



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

FISH AND WILDLIFE

Freshwater and Anadromous FISHING REGULATIONS for the 2009-2010 SEASON



August 7, 2008

AUTHORITY: These regulations are adopted pursuant to Chapter 20-1-4, 20-1-12 and 20-1-13, 42-17.1, 42-17.6 , and 42-35, "Administrative Procedures Act" of the General Laws of 1956, as amended.

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FRESHWATER AND ANADROMOUS
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**RHODE ISLAND
FISHING REGULATIONS
for the
2009-2010 SEASON**

RULE 1 PURPOSE

The purpose of these Rules and Regulations is to regulate freshwater fishing seasons and bag limits annually.

RULE 2 AUTHORITY

These Rules and Regulations are promulgated pursuant to Chapter 20-1-12 and 20-1-13, 42-17.1, 42-17.6, and 42-35, Administrative Procedures Act of Rhode Island General Laws of 1956, as amended.

RULE 3 APPLICATION

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Department to effectuate the purpose of state laws, goals and policies.

RULE 4 SEVERABILITY

If any provision of these Rules and Regulations, or the application, thereof, to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations, shall not be affected thereby.

RULE 5 SUPERSEDED RULES AND REGULATIONS

On the effective date of these Rules and Regulations, all previous Rules and Regulations, and any policies regarding the administration and enforcement of freshwater and anadromous fisheries shall be superseded. However, any enforcement action taken by, or application submitted to the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action was taken, or application filed.

RULE 6 REGULATIONS - As follows:

PART I

FRESHWATER FISHERIES REGULATIONS

- 1.1 The open season on all species of trout, salmon, and charr shall close annually on the last day of February at midnight and shall commence at 6:00 AM on the second Saturday in April annually. From the second Saturday in April through November 30th annually, the daily creel and possession limits for trout shall be five (5) fish; and from December 1st through the last day in February, annually, the daily creel and possession limits for trout shall be two (2) fish. All designated trout waters (see 1.14) shall be closed to all fishing from the last day of February at midnight and shall commence at 6:00 AM on the second Saturday in April annually, unless otherwise designated. Possession of trout, salmon, or charr taken from any waters of the state during the closure shall be prohibited.

Free Fishing Days: A freshwater fishing license shall not be required by either residents or non-residents on June 6th and 7th, 2009.

- 1.2 The daily creel and possession limits for northern pike shall be two (2) fish, and the minimum size limit shall be twenty-four (24) inches (measured from the tip of the snout to the end of the tail). The daily creel and possession limits for chain pickerel shall be five (5) fish, and the minimum size limit for chain pickerel shall be fourteen (14) inches (measured from the tip of the snout to the end of the tail). No person shall possess any northern pike less than twenty-four (24) inches in total length or chain pickerel less than fourteen (14) inches in total length.
- 1.3 The daily creel and possession limits for black bass (largemouth and smallmouth bass) shall be five (5) fish, either singularly or in aggregate, and the minimum size limit shall be twelve (12) inches (measured from the tip of the snout to the end of the tail). No person shall possess any black bass less than twelve (12) inches in total length.
- 1.4 The creel and possession limit for domestic or landlocked Atlantic salmon *Salmo salar* in the fresh waters of Rhode Island shall be two (2) fish per day and shall be included in the daily limit for trout, salmon, or charr. The minimum size for Atlantic salmon shall be fifteen (15) inches total length. No person shall take any Atlantic salmon from the Pawcatuck River downstream of the Potter Hill Dam.
- 1.5 The minimum size limit for American eel *Anguilla rostrata* shall be six (6) inches (measured from the tip of the snout to the end of the tail).

- 1.6 The creel and possession limits for trout or charr taken in the Wood River between Route 165 and Barberville Dam at Arcadia Road, May 16, 2009 through the last day of February, 2010, shall be two (2) fish.
- 1.7 The following waters shall be restricted to the use of artificial flies, a conventional fly rod, and a single-action reel: Deep Pond, Exeter; A. L. Mowry Pond, Smithfield; and Upper Rochambeau Pond, Lincoln.
- 1.8 The following waters shall be restricted to fishing by children fourteen (14) years of age and younger: Frosty Hollow Pond, Exeter; Geneva Pond & Brook, North Providence; Lapham Pond, Burrillville; Seidel's Pond, Cranston; Silvy's Pond, Cumberland; Lloyd Kenney Pond, Hopkinton; Cass Pond, Woonsocket, and Slater Park Pond, Pawtucket. Cass Pond and Slater Park Pond are restricted to children only for the first two (2) days of the season, April 11th and 12th, 2009.
- 1.9 The following activities shall be **PROHIBITED**:
 - a. Using corn for bait in any designated trout waters.
 - b. Chumming in any designated trout waters.
 - c. Snagging fish in any fresh waters.
 - d. Tagging, branding, marking, or otherwise willfully mutilating any fish which is to be released alive into any fresh waters of the state except by special permit issued by the Division of Fish and Wildlife.
 - e. The use as bait of any variety of gold fish (*Carassius auratus*) in the fresh waters of the State.
 - f. The importation, sale, or possession of any variety of gold fish (*Carassius auratus*) for use as bait in the fresh waters of the state.
- 1.10 With the exception of designated catch-and-release areas, any legally caught trout, salmon, or charr taken from the fresh waters of Rhode Island shall be immediately released alive into the waters from which it was taken or shall be killed at once and become part of the daily bag limit.
- 1.11 Beach Pond, Exeter, shall have the following special regulations: The season for trout shall open on April 18th, 2009 at 6:00 AM and close at midnight until the last day of February 2010. The daily creel and possession limits for trout (all species in aggregate) shall be five (5) fish. The daily creel and possession limits for black bass shall be five (5) fish and the minimum size limit shall be twelve (12) inches (measured from the tip of the snout to the end of the tail). The daily creel and possession limits for chain pickerel shall be five (5) fish and the minimum size limit shall be fourteen (14) inches (measured from the tip of the snout to the end of the tail). Six (6) lines with a single hook each may be used while ice fishing.

- 1.12 Wallum Lake, Burrillville - Rhode Island Regulations, Rules 1-6 and Part 1, Sections 1.1-1.5, 1.9, 1.10, 1.15, and 1.16 apply.
- 1.13 Killingly Pond, Glocester and Hazard Pond, West Greenwich shall have the following special regulations: The daily creel and possession limits for black bass shall be five (5) fish and the minimum size limit shall be twelve (12) inches (measured from the tip of the snout to the end of the tail). The daily creel and possession limits for chain pickerel shall be five (5) fish and the minimum size limit shall be fourteen (14) inches (measured from the tip of the snout to the end of the tail). Six (6) lines with a single hook each may be used while ice fishing.
- 1.14 That portion of the Falls River, Exeter, from the bridge at Austin Farm Road, Exeter, downstream approximately two (2) miles to the bridge off Brook Trail, Exeter, shall be designated as a “no kill” or “catch and release” area. Fishing shall be permitted with artificial lures equipped with a single barbless hook or single barbed hook that has been crimped only, and all fish caught shall be returned to the water immediately. The possession of any trout, salmon, or charr while fishing in this section of the river shall be prima facie evidence that said trout, salmon, or charr was taken in violation of these Rules and Regulations.

1.15 Designated Trout Waters

Name	Location
Abbotts Run Brook	Cumberland
Adamsville Brook and Pond	Tiverton & Little Compton
Aldrich Brook (Butterfly Pond)	Lincoln
Alton Pond	Richmond & Hopkinton
Ashaway River	Hopkinton
Ashville Pond	Hopkinton
Barber Pond	South Kingstown
Beach Pond	Exeter
Beaver River	Richmond
Big River	West Greenwich
Blackstone River	Cumberland & Lincoln
Branch River	Burrillville
Brandy Brook	Glocester
Breakheart Brook	Exeter
Breakheart Pond	Exeter & West Greenwich
Brickyard Pond	Barrington
Browning Mill Pond	Exeter
Brushy Brook	Hopkinton
Bucks Horn Brook	Coventry
Carbuncle Pond	Coventry

Carolina Trout Pond	Richmond
Cass Pond	Woonsocket
Chepachet River	Glocester & Burrillville
Chickasheen Brook	South Kingstown
Clear River	Burrillville
Curran, J.L. Reservoir	Cranston
Deep Pond (Arcadia)	Exeter
Dexter Pond	Scituate
Dolly Cole Brook	Foster
Dunderry Brook (incl. Wigwam Pond)	Little Compton
Eight Rod Farm Pond	Tiverton
Falls River	Exeter & West Greenwich
Flat River	Exeter
Foster Green Acres Pond	Foster
Frenchtown Park Pond	East Greenwich
Frosty Hollow Pond	Exeter
Geneva Brook & Pond	North Providence
Harris River	Woonsocket
Hopkins Mill Pond	Foster
Hunt River	East Greenwich & No.
	Kingstown
Lapham Pond	Burrillville
Lloyd Kenney Pond	Hopkinton
Log House Brook	Hopkinton
Meadow Brook	Richmond
Meadow Brook Pond	Richmond
Melville Ponds	Portsmouth
Memorial Park Pond	Lincoln
Meshanticut Brook	Cranston
Moosup River	Coventry
Mowry, A.L. Pond	Smithfield
Olney Pond, Lincoln Woods	Lincoln
Parris Brook	Exeter
Pawcatuck River	Hopkinton, Richmond, Charlestown & Westerly
	Scituate
Pawtuxet River (north branch)	Coventry
Pawtuxet River (south branch)	Burrillville
Peck Pond	Glocester
Peeptoad Brook	Foster
Ponaganset River	Foster
Roaring Brook & Ponds	Exeter

Round Top Brook
Round Top Ponds
Saint Mary's Pond
Saugatucket River
Seidel's Pond
Shippee Saw Mill Pond
Silver Spring Lake
Silvy's Brook
Silvy's Pond
Simmons Mill Pond
Slater Park Pond
Spring Grove Pond
Stafford Pond
Sylvester's Pond
Tarkiln Pond
Tiogue Lake
Tiverton Trout Pond
Tucker Pond
Upper Rochambeau Pond
Wallum Lake
Watchaug Pond
Willett Pond
Winsor Brook
Wood River
Woonasquatucket River
Wyoming Pond

Burrillville
Burrillville
Portsmouth
South Kingstown
Cranston
Foster
North Kingstown
Cumberland
Cumberland
Little Compton
Pawtucket
Glocester
Tiverton
Woonsocket
Burrillville & North Smithfield
Coventry
Tiverton
South Kingstown
Lincoln
Burrillville
Charlestown
East Providence
Foster
Exeter, Hopkinton, & Richmond
Smithfield
Richmond & Hopkinton

1.16 All organized fishing activities, i.e. tournaments, must be permitted through the Department on all fresh waters of the state, regardless of access. A minimum of six (6) persons is considered an organized fishing activity requiring a permit. The Department reserves the right to limit the number of tournaments per location. The Department reserves the right to deny a permit application for a particular date and location for reasons of overuse or conflict with other activities. If access is municipal or a private ramp, an additional permit may be required from the municipality or private entity and municipal regulations will supersede those of the state for municipal or private ramp access permitting. It shall be the responsibility of the fishing organization to obtain said additional permit.

No more than one (1) permitted organized fishing activity may be held on a freshwater body during the same time period.

This does not supersede any special boat ramp or state management area state regulations, except as described below:
It will be the sole responsibility of each permitted organized fishing group to have the registrations of all participants available during the activity for enforcement purposes.

PART II

ANADROMOUS FISHERIES REGULATIONS

- 2.1 No person shall land, catch, take, or attempt to catch or take any alewives, *Alosa pseudoharengus* or blueback herring *Alosa aestivalis*, from any fresh waters of the State of Rhode. Possession of any alewife or blueback herring, at any time, is prohibited and shall be evidence, prima facie, that said herring was taken in violation of this section.
- 2.2 No person shall erect any artificial obstruction to fish passage in any stream or in any way alter the natural stream bottom to hinder the passage of fish.
- 2.3 No person shall take any American shad, *Alosa sapidissima* from the fresh waters of the state.
- 2.4 No person shall take any smelt, *Osmerus mordax* by any means from any stream or river in the state with the exception of the Pawcatuck River.
- 2.5 Fish Ladders
 - 2.5.1 Trespass within or obstruction of the entrance or exit of any fish ladder in the state is prohibited.
 - 2.5.2 For the purposes of regulating anadromous fishes, all fish ladders owned and operated by the state will be set aside as fish cultivation facilities pursuant to Sections 20-12-1 and 20-12-5 of the General Laws of Rhode Island.
 - 2.5.3 The areas below each fish ladder, where fishing will be permitted, shall be designated with an official boundary marker or informational sign.
- 2.6 Boundaries --The defined boundaries for the freshwater and saltwater sections of the state's rivers and streams, with regard to the areas where Freshwater Regulations apply, are as follows:

Pawcatuck River--the bridge crossing U.S. Route 1.
Mastuxet Brook--the point at which the brook empties into Mastuxet Cove.
King Tom Pond outlet into Ninigret Pond--the spillway at the south end of King Tom Pond.
Factory Pond outlet--the seaward opening of the culvert under Teal Road.
Mill Pond outlet into Cards Pond--the bridge on Moonstone Beach Road crossing the west neck of Cards Pond.
Smelt Brook--the bridge closest to the outlet.
Saugatucket River--the Main Street bridge in Wakefield.
Gilbert Stuart Brook--the point at which the brook empties into the Pettaquamscutt River.
Wesquage Pond--the culvert at the outlet to Bonnet Shores Beach.
Annaquatucket River--the point at which the river empties into Bissel Cove.
Cocumscussock Brook--the bottom of the first riffle upstream of Wickford Cove.
Potowomut River--the Forge Road spillway.
Maskerchugg River--the Boston Post Road (U.S. Route 1) bridge.
Gorton Pond outlet--to the west of the Amtrack Railroad bridge.
Tuscatucket Brook--The West Shore Road bridge.
Old Mill Creek--entirely tidal.
Warner Brook--the Draper Avenue bridge.
Buckeye Brook--the point at which the stream empties into Narragansett Bay.
Lockwood Brook--the West Shore Road bridge.
Spring Green Pond outlet--the Warwick Avenue (RI Route 117A) bridge.
Pawtuxet River--Narragansett spillway.
Woonasquatucket River--the U.S. Route 1N bridge.
Moshassuck River--the point of confluence with the Woonasquatucket River.
Seekonk River--the Main Street spillway.
Ten Mile River--the Omega Pond spillway.
Annawomscutt Brook--the Pilling Chain Company spillway on Bay Spring Avenue.
Mussachuck Creek--the bridge on Washington Road.
Runnins River--the Mink Street (RI Route 114A) bridge.
Kickamuit River--the Warren Reservoir spillway.
Sin and Flesh Brook--the Highland Avenue bridge.
Nonguit Pond--the bridge at Pond Bridge Road.
Pachet Brook--the West Mail Road (RI Route 77) bridge.
Dunderry Brook--the Swamp Road bridge.
Cold Brook--the point at which the brook empties into Quicksand Pond.
Maidford River--the Paradise Avenue bridge.
Goose Neck Cove--entirely tidal.
Lily Pond--the outlet.
Almy Pond--the outlet.
Prince Pond--(Tiffany Pond) the point at which the stream enters the Barrington River.

RULE 8 EFFECTIVE DATE

The foregoing Rules and Regulations - RI Fish and Wildlife Freshwater and Anadromous Fisheries Regulations, after due notice, are hereby adopted and filed with the Secretary of State to become effective twenty (20) days thereafter, unless otherwise indicated below, in accordance with the provisions of Chapter 42-35, 42-17.1, and 42-17.6 of the General Laws of Rhode Island of 1956, as amended.

W. Michael Sullivan, Ph.D., Director
Rhode Island Department of Environmental Management

Notice Given: 05/09/2008
Public Hearing: 06/10/2008

Filing Date: 08/07/2008
Effective Date: 08/27/2008