

Summary of Connecticut ANS Laws*

CT statutes: <http://search.cga.state.ct.us/>

CT statutes: Policy & Agency Powers:

- 1) Powers and Duties of Commissioner [of DEP]: In the interest of wildlife management, the commissioner may destroy and dispose of any diseased or undesirable wildlife species if the species, *inter alia*, aggressively invades, or is likely to adversely impact agriculture, native plants, or native wildlife, or is likely to adversely impact natural or agricultural ecosystems. Conn. Gen. Stat. § 26-3 (2003).
- 2) Regulations. Determination of Whether Any Native Species is Endangered, Threatened or of Special Concern: The DEP commissioner shall adopt regulations to establish procedures to determine if any native species is endangered, threatened, or of special concern. In making that determination, the commissioner shall consider, *inter alia*, competition or predation that affects the species, and natural or human factors that affects the species. Conn. Gen. Stat. § 26-306(a) (2003).

Introduction & Possession of Fish and Other Animals:

- 1) Permit for Importing, Possessing, or Liberating Fish, Wild Birds, Wild Quadrupeds, Reptiles and Amphibians: No one may import or introduce into Connecticut any live fish, wild bird, wild quadruped, reptile, or amphibian without a permit from the DEP commissioner. No one may possess or liberate such an animal without a permit from the commissioner. Permits will be issued by the commissioner under regulations that she makes. The commissioner may by regulation determine the numbers of which species which may be imported, possessed, introduced, or liberated within the state. She may promulgate regulations to determine which species of such animals meet permit requirements. The commissioner may exempt from the permit requirements specific species or groups of live fish. The commissioner may absolutely ban the importation, possession, or introduction into the state, or liberation within the state, of those species that she has determined to potentially threaten people, crops, or established plants or animals. She may by regulation exempt certain educational or research organizations from the permit requirements. Conn. Gen. Stat. § 26-55 (2003).
- 2) Permit for Importing, Possessing, or Liberating Fish, Wild Birds, Wild Quadrupeds, Reptiles and Amphibians: Anyone who violates this section shall be guilty of an infraction. Importation, liberation or

possession of each fish, wild bird, wild quadruped, reptile or amphibian in violation of this section or such regulation shall be a separate and distinct offense. In a continuing violation, each day of that continuance shall be a separate and distinct offense. Conn. Gen. Stat. § 26-55 (2003).

- 3) Possession of diploid grass carp: DEP shall evaluate each site where diploid carp exist. Conn. Gen. Stat. § 26-55a(b) (2003).
- 4) Possession of diploid grass carp: DEP shall allow diploid carp that were in Connecticut as of June 6, 1989 to remain, as long as they are in a controlled environment. Conn. Gen. Stat. § 26-55a(c) (2003).
- 5) Possession of diploid grass carp: DEP shall publicize the statutes and regulations regarding diploid carp. Conn. Gen. Stat. § 26-55a(d) (2003).

Introduction & Possession of Plants:

- 1) An Act Concerning Invasive Plants: No state agency may buy any plant listed as invasive. Conn. Pub. Act No. 03-136(4) (2003).
- 2) An Act Concerning Invasive Plants: Nobody may move, import, sell, buy, possess, grow, or distribute any of the following plants: (1) Curly leaved pondweed (*Potamogeton crispus*); (2) fanwort (*Cabomba caroliniana*); (3) Eurasian water milfoil (*Myriophyllum spicatum*); (4) variable water milfoil (*Myriophyllum heterophyllum*); (5) water chestnut (*Trapa natans*); (6) egeria (*Egeria densa*); and (7) hydrilla (*Hydrilla verticillata*). The penalty for doing so is a fine not exceeding \$100. Conn. Pub. Act No. 03-136(8) (2003) (This is repealed effective October 1, 2004 by Conn. Pub. Act No. 04-203(2) (2004)).
- 3) An Act Concerning Fines for Banned Invasive Plants: Nobody may move, import, sell, buy, possess, grow, or distribute any of the following invasive plants: [List too numerous to list here]. Some of the plants are listed effective October 1, 2004, and some are listed effective October 1, 2005. Conn. Pub. Act No. 04-203(2)(b)(c) (2004) (This act has been signed into law, but not yet codified).
- 4) An Act Concerning Fines for Banned Invasive Plants: The penalty for violating Conn. Pub. Act No. 04-203(2) (2004) is a fine not exceeding \$100. Conn. Pub. Act No. 04-203(2)(d) (2004).

Control of Invasive Plants:

- 1) Control of Nonnative Invasive Plant Species: Authorizes DEP to control nonnative invasive plants, educate about nonnative invasive plants, and make and maintain a nonnative invasive plants list. That list will be distributed annually. Conn. Gen. Stat. § 22a-339(g) (2003).
- 2) Control of Aquatic Plants and Animals: The DEP commissioner may use chemical, electrical, or mechanical means to remove undesirable plants or animals from state waters. Conn. Gen. Stat. § 26-22 (2003).
- 3) Permits for Use of Pesticides in State Waters: The DEP commissioner may issue permits for introducing chemicals into state waters to control fish, aquatic vegetation, or other aquatic organisms. Conn. Gen. Stat. § 22a-66z (2003) (formerly § 19-300u).

Bait:

- 1) Bait Dealer's License: Anyone selling bait must possess a license from the DEP. Bait dealers may only sell those species which DEP regulations allow to be sold as bait. Anyone violating § 26-45 shall be fined a minimum of \$10 to a maximum of \$100, or be imprisoned for a maximum of 30 days, or both imprisoned and fined. Conn. Gen. Stat. § 26-45 (2003).
- 2) Carp and Goldfish: No one may sell, offer to sell, possess, use, transport, or transfer goldfish or carp as bait. No one may introduce carp or goldfish into the state's inland waters without written permission from the DEP commissioner. Anyone violating § 26-128 shall be fined \$100. Conn. Gen. Stat. § 26-128 (2003).

Fish Propagation and Aquaculture:

- 1) Licensing of Aquaculture Operation. Regulations. Control of Importation and Cultivation of Nonnative Plants or Animals: DOA, after consulting with DEP, shall adopt regulations for aquaculture licensing. Such regulations shall devise a system to control importing, cultivating, or raising of nonnative aquatic plants or animals. The regulations shall ensure that any such importing or cultivating shall not adversely impact or contaminate the native aquatic plants or animals, or their habitats. The regulations shall ensure that aquaculture operations do not impact or contaminate wild stocks of aquatic plants or animals, or their natural habitats. The regulations shall include measures to identify aquaculture operations products. Conn. Gen. Stat. § 22-11f (2003).

- 2) Permits for Aquaculture Operations: Licensing of aquaculture permits is the responsibility of DOA. Conn. Gen. Stat. § 22-11h(a) (2003).
- 3) Permits for Aquaculture Operations: It is permitted to transport or stock live aquaculture products from an approved and licensed aquaculture operation or hatchery, or to stock those products in state waters. Such products must be indigenous to the state and DOA must approve them for stocking. An annual transport permit is required from DEP. Conn. Gen. Stat. § 22-11h(d) (2003).
- 4) Releases from Aquaculture Systems: No one may release plants, animals, or water from aquaculture systems without first notifying the DOA commissioner of the nature of the substances to be released. The commissioner may prevent such release if she finds that it significantly threatens the state's aquaculture resources. Conn. Gen. Stat. § 22-11g (2003).
- 5) Depositing of Shellfish in Tidal Waters: The DOA commissioner shall make regulations regarding depositing shellfish into the state's tidal waters that are imported from outside state waters. This is to prevent the introduction of detrimental shellfish parasites, diseases and pests. No one may import into state waters any shellfish or shellfish seed from outside the state unless the shellfish or seed is produced in a hatchery that has either been inspected or approved by the DOA. Anyone who deposits shellfish into state tidal waters shall first notify the DOA commissioner. Conn. Gen. Stat. § 26-224(a) (2003).
- 6) Depositing of Shellfish in Tidal Waters: Anyone who violates § 26-224 shall be fined a maximum of \$200. Conn. Gen. Stat. § 26-224(d) (2003).
- 7) Commercial hatcheries. Fees: No person shall operate a commercial hatchery to hold, hatch, or rear finfish or crustaceans in Connecticut unless such person has obtained a commercial hatchery license from the DOA commissioner, in accordance with § 22-11h's provisions. Conn. Gen. Stat. § 26-149 (2003).
- 8) Commercial hatcheries. Fees: Anyone who violates any provision of § 26-149 or any regulation adopted or order issued by the commissioner, shall be fined not more than \$200, or be imprisoned for a maximum of thirty days, or both. Conn. Gen. Stat. § 26-149 (2003).

Boat Launching and Inspection:

- 1) An Act Concerning Invasive Plants: Any safe boating course shall include educating how to properly inspect a boat and trailer for signs

of invasive plants, and how to properly dispose of them. Conn. Pub. Act No. 03-136(5) (2003) (amending Conn. Gen. Stat. § 15-140e (2003)).

- 2) An Act Concerning Invasive Plants: No one may transport any watercraft or its trailer without first inspecting it for signs of vegetation. The person must also properly removed and dispose of the vegetation. Conn. Pub. Act No. 03-136(6)(a) (2003).
- 3) An Act Concerning Invasive Plants: The penalty for violating Conn. Pub. Act No. 03-136(6)(a) (2003)) will be a maximum of \$100. Conn. Pub. Act No. 03-136(6)(b) (2003).

Aquatic Plant Control Districts:

- 1) Establishment of Lake Authorities. Withdrawal of town: Any two or more towns may establish a lake authority, if a body of state water exists within their territorial limits. Such authority will be the agent, in cooperation with the DEP, to enforce the boating laws on that water. Conn. Gen. Stat. § 7-151a(a) (2003).
- 2) Establishment of Lake Authorities. Withdrawal of town: The towns comprising the lake authority may grant it powers, in cooperation with the DEP, to control and abate aquatic weeds and algae. Conn. Gen. Stat. § 7-151a(c) (2003).

Task Forces and Committees:

- 1) An Act Concerning Invasive Plants: An Invasive Plant Council (IPC) is established. Conn. Pub. Act No. 03-136(1) (2003) (This act has been signed into law, but not yet codified).
- 2) An Act Concerning Invasive Plants: The IPC shall educate, recommend, make information available, publish annually and periodically revise an invasive plants list, and support the state environmental agencies by conducting research to control invasive plants. Conn. Public Act No. 03-136(2)(a) (2003).
- 3) An Act Concerning Fines for Banned Invasive Plants: The IPC shall annually report to the General Assembly's environmental joint standing committee. The report shall take place on February 1, 2005, and on January first for subsequent years. The reports shall include the IPC's accomplishments for the past year, and recommendations for the upcoming year. The report shall include a list of the plants that the IPC recommends to be banned. Conn. Pub. Act No. 04-203(1) (2004) (Repeals Conn. Pub. Act No. 03-136(2)(e) (2003)).

*Note: The statutes listed are not spelled out in their entirety. Only those parts that I felt were germane to ANS were included. I have also paraphrased the statutes to avoid quoting them directly, and to hopefully make them clearer.