

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: General Equipment Provisions (250-RICR-90-00-6)

Rule Identifier: 250-RICR-90-00-6

Rulemaking Action: Direct Final Amendment

Important Dates:

Date of Public Notice: 10/07/2019

End of Public Comment: 11/06/2019

Authority for this Rulemaking:

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 § 42-35-18(b)(5), Administrative Procedures Act.

Summary of Rulemaking Action:

1. Section 6.7(C)(6): Re-establish in rule the general provision for escape vent trap construction, which is currently only contained in rules for commercial black sea bass and scup. This rule was formerly included in RI Marine Fisheries regulation *Part XI - Commercial Fisheries* (repealed March 2016) as a general provision applicable to all pots, but was inadvertently only placed in the black sea bass and scup sections when the rules were transferred to *Part 6 – General Equipment Provisions*. This provision is necessary to maintain compliance with ASMFC fishery management plans (FMP) such as the Tautog FMP.
2. Section 6.8.2(C)(1): Re-establish in rule the area of trawling prohibition in upper Narragansett Bay consistent with R.I. Gen. Laws § 20-4-2 and 20-4-3. This rule was formerly included in RI Marine Fisheries regulation *Part XI - Commercial Fisheries* (repealed March 2016), and was inadvertently omitted when rules were transferred to current *Part 6 - General Equipment Provisions*.
3. Section 6.8.3(l)(6): Amend dates that gill net tags are valid. This amendment was included as part of the public hearing held in March 2019. The final rule filed as a result of this hearing inadvertently omitted the approved revised language that extended the valid dates of tags to January 1, 2021, and which is now proposed to be extended to February 28, 2021 to better align with the fishing season.
4. Several non-substantive wording clarifications throughout regulation

Additional Information and Comments:

If no formal objection is received on or before November 6, 2019, Department of Environmental Management will file the Amendment without opportunity for public comment..

Objections should be addressed to:
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Regulatory Analysis Summary and Supporting Documentation:

In the development of the 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 see agency contact person above.