel transporting a bluefin tuna has landed, no person shall possess a bluefin tuna for the purpose of sale, trade, bartering, commercial transportation, or storage without affixing a federal tuna tag to the fish.

Readopt with amendment Fis 807.15, eff. 1-26-16 (Doc #11029), to read as follows:

Fis 807.15 Protection of Aquaculture Gear and Product.

(a) No person, except the owner, the executive director, or his agent, shall molest, pull, tend, possess, or disturb any gear used in a licensed marine aquaculture operation or any marine species raised therein without the written permission of the owner.

(b) No person, except the licensee or an individual with written permission from the licensee, shall take or possess oysters, clams, or mussels from a licensed aquaculture site that is properly marked with yellow buoys at each corner.

| Rule | Statute the Rule Implements |
|------------|-----------------------------|
| Fis 603.09 | RSA 211:62, II |
| Fis 603.25 | RSA 211:62, II |
| Fis 807.15 | RSA 211:62-e, II-a |