STATE OF NEW YORK

9304

IN SENATE

February 27, 2026

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the use of trawling, gill nets, and trammel nets except for scientific purposes; and to repeal provisions of such law relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 11-1321 of the environmental conservation law is amended to read as follows:

1. No person shall take fish:

(a) by use of explosives [~~or~~];

(b) by shutting or drawing off water; or

(c) by using a trawl, gill nets, or trammel netting.

§ 2. Section 11-1503 of the environmental conservation law, as amended by chapter 193 of the laws of 1992, is amended to read as follows:

§ 11-1503. Nets; license required; power of department.

The department may regulate the use of nets and other devices commonly used to take fish. No person shall use a net or device to take fish without first obtaining a license to do so. Gill nets, trammel nets, and trawls shall not be operated in [~~Lake Erie. No gill net license for use in Lake Ontario, including Chaumont Bay and all its other embayments, shall be issued except to holders of a gill net license valid on or prior to December 31, 1986, and all licenses issued on or prior to that date are non-transferable~~] or on any waters or within one-half mile thereof.

§ 3. Section 13-0341 of the environmental conservation law, as amended by chapter 546 of the laws of 1981, subdivisions 2, 3, 5, 6, and 7 as amended, subdivision 8 as renumbered, and subdivision 9 as added by chapter 17 of the laws of 1994, subdivision 4 as amended by chapter 453 of the laws of 2008, paragraph b of subdivision 7 as amended by chapter 309 of the laws of 1997, and paragraph f of subdivision 7 as added by chapter 512 of the laws of 1997, is amended to read as follows:

§ 13-0341. Trawls; use prohibited in certain waters.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD14918-01-6

1. For the purposes of this chapter, a trawl shall be defined as a net which is towed or dragged through the water column, capturing fish by straining the water, but shall not include a seine which is used to encircle fish. The term trawl shall include but not be limited to the otter trawl, the beam trawl, the Paranzella or two-boat trawl, the pair trawl, the Danish seine and the Scottish seine.

2. Trawls shall not be set or used in [~~the water areas of the marine district described in the following subdivisions:~~

~~1. In the waters of the county of Richmond and in the counties of Kings or Queens, northerly and westerly of a line from the sea end of the breakwater at Rockaway Point to Romer Shoal lighthouse, including Jamaica Bay and its adjacent bays, inlets, creeks and basins.~~

~~2. a. In the Atlantic Ocean within one-half mile of the coastline and in all connecting tidal waters inshore of the coastline, from Rockaway Inlet Jetty at Rockaway Point to the Town of Babylon bathing pavilion at Cedar Island Beach, and in all tidal waters inshore of a line from the Town of Babylon bathing pavilion to the sea buoy (BW S-I, Bell) at the entrance of Fire Island Inlet and thence to the seaward end of Fire Island Inlet Jetty at Democrat Point.~~

~~b. Seaward of Rockaway Inlet within an arc with a radius of one and one-half miles measured from the point at 40°32.4' N latitude, 73°56.5' W longitude, which is at or near the most southerly terminus of the Rockaway Inlet Jetty at Rockaway Point.~~

~~c. Seaward of East Rockaway Inlet within an arc with a radius of one and one-half miles measured from the point at 40°34.9' N latitude, 73°45.3' W longitude, which is at or near the most southerly terminus of the East Rockaway Inlet Jetty at Silver Point.~~

~~d. Seaward of Jones Inlet within an arc with a radius of two miles measured from the point at 40°34.4' N latitude, 73°34.6' W longitude, which is at or near the most southerly terminus of the East (Short Beach side) Inlet Jetty, during the period January 1 through June 14.~~

~~e. Seaward of Fire Island Inlet within an arc with a radius of two miles measured from the point at 40°37.2' N latitude, 73°18.4' W longitude, which is at or near the most southerly terminus of the Fire Island Inlet Jetty at Democrat Point, during the period January 1 through June 14.~~

~~3. In Mecox Inlet within one-half mile of the narrowest part of the mouth of such inlet and seaward of Moriches and Shinnecock Inlets within separate arcs each with a radius of one and one-half miles measured from a point for Moriches Inlet at 40°45.4' N latitude, 72°45.2' W longitude, and for Shinnecock Inlet at 40°50.2' N latitude, 72°28.3' W longitude, which points are midway between the points at the most southerly termini of the east and west jetties at the entrance to each inlet.~~

~~4. In the Harlem River and the East River east of the Robert F. Kennedy Bridge and in Long Island Sound west of a line drawn from Howlett's (King's) Point to the north end of Hart Island, thence to the south end of Glen Island, and in their adjacent bays, coves, creeks and confluent waters.~~

~~5. In Flanders Bay, Great Peconic Bay, Little Peconic Bay, Noyac Bay and Shelter Island Sound, including all waters forming a part thereof or tributary thereto, lying westerly of an imaginary line extending from the most southerly point of Orient State Park to the most easterly point of Shelter Island, also known as Ram Head, and from this point in a generally southerly direction to the most northerly point of Cedar Point, including all of Orient Harbor, Hallock Bay and Northwest Harbor.~~

~~6. In the county of Suffolk in the waters lying westerly of an imaginary line extending in a southerly direction from the most easterly end of Plum Island to the most northerly end of Gardiners Island, and westerly of Gardiners Island, and westerly of a line extending in a southerly direction from the most southerly end of Gardiners Island to Goff Point; provided, however, that vessels and motorboats owned and operated by citizens who are residents of the state may be used in such waters in connection with the operation of trawls and other types of nets towed by such boats and vessels. Nothing in this subdivision shall be construed as legalizing the operation of any trawls in the waters described in subdivision 5 of this section.~~

~~7. In Long Island Sound, including all waters forming a part thereof or which are tributary thereto: a. west of an imaginary line from the New York-Connecticut boundary shore line extending easterly and southerly to Eaton's Point Neck on Long Island from April 1 to November 1.~~

~~b. South of a line from Hewlett Point on Great Neck eastward to Sands Point on Manhassett Neck, then to Matinicock Point, then to Oak Neck Point, then to Rocky Point at Centre Island, then to Lloyd Point, then to Eaton's Neck Point, buoy 13, then to buoy "1" (privately maintained) off the Northport Power Plant, then to buoy "NR" off the north of the Nissequogue river, then to buoy "1" off Stony Brook Harbor, and then to Crane Neck Point.~~

~~c. In the Nissequogue River.~~

~~d. Within Stony Brook Harbor.~~

~~e. Within one-half mile of the shore between an imaginary line extending north from Crane Neck Point and an imaginary line extending north from the shore intersect of the Riverhead-Brookhaven town line near Wading River, including all bays, harbors and tributaries landward thereof, including Port Jefferson Harbor, Conscience Bay, Setauket Harbor and Mount Sinai Harbor.~~

~~f. Within one mile of the shore of Fishers Island, or between the shore of Fishers Island and the Connecticut-New York State boundary line wherever such boundary line is within less than one mile of the shore of Fishers Island.~~

~~8. In the waters of the Great South Bay, Moriches Bay and Shinnecock Bay, including all tidal waters and all waters forming a part thereof or tributary thereto.~~

~~9.~~] or on any waters or within one-half mile thereof.

3. Nothing in this section shall be construed as prohibiting the possession or operation of trawls for scientific purposes as authorized by the department.

4. The department is authorized to adopt regulations prescribing the minimum size net mesh[~~,~~] and the manner in which such nets may be possessed and used[~~, in trawl fisheries for summer and winter flounder~~].

§ 4. Subdivisions 3, 4, 5, and 6 of section 11-1521 of the environmental conservation law, as added by chapter 990 of the laws of 1983 and subdivision 5 as amended by chapter 698 of the laws of 1994, are amended to read as follows:

3. Striped bass shall not be taken in the Hudson River from the George Washington bridge north to the Federal dam at Troy with seines, fykes, or hoop nets [~~or trawls~~].

[~~4. From March 15 through June 15, gill nets with stretched mesh size greater than 3 1/2 inches and less than 5 inches shall not be set in the Hudson River from the George Washington bridge north to the Federal dam at Troy nor possessed while on those waters.~~

~~5. In addition to the restrictions set forth in subdivision four hereof, from March 15 through June 15, no person shall set a gill net other than a drift gill net in the waters of the Hudson River lying between the Bear Mountain bridge and the Hamilton Fish Newburgh-Beacon bridge nor possess any gill net other than a drift gill net while on the shores or waters of that portion of the Hudson River. For the purposes of this subdivision a drift gill net is defined as a gill net that is not anchored or staked and is free to move with water currents. The department shall identify additional spawning areas and allocate fishing locations within these spawning areas.~~]

6. Striped bass unintentionally taken in violation of subdivision one[~~,~~] **or** three[~~, four or five~~] of this section shall be returned to the water at once without unnecessary injury[~~, except that fish taken in gill nets need not be so returned to the water but shall not be bought, sold or trafficked in. For the purposes of this section "trafficked in" includes possession or transportation in any boat or vehicle other than the boat in which such striped bass were landed after being taken~~]. Nothing in this subdivision shall be construed as permitting any person to possess striped bass of less than legal size.

§ 5. Subdivision 1, paragraph c of subdivision 2, and paragraph a of subdivision 7 of section 13-0329 of the environmental conservation law, subdivision 1 as amended by chapter 383 of the laws of 2004, paragraph c of subdivision 2 as amended by chapter 263 of the laws of 1997, and paragraph a of subdivision 7 as amended by chapter 357 of the laws of 1998, are amended to read as follows:

1. Any person domiciled within the state may take and land lobsters (Homarus americanus) from the waters of the state or land lobsters in the state taken elsewhere upon first obtaining a permit from the department. There shall be two classes of permits: a non-commercial permit, the fee for which shall be ten dollars, and a commercial permit, the fee for which shall be one hundred fifty dollars. A non-commercial permit shall allow the holder to set no more than five lobster pots and to take or land in any one day no more than six legal lobsters by this or any other legal method for the holder's own or family use. Holders of non-commercial permits shall not sell, offer for sale, trade or barter, or otherwise traffic in lobsters so taken. A commercial permit shall allow the holder to set any number of pots and use any other legal method for taking lobsters with no restriction on the number of legal lobsters that may be taken, landed or possessed except that on the waters of Long Island Sound and its adjoining bays, harbors and estuaries (herein defined as all waters of the state north of the northern shore lines of Long Island, Plum Island, Little Gull Island, Great Gull Island and Fishers Island and all the waters of the state north of the waters that separate those islands from each other) a person holding a commercial permit who is a person operating or owning or on board a dragger or any vessel used to operate any net defined as a trawl in section 13-0341 **of this article** shall not take, land nor possess any lobsters or parts thereof unless there are no such nets on board, attached to in any way, or being used by such vessel. [~~This prohibition on the taking of lobsters by the use of a trawl shall not allow the use of a trawl in any waters where it is prohibited by sections 13-0341 and 13-0343.~~] The department shall furnish forms for application for both classes of permits. A non-commercial permit shall be issued to an individual. A commercial permit shall be issued to an individual and it may be endorsed for use on a fishing vessel, in which case it shall cover all persons on board such vessel. The holder of a commercial permit shall be

liable for all violations that occur on the vessel for which the holder's permit is endorsed. The holder of a permit shall carry on [~~his or her~~]**their** person or post on [~~his or her~~] **their** vessel such permit at all times when fishing for lobsters. Except as provided in subdivision six of this section, the permit holder must be present at all times while the privileges of such permit are being exercised and while lobster fishing gear owned by the permit holder is being set out or retrieved. The holder of a commercial permit may endorse such permit to only one vessel at any one time and shall be on board such vessel at all times when it is used for fishing for lobsters.

c. On the waters of Long Island Sound and its adjoining bays, harbors and estuaries (as defined in subdivision 1 of this section) a person holding such permit who is a person operating or owning or on board a dragger or any vessel used to operate a trawl as defined in section 13-0341 **of this article** shall not take, land nor possess any lobsters or parts thereof unless there are no such nets on board, attached to in any way, or being used by such vessel. [~~This prohibition on the taking of lobsters by the use of a trawl shall not allow the use of a trawl in any waters where it is prohibited by sections 13-0341 and 13-0343.~~]

a. Lobsters may be taken only by lobster pots, traps[~~, otter trawls~~] or similar devices, or by skin diving, including the use of self-contained underwater breathing apparatus (SCUBA), or by hand. The use of spears, gigs, gaffs, or other penetrating devices to take lobsters is prohibited.

§ 6. Subdivision 10 of section 13-0329 of the environmental conservation law is REPEALED.

§ 7. Paragraph b of subdivision 1 of section 13-0339 of the environmental conservation law, as amended by chapter 156 of the laws of 2003, is amended to read as follows:

b. Open seasons, minimum size limits and catch limits for fish other than the marine species named in subdivisions 2 and 3 of this section are specified by regulations adopted pursuant to sections 11-0303, 11-1303, 13-0338, 13-0339-a, 13-0340, 13-0340-a, 13-0340-b, 13-0340-c, 13-0340-d, 13-0340-e, 13-0340-f and 13-0340-g of this chapter. [~~All shortnose sturgeon irrespective of size and all Atlantic sturgeon under the size limits prescribed by regulations adopted pursuant to section 11-1303 of this chapter taken in gill nets shall be immediately returned to the water without unnecessary injury.~~] Other fish named by regulations adopted pursuant to sections 11-0303, 11-1303, 13-0338, 13-0339-a, 13-0340, 13-0340-a, 13-0340-b, 13-0340-c, 13-0340-d, 13-0340-e, 13-0340-f and 13-0340-g of this chapter and under the size limits prescribed in such regulations, shall not be bought, sold or trafficked in.

§ 8. Subdivisions 15, 16, and 19 of section 13-0343 of the environmental conservation law, as amended by chapter 546 of the laws of 1981, paragraph a of subdivision 15 as amended by chapter 60 of the laws of 1997, paragraph b of subdivision 15 as relettered and subdivision 16 as amended by chapter 17 of the laws of 1994, paragraph b of subdivision 15 as amended by chapter 416 of the laws of 1989, subdivision 19 as added by chapter 397 of the laws of 1981, paragraph c of subdivision 19 as amended by chapter 681 of the laws of 1984, paragraph d as amended by chapter 132 of the laws of 1989, and paragraph f of subdivision 19 as added by chapter 573 of the laws of 1997, are amended to read as follows:

15. [~~a.~~] Nets shall not be used in Long Island sound west of an imaginary line from the New York-Connecticut boundary shore line extending

easterly and southerly to Eaton's Point Neck on Long Island from April 1 to November 1, nor at any time in the waters of Huntington Bay, Lloyd Harbor, Northport Bay or Coldspring Harbor; provided, however, that hand nets not more than forty feet long and four feet in width may be used to take minnows and shrimp for bait, at any time.

[~~b. Gill nets shall not be used in Long Island Sound or in harbors, bays or other waters adjacent thereto west of an imaginary line extending north from the easterly boundary of the town of Brookhaven on the north shore of Long Island in the county of Suffolk. However, as permitted under subdivision ten of section 13-0329 of this chapter, a holder of a commercial lobster license may use no more than one gill net not longer than three hundred feet with a stretched mesh size between three and one-half inches and four and one-quarter inches to take bait fish between April 1 and November 15 during each weekly period beginning 6:00 p.m., Sunday, through 9:00 a.m. Friday, providing that each net will be buoyed on each end and identified with the permittee's commercial lobster license number. The net shall be fished with the top not less than four feet below the surface of the water.~~]

16. Unless permitted by statute, or licensed or permitted by the department, nets shall not be possessed by any person in or on waters of the marine district, in the following instances:

a. Nets of metallic fabric shall not be possessed in or on any waters or within one-half mile thereof;

b. [~~In waters where use of trawls is prohibited by section 13-0341, such trawls shall not be possessed in the waters where their use is prohibited, or during any time when such use is so prohibited~~] **Trawls, gill nets, and trammel nets shall not be possessed, set or operated in or on any waters or within one-half mile thereof**;

c. In waters where use of nets other than trawls, or use of trawls[~~;~~]**,** is prohibited by this section, the nets, or trawls, as the case may be, or nets of the kind or kinds prohibited, shall not be possessed in the waters where their use is prohibited or during any time when such use is prohibited, except that where a provision of this section expressly specifies a lesser distance from the water in which possession is prohibited, this section does not enlarge the distance from the water in which such possession is prohibited.

d. Nothing in this subdivision shall be construed as prohibiting commercial fishing vessels sailing to or from offshore fishing grounds from carrying on board fishing gear that may legally be used in such offshore waters even though they must pass through waters where the use of such gear is otherwise prohibited.

e. Nothing in this subdivision shall be construed as prohibiting the possession or use of trawls for scientific purposes as authorized by the department.

19. [~~a.~~] Gill [~~or~~] **and** trammel nets **shall not be possessed,** set or operated in [~~the marine and coastal district shall be marked at each end with an orange flag at least twelve inches square attached to a mast rising above the surface of the water at least five feet. Nets operated after dark shall have orange and white reflective tape attached to the mast for a minimum one foot length immediately below the flag.~~

~~b. No gill or trammel net shall be set or operated in the marine and coastal district within one thousand feet of a pound or trap net.~~

~~c. Except in the waters of the Atlantic Ocean, Long Island Sound, Tiana Bay, Shinnecock Bay, Mecox Bay, Quantuck Bay, that portion of Moriches Bay within the town of Southampton, and the marine and coastal waters lying easterly of an imaginary line extending in a general south-~~

~~erly direction from Cleaves Point in the town of Southold to Hay Beach Point in Shelter Island, and a line extending in a general northeasterly direction from Mashomack Point in Shelter Island to Cedar Point at the eastern entrance to Sag Harbor, no gill or trammel net shall be set in the waters of the marine and coastal district from sunset Friday to sunrise Monday during the period from April first to November first.~~

~~d. Gill or trammel nets set or operated in the waters of the Great South Bay shall not exceed twelve hundred feet in length. In addition to the requirements in paragraph a of this subdivision, nets set or operated in the Great South Bay shall display surface markers at least every one hundred feet. No gill or trammel net shall be set in the waters of the Great South Bay from May first until May thirty-first, inclusive. For the purposes of this subdivision, Great South Bay shall mean the waters extending east from Wantagh State Parkway to the Smith Point Bridge and southwest to the Robert Moses Inlet Bridge.~~

~~e. Those gill and trammel nets set in the waters of the Hudson River in accordance with section 11-1511 of this chapter shall be exempt from the provisions of this subdivision.~~

~~f. The use of gill or trammel nets for the taking of blackfish is prohibited~~] **or on any waters or within one-half mile thereof**.

§ 9. Subdivision 2 of section 13-0347, as added by chapter 990 of the laws of 1983, is amended to read as follows:

2. Striped bass less than twenty-four inches in total length taken by other methods including but not limited to [~~gill nets,~~] haul seines [~~and trawl nets~~] shall not be possessed, bought, sold or offered for sale.

§ 10. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.