RHODE ISLAND GOVERNMENT REGISTER

PUBLIC NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Regulations Governing the Use of Federal Funds Provided to the State of Rhode Island for the Large Whale Gear Modification Assistance Plan

Rule Identifier: 250-RICR-90-00-26

Rulemaking Action: Direct Final Adoption

Important Dates:

Date of Public Notice: June 15, 2023

End of Public Comment: July 15, 2023

Rulemaking Authority:

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:

The purpose of these Rules and Regulations is toadminister the $227,273 allocation of mitigation relief provided to RhodeIsland by NOAA and transferred to the State by the ASMFC by expeditiously andequitably disbursing it in the form of fishing gear contrivances to eligiblefishery participants in the Rhode Island Lobster/Jonah Crab fishery to comply withthe recently amended Atlantic Large Whale Take Reduction Plan and thesubsequent NOAA Fisheries Final Rule (50 C.F.R. §§ 229-697) intended to reduceserious injury and mortality to three species of large whales..

The Agency does not expect this filing to be controversial and therefore, a public hearing will not be held.

Additional Information and Public Comments:

If no formal objection is received on or before July 15, 2023, the Department of Environmental Management will file the Adoption and the Final Rule will take effect on this date.

Objections should be addressed to:

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

Regulatory Analysis Summary and Supporting Documentation:

In the development ofthe 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 contact the agency staffperson listed above.