

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

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Title of Rule:** PART 13 – Cooperative Multi-State Possession and Landing Pilot Program for Summer Flounder

**Rule Identifier:** 250-RICR-90-00-13

**Rulemaking Action:** Proposed Amendment

**Important Dates:**

Date of Public Notice: 10/21/2020

Hearing Date: 11/09/2020

End of Public Comment: 11/20/2020

**Authority for this Rulemaking:**

R.I. Gen. Laws § 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:**

- Section 13.10(K): Add as a permit condition that program participants must maintain compliance with commercial fishing data reporting requirements pursuant to Part 2 of this Subchapter.
- Section 13.10(L): Add as a permit condition that permits are non-transferable and that only vessels authorized by the Director may participate in the pilot program.
- Section 13.10: Clarified penalties for non-compliance and appeals.
- Section 13.11: Proposed removal of rule that establishes a term of the program. Per statute, all proposed rules, whether adoptions, amendments or repeals, must first be brought before the RI Marine Fisheries Council for a recommendation prior to making changes.
- Other non-substantive clarifications throughout rule.

**Additional Information and Comments:**

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until November 20, 2020 by contacting the appropriate party at the address listed below:

Peter Duhamel  
Department of Environmental Management  
3 Fort Wetherill Road  
Jamestown, RI 02835  
peter.duhamel@dem.ri.gov

**Public Hearing:**

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on November 9, 2020 at 6:00 pm at Zoom: <https://us02web.zoom.us/j/88396876589>, Meeting ID: 883 9687 658, Dial in: 929-205-6099 , Jamestown, RI 02835 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

**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.