

THIS IS A COURTESY COPY OF THIS RULE. ALL OF THE DEPARTMENT'S RULES ARE COMPILED IN TITLE 7 OF THE NEW JERSEY ADMINISTRATIVE CODE.

## **SUBCHAPTER 2. Use of All Land and Water Areas Under the Control of the Division**

### **7:25-2.1 Cutting or damaging vegetation**

No person or persons shall at any time cut, fell, dig up, pull up, damage, gather, carry away, take, remove or destroy any tree, shrub, vine or other vegetation or part thereof without written permission or other authorization of the Division. Nothing in this section shall apply to public utility companies or their agents engaged in the maintenance of existing utility company rights of way, provided that prior notice is given to the Division.

### **7:25-2.2 All motor vehicles and other forms of conveyances**

**a)** No person shall operate any motor vehicle, motorboat, or other conveyance on or over any State Wildlife Management Area unless the motor vehicle or motorboat is properly registered and displays the proper and valid registration numbers. All boats used on the waters under the control of the Division are subject to N.J.S.A. 12:7-1 et seq. and N.J.A.C. 13:82 and shall be operated in accordance with those provisions.

**(b)** All motor vehicles or other conveyances are restricted to established roads or designated parking areas. Motor vehicles or other conveyances shall not be operated at any time on or over any road, trail, survey line, dam, boundary or transmission line or other area designated as "closed" by signs or barriers, nor shall a vehicle or other conveyance be operated on or over any cultivated or planted areas or woods and fields in any Wildlife Management Area unless written permission or other authorization is granted by the Division.

**1.** Special permits may be granted to organized motorcyclists to operate on an established course or trail under regulations prescribed by the Division for a fee of \$ 100.00, plus a charge of \$ 1.00 for each participating motorcycle.

**(c)** No person shall operate motor vehicles, including conveyances, commonly known as off-road vehicles, all terrain vehicles, snowmobiles, dog sleds, dog carts or trail bikes, on State Wildlife Management Areas at any time without first obtaining a written permit or other authorization from the Division.

**(d)** No motor vehicle or other conveyances shall be stopped or parked so as to block any travelled portion of any road or restrict the free movement of any vehicle thereon, in any State Wildlife Management Area.

**(e)** A person operating a motor vehicle or other conveyance in any State Wildlife Management Area shall comply with all posted speed limits or other vehicle control signs. See N.J.A.C. 7:25-2.3 for specific vehicle control restrictions

### **7:25-2.3 Vehicle traffic controls in Wildlife Management Areas**

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**(a)** In the Assunpink Wildlife Management Area, the following motor vehicle speed limits are established:

1. Clarksburg-Robbinsville Road speed limits are as follows:
  - i. Zone 1--15 mph between Englishtown Road and Millstone-Hightstown Road.
  - ii. Zone 2--25 mph between Millstone-Hightstown Road and Sharon Station-East Branch Road (AKA Eldridge Road).
  - iii. Zone 3--35 mph between Sharon Station-East Branch Road (AKA Eldridge Road) and Roosevelt Road.
2. East Branch-Stone Tavern Road--35 mph.
3. Millstone-Hightstown Road--25 mph.
4. Roosevelt Road speed limits are as follows:
  - i. Zone 1--15 mph between the southernmost jurisdictional line and Clarksburg-Robbinsville Road.
  - ii. Zone 2--35 mph between Clarksburg-Robbinsville Road and the northernmost jurisdictional line.
5. Sharon Station-East Branch Road (AKA Eldridge Road)--25 mph.

**(b)** In the Assunpink Wildlife Management Areas the following intersections are designated as stop intersections:

1. Clarksburg-Robbinsville Road and Roosevelt Road (southerly approach), stop on Roosevelt Road.
2. Clarksburg-Robbinsville Road and Sharon Station, stop on Sharon Station-East Branch Road (AKA Eldridge Road).
3. Sharon Station-East Branch Road (AKA Eldridge Road) and East Branch-Stone Tavern Road, stop on East Branch-Stone Tavern Road.
4. Millstone-Hightstown Road and Clarksburg-Robbinsville Road (westerly approach), stop on Clarksburg-Robbinsville Road.

**(c)** In the Assunpink Wildlife Management Area the following intersection is designated as a stop and yield intersection:

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1. Clarksburg-Robbinsville Road and Roosevelt Road (northerly approach), stop sign on the left turn lane of Roosevelt Road (northerly approach) and yield sign on the right turn lane of Roosevelt Road (northerly approach).

**(d)** In the Prospertown Lake Wildlife Management Area, all vehicles over 30,000 Gross Vehicle Weight Rating are prohibited from using the parking area

#### 7:25-2.4 Alcoholic beverages

No person or persons shall consume or have in possession or control any intoxicating beverage or any beverage containing alcohol while on any land or water area under the control of the Division, except that organized groups may, with written permission or other authorization from the Division, possess or consume alcoholic beverages on designated Wildlife Management Areas.

#### 7:25-2.5 Restricted areas and hours

**(a)** No unauthorized person or persons shall enter upon in any manner any land or water areas controlled by the Division between the hours of 9:00 P.M. and 5:00 A.M. (2100 and 0500 hours) EST or EDT as listed in Trenton, New Jersey, whichever is in effect on the given date.

1. This shall not preclude a person engaged in lawful and proper hunting, trapping or fishing activity or other activities authorized by the Division.
2. No person shall enter any area designated with signs by the Division as "restricted" or "closed" without first obtaining written permission from the Division.

#### 7:25-2.6 Division Fish Hatcheries

**(a)** No unauthorized person shall take or attempt to take fish by any means, or feed, molest, disturb, kill, net or attempt to net any fish in or from the waters of State Fish Hatcheries, except the public may take or attempt to take fish in or from those waters specifically posted for public fishing by the Division.

**(b)** In the Pequest Wildlife Management Area, no unauthorized person shall take or attempt to take fish by any means, or feed, molest, disturb, kill, net or attempt to net any fish within the restricted area posted as being a portion of, or adjacent to, the outflow of the Pequest Trout Hatchery.

**(c)** In the Pequest Trout Hatchery, the taking or attempting to take fish by any means, or feeding, molesting, disturbing, killing, netting or attempting to net any fish in the "Fishing Education Pond" is prohibited unless specifically authorized by the Division.

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#### 7:25-2.7 Outboard motors

**(a)** No person shall operate or use any boat or other flotation device using an engine commonly known as an outboard motor, inboard motor or inboard-outboard motor on any freshwater lake or pond located within a Wildlife Management Area (note (c) below) without written permission from the Division.

**1.** This section does not preclude the use of battery-powered electric motor on these areas, with exception as noted in (b) below.

**(b)** On Prospertown Lake in Ocean County only manually operated boats are permitted.

**(c)** On Union Lake Wildlife Management Areas in Cumberland County, a person may operate a boat equipped with not more than one outboard motor, and this motor shall not exceed 10 horsepower.

#### 7:25-2.8 Horseback riding

**(a)** No person shall ride a horse in or on any land or water area controlled by the Division without first procuring a proper and valid permit from the Division. The permit is to be in the possession of the horseback rider at all times when riding a horse in these areas.

**1.** The riding of horses on or over any wildlife food area, dams, cultivated fields, gardens or lawns shall be unlawful at all times.

**2.** On State Wildlife Management Areas where such activity may be permitted, it shall be done only in designated areas.

**(b)** The fee for any individual permit for horseback riding on State Wildlife Management Areas shall be \$ 25.00 per calendar year. All horseback riding permits will expire on December 31, of each year.

**1.** The prospective permittee shall maintain public liability and property damage insurance for the period of authorized use, with an insurance company recognized to do business in the State of New Jersey, in the amount of \$ 100,000/\$ 300,000 personal liability and \$ 50,000 property damage, or \$ 300,000 aggregate.

**2.** Each application to ride horseback must be accompanied by a statement from the applicant's insurance carrier denoting the insurance coverage as it applies to the riding of a horse on a State Wildlife Management Area.

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**(c)** The Division may issue group horseback riding permits, covering a specified time period, to the Equine Advisory Board of the State Department of Agriculture. No fee will be charged for these permits.

- 1.** The Department of Agriculture when applying for such a permit will provide the Division with a complete application for a permit, on a form to be provided by the Division. A copy of the valid permit must be posted at the New Jersey Horse Park facility or in possession of the event coordinator. Each participant must possess a copy of a completed registration form, which will be provided by the Division.

- i.** The Department of Agriculture will be required to provide proof of insurance in the amounts specified at (b)1 above for the group permits they sponsor.

**(d)** The Division may also issue group horseback riding permits to clubs or organizations on a daily basis. The fee for such a permit will be \$ 75.00 per day.

- 1.** The prospective group permittee shall maintain public liability and property damage insurance according to the insurance requirements delineated at (b)1 above.

- 2.** At least five days before the event, the club or organization applying for such a permit will provide the Division with an application for a permit which includes a roster of riders who will be participating in the event.

- 3.** Each group permit application must be accompanied by a statement from the applicant's insurance company specifying the insurance coverage as it applies to the riding of horses on State WMA's.

- 4.** A copy of the valid permit and roster must be in possession of at least one of the participating riders. For the purpose of this section, a group will be defined as two or more riders.

**(e)** The Division may determine and designate the areas where the riding of horses is permitted and the number of permits to be issued per area during any one time period. Permittees shall be liable for any damage that may occur as a result of their horseback riding activities.

**(f)** This section shall not preclude a person participating in a field trial, during the period of time stated in the field trial permit under authority of N.J.A.C. 7:25-2.14, from riding a horse in designated Wildlife Management Areas without a horseback riding permit.

**(g)** The use of horse drawn carriages on all designated wildlife management areas will require an individual or group permit from the Division. The insurance coverage

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requirements set forth in (b)1 above for horseback riders shall apply to horse drawn carriage riders.

#### 7:25-2.9 Swimming

**(a)** Swimming and bathing are prohibited on all State Wildlife Management Areas except those designated by the Division where a State appointed lifeguard is on duty.

1. No wading is permitted except for the purpose of hunting, trapping or fishing.
2. For the purpose of this section, the use of such devices as vehicle inner tubes, surf boards, inflatable mats or underwater breathing devices commonly known as "scuba" (self contained underwater breathing apparatus) gear shall be considered as swimming or bathing.

#### 7:25-2.10 Camping, picnicking and vending

**(a)** Camping or picnicking is prohibited on all Division controlled areas, including State Wildlife Management Areas. For the purpose of this section, "camping" means any temporary shelter such as a tent, trailer, recreation vehicle, sleeping bag, hut or other structure that a person or persons use as sleeping, resting, or living quarters.

**(b)** This shall not preclude a person with proper permission or other authorization from the Division from picnicking on the designated areas of the Pequest Trout Hatchery.

**(c)** No person shall sell or offer for sale any food, beverage or other merchandise on any State Wildlife Management Area without first obtaining a written permit from the Division

#### 7:25-2.11 Fires

No person shall set or cause to be set, start, build or maintain any fire on any State Wildlife Management Area without written permission of the Division. This shall not preclude State Fire wardens from setting fires as required to check or extinguish any fire on such areas, under authority of N.J.S.A. 13:9-15.

#### 7:25-2.12 Target practice

**(a)** No target practice of any kind is permitted on State Wildlife Management Areas except within designated areas provided by the Division. This shall not preclude the use of shotguns, muzzleloaders, .22 rifles, or bow and arrows for the purpose of authorized hunter education or other authorized purposes in designated areas.

**(b)** The following regulations apply to all activities on the archery range, shotgun range, muzzleloading rifle and shotgun slugs range, and rifle range:

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1. Hours of operation are from 8:00 A.M. to sunset daily.
2. No person shall stand beyond the shooting line while shooters are firing.
3. At least one member of each shooting group shall have a valid New Jersey hunting license in his or her possession.
4. No littering shall be permitted.
5. All spectators shall stand behind all firing positions at the range.
6. All hunter education classes shall have priority use of the range facility.
7. Violation of any of the foregoing restrictions, or of any requirement listed in (c), (d), (e) or (f) below, may result in expulsion from the range, the imposition of fines, or license revocation pursuant to N.J.S.A. 23:3-22.

**(c)** In addition to the requirements listed in (b) above, the following requirements shall apply to all training activities on the archery range:

1. No arrows other than field tips or target points shall be used.
2. No broadheads shall be used.
3. All targets used shall be paper, foam or straw. Targets constructed of other materials are prohibited.
4. No damaged or unsafe equipment shall be used. Prior to shooting all shooters shall be sure of their target and beyond.
5. Archers shall shoot only from marked shooting positions and shall shoot only at backstops.
6. No archer shall nock an arrow or draw a bow when any other person is in front of him or her or is down range.
7. When drawing his or her bow, no archer shall raise his or her arrow point higher than the top of the backstop.
8. All shooting shall cease when a cease fire is called.

**(d)** In addition to the restrictions listed in (b) above, the following requirements shall apply to all training activities on the shotgun range:

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- 1.** No weapons other than shotguns and muzzleloading shotguns shall be used at the range.
  - 2.** Only fine shot smaller than No. 4 Lead or No. T Steel ammunition shall be used.
  - 3.** No slugs or buckshot shall be used.
  - 4.** Only clay birds and paper pattern boards shall be used. All other forms of targets are prohibited.
  - 5.** The pointing of a firearm loaded or unloaded at anything except a target is prohibited.
  - 6.** Muzzles shall always be kept pointed in a safe direction and prior to shooting all shooters shall be sure of their target and beyond.
  - 7.** Shooting shall only occur from marked firing positions into marked shotfall areas.
  - 8.** All shotgun actions shall be kept open at all times except when on the firing line.
  - 9.** All uncased shotguns being carried to or from the firing line shall be unloaded and shall have their actions open.
  - 10.** Eye and ear protection equipment shall be used.
  - 11.** When any person is down range of the firing line, the handling of shotguns is prohibited. In addition, all shotguns shall be unloaded and shall have their actions opened.
  - 12.** No person shall smoke on the firing line when a black powder shotgun is being used.
  - 13.** When a cease fire is called, all shooting shall stop and all firearms shall be unloaded and shall have their actions open.
  - 14.** A target change may be made by calling a cease fire on the hour and the half hour.
- (e)** In addition to the requirements listed in (b) above the following requirements shall apply to all activities on the muzzleloading rifle and shotgun slugs range:



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1. No weapons other than muzzleloading rifles and shotguns shall be permitted at the range.
  2. Only paper type targets are permitted to be used. All other forms of targets are prohibited.
  3. All persons using the range shall observe the primary safety rule of treating every gun as if it were loaded.
  4. All muzzles shall be kept pointed in a safe direction and prior to shooting all shooters shall be sure of their target and beyond.
  5. Eye and ear protection equipment shall be used.
  6. All shooting shall occur only from marked firing line positions into the designated backstop area.
  7. No muzzle of a loaded firearm shall be raised higher than the top of the backstop.
  8. All firearms actions shall be kept open at all times except when the shooter is on the firing line.
  9. All uncased firearms being carried to or from the firing line shall be unloaded and shall have their actions opened.
  10. When any person is down range of the firing line, all firearms shall be unloaded and shall have their actions opened.
  11. When any person is down range, no handling of firearms shall occur, including the adjustment of sights.
  12. When a cease fire is called, all shooting shall stop and all firearms shall be unloaded and shall have their actions open.
  13. A target change may be made by calling a cease fire on the hour and the half hour.
  14. No smoking shall occur on the firing line when a black powder firearm is being used.
- (f) In addition to the requirements listed in (b) above, the following requirements shall apply to all activities on the rifle range:

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- 1.** No firearms shall be used except modern action rim-fire or center fire rifles and muzzleloading rifles.
- 2.** Shooters may load and fire only one round at a time.
- 3.** Only paper type targets are permitted to be used. All other types of targets are prohibited.
- 4.** The primary safety rule of treating every gun as if it were loaded shall be observed.
- 5.** All shooters shall keep all muzzles pointed in a safe direction and prior to shooting shall be sure of their target and beyond.
- 6.** Eye and ear protection equipment shall be used.
- 7.** No shooting shall occur except from marked firing line positions into the designated backstop area.
- 8.** No muzzle of a loaded firearm shall be raised higher than the top of the backstop.
- 9.** All firearms actions shall be kept open at all times except when the shooter is on the firing line.
- 10.** When any person is down range of the firing line, all firearms shall be unloaded and all firearms actions shall be opened.
- 11.** All uncased firearms being carried to or from the firing line shall be unloaded and shall have their actions opened.
- 12.** When any person is down range, no handling of a firearm, including the adjusting of sights, shall occur.
- 13.** When a cease fire is called, all shooting shall stop and all firearms shall be unloaded and all firearm actions shall be opened.
- 14.** Target changes may be made by calling a cease fire on the hour and on the half hour.
- 15.** No smoking shall occur on the firing line when a black powder firearm is being used.

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On designated State Wildlife Management Areas, a charge of not more than \$ 2.00 per each passenger vehicle other than a bus, and not more than \$ 10.00 for each bus shall be charged. This section shall not apply to properly licensed hunters, anglers or trappers.

#### 7:25-2.14 Field trail activities

**(a)** Permits for the use of State Fish and Wildlife Management Areas for conducting field trials or retrieving field trials as defined in (c) below may be granted by the Division in accordance with the provisions of this section. General authority for this section is found in N.J.S.A. 23:4-26.

**(b)** No person shall conduct a field trial or retrieving field trial on any fish and wildlife management area without a permit from the Division.

**(c)** Definitions include the following:

1. "Field trial" means an organized training or competitive event in which dogs are used to locate and/or pursue game animals while their performance is evaluated in a manner as prescribed by the standards set forth by the sponsoring organization. Retrieving and firearms are not employed.
2. "Retrieving field trial" means a training or competitive event in which dogs are used to locate and/or pursue game animals culminated by the retrieving of said animals. The performance of each dog is evaluated as prescribed by the standards set forth by the sponsoring organization. Firearms may be employed in this type of event.
3. "Division" means the Division of Fish and Wildlife or its successor in the Department of Environmental Protection.

**(d)** Application procedures are:

1. A permit for a field trial or retrieving field trial may be issued to an organization that is organized as a "field trial club". The Division shall describe the form of the permit and the form of the application.
2. An application for the holding of a spring field trial or retrieving field trial shall be made no later than January 1. An application for the holding of a fall field trial or retrieving field trial shall be filed no later than August 1.
3. Fees: A fee of \$ 100.00 per day shall be charged for all field trials or retrieving field trials using the designated course or areas and building facilities provided by the Division on Wildlife Management Areas. A fee of \$ 50.00 per day shall be charged for all field trials or retrieving field trials using only the designated course or area on the Wildlife Management Areas.

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(e) Field trials and retrieving field trials may be authorized during the period of February 15 to April 30 and September 1 to October 31 except, however, field trials and retrieving field trials may be authorized for the Assunpink wildlife management area from February 15 through October 31 inclusive. A permit will specify the location within the wildlife management area in which the permitted event shall be conducted.

(f) General provisions include:

1. Only birds in excellent physical condition shall be liberated for any event. Birds with clipped wings or otherwise mutilated shall not be liberated. Birds are not to be mishandled, handled cruelly, or injured at the time of liberation. The club is responsible for the liberation of the birds.
2. At retrieving field trials, only pen reared game birds and domestic mallards may be used. Only birds specified in the permit may be liberated. Any bird carcass must be tagged before it is removed from the event location. Tags shall be secured from the Division at a fee of \$ 0.25 each. All bird carcasses shall be properly disposed of by the permittee at another location outside the designated Wildlife Management Area in use.
3. All individuals using firearms shall possess and display a firearms hunting license valid for the current calendar year.
4. The riding of horses by field trial judges, entrants, handlers and trainers without riding permits required by Regulation No. 4 (N.J.A.C. 7:25-2.8) is allowed, providing the field trial sponsoring organization or association has first obtained the proper field trial permit, and promulgates and maintains a written roster of the names of persons participating in the field trial in the listed capacities, who will be horseback riding on the dates listed in the field trial permit.
  - i. The valid roster shall be available for inspection by conservation officers, deputy conservation officers or other law enforcement officers at any time during the dates listed on the field trial permit.
  - ii. Spectators, gallery and observers of field trials who ride horses, or persons engaged in leasing or renting of riding horses at field trials, must obtain and, while riding, have in their possession a valid horseback riding permit.

(g) These regulations are not intended to prohibit the running of coonhound trials utilizing a laid trial and live raccoon placed in a tree at the end of the chase. The owner of a raccoon utilized for the laid trail must be licensed by the Division for the possession of a live raccoon.

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**(h)** Liability rules are:

- 1.** The prospective permittee shall maintain public liability and property damage insurance for the requested period of use, with an insurance company recognized to do business in the State of New Jersey, in the amount of \$ 100,000/300,000 personal liability and \$ 50,000 property damage. Certificate for such coverage shall be submitted with the application for field trial permits and/or the application for retrieving field trial permits.
  - 2.** All persons shall use every precaution to prevent damage, destruction, or fire. The permittee shall be completely responsible for any damage occurring in the location and at the time the field trial or retrieving field trial is being conducted. No permit shall be issued to any organization or persons who have damaged or destroyed state lands or property and who have failed to reimburse the state.
- (i)** The organization or persons sponsoring the event shall be responsible for the removal of all litter, trash, the cleaning of barns, the cleaning of dog kennels, clubhouse facilities including kitchen facilities and sanitary facilities. The permittee shall be billed by the state for any expenses necessary to clean the facilities used by the permittee. No permit shall be issued to any organization or person who has failed to reimburse the state.

7:25-2.15 Rental of clubhouses

- (a)** Use of clubhouses or designated facilities for outings, trap shoots, or other events will be authorized at a fee of \$ 100.00 a day: use for meeting purposes will be permitted at a \$ 50.00 daily fee. Permittee shall be responsible and liable for any damage which may occur.
- (b)** The prospective permittee shall maintain public liability and property damage insurance for the period of authorized use, with an insurance company recognized to do business in the State of New Jersey, in the amount of \$ 100,000/\$ 300,000 personal liability and \$ 50,000 property damage. Certificates of such coverage shall be submitted with each application before a permit is issued.

7:25-2.16 Revocation

The Division may revoke any permit or other authorization issued hereunder for due cause or for violation of any provision set forth herein, whether or not prosecution is brought as provided in N.J.S.A. 23:7-9.

7:25-2.17 Securing permits

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Information on securing any of the permits described in this subchapter may be obtained by writing or telephoning the Division of Fish and Wildlife, PO Box 400, Trenton, New Jersey 08625-0400. Telephone (609) 984-1401.

#### 7:25-2.18 Wildlife Management Areas

**(a)** This subchapter applies to the following designated Wildlife Management Areas:

1. Absecon
2. Amwell Lake
3. Assunpink
4. Baldwin Lake
5. Beaver Swamp
6. Belvidere
7. Berkshire Valley
8. Berrytown
9. Millville
10. Black River
11. Butterfly Bogs
12. Capoolong Creek
13. Cedarville Pond
14. Clarks Pond
15. Clinton
16. Colliers Mills
17. Corson
18. Kingwood
19. Holland Church
20. Dennis Creek
21. Dix
22. Egg Island
23. Flatbrook
24. Forked River Game Farm
25. Fortescue

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- 26.** Glassboro
- 27.** Great Bay Boulevard
- 28.** Greenwood Forest
- 29.** Greenwood Pond
- 30.** Hackettstown
- 31.** Hainesville
- 32.** Hamburg Mountain
- 33.** Harrisonville Lake
- 34.** Heislerville
- 35.** Higbee Beach
- 36.** Imlaystown Lake
- 37.** Ken Lockwood Gorge
- 38.** Logan Pond
- 39.** Tuckahoe
- 40.** Mad Horse Creek
- 41.** Manahawkin
- 42.** Manasquan River
- 43.** Manchester
- 44.** Marmora
- 45.** Maskels Mill Pond
- 46.** Medford
- 47.** Menantico Ponds
- 48.** Nantuxent
- 49.** New Sweden
- 50.** Old Wharf
- 51.** Osborne
- 52.** Oyster Creek
- 53.** Pasadena
- 54.** Peaslee
- 55.** Pequest

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- 56.** Port Republic
- 57.** Prospertown Lake
- 58.** Rockport Game Farm
- 59.** Round Valley Angler Access
- 60.** Rowands Ponds
- 61.** Roy
- 62.** Saw Mill Creek
- 63.** Sedge Islands
- 64.** Stafford Forge
- 65.** Swan Bay
- 66.** Turkey Swamp
- 67.** Union Lake
- 68.** Van Nest Refuge
- 69.** Walpack
- 70.** Wanaque
- 71.** Whiting
- 72.** Whittingham
- 73.** Winslow
- 74.** Bear Swamp
- 75.** Cape May Wetlands
- 76.** Columbia Lake
- 77.** Hummers Beach
- 78.** Knowlton
- 79.** Lebanon Laboratory
- 80.** Makepeace Lake
- 81.** Mannington
- 82.** New Sweden
- 83.** Oyster Creek
- 84.** Elmer Lake
- 85.** Pemberton Lake



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**86.** Maple Lake

**87.** Point Pleasant Canal Access

**88.** Budd Lake

**89.** Feather Bed Lane

**90.** Musconetcong River Access

**91.** Pork Island

**(b)** Interested persons may obtain information on Wildlife Management Areas by contacting the Division at (609) 292-2965. A Guide to Wildlife Management Areas, containing maps of each area, is available from:

Division of Fish and Wildlife  
New Jersey Department of Environmental Protection  
PO Box 400  
Trenton, New Jersey 08625-0400

7:25-2.19 Higbee Beach

**(a)** In addition to all regulations prescribed in this subchapter affecting the designated Wildlife Management Areas listed at N.J.A.C. 7:25-2.18, the following additional regulations shall apply to the public use of the Higbee Beach Wildlife Management Area (HBWMA):

- 1.** From 12:01 A.M. on September 15 until 8:00 A.M. on November 1 of each year, use of the HBWMA shall be limited to trails designated on the map posted at the HBWMA parking lot, and on maps available at the division's Endangered and Nongame Species Program office located at the HBWMA.
- 2.** Fields on the HBWMA shown on the map described at (a)1 above may be designated as "refuge areas" from 12:01 A.M. on September 15 until 8:00 A.M. on November 1 of each year. Observations of these refuge areas will be permitted only from blinds established and maintained by the division's Endangered and Nongame Species Program. Permits for observation from established trails within these refuge areas may be issued by the division's Endangered and Nongame Species Program office upon written request received in the division's Trenton office (CN 400, Trenton NJ 08625) at least five days in advance of the effective date of the permit and provided the specific permitted activity is consistent with the intent of this section.
- 3.** During the time period specified at (a)1 above, group size will be limited to six people. Permits for groups numbering more than six people will be available at no charge from the division's Endangered and Nongame Species Program office located at the HBWMA.

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**4.** No person may hunt or trap on the HBWMA from 12:01 A.M. on September 1 to 12:01 A.M. on the first Monday after the white-tailed deer (*Odocoileus virginianus*) six day firearm season ends in accordance with the provisions of N.J.A.C. 7:25-5.27.

**5.** Motor vehicles may be used on designated roads and on the beach area (the area seaward of the dunes) of the HBWMA only as follows:

**i.** The operator must have in possession a valid permit issued for use on the HBWMA and available at no charge upon written request received in the division's Trenton office (CN 400, Trenton, NJ 08625);

**ii.** Motor vehicles may not be present on the beach area from two hours before high tide to two hours after high tide, as the times of such tides are posted at the HBWMA parking lot;

**iii.** Motor vehicles may not be present on the beach area between Memorial Day (the last Monday in May) and Labor Day (the first Monday in September) from 10:00 A.M. to 5:00 P.M. and as further limited at (a)5ii above; and

**iv.** Motor vehicles may be excluded from the beach area upon departmental determination that this action is necessary to maintain and enhance the use of HBWMA by migratory and resident endangered and threatened species of wildlife.

**6.** From 12:01 A.M. on April 15 until 12:01 A.M. on September 15 of each year, that part of the HBWMA designated as the south-end beach area, as described on the maps posted at the HBWMA parking lot, available at the Division's Endangered and Nongame Species office located at the HBWMA and at the Division's Trenton office (501 E. State Street, Station Plaza 5, Third Floor, CN 400, Trenton, N.J. 08625), and on file with the Office of Administrative Law, shall be closed to all public access and use, except upon prior written approval from the Department, which may be obtained from the Division's Trenton office.

**7.** That part of the HBWMA designated as the north-end beach area, as described on the maps posted and available in accordance with (a)6 above, shall be open year-round to public access and use for those activities permissible under N.J.A.C. 7:25-2.

**8.** At all times, the dune areas of HBWMA are closed to all public access and use, except upon prior written approval from the Department, which may be obtained from the Division's Trenton office at the address listed in (a)6 above. Dune areas may be observed from established trails as designated and described

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on the maps posted and available in accordance with (a)6 above. Entry onto the dunes from established trails is prohibited at all times.

7:25-2.20 Dog training

**(a)** A person may exercise or train dogs on State Fish and Wildlife Management Areas from May 1 to August 31, inclusive, on the following designated Wildlife Management Areas:

1. Assunpink;
2. Millville;
3. Black River;
4. Clinton;
5. Colliers Mills;
6. Glassboro;
7. Hainesville;
8. Tuckahoe;
9. Manasquan;
10. Stafford Forge; and
11. Whittingham.

**(b)** A person may exercise or train dogs on any State Wildlife Management Area from September 1 to April 30.

**(c)** There shall be no exercising or training of dogs on any Wildlife Management Area on the Friday before the opening day of the regular small game season.

**(d)** All dogs involved with training activities must be properly licensed according to State law.

**(e)** Pheasants, quail and partridge may be released for dog training on wildlife management areas. The game birds must be obtained from a licensed game breeder. Any person releasing pheasants, quail or partridge in a Wildlife Management Area must have in their possession a "Game Animal--Game Bird Sales Receipt" for the birds to be

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released. These receipts are provided to licensed game breeders by the Division and are issued by the breeder to the purchaser of game birds.

**(f)** Pigeons may be used for dog training. However, the shooting of pigeons for dog training is prohibited.

**(g)** Game birds used for dog training on Wildlife Management Areas may not be brailed or tethered to restrain the bird in any way after release. Mechanical bird holding devices may be used to restrain game birds prior to release. Upon release the game birds used for dog training are subject to all rules and regulations pertaining to seasons, bag limits and methods and means of take specified in the New Jersey Game Code.

**(h)** No firearms may be used outside of the prescribed hunting seasons for the training of dogs. Starter pistols, dummy launchers and other noise making devices which are not capable of firing a projectile that could cause harm may be used.

**(i)** Frozen or otherwise preserved game birds obtained during the legal hunting season may be used for dog training purposes.

**(j)** The release of rabbits, hares, raccoons, and foxes for dog training is prohibited.

**(k)** The use of call back pens for game birds on any Wildlife Management Area is prohibited

#### 7:25-2.21 Waterfowl blinds

**(a)** No permanent waterfowl blinds, including pit blinds, shall be constructed, hunted from or used in any manner in any of the following wildlife management areas:

1. Assunpink;
2. Black River;
3. Colliers Mills;
4. Hainesville;
5. Tuckahoe;
6. Manahawkin;
7. Stafford Forge;
8. Whittingham;

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9. Beaver Swamp;
10. Sedge Island WMA;
11. Mannington; or
12. Prospertown Lake.

**(b)** Any blind used in the areas in (a) above must be portable and shall be completely removed at the end of the day. Blinds remaining in the Wildlife Management Areas in (a) above will be classified as abandoned property and will be subject to confiscation and disposal by the Division

#### 7:25-2.22 Special Events Permits

**(a)** Any person or group wishing to conduct an activity within a Wildlife Management Area ("WMA"), other than those specifically permitted pursuant to this chapter, shall apply for and receive a Special Events Permit from the Superintendent of the Wildlife Management Areas and the Regional Captain of the Bureau of Law Enforcement prior to commencement of such activities. For assemblies of 10 or fewer persons, an application shall be filed with the Division at least 30 days prior to the date of the assembly. For assemblies of more than 10 persons, an application for a special events permit shall be filed at least 90 days before the date of the event.

**(b)** A map listing the designated locations within the State's Wildlife Management Areas available for public assemblies shall be available in the office of the Superintendent. Locations suitable for public assemblies will be chosen based upon the environmental sensitivity of such areas, the safety of all users of the Wildlife Management Areas, the likelihood of interference with the facilities, services and other activities in the Wildlife Management Area and the ability of the participants to make their presence known and to communicate their message to the group they wish to target.

**(c)** Such permit application shall be submitted on the form provided by the Division and shall set forth the name of the applicant; the date, time, duration, and requested location for the proposed event; the type of event to be conducted; an estimate of the number of persons expected to attend the event; and a list of the type(s) of equipment and/or facilities to be used for such event. No Special Event permit shall be valid until the permittee submits a security deposit in the form of a certified or bank check or bond in an amount sufficient to ensure full compliance with the terms and conditions of the permit and to protect the Department for the cost of any damage to the WMA or its facilities which may occur as a result of the event. If the security deposit is not received by the Superintendent of the WMAs within five business days of the scheduled event, the permit shall be void and the event may not occur on the WMA. If upon expiration or termination of the permit, the agency determines that a permittee has not complied with the terms and conditions of the permit, has violated any law, ordinance, statute or rule, or the event has

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resulted in damage to the Wildlife Management Area or its facilities, the following applies:

1. Any security submitted by the permittee to the Department shall be forfeited and retained by the Department to the extent necessary to remedy or compensate the Department for the damage(s);
2. The permittee shall be liable for any additional sum necessary to correct or compensate the Department for such damage; and
3. Neither forfeiture of any security nor payment for such damage shall in any way relieve the permittee of civil or criminal liability arising from the permittee's actions.

**(d)** The Superintendent and the Regional Captain of the Bureau of Law Enforcement shall, jointly, issue a permit within 10 days of receipt of a complete permit application.

**(e)** Such permit shall be issued unless:

1. A prior permit application for a permit for the same time and location has been made to the Division and will be granted and such permitted activities do not allow multiple occupancy or use of the designated area;
2. The Division has scheduled an event for the same time and location which does not allow multiple occupancy or use of the designated areas;
3. The event is expected to include activities which will present a clear and present danger to the public health or safety or which are prohibited pursuant to Federal or State law;
4. The event is of such a scale or duration that it may result in damage or disruption to the Wildlife Management Area's environment, resources or facilities; or
5. Within the preceding four years, the applicant has been granted a permit and did, on that prior occasion, knowingly violate a material term or condition of the permit, or any law, ordinance, statute or regulation or cause damage to a WMA or its facilities.

**(f)** If a permit application is denied, the applicant shall be informed, in writing, within five days of the reason(s) for such denial.

**(g)** A permit may contain conditions consistent with the protection and continued use of the Wildlife Management Area in conformance with the purpose for which such WMAs were established; to provide wildlife oriented recreation through the proper protection

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and management of fish and wildlife habitat for the benefit of all New Jersey's citizens. It may also contain limitations on the type(s) of equipment to be used. Any permittee aggrieved by the conditions contained within a permit may request an administrative hearing pursuant to the procedures delineated at (n) below.

**(h)** A permit shall be issued for a period not to exceed seven days. A permit, however, may be extended for another seven day period upon the submission of a new application and provided that another applicant has not previously requested use of the same location for an activity for which multiple occupancy of said location is impossible.

**(i)** Activities authorized pursuant to a permit will be allowed within the WMA only if such activities are performed in strict accordance with the terms and conditions set forth in the permit. Permittees and their agents, employees and invitees shall comply with all applicable local, State and Federal laws, rules and regulations.

**(j)** All persons participating in an event permitted by a Special Events Permit including, but not limited to, the permittee and its agents, employees and/or invitees, shall comply with the lawful direction or command of any Police Officer, Conservation Officer, WMA or Department Employee and any, written or printed, WMA sign, except upon order of a Police Officer, Conservation Officer or WMA or Department Employee.

**(k)** Permittees and their agents, employees and invitees shall not obstruct or impede pedestrians or vehicle and may not prevent any person from engaging in activities authorized to be conducted within the WMA.

**(l)** Violation of any of the provisions of this section may result in revocation or suspension of a permit and imposition of penalties as provided in N.J.S.A. 23:7-9. Notice of such revocation or suspension shall be made in writing and shall clearly set forth the reason(s) for the revocation or suspension.

**(m)** Violation of the terms and conditions of a permit issued in accordance with this section may result in suspension or revocation of the permit in addition to the penalties provided in N.J.S.A. 23:7-9.

**(n)** Any applicant or permittee who is aggrieved by the conditions placed upon a Special Events Permit issued to them, by the denial of their application for the same, or the suspension or revocation of their Special Events permit may request an administrative hearing. Requests for administrative hearings shall be submitted in writing within 10 days from the date of the issuance of the permit or other Department decision and shall set forth the reasons why the Department's action is improper, specifying all legal and factual issues to be raised in support of the applicant's position. A request for a hearing shall be sent to:

New Jersey Department of Environmental Protection  
Office of Administrative Hearings and Dispute Resolution

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ATTENTION: Adjudicatory Hearing Requests  
Department of Environmental Protection  
401 E. State Street  
Mail Code 401-07A  
PO Box 420  
Trenton, NJ 08625-0402

Upon receipt of such a request, the Commissioner may conduct the hearing or refer the matter to the Office of Administrative Law which shall conduct a hearing on the matter pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. Within 45 days of receipt of the Administrative Law Judge's decision, the Commissioner shall affirm, reject, or modify the decision. The Commissioner's final decision affirming, rejecting or modifying the recommended findings by the Office of Administrative Law shall constitute final agency action pursuant to R.2:2-3(a)2 and shall be subject only to judicial review as provided in the Rules of Court.

#### 7:25-2.23 Boat Ramp Maintenance Permit

**(a)** Any vehicle used to transport or launch a vessel or water conveyance on the following wildlife management areas must have affixed to the lower corner of the driver's side rear window a boat ramp maintenance permit or receipt from a valid hunting, fishing or trapping license. The boat ramp maintenance permit shall be purchased for a fee of \$ 15.00 from the Division.

1. Round Valley Angler Access;
2. Kingwood;
3. Assunpink;
4. Dennis Creek;
5. Tuckahoe;
6. Mad Horse Creek;
7. Union Lake;
8. Menantico Ponds; or
9. Prospertown Lake.



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**(b)** Any vehicle found in violation of N.J.A.C. 7:25-2.23 shall subject the driver or registered owner to prosecution under N.J.S.A. 23:7-9, possible license revocation pursuant to N.J.S.A. 23:3-22 and penalties in the amount of \$ 50.00 to \$ 200.00.

#### 7:25-2.24 Fishing tournaments

**(a)** No person or persons shall conduct a fishing tournament on or from any fish and wildlife management area without a permit from the Division.

**(b)** "Fishing tournament" means any organized competitive fishing event, from shoreline or from boat, with or without remuneration of any form, that is engaged in by more than 10 anglers or five boats, whichever is less.

**(c)** Permits for the use of any fish and wildlife management area for conducting fishing tournaments may be granted by the Division in accordance with the provisions of this section.

**(d)** Application procedures are as follows:

- 1.** A permit for a fishing tournament may be issued to any organization, including, but not limited to, sportsmen's organizations, civic organizations and governmental councils or agencies.
- 2.** An application for the holding of a fishing tournament shall be made to the Division at PO Box 400, Trenton, NJ 08625-0400, no later than 60 days in advance of the proposed date for the event.
- 3.** Such application will contain the following information:
  - i.** The name of the tournament organizer and/or sponsor;
  - ii.** The address and telephone number of the tournament organizer and/or sponsor;
  - iii.** The proposed date of the tournament;
  - iv.** The number of participants and boats;
  - v.** The starting time and ending time; and
  - vi.** The rules and restrictions placed on the event by the organizer and/or sponsor.

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4. A \$ 15.00 per day fee shall be included with the application for all fishing tournaments conducted on or from a Wildlife Management Area. The fee may be waived for charitable-oriented events.
- (e) The organizer or sponsor of the tournament will be responsible for, and required to report, the number of tournament participants, hours fished and the species, number and sizes of fish caught and released, and the species, number and sizes of fish harvested. Failure to report this information will result in future denial of fishing tournament permits.
- (f) Issuance of a permit for a fishing tournament does not convey any special privileges in regards to the taking of fish or in the use of boat motors. All tournament participants must comply with all of the provisions of the Fish Code and Wildlife Management Area regulations in effect at the time of the tournament. All tournament participants, that fish, must possess and display a fishing license valid for the calendar year in which the tournament occurs.
- (g) Issuance of a permit does not grant an exclusive right to use the designated area. Tournament organizers, sponsors and/or participants shall not impede the rights of others to use the area.
- (h) By issuing a permit, the Division does not assume any responsibility or liability for such fishing tournament. Judging and awarding of prizes is the sole responsibility of the permittee, organizer and/or sponsor.
- (i) The permittee organizer and/or sponsor of the tournament shall be responsible for the proper disposal of all litter and trash generated by the event.
- (j) All persons shall use every precaution to prevent damage, destruction, or fire to the Wildlife Management Area. The permittee shall be completely responsible for any damage as a result of the fishing tournament. No permit shall be issued to any organization or persons who have damaged or destroyed State lands or property and who have failed to reimburse the State for such damage and/or destruction.

#### 7:25-2.25 Severability

If any clause, sentence, paragraph, or part of this subchapter or the application thereof to any person or circumstances, shall for any reason, be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this subchapter.

#### 7:25-2.26 Restrictions on use

- (a) Nothing contained in N.J.A.C. 7:25-2 shall preclude the Division from limiting, or closing from, public use any specific land and water areas under its control, effective

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immediately upon making the finding that prevailing conditions warrant such restriction to protect the users, or to protect and preserve the land and water areas, or both, and continuing for so long as such conditions warrant.

**(b)** Notice of the restrictions shall be given by the posting of signs on or about the restricted area or other appropriate location and one of the following:

1. Distribution of a press release to the news media;
2. Public notice published in the New Jersey Register; or
3. Public notice published in a newspaper in the locale