



**Rhode Island Department of Environmental Management
Division of Marine Fisheries**

Office 401.423.1920 | Fax 401.423.1925 | dem.ri.gov/marine

Fort Wetherill Marine Laboratory
3 Fort Wetherill Road, Jamestown, RI 02835

Coastal Fisheries Laboratory
1231 Succotash Road, Wakefield, RI 02879



Fiscal Note

Proposed Amendments to RIDEM Marine Fisheries regulations “Part 6 – General Equipment Provisions”

TABLE OF CONTENTS

IDENTIFICATION OF POTS AND BUOYS	3
ESCAPE VENTS FOR POTS AND TRAPS OTHER THAN LOBSTER, JONAH CRAB, BLACK SEA BASS, AND SCUP	4
LOBSTER TRAP TAG REQUIREMENTS FOR POTS AND TRAPS TAKING CRABS....	ERROR! BOOKMARK NOT DEFINED.

**State of Rhode Island
Department of Administration
Office of Management and Budget**

Fiscal Note for Proposed Administrative Rules (R.I.G.L. § 22-12-1.1)

Name of Administrative Rule: PART 6 – General Equipment Provisions (250-RICR-90-00-6)

Identification of Pots and Buoys

FISCAL IMPACT					
State Revenues		State Expenditures		City/Town Expenditures	
FY 2026	\$0	FY 2026	\$0	FY 2026	\$0
FY 2027	\$0	FY 2027	\$0	FY 2027	\$0
FY 2028	\$0	FY 2028	\$0	FY 2028	\$0

Summary of Policy Change:

Proposal: Amend the pot and buoy identification requirements to remove statutory reference so they apply to recreational pots.

Section 6.4(B)(2): Remove statutory reference to R.I. Gen. Laws § 20-4-8.

The Division of Marine Fisheries (DMF) is submitting this Proposal in response to comments received by the Division of Law Enforcement (DLE). The statutory reference falls under the commercial fisheries section of statute. Therefore, including the reference makes the rule only apply to commercial fishing. DLE is encountering recreational pots and traps with no identification, making enforcement of rules a challenge.

Summary of State Fiscal Impact:

No state fiscal impact as there is no anticipated change in the number of licenses issued

City or Town Impact: None

Reviewed/Approved by CFO: _____ **Dated:** _____

Escape Vents for Pots and Traps Other than Lobster, Jonah crab, Black Sea Bass, and Scup

FISCAL IMPACT					
State Revenues		State Expenditures		City/Town Expenditures	
FY 2026	\$0	FY 2026	\$0	FY 2026	\$0
FY 2027	\$0	FY 2027	\$0	FY 2027	\$0
FY 2028	\$0	FY 2028	\$0	FY 2028	\$0

Summary of Policy Change:

Proposal: Amend the general pot and buoy regulations to require an escape vent on all pots and traps other than lobster, Jonah crab, black sea bass, and scup. The lack of an escape vent requirement can lead to unintended bycatch and create difficulties in pot and trap identification for the Division of Law Enforcement. Amendments also include an exemption for smaller pots not exceeding 24" per side and pots and traps using mesh 1" or less. Exempt traps would not be able to retain lobster, Jonah crab, black sea bass, and scup. This exemption is to limit impacts to stakeholders who harvest smaller crabs (i.e., the green crab bait fishery) which have little bycatch. If we were to require escape vents on these smaller pots or pots using smaller mesh, they would allow the release of the targeted species as well.

Section 6.4(7): Amend to require all pots and traps other than lobster, Jonah crab, black sea bass, and scup be constructed with at least one (1) rectangular escape vent with an unobstructed opening measuring not less than two inches by five and three quarters inches (2" x 5-3/4") or one (1) circular escape opening that must be a minimum of two and one half inches (2 1/2") in diameter. Pots and traps exempt from this requirement may not be used to harvest lobster, jona crab, black sea bass, and scup.

Section 6.4(7)(a): Amend to exempt pots and traps not exceeding twenty four inches (24") per side.

Section 6.4(7)(b): Amend to exempt pots and traps with a mesh size not exceeding one inch (1").

Summary of State Fiscal Impact:

No state fiscal impact as there is no anticipated change in the number of licenses issued

City or Town Impact: None

Reviewed/Approved by CFO: _____ **Dated:** _____