



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF MARINE FISHERIES

Three Fort Wetherill Road
Jamestown, Rhode Island 02835

PUBLIC NOTICE OF PROPOSED RULEMAKING

Agency: Department of Environmental Management

Division: Marine Fisheries

Regulation title and identifier:

1. *Part 3 – Finfish* (250-RICR-90-00-3)
2. *Part 4 – Shellfish* (250-RICR-90-00-4)
3. *Part 6 – General Equipment Provisions* (250-RICR-90-00-6)

Rulemaking action: Proposed rulemaking

Timetable for action on the proposed rule:

- Submission to Office of Regulatory Reform: December 15, 2017 (*as applicable*)
- Date of public notice: January 19, 2018
- Date of hearing: February 19, 2018
- End of Comment period: February 26, 2018

Summary of proposed rule:

1. Hearing Item #1a: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational black sea bass management (section 3.7.1).
2. Hearing Item #1b: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational scup management (section 3.8.1).
3. Hearing Item #1c: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial scup management (section 3.8.2).
4. Hearing Item #1d: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational striped bass management (section 3.9.1).
5. Hearing Item #1e: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial general category striped bass management (section 3.9.2(A)).
6. Hearing Item #1f: Proposed AMENDMENT to “*Part 3 – Finfish*”, to remove the October 15th date from the floating fish trap allocation transfer provision (section 3.9.2(A)(3)).
7. Hearing Item #1g: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial floating fish trap striped bass management (section 3.9.2(B)).

8. Hearing Item #1h: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational summer flounder management (section 3.10.1).
9. Hearing Item #1i: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational tautog management (section 3.11.1).
10. Hearing Item #1j: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial tautog management (section 3.11.2).
11. Hearing Item #1k: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding recreational bluefish management (section 3.18.1).
12. Hearing Item #1l: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial bluefish management (section 3.18.2).
13. Hearing Item #1m: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial menhaden management (section 3.22.2).
14. Hearing Item #1n: Proposed AMENDMENT to “*Part 3 – Finfish*”, regarding commercial skate management (section 3.26.2).
15. Hearing Item #2: Proposed AMENDMENT to “*Part 4 – Shellfish*”, regarding proposed Jacob’s Point Shellfish Management Area (proposed section 4.12(V)).
16. Hearing Item #3a: Proposed AMENDMENT to “*Part 6 – General Equipment Provisions*”, regarding broadening the floating buoy line prohibition within eight (8) feet of the surface of the water to all pots (section 6.7).
17. Hearing Item #3b: Proposed AMENDMENT to “*Part 6 – General Equipment Provisions*”, regarding broadening the buoy and vessel color scheme requirement to all pots (section 6.7).

Comments invited: All interested parties are invited to submit written comments concerning the proposed regulations by 4:00PM on February 26, 2018. Comments may be submitted to the following address:

DEM Division of Marine Fisheries
3 Fort Wetherill Road
Jamestown, RI 02835
ATTN: Peter Duhamel

Alternatively, written comments may be submitted by email to peter.duhamel@dem.ri.gov.

Public hearing information:

The PUBLIC HEARING will be held at **6:00PM** on **Monday, February 19, 2018** at the University of Rhode Island Bay Campus, Corless Auditorium, South Ferry Road, Narragansett, RI 02882.

The rooms are accessible to the disabled. Interpreter services for the deaf and hard of hearing will be provided if such services are requested at least three (3) business days prior to the hearing by contacting the RI Commission on the Deaf and Hard of Hearing at (401) 222-5300; or (401) 222-5301 (TTY); or <http://www.cdhh.ri.gov/>.

For further information please contact the email or address provided above.

Authority for this rulemaking: R.I. Gen. Laws Title 20, R.I. Gen. Laws Chapters 42-17.1, 42-17.6, and 42-17.7, and in accordance with R.I. Gen. Laws § 42-35-18(b)(5), Administrative Procedures Act.

Regulatory Findings: In the development of the proposed amendment, consideration will be given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business.

Filed with Sec. of State's office pursuant to R.I. Gen. Laws § 42-35-2.7 "Notice of proposed rulemaking" on February 19, 2018.