

**RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE CONCERNING PROPOSED REGULATORY CHANGES**

Pursuant to the provisions of Chapter 42-17.1 and Title 20 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Director of the Department of Environmental Management (DEM) proposes amendments to the Rhode Island Marine Fisheries Regulations and gives notice of intent to hold a public hearing to afford interested parties the opportunity for public comment.

Public comment will be solicited on the following proposals:

- 1) Amendments to “Part I – RI Marine Fisheries Regulations – Legislative Findings” to address harvest methods and habitat impacts by incorporating new definitions, and to update regulatory citations for consistency with certain statutory changes;
- 2) Amendments to “Part VI – RI Marine Fisheries Regulations – Dredging for Shellfish” to address harvest methods by clarifying dredging regulations and identifying applicable marine species, and to update regulatory citations for consistency with certain statutory changes;
- 3) Amendments to “Part XVIII – RI Marine Fisheries Regulations – Shellfish Grounds” to prevent the operation of devices capable of harvesting shellfish in polluted areas and to update regulatory citations for consistency with certain statutory changes;
- 4) Amendments to “Part III – RI Marine Fisheries Regulations – Marine Fisheries Council” to establish Marine Life Management Areas and to update regulatory citations for consistency with certain statutory changes;
- 5) Amendments to “Part IV – RI Marine Fisheries Regulations – Shellfish” to clarify what species may be harvested under a shellfish dredging license and to update regulatory citations for consistency with certain statutory changes;
- 6) Amendment to the Narragansett Bay Menhaden Management Plan;
- 7) Amendments to the Lobster Management Plan for mandatory v-notching of certain female lobsters in LCMA 2 and establishing a minimum size increase for LCMA 3 as conservation equivalency methods for complying with Addendum XVII to Amendment 3 of the ASMFC Interstate Fishery Management Plan, as well as adopting certain technical revisions to update language and remove expired language;
- 8) Amendments to the Spiny dogfish management plan; and
- 9) Amendments to “Part III – RI Marine Fisheries Regulations – Marine Fisheries Council” to allow more flexibility to adjust seasons in order to effectively comply with federal fishery management plans.

The public hearing will commence at 6:00 PM on Wednesday, April 3, 2012 in the University of Rhode Island, Graduate School of Oceanography, Corless Auditorium, South Ferry Road, Narragansett, RI 02882. The room is accessible to the disabled. Interpreter services for the hearing impaired will be provided if such services are requested at least (3) business days prior to the hearing. Requests for such services may be made in writing or by calling TTY (711) or (401) 222-5300. A recording of the hearing will be made by DEM staff. Written comments concerning the regulations proposed for promulgation by the DEM may be submitted to the Division of Fish and Wildlife, 3 Fort Wetherill Road, Jamestown, RI 02835 no later than 12:00 PM on April 3, 2012.

The Department has determined that small businesses may be adversely impacted by the proposed regulations. The public hearing is being conducted to solicit comment on the proposals and to allow public input from small businesses or any cities or towns, which may be adversely affected. Small businesses which are either currently licensed or in the future may seek permission to harvest, buy, sell, or produce seafood products as well as the small businesses that provide services related to those engaged in such industries and small businesses which buy, sell, or produce products or provide services related to fishing are requested to comment on the proposed regulations on how such proposed action can be changed to minimize the impact on those small businesses affected.

A copy of the proposed regulations will be available for examination from March 2, 2012 through April 3, 2012 by mail or at the offices of the Division of Fish and Wildlife located at 3 Fort Wetherill Road, Jamestown, RI 02835. Electronic copies of the proposed regulations will also be available on the DEM website at the following web address: <http://www.dem.ri.gov/programs/bnatres/fishwild/pn040312.htm>.