

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

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Finfish (250-RICR-90-00-3)

Rule Identifier: 250-RICR-90-00-3

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 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 42-35-18(b)(5), Administrative Procedures Act, as amended

Summary of Rulemaking Action:

- Section 3.7.2(B): Industry proposals to modify the seasons for commercial black sea bass management for season beginning January 1, 2021.
 - o Industry proposal #1: Adjust summer and fall seasons and allocations
 - o Industry proposal #2: Increase Winter I starting possession limit
 - o Industry proposal #3: Increase summer and fall starting possession limits
- Section 3.9.1(F): Require use of circle hooks by any vessel or person while fishing recreationally with bait for striped bass consistent with the Fisheries Management Plan.
- Section 3.10.2(B)(1)(c)(3): Industry proposal to revise the possession limit for the Aggregate Landing Program.
- Section 3.10.2(C)(4): Division proposal to revise the eligibility requirements for a Summer Flounder Aggregate Landing Program permit.
- Section 3.10.2(C)(6): Division proposal to add permit conditions for a Summer Flounder Aggregate Landing Program permit.
- Section 3.10.2(C)(7)(b): Division proposal to revise penalties for non-compliance.
- 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 6589, 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.