

Readopt with amendment Fis 1400, effective 6-5-12 (Document #10142), to read as follows

CHAPTER Fis 1400 NON-GAME

PART Fis 1401 AMPHIBIANS AND REPTILES

Fis 1401.01 General Provisions for Amphibians and Reptiles.

(a) Importation, possession, release and sale of live amphibians and reptiles shall be in accordance with Fis 803, Fis 804, Fis 805, and Fis 811.

(b) The taking of amphibians and reptiles shall be only by hand capture, including the use of hand held nets.

(c) The taking of amphibians and reptiles shall be as specified in Fis 1401.02 and Fis 1401.03.

(d) Amphibians and reptiles native to New Hampshire, including parts thereof, specified in Fis 1401.02 and Fis 1401.03 shall not be exported from the state.

(e) Scientific permits granted for the taking of amphibians and reptiles, as specified in paragraphs (a) through (d) above, shall be in accordance with RSA 214:29 **and Fis 1106.01.**

Fis 1401.02 Amphibians.

(a) No person shall take or possess a marbled salamander (*Ambystoma opacum*), Fowler's toad (*Anaxyrus fowleri*), or Northern leopard frog (*Lithobates pipiens*) or any egg or part thereof.

(b) The daily bag limits for the taking of amphibians listed below in Table 1400.1 shall be 5 amphibians of each species:

Table 1400.1 Amphibians

American toad	<i>Anaxyrus_americanus</i>
Gray treefrog	<i>Hyla versicolor</i>
Spring peeper	<i>Pseudacris crucifer</i>
American bullfrog	<i>Lithobates catesbeiana</i>
Green frog	<i>Lithobates clamitans</i>
Pickerel frog	<i>Lithobates palustris</i>
Mink frog	<i>Lithobates septentrionalis</i>
Wood frog	<i>Lithobates sylvatica</i>
Spotted salamander	<i>Ambystoma maculatum</i>
Northern two-lined salamander	<i>Eurycea bislineata</i>
Northern dusky salamander	<i>Desmognathus fuscus</i>
Eastern red-backed salamander	<i>Plethodon cinereus</i>
Red-spotted newt	<i>Notophthalmus viridescens</i>

Fis 1401.03 Reptiles.

(a) No person shall take or possess a spotted turtle (*Clemmys guttata*), Blanding's turtle (*Emydoidea blandingii*), wood turtle (*Glyptemys insculpta*), Eastern box turtle (*Terrapene carolina carolina*), black racer (*Coluber constrictor*), timber rattlesnake (*Crotalus horridus*), Eastern hognose snake (*Heterodon platirhinos*), or any egg or part thereof.

(b) The taking of reptiles, cited below in Table 1400.2, shall be taken only as specified in this section:

Table 1400.2 Reptiles

Musk turtle	<i>Sternotherus odoratus</i>
Painted turtle	<i>Chrysemys picta</i>
Snapping turtle	<i>Chelydra serpentina</i>
Ring-necked snake	<i>Diadophis punctatus</i>
Eastern milksnake	<i>Lampropeltis triangulum triangulum</i>
Northern watersnake	<i>Nerodia sipedon</i>
Brown snake	<i>Storeria dekayi</i>
Red-bellied snake	<i>Storeria occipitomaculata</i>
Garter snake	<i>Thamnophis sirtalis</i>

(c) The daily bag limit for the taking of reptiles specified in Table 1400.2 shall be 2 reptiles of each species.

(d) No person shall take any species of indigenous turtle from May 15 to July 15.

(e) The taking of snapping turtles (*Chelydra serpentina*) shall only be allowed of snapping turtles less than 6 inches or 12 to 15 inches in length as measured from the front to rear along the top of the carapace.

Adopt Fis 1402 to read as follows;

PART Fis 1402 RELEASE OF INFORMATION

Fis 1402.01 Release of Information. The fish and game department shall, at its discretion, withhold from any person information about the location and population of a non-game species if it determines that disclosures of such information would threaten the survival of that or another non-game species in any way.

APPENDIX

Rule	Specific State Statute the Rule Implements
Fis 1401.01	RSA 206:10, I; RSA 212-B:4; RSA 214:29
Fis 1401.02	RSA 206:10, I; RSA 212-B:4
Fis 1401.03	RSA 206:10, I; RSA 212-B:4
Fis 1402.01	RSA 206:10, I; RSA 212-B:4