

SUMMARY OF PUBLIC HEARING COMMENTS

Hearing Officer: Catherine Sparks, Assistant Director for Natural Resources

RIDEM Staff Present: Christina Hoefsmit, Senior Legal Service Counsel
Christine Dudley, Deputy Chief, Freshwater
Phillip Edwards, Supervising Freshwater Biologist
Leland Mello, Supervising Wildlife Biologist
Charlie Brown, Wildlife Biologist
Scott Buchannan, Herpetologist
Dylan Ferreira, Senior Wildlife Biologist
Alan Libby, Principal Biologist
Tanner Steeves, Wildlife Biologist
Kimberly Sullivan, Principal Biologist
Jessica Pena, Administrative Assistant
Sarah Riley, Implementation Aide

The public hearing for the 2019 - 2020 Falconry Rules and Regulations, 2020 - 2021 Freshwater and Anadromous Fishing Regulations and the 2019 – 2020 and 2020 – 2021 Hunting Regulations was held on May 6, 2019 at 7:00PM in Room 300, DEM Foundry Building, 235 Promenade Street, Providence. Twenty-four (24) people from the public attended the hearing.

The hearing was called to order at 7:00 PM by Assistant Director for Natural Resources Catherine Sparks.

C. Sparks – Assistant Director for Natural Resources, (CS): The hearing began with directions on how the hearing would be conducted and encouraged participants to sign up for testimony. CS introduced herself and announced she was there to officiate on behalf of Janet L. Coit, Director of DEM.

This hearing is being conducted as to the Falconry Rules and Regulations under the authority of Chapters 42-17.1, and 42-17.6 and Sections 20-1-4; 20-1-12, 20-1-13 and pursuant to the procedural requirements of Chapter 42-35, “Administrative Procedures” of Rhode Island 1956, as amended.

As to the Freshwater and Anadromous Fishing Rules & Regulations under the authority of Chapter 42-17.1, and 42-17.6 and Sections 20-1-4; 20-1-12, 20-1-13 and pursuant to the procedural requirements of Chapter 42-35, " Administrative Procedures " of the General Laws of Rhode Island of 1956, as amended.

And as to the Hunting Rules and Regulations under the authority of Chapters 42-17.1; 20-15; 20-18 and Sections 20-1-2; 20-1-4, 20-1-8; 20-1-12; 20-1-13; 20-1-35; and 20-2-37 and pursuant to the procedural requirements of Chapter 42-35, " Administrative Procedures " of the General Laws of Rhode Island of 1956, as amended.

In accordance with the above referenced requirements, a public notice of this hearing was posted on the Secretary of State and DEM computer websites on April 18, 2019, with a copy of the notarized affidavit of such posting attached to the record of this proceeding as **Exhibit #1 and #2** for each of these hearings.

For each of these regulatory proceedings, pursuant to the requirements of Section 42-35-3 of the Rhode Island General Laws, DEM has made the following determinations. DEM has complied with the requirements of Section § 42-35.1-3 of the Rhode Island General Laws. THE DEM has provided prior notice to the Governor's Office, DOA, and the Office of Regulatory Reform of the proposed promulgation of these Rules & Regulations and none of these offices has notified DEM that it has identified any of these proposed regulations as one that may have a significant adverse impact on small businesses. Despite the above, DEM specifically requests comments on the proposals as to how the proposed regulations can be changed so that the adverse economic impact(s) can be minimized or eliminated.

The procedure for the public comment hearing is as follows:

1. Person who wish to speak will register at the table at the rear of the auditorium
2. Speakers will be called in the order of registration.
3. Five (5) minutes was allowed for a presentation unless the number of speakers allowed for additional time.
4. When your name is called come to the front of the room and identify yourself by name and affiliation, if any. I would add any time you speak you should identify yourself by name for the purpose of the recording.
5. Make your presentation and then provide a written copy of your statement for the written record if one is available.
6. After all persons wishing to speak have had the opportunity to comment, the hearing will be closed.

The Public Hearing comment period will close as on Saturday, May 18, 2019.

After the time has elapsed for the submission of written commentary has been closed the Department has three (3) options:

1. File the rules and regulations with the Secretary of State as is;
2. File the rules and regulations with minor changes;
3. Make additional amendments to the rules and regulations and hold a new public hearing.

If filed, the amended rules and regulations become effective twenty (20) days after filing and have the effect of law.

Public Hearing for Falconry Regulations for the 2019 – 2020 Season opened at 7:07pm.

CS asks if anyone in the audience wishes to speak.

No speakers.

Public Hearing for Freshwater and Anadromous Fishing Regulations for the 2020 – 2021 Season opened at 7:07pm.

CS calls Chris Kesson

Chris Kesson from Portsmouth, RI. He wishes to see the State website updated for stocking reports and points to Massachusetts website where they have a google map that shows stocking locations and active links that you are able to click on and shows which species are in those ponds. Kesson is also looking for more shore access on the east bay as they have a lot of ponds that they aren't able to get into and also updating the docks to allow for more handicap access on the east bay. Kesson also states about climate change and to what a mild winter we had and requesting not to close the stock trout waters from the end of February to the second Saturday and April and making that time period as catch and release. Kesson also states that there are reports of the stocking truck dumping trout on the boat ramp at Stafford Pond and is requesting information as to what happened there.

CS calls Cody Braz

Cody Braz from Tiverton, RI. He is proposing not closing the season for fishing from the end of February to the second Saturday in April. Braz continues on to say that fishing is very limited on the East Bay and to locations don't provide that much access and to possibly set up a volunteer program to clean up the ponds and to create more access points. Braz also proposes to acquire the other ponds, possible three, in the Simmons Mill Wildlife Area.

CS asks if anyone in the audience wishes to speak.

Nick Grasso, recording secretary for Federated Rhode Island Sportsmen's Club refers to section 10.6.1(4) and are requesting that removing the minimum size limit of Atlantic Salmon and making the Pawcatuck River catch and release for Atlantic Salmon. Grasso also refers to section 10.6.7 and suggests removing A.L. Mowry Pond from this section as this location is being removed from the stocking list.

Oral portion of the Freshwater and Anadromous Fishing and Falconry Regulations closed at 7:12pm.

Public Hearing for Hunting Regulations for the 2019 – 2020 and 2020 - 2021 Season opened at 7:12pm.

CS calls Nick Grasso

Nick Grasso, recording secretary for Federated Rhode Island Sportsmen's Club, wishes to speak in regard to section 9.7.2 – Prohibited Activities they wish to see (E) removed which will allow hunters to carry more than one firearm or archery equipment in the field at a time.

CS calls Jack Peters

Jack Peters, Riverside, RI, he advised that he has been a Hunter Education instructor for over 30 years. Peters is requesting to have more than one firearm in the field at one time while deer hunting. Peters says it should be up to the hunter to choose his or her method of take and goes on to say if there is a 15-yard shot he would use his bow and if it was a 45-yard shot he would utilize his muzzleloader. Peters directs to 9.7.2(E) and requests this section to be removed.

CS calls Michael Dennen. Mr. Dennen doesn't wish to speak.

CS calls Robert Todisco

Robert Todisco of Johnston wishes to speak in regard to section 9.12(G) wishes to expand air rifle up to 30 caliber and also to section 9.2(N) to add air rifle to take coyote up to 30 caliber as another means of take.

CS calls Tanner Steeves

Tanner Steeves, submits on behalf of the Division of Fish and Wildlife, speaking in regard to section 9.16(O) Burlingame State Park North Camp Cooperative, Steeves wishes to see the word “Cooperative” removed from the heading.

CS calls Dick Went

Dick Went, President of Rhode Island Forest Conservator’s Organization. Went read from his exhibit, Went is requesting to increase the take (9.7.1) and extend the season for all methods of hunting through January 31 of each year, 9.7(C) in Zones 1 and 2. Went goes on to state that an extended firearms season would provide more opportunity to increase takes, especially if the extensions applied to antlerless deer, in an effort to reduce the overall deer population. Went read from his exhibit which is submitted as, **Exhibit #3**.

CS asks if anyone else wishes to speak.

Oral portion of the Hunting Regulations closed at 7:21pm.

CS states we will now enumerate all exhibits and received comments for the public record.

Exhibit 1: Affidavit of Public Posting, Public Notice.

Exhibit 2: copy of Proposed Rules and Regulations for the 2020 - 2021 Freshwater and Anadromous Fishing Regulations, the 2019 – 2020 and 2020 - 2021 Hunting Regulations, and 2019 – 2020 Falconry Regulations.

Exhibit 3: Richard Went, Rhode Island Forest Conservator’s Organization, Inc.

Exhibit 4: Matt Smith, received on May 14, 2019.

Exhibit 5: Donald Wilcox, received on May 14, 2019

Public Hearing closed at 7:23pm.

Two (2) public comments were received after the public hearing, during the open comment period which ended on Saturday, May 18, 2019.

Transcribed by Ashley M. B. Schipritt