

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF FISH AND WILDLIFE  
MARINE FISHERIES SECTION**

**PUBLIC NOTICE CONCERNING PROPOSED REGULATORY CHANGES**

Pursuant to the provisions of Chapters 42-17.1 and 20-3 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 VII - Minimum Sizes of Fish/Shellfish, regarding management for **recreational Summer Flounder** (section 7.7.4);
- 2) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **recreational Winter flounder** (section 7.8.1-2);
- 3) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **recreational Tautog** (section 7.9.1);
- 4) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **commercial Tautog** (section 7.9.2);
- 5) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **recreational Scup** (section 7.11.3);
- 6) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **recreational Black Sea Bass** (section 7.14.2);
- 7) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, regarding management for **Coastal Sharks** (section 7.24);
- 8) Amendments to Part VII - Minimum Sizes of Fish/Shellfish, in their entirety, for general editing: to remove duplicative language; to add and/or correct statutory citations; and to add general provisions regarding possession limit changes, transiting, reporting requirements, penalties and appeals;
- 9) Amendments to Part XII – Striped Bass, regarding management for **recreational Striped Bass**;
- 10) Amendments to Part XII – Striped Bass, regarding management for **commercial Striped Bass**;
- 11) Amendments to Part XII – Striped Bass, regarding management for **commercial Striped Bass floating fish trap**;
- 12) Amendments to Part XII – Striped Bass, in their entirety, for general editing; to remove duplicative language; to correct statutory citations; and to add general provisions regarding possession limit changes, penalties and appeals;
- 13) Amendments to Part IV – Shellfish, regarding **correcting two technical errors delineating the borders of the Bristol Harbor Shellfish Management Area** (section 4.22);
- 14) Amendments to Part IV – Shellfish, regarding management of **Conch** (section 4.35); **including addition of provision regarding a Fishery Closure due to Eminent Public Health Risk (Bio-toxins)**;

- 15) Amendments to Part IV - Shellfish, in their entirety: to re-format numbering/lettering of sections; to remove duplicative language; for general editing; to add and/or clarify descriptions of Shellfish Management Areas; to add and/or correct several statutory citations; and to add general provisions regarding penalties and appeals;
- 16) Amendments to Part III – Marine Fisheries Council, to remove the section regarding the description of Shellfish Management Areas (section 3.6);
- 17) Amendments to Part III – Marine Fisheries Council, in their entirety, for general editing; and to remove duplicative language
- 18) Amendments to Part XI – Commercial Fisheries, regarding a **commercial fishing prohibition in designated experimental artificial reef locations in the Narragansett Bay Marine Life Management Area**;
- 19) Amendments to Part XI – Commercial Fisheries, regarding general editing; to remove duplicative language; to correct statutory citations; to clarify descriptions of Marine Life Management Areas; and add general provision for penalties and appeals;
- 20) Amendments to Part XVI – Menhaden regarding commercial Menhaden fisheries;
- 21) Amendments to Part XVI – Menhaden, regarding general editing; to remove duplicative language; to correct statutory citations; and to add general provision for penalties and appeals.

The public hearing will commence at **6:00 PM** on **Tuesday, March 25, 2014** 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 deaf and hard of hearing will be provided if such services are requested at least two (2) weeks 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/>.

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 Noon on March 25, 2014. Comments must be submitted directly to Peter Duhamel via email at [peter.duhamel@dem.ri.gov](mailto:peter.duhamel@dem.ri.gov) or regular mail. A recording of the hearing will be made by DEM staff.

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 February 21 through March 25, 2014 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/pn032514.htm>.

Mark Gibson,  
Deputy Chief