

**RHODE ISLAND GOVERNMENT REGISTER  
PUBLIC NOTICE OF PROPOSED RULEMAKING**

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** Definitions and General Provisions (250-RICR-90-00-1)

**Rule Identifier:** 250-RICR-90-00-1

**Rulemaking Action:** Direct Final Amendment

**Important Dates:**

Date of Public Notice: 07/21/2020

End of Public Comment: 08/20/2020

**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 Chapter 42-35, Administrative Procedures Act

**Summary of Rulemaking Action:**

1. **Delete section 1.6(I) regarding commercial harvest reporting:** Rule is currently located in both parts 1 and 2. Rule is appropriately located in Part 2 (section 2.7.4(D)) which houses all commercial licensing requirements, including reporting, and is therefore duplicative as located in Part 1. There is no net change to the regulations resulting from this amendment.
2. **Re-locate rules regarding possession limit compliance from Part 2 to Part 1:** Rules regarding possession limit compliance are currently located in both Parts 1 and 2, with both differing and overlapping/duplicative sections. As general rules applicable to more than commercial licenses, these rules are more appropriately located in Part 1. Duplicative rules will be subsequently removed in Part 2 later in the year. There is no net change to the regulations resulting from this amendment.
3. **Re-locate rule regarding minimum mesh size for trawl vessels when fishing for black sea bass, scup, summer flounder, and winter flounder from Part 1 (section 1.6(D)) to Part 3 (sections 3.7.2(C), 3.8.2(C), 3.10.2(D), and 3.30.2(E) respectively):** Rules regarding minimum mesh size are currently located in each of the sections for each of these species in Part 3. The rule currently located in Part 1 under section titled "Stowage of Nets" is somewhat obscured and is better suited to be located in each of these species section in Part 3 as this rule is directly related to rules currently located in Part 3. There is no net change to the regulations resulting from this amendment.
4. **Re-locate general provisions regarding the establishment of control dates from Part 2 to Part 1:** Establishment of control dates is applicable to all marine fisheries regulations, and is therefore more appropriate to house this rule in

Part 1 as a general provision applicable to all marine fisheries regulations. Duplicative rules will be subsequently removed in Part 2 later in the year. There are no new control dates established nor amendment to currently established control dates proposed; there is no net change to the regulations resulting from this amendment.

5. Other minor non-substantive clarifications.

**Additional Information and Comments:**

If no formal objection is received on or before August 20, 2020, Department of Environmental Management will file the Amendment without opportunity for public comment..

Objections should be addressed to:  
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3 Fort Wetherill Road  
Jamestown, RI 02835  
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**Regulatory Analysis Summary and Supporting Documentation:**

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation see agency contact person above.