



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

FISH AND WILDLIFE

Freshwater and Anadromous FISHING REGULATIONS for the 2005 - 2006 SEASON



July 21, 2004

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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RULE 1 PURPOSE

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

RULE 2 AUTHORITY

These rule 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, 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RULE 5 SUPERSEDED RULES AND REGULATIONS #2589

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and any policies regarding the administration and enforcement of freshwater and anadromous fisheries shall be superseded **#2589**. 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 0600 hrs. on the second Saturday in April annually. From the second Saturday in April through 30 November annually, the daily creel and possession limits for trout shall be five (5) fish; and from 1 December 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 0600 hrs. 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 the 4th and 5th of June 2005.

- 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 24 inches in total length or chain pickerel less than 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 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 south to Barberville Dam at Arcadia May 21, 2005 through the last day of February, 2006 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 persons fourteen years of age and younger: Frosty Hollow Pond, Exeter; Geneva Pond & Brook, North Providence; Lapham Pond, Burrillville; Sidel'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 days of the season, April 9th and 10th, 2005
- 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.
- 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 16, 2005 at 6:00 AM and close at midnight on the last day of February, 2006. 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 - Rhode Island regulations apply.
- 1.13 Killingly Pond and Hazard Pond 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 from the bridge at Austin Farm Road downstream approximately two miles to the bridge off Brook Trail 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 this regulation.

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
Frosty Hollow Pond
Geneva Brook & Pond
Harris River
Hopkins Mill Pond
Hunt River
Lapham Pond
Lloyd Kenney Pond
Log House Brook
Meadow Brook
Meadow Brook Pond
Melville Ponds
Memorial Park Pond
Meshanticut Brook
Moosup River
Mowry, A.L. Pond
Olney Pond
Parris Brook
Pawcatuck River

Pawtuxet River (north branch)
Pawtuxet River (south branch)
Peck Pond
Peepetoad Brook
Ponaganset River
Roaring Brook & Ponds
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

East Greenwich
Exeter
North Providence
Woonsocket
Foster
East Greenwich & No. Kingstown
Burrillville
Hopkinton
Hopkinton
Richmond
Richmond
Portsmouth
Lincoln
Cranston
Coventry
Smithfield
Lincoln
Exeter
Hopkinton, Richmond,
Charlestown, & Westerly
Scituate
Coventry
Burrillville
Glocester
Foster
Exeter
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

Wallum Lake
Watchaug Pond
Willett Pond
Winsor Brook
Wood River
Woonasquatucket River
Wyoming Pond

Burrillville
Charlestown
East Providence
Foster
Exeter, Hopkinton, & Richmond
Smithfield
Richmond & Hopkinton

PART II

ANADROMOUS FISHERIES REGULATIONS

- 2.1 No person shall take more than twelve (12) alewives, *Alosa pseudoharengus* or blueback herring, *Alosa aestivalis* either singularly or in aggregate from the fresh-water streams or rivers of the state in any 24-hour period. No person shall take any alewives or blueback herring from the fresh waters of the state without a valid freshwater fishing license. No person shall take any alewives or blueback herring from the fresh waters of the state on any Sunday, Monday, or Tuesday of any week.
- 2.2 No person shall take any alewives or blueback herring by any means other than by a hand-held and hand-operated dip net with a diameter no greater than two and one-half feet (2 ½') or by a seine not greater than four feet (4') deep by eight feet (8') long.
- 2.3 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.
- 2.4 No person shall place a seine or netting more than half way across any stream or mouth or outflow of any stream.
- 2.5 Any person taking an alewife or blueback herring must remove it from the pond or stream and keep it in his or her possession.
- 2.6 No person shall take any American shad, *Alosa sapidissima* from the fresh waters of the state.
- 2.7 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.
- 2.8 Fish Ladders
 - 2.8.1 Trespass within or obstruction of the entrance or exit of any fish ladder in the state is prohibited.
 - 2.8.2 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.
 - 2.8.3 The areas below each fish ladder where fishing will be permitted shall be designated with an official boundary marker or informational sign.

2.9 Boundaries -- The defined boundaries for the freshwater and saltwater sections of Rhode Island'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 it 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 it empties into the Pettaquamscutt River.

Wesquage Pond--the culvert at the outlet to Bonnet Shores Beach.

Annaquatucket River--the point at which it 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 (R.I. 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, Barrington.

Mussachuck Creek--the bridge on Washington Road.

Runnins River--the Mink Street (R.I. Route 114A) bridge.

Kickamuit River--the Warren Reservoir spillway.

Sin and Flesh Brook--the Highland Avenue bridge.

Nonquit Pond--the bridge at Pond Bridge Rd.

Pachet Brook--the West Mail Road (R.I. Route 77) bridge.

Dunderry Brook--the Swamp Road bridge.

Cold Brook--the point at which it 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), Barrington, that point at which the stream enters the Barrington River

RULE 8 EFFECTIVE DATE

The foregoing Rules and Regulations - R.I. Fish and Wildlife Freshwater and Anadromous Fisheries Regulations, after due notice, are hereby adopted and filed with the Secretary of State this 21st day of July, 2004 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.

Frederick J. Vincent, Acting Director
Department of Environmental Management

Notice Given on:	5/18/04
Public Hearing held:	6/17/04
Filing Date:	7/21/04
Effective Date:	20 days from filing

July 21, 2004

Honorable Matthew A. Brown
Secretary of State
217 State House
Providence, RI 02907

Dear Mr. Secretary:

The R.I. DEM - Division of Fish and Wildlife, in accordance with Chapters 42-17.1, "Department of Environmental Management", 42-17.6, and 42-35 "Administrative Procedures Act", General Laws of Rhode Island, 1956 as amended, has adopted regulations governing fishing seasons and bag limits promulgated pursuant to the authority of Sections 20-1-4; 20-1.12, and 20-1.13 of Title 20 of the Rhode Island General Laws.

The purpose of these rules and regulations is to establish freshwater fishing seasons, possession, and bag limits, and regulations for the manner of fishing for the 2005-2006 season.

The attached regulations will become effective twenty (20) days subsequent to filing.

Sincerely,

Michael L. Lapisky
Acting Chief