

250-RICR-100-00-7

TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANGEMENT

CHAPTER 100 – PARKS & RECREATION

SUBCHAPTER 00 - N/A

PART 7 – General Provisions for State Parks and Conservation Management Areas

7.1 Purpose

The purpose of these Rules and Regulations is for the control, custody, governance, and use of State Management Areas, State Parks, and other areas operated and maintained by the Divisions of Fish and Wildlife, Parks and Recreation, and Forest Environment within the Department of Environmental Management ("RIDEM").

7.2 Authority

These Rules and Regulations are promulgated pursuant to R.I. Gen. Laws §§ 20-1-2, 20-1-4, and 20-1-8, R.I. Gen. Laws Chapter 23-22.5, 1954 R.I. Public Laws 3343 and R.I. Gen. Laws Chapters 42-17.1, 42-17.6, 42.17.10, 20-18, 20-15, 32-1, 32-2 and 32-3 and in accordance with R.I. Gen. Laws Chapter 42-35, the Administrative Procedures Act.

7.3 Administrative Findings

These Rules and Regulations were initially promulgated in order to address the often confusing and sometimes conflicting situation that was created due to the fact that numerous Regulations administrated by several different divisions had authority over certain aspects of the RIDEM's Parks and Management Areas. This current amendment is an effort to make those Rules and Regulations more effective and user friendly.

7.4 Application

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the RIDEM to effectuate the purposes of State Law, goals, and policies.

7.5 Definitions

- A. For the purposes of this Rule, as well as for Parts 8 and 9 of this Subchapter the following terms are defined as follows:

1. "Authorized representative of the Department of Environmental Management" means an employee or agent of the RIDEM.
2. "Archery equipment" means long bow, recurve bow, compound bow or crossbow.
3. "Camping" means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy.
4. "Camping tiers" means as follows:
 - a. Tier 1 - campsites with waterfront views and/or electric, sewer, and water and/or drive through trailer access.
 - b. Tier 2 - campsites with electric, water and/or drive through trailer access
 - c. Tier 3 - campsites without any hookups.
5. "Conservation Management area" means public lands that are owned by the State of Rhode Island under jurisdiction of the Department's Division of Fish & Wildlife or Forest Environment or in conjunction with each other or subject to the enforcement authority of the Department. (Refer to <https://dem.ri.gov/publiclands> for specific properties)
6. "Department" means the Rhode Island Department of Environmental Management (RIDEM) established by R.I. Gen. Laws Chapter 42-17.
7. "Designated areas" means any part of a Public Reservation specially set aside for one (1) or more purposes and identified as such either by the posting of a sign or signs or so posted at the Public Reservation headquarters. (Refer to <https://dem.ri.gov/publiclands> for specific properties)
8. "Domestic animals" means animals, which through extremely long association with humans, have been bred to a degree which has resulted in genetic changes affecting the temperament, color, conformation, or other attributes of the species to an extent that makes them unique and distinguishable from wild individuals of their species and as defined in Rules and Regulations Governing Importation and Possession of Wild Animals, Part 40-05-3 of this Title.
9. "Eisenhower House" means the structure and associated lawn and grounds located at 1 Lincoln Drive, Fort Adams Park, Newport, Rhode Island 02840.

10. "Firearm" means any machine gun, rifle, shotgun, pistol, air rifle, air pistol, "Blank gun", "BB gun," or other instrument from which steel or metal projectiles are propelled, or which may readily be converted to expel a projectile.
11. "Float tube" means any device manufactured and sold for use as a fishing float tube.
12. "Licensee" means the person or entity who holds a valid license for the use of RIDEM property as executed by the Department or its representative and who is not in violation of the terms and conditions of the license agreement.
13. "Management area" means public lands that are owned by the State of Rhode Island under jurisdiction of the Department's Division of Fish & Wildlife or Forest Environment or in conjunction with each other or subject to the enforcement authority of the Department, consistent with the definition provided in 1.5 (A)(7). (Refer to <https://dem.ri.gov/publiclands> for specific properties)
14. "Management Area Stewardship Committee" means the internal Department coordinating group, which includes representatives from the Divisions of Fish & Wildlife, Parks & Recreation, Planning and Development, Forest Environment, and Law Enforcement. The Committee is responsible for issuing use permits, land use issues, improvements, maintenance, and projects in Management Areas.
15. "Migratory waterfowl" means per R.I. Gen. Laws § 20-2-34, all waterfowl species in the family Anatidae, including wild ducks, geese, brant, and swans.
16. "Motor vehicle" means every vehicle that is self-propelled including, but not limited to every vehicle that is propelled by an internal combustion engine or electric power, but not operated upon rails, or upon water.
17. "Native wildlife" means all species of animals, including all subspecies thereof, occurring naturally, either presently or historically, within the boundaries of the State of Rhode Island, regardless of where the animal originated.
18. "Non-resident vehicle" means any vehicle registered in another State or country.
19. "Non-Surf Card" Card means an individual has completed all requirements set by RIDEM to be employed as a lifeguard at non-surf bathing and swimming areas and swimming pools within Rhode Island.

20. "Off-road recreational vehicle" means any motorized vehicles which were manufactured or modified for use on terrain other than roads and streets and are not registered with the Registry of Motor Vehicles or its equivalent agency in a State other than Rhode Island for operation on roads or streets.
21. "Official written permission" means written permission obtained from an Authorized Representative of the RIDEM.
22. "Open air fire" means any fire in the outdoors or in a structure not completely enclosed by walls and a roof, including charcoal grills and gas stoves.
23. "Park" means any property under the jurisdiction of the Department's Division of Parks and Recreation. (Refer to <https://dem.ri.gov/publiclands> for specific properties)
24. "Permitted organized fishing activity" means events or tournaments that are permitted through the RIDEM, Division of Fish and Wildlife with all rules and stipulations included therein. (See Fishing Regulations for the Season, [Part 60-00-10 of this Title](#))
25. "Person" means an individual, firm, corporation, society, association, partnership, or private or public body.
26. "Pool Certification" means an individual has completed all requirements set by RIDEM to be employed as a lifeguard at swimming pools within Rhode Island.
27. "Public reservation" means any property under the care, control, or custody of the RIDEM.
28. "Resident vehicle" means any vehicle registered in Rhode Island.
29. "Rock climbing" means activities associated with a person moving upon, along, or across a non-horizontal rock surface, including but not limited to scrambling, bouldering, free climbing, assisted climbing, and technical climbing.
30. "Scientific collector's permit" means a permit issued by the Division of Fish and Wildlife for the collecting, taking, handling, and/or possession of any species of wild animal for purposes of scientific study or management, carrying out scientific experiments, or cultivation projects. (See Rules and Regulations Governing Collector's Permits, Part 60-00-4 of this Title).
31. "Self-contained unit" means a camping unit that contains permanent holding tanks for potable water, grey water, and black water and where bathroom equipment is permanently installed into the unit.

- 32. "Senior citizen" means any person who is sixty-five (65) years of age or older.
- 33. "Snowmobile" means a motor vehicle designed to travel over ice or snow, and supported in whole or in part by skis, belts, or cleats.
- 34. "Special event" means any activity in which seventy-five (75) or more participants not to exceed one hundred fifty (150) participants assemble on a Public Reservation not under the jurisdiction of the Division of Parks and Recreation.
- 35. "Special use permit" means official written permission for authorized groups either organized or assembled by any means including advertisement or social media at conservation management areas or state parks.
- 36. "Sponsor" means the person(s) who applies for authorization to conduct, or conducts, a Special Event as that term is defined in § 7.5(A)(32) of this Part.
- 37. "State Lifeguard Certification" means an individual has completed the necessary requirements to serve as a lifeguard at surf or non-surf bathing or swimming areas in Rhode Island.
- 38. "Surf Card" means an individual has completed all requirements set by RIDEM to be employed as a lifeguard at all bathing and swimming areas and swimming pools, within Rhode Island.
- 39. "Trash" means garbage, rubbish, waste papers, bottles, cans, debris, litter, oil, solvents liquid waste, or other discarded materials.
- 40. "Vehicle" means every device in, upon, or by which a person or property is or may be transported or drawn on land, except snowmobiles including devices moved by human power or used exclusively upon stationary rails or track and any street legal equipment, motorized or non-motorized, properly registered for over the road travel.
- 41. "Volunteer" means individual(s) or groups providing an authorized service on Public Reservations for no financial gain.
- 42. "Wildlife food plot" means any parcel of land that is physically planted or manipulated to provide food and/or cover for wildlife.

7.6 Animals

- A. All dogs must be wearing a collar with a valid license tag on Public Reservations.

- B. The release of any animal within any Public Reservation is prohibited, except as provided in the hunting regulations established in Chapter 60 of this Title.
- C. No person shall leave an animal unattended in a vehicle with the exception of dogs that are being used for hunting or dog trails between September 1st and March 31st, in accordance with the hunting regulations establish in Chapter 60 of this Title.

7.7 Disorderly Behavior and Disruptive Activities

- A. It is unlawful for any person to engage in disorderly conduct as stated in R.I. Gen. Laws § 11-45-1.
- B. Loitering is prohibited in or around restrooms.
- C. Public nudity is prohibited.
- D. Public drunkenness is prohibited.
- E. Operation of sirens or any noise audible to a person of reasonable sensitive hearing at a distance of two hundred feet (200') from its source and other noise making devices or broadcast loud or raucous sounds or noises by use of an electrical amplifying system or soundtrack, is prohibited except by official written permission. Engine powered model airplanes, unmanned aircraft systems, model boats, rockets and model cars shall be operated on, over or from a Public Reservation only upon receipt of official written permission. Unmanned aircraft systems shall not be used to harass or disturb users, wildlife, or any natural resource at a public reservation.
- F. The possession or use of a paint ball gun or any other mechanism, which propels a projectile is prohibited, except as otherwise provided in these Regulations.

7.8 Archaeology

- A. No one shall excavate, disturb, or conduct field investigations on any site or underwater historic property, nor shall anyone disturb or remove any specimens from any property under the care, control, or custody of the RIDEM without first obtaining the written approval of the Director and a permit from the State Historical Preservation Commission.
- B. All archaeological sites, underwater historic property, and archaeological specimens, as defined in the Antiquities Act of Rhode Island, R.I. Gen. Laws Chapter 42-45.1, are the property of the State of Rhode Island.
- C. Metal detectors and other location devices are restricted to designated areas during specified time periods.

7.9 Operator Propelled Activities

- A. Ice-skating is permitted only in designated areas and at designated times.
- B. Cross-country skiing is permitted, except where specifically prohibited.
- C. Downhill skiing and sledding are permitted only in designated areas.
- D. Windsurfers, paddle boarders and kite surfers must launch and land only from designated areas.

7.10 Firearms and Archery Equipment

Possession of a firearm or archery equipment on Public Reservations is prohibited unless said possession is in accordance with Fish and Wildlife's regulations established through [Part 60-00-9 of this Title](#) or law enforcement officers pursuant to R.I. Gen. Laws §§ 11-47-9 and 11-47-9.1.

7.11 Fires

No person shall kindle an open fire, including charcoal fires, except in designated areas or with official written permission. From March 15th through May 15th, no open fires are allowed between 10:00am and 5:00pm without burning permit issued by local fire department.

7.12 Fireworks

The possession or use of all classes of fireworks in any Public Reservation is prohibited except in designated areas with official written permission. Permission may be given at the Director's discretion only as a part of a formal license agreement between the State of Rhode Island and the entity requesting permission. If granted, permission shall apply only to areas and times designated by the Director at his or her discretion and specified in the license. The Director may impose additional restrictions which he or she deems necessary.

7.13 Food, Beverage, Vending

- A. No person shall possess, drink, sell or offer for sale any alcoholic beverages except as follows:
 - 1. Permission may be requested from the Director of the RIDEM or his or her authorized representative to consume, serve, sell, or offer for sale alcoholic beverages at events held at Fort Adams State Park and at State beaches where the average annual attendance for the previous three (3) years exceeds three hundred thousand (300,000) visitors. Requests shall be submitted in writing to the Director, or his or her authorized

representative sixty (60) days in advance of the proposed date for the event. Permission may be given at the Director's discretion only as a part of a formal license agreement between the State of Rhode Island and the entity requesting permission. If granted, permission shall apply only to areas and times designated by the Director at his or her discretion and specified in the license. The Director may impose additional restrictions which he or she deems necessary.

2. No person shall offer for sale or attempt to sell any goods or services on any Public Reservation governed by these Regulations without official written permission from the Director of the RIDEM or his or her authorized representative.
3. No person shall sell, offer for sale, or attempt to sell any ticket, privilege, or license of admission to an entertainment event, including, but not limited to, any place of public amusement, arena, stadium, theatre, performance, sport, exhibition, or athletic contest conducted in any part of a Public Reservation governed by these Rules and Regulations.
4. Any person found to be in violation of § 7.13(A)(3) of this Part at the discretion of the Chief of the RIDEM Division of Law Enforcement or his or her designee shall either be prosecuted for a violation of R.I. Gen. Laws § 5-22-26 or may be issued a citation pursuant to R.I. Gen. Laws § 8-8.2.
5. Any person against whom the prosecution for a violation of R.I. Gen. Laws § 5-22-26 has been instituted or who has been issued a citation pursuant to R.I. Gen. Laws § 8-8.2 for violation of § 7.13(A)(3) of this Part, shall be immediately removed from, and barred from re-entering, the Public Reservation in which entertainment event is being conducted for a period of one (1) year from the date of the person's removal from the Public Reservation.

7.14 Groups, Meetings, Distribution of Printed Matter

Persons may distribute, or exhibit printed or written material, and/or hold public meetings only in accordance with an official written permit which shall regulate only the time, place and manner of such exhibit, distribution, or meeting. Holders of a Special Use Permit (the "Permittees") may offer leaflets or other documents to any person at the Management Area or Park and display such materials on tents or motor vehicles owned by the permittees. However, the permittees are prohibited from posting or otherwise attaching such materials to trees, as well as structures or motor vehicles located on the Management Area or Park.

7.15 Emergency Orders

- A. In the event of any emergency that may pose an imminent threat or peril to the public health, safety or welfare, the Director, pursuant to his or her authority as

set forth in R.I. Gen. Laws § 42-17-1-2(19), may issue an Emergency Operation Order that provides for the closer or limited operation of any Public Reservations of this Part as the Director deems appropriate in his or her discretion. The Director may close all, or any designated portion of, any State Park, bike path, Campground, Beach or Management Area and may limit operations of said areas to specified hours at the Director's discretion.

- B. The Director is authorized to issue an Emergency Operation Order specifying the conditions of the emergency closure or limited operations.
- C. The Director is authorized to rescind or modify an Emergency Operation Order at any time, either during the emergency or after the emergency has subsided.
- D. The Emergency Operation Order shall be posted on the RIDEM website, which shall be deemed sufficient notice.
- E. Any violation of any Emergency Operation Order issued by the Director shall be subject to penalties as set forth in § 7.21(A) of this Part.

7.16 Other Recreational Regulations

- A. The playing of golf or the driving of golf balls is permitted only in the designated areas at designated times.
- B. Bicycles, mountain bikes, and horses shall only be used on designated trails and roads for said use.
- C. Horses, bicycles, or motorcycles are prohibited in streams, rivers, or bodies of water except at designated crossings (trails and roads). Exceptions are granted to hikers, fishermen, boaters, hunters, and swimmers using official designated areas in an appropriate manner.
- D. Washing of vehicles, bicycles, or animals is prohibited in any natural body of water or on a Public Reservation.
- E. The feeding of all wildlife, migratory waterfowl, or any feral animal is prohibited within any Public Reservation.
- F. Rock climbing is permitted at Public Reservations except at Fort Wetherill State Park and in Jamestown. Any individual participating in rock climbing activities must sign a release and an approved waiver of liability form prior to commencement of any rock-climbing activity. Organized groups of any size must obtain a Special Use Permit from the applicable Division and all members of the group must sign a release and waiver of liability form. If the organized group is being sponsored by a commercial entity, the sponsor must provide evidence of the issuance of liability insurance in the amount of at least one million dollars (\$1,000,000.00) naming the State of Rhode Island as an additional insured at the time of the submittal of its an application for a Special Use Permit.

- G. Tampering with, breaching, or manipulating fencing at Public Reservations is prohibited.
- H. Per the Rules and Regulations Governing Collector's Permits, Part 60-00-4 of this Title, a collector's permit is required for the collecting, taking, handling, and or possession of any species of wild animal for purposes of scientific study or management, carrying out scientific experiments, or cultivation projects. A Special Use Permit is required for activities permitted by a Scientific Collector's Permit that take place or occur on Public Reservations.

7.17 Refunds

No refunds are allowed unless authorized by the Director or designee.

7.18 Swimming, Bathing, Floating

- A. Swimming and bathing are permitted only in areas specifically designated for such purposes and only during posted or permitted times.
- B. Within the confines of a designated swim area ball playing, frisbees, kite flying, animals (except for service animals as defined in R.I. Gen. Laws § 40-9.1-2), snorkels, facemasks, and scuba diving gear are prohibited.
- C. Swimming during electrical storms or when conditions are considered to be unsafe is prohibited.
- D. Boogie boards are permitted in designated areas and designated times as approved by Beach Managers or Lifeguard Supervisors.
- E. The use of flotation equipment and other objects including fishing float tubes, capable of supporting a person while the person is in the water, is prohibited in the following areas:
 - 1. All designated swimming and bathing areas, except that a Coast Guard Approved Personal Floatation Devices (PFDs) may be utilized.
 - 2. Carolina Trout Pond, Richmond
 - 3. Frosty Hollow Pond, Exeter
 - 4. Little Round Top Pond, Burrillville
 - 5. A.L. Mowry Pond, Smithfield

7.19 Trash and Litter

- A. No person shall bring into any Public Reservation any trash, ashes, garbage, or any other material for the purpose of disposal.

- B. All trash and waste material shall be deposited in receptacles provided for that purpose and shall not be left on the grounds or waters.
- C. In areas designated as carry in/carry out, all trash must be carried out of the area for proper disposal.

7.20 Trees, Shrubs, Buildings

- A. No person shall cut, remove or damage any tree, stone walls, natural element or feature, including but not limited to fossils and minerals, shrub or vegetation except with official written permission, nor shall any person deface or alter any structure, sign, or other public property or improvements.
- B. No person(s) shall create or mark trails without official written permission in any Public Reservation.

7.21 Penalties

- A. Any person found to have violated any Rule and/or Regulation by the RIDEM, shall be subject to a fine not to exceed one hundred dollars (\$100.00) for each violation.
- B. No person shall refuse or neglect to obey the direction of any environmental police officer or forest ranger or any other authorized representative of the RIDEM.

7.22 Motor Vehicles

- A. The traffic laws of the State of Rhode Island are fully applicable unless these Regulations provide otherwise.
- B. All motor vehicles must be legally street registered and operated by a licensed driver.
- C. Motor vehicles shall be operated only in designated areas, no motor vehicles are allowed off roads or trails where prohibited, except with official written permission. All electrically propelled devices, except those used to assist handicap or disabled persons are prohibited on State Property unless with official written permission.
- D. No person shall park a vehicle so as to block any road, gate or trail or to prevent access to others, nor shall they block another vehicle in a designated parking area, nor shall any vehicle be parked in any area, where prohibited.
- E. The speed limit is twenty-five (25) miles per hour unless otherwise posted.
- F. The operator of a motor vehicle shall grant the right-of-way to all pedestrians, persons on horseback and who are using or crossing roads, trails or highways.

- G. Airborne conveyances such as balloons, gliders, engine-powered airplanes unmanned aircraft systems, and ultra-lights shall not be operated without official written permission from the public reservation manager.
- H. Off-Road recreational vehicles shall be legally street registered and used in accordance with law. Their use shall be limited to designated areas or trails at designated times.
- I. No person shall wash, polish, clean, change oil, or repair any motor vehicle or motorcycle in a Public Reservation.
- J. There shall be no traveling by vehicles in streams, rivers or bodies of water except to cross at designated crossing (trails or roads).
- K. Only vehicles launching or landing a boat will be permitted to park in designated boat trailer areas, unless otherwise designated.
- L. Galilee Boat Ramp Parking Lot is designated for vehicles with attached boat trailers in designated parking spaces only. Perpendicular parking along the perimeter fence only. Parking in the center of lot is prohibited. Parking is restricted to no longer than seventy-two (72) consecutive hours. Any vehicle or trailer left longer than seventy-two (72) consecutive hours will be towed at owners' expense.
- M. Snowmobile Operation – General snowmobiles shall be allowed at designated areas and at times designated for those areas.
 - 1. Hours of operation are one-half (1/2) hour before sunrise to 11:00 p.m. in Arcadia and George Washington, only. During the period one-half (1/2) hour after sunset to 11:00 p.m., the buddy system must be used.
 - 2. Hours of operation are one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset in Burlingame Management Area, Wickabonet, and Woody Hill, only.
 - 3. Hours of operation are sunrise to sunset in Burlingame, Colt, Lincoln Woods, and Snake Den State Parks.
 - 4. During the established shotgun deer season, snowmobiling is not permitted in Management Areas.
 - 5. Snowmobiles must operate within the posted speed limit for that area.
 - 6. Operators shall grant the right-of-way to all pedestrian, horses and vehicular traffic when operating and crossing roads or trails.
 - 7. Snowmobiles shall not operate in a manner intended to or reasonably be expected to harass, drive, or pursue any wildlife.

8. In addition to firearm restrictions in R.I. Gen. Laws Chapter 31-3.2, when carrying archery equipment while operating a snowmobile, all arrows shall not be nocked and shall be secured to the bow or in a quiver or other container.

7.23 Orange Clothing Requirements

All users of State Management Areas and designated Undeveloped State Parks not exempt under the hunting regulations established in Part 60-00-9 of this Title, including but not limited to: hikers, bikers, and horseback riders, are required to wear two hundred (200) square inches of solid daylight fluorescent orange from the second (2nd) Saturday in September to the last day of February, and the third (3rd) Saturday in April to the last day in May annually. Five hundred (500) square inches required for all hunters (including archers) and other users during shotgun deer season.

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**PART 7 - GENERAL PROVISIONS FOR STATE PARKS AND CONSERVATION
MANAGEMENT AREAS**

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