

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
PUBLIC NOTICE**

Pursuant to the provisions of Chapters 20-1, 20-15, 20-18, 42-17.1, and 42-17.6 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws of 1956, as amended, the Director of the Department of Environmental Management (DEM) proposes rulemaking relative to the Freshwater and Anadromous Fishing Regulations for the 2012-2013 Season, and RI Hunting Regulations for the 2011-2012 Season, and gives notice of intent to hold a public hearing to afford interested parties the opportunity for public comment concerning the following:

- (1.) Proposed adoption of the RI Hunting Regulations - 2011-2012 Season
- (2.) Proposed adoption of the RI Freshwater and Anadromous Fishing Regulations - 2012-2013 Season.

**The public hearing will be held on Wednesday, June 1, 2011 at 7:00 P.M. at the Warwick Police Station, Community Room, 99 Veteran's Memorial Drive, Warwick, RI.** The hearing room is accessible to the handicapped. A recording of the hearing will be made and the DEM will provide interpreter services for the hearing impaired, provided such a request is made at least 48 hours prior to the hearing date. A request for this service can be made in writing or by calling (401) 222-6800 for TDD (401) 831-5508. **Written comments concerning the regulations proposed for promulgation by the DEM may also be submitted to Christine Dudley at the Division of Forest Environment, Fish and Wildlife, Great Swamp Field Headquarters, 277 Great Neck Road, West Kingston, RI 02892 no later than 12:00 PM on June 1, 2011.**

The proposed regulations will establish seasons, bag limits, size limits, possession limits, and methods of taking on any species of fish, game, bird, or other wild animal occurring within the state other than marine species that the Department regulates in consultation with the Rhode Island Marine Fisheries Council. A copy of all the proposed regulations will be available for examination from May 1, 2011 through June 1, 2011 by mail or at the offices of the Division of Fish and Wildlife located at the Great Swamp Field Headquarters, 277 Great Neck Rd., West Kingston, RI 02892, weekdays from 8:30 – 4:00 PM or by calling the Division at (401)789-0281. Electronic copies of the proposed regulations will also be available on the website of the Secretary of State and at the DEM website which is located at [www.state.ri.us/dem/bnatres/fishwild/index.htm](http://www.state.ri.us/dem/bnatres/fishwild/index.htm).

Pursuant to the requirements of Section 42-35-3 of the Rhode Island General Laws, DEM has made the following determinations. DEM has considered alternative approaches to the proposed regulations and has determined that there is no alternative approach among the alternatives considered that would be as effective and less burdensome. DEM has determined that the proposed regulations do not overlap/duplicate any other State regulations. DEM has also determined the proposed regulations will not result in a significant adverse economic impact on small businesses or any city or town. The public hearing is being conducted to solicit comment on the proposals and to allow public input from small businesses or any cities or towns, which may believe that they may be adversely affected. Interested parties are requested to comment on the proposed regulations on how such proposed action can be changed to minimize the impact on those small businesses affected. All written comments should be sent to the DEM at the address indicated above and should be received **no later than** 12:00 PM on June 1, 2011.

Janet L. Coit, Director  
Department of Environmental Management



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF FISH AND WILDLIFE

**DRAFT**

**HUNTING REGULATIONS  
for the 2011-2012 SEASON**

Draft March 9, 2011

**AUTHORITY:** These regulations are adopted pursuant to RIGL Sections 20-1-2; 20-1-4; 20-1-8; 20-1-12; and 20-1-13; and Chapters 42-17.1; 20-15; and 20-18, and in accordance with Chapter 42-35, Administrative Procedures Act, of the Rhode Island General Laws of 1956, as amended.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
FISH AND WILDLIFE

## **R.I. Hunting Regulations for the 2011-2012 Season**

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
FISH AND WILDLIFE

## **R.I. Hunting Regulations for the 2011-2012 Season**

### **RULE 1 PURPOSE**

The purpose of these Rules and Regulations is to establish hunting seasons; to set the possession and bag limits; and to regulate the manner of hunting in order to efficiently manage the wildlife resources of Rhode Island.

### **RULE 2 AUTHORITY**

These Rules and Regulations are promulgated pursuant to RIGL Chapters 42-17.1; 20-15 and 20-18, and Sections 20-1-2; 20-1-4; 20-1-8; 20-1-12; and 20-1-13 and in accordance with Chapter 42-35, Administrative Procedures Act of the 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 purposes of state law, goals, and policies.

### **RULE 4 SEVERABILITY**

If any provision of these Rules and Regulations, or 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 Hunting Regulations 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 DEFINITIONS**

For the purposes of these regulations, the following terms shall have the following meanings:

**Antlerless deer** - deer having no antlers or antlers less than three (3) inches in length.

**Bearded turkey** - a turkey that carries a visible beard, i.e., a tuft of stiff filament-like feathers projecting outward and downward from the center of the chest.

**Box trap** - any trigger operated device intended to restrain an animal by confinement in box or cage.

**Conibear-type trap** - "conibear" model traps and similar body-gripping traps and devices, whether or not enclosed in or comprising part of a box, tube, or other enclosing device.

**Crossbow** - a bow and string that launches an arrow, mounted upon a stock, with a trigger unit that holds the string and limbs under tension until released. The trigger unit must have a working safety. The minimum crossbow, arrow, and blade restrictions are further described in Part 4 of these regulations.

**Daylight fluorescent orange** - the color orange having a dominant wave length between 595 and 606 nanometers, an excitation purity not less than 85 percent, and a lamination factor not less than 40 percent.

**Deer** – Virginia white-tailed deer (*Odocoileus virginianus*) and any other free ranging deer encountered in the natural environment.

**Deer Decoy**- Device that replicates the full body and form of a deer and may be used for the purpose of attracting deer during hunting.

**Driving deer/cooperative drive** - to pursue, drive, chase, or otherwise frighten or cause a deer to move in a direction toward a person or persons known to be waiting for a deer.

**Earn–A-Buck Provision** - Requires harvest of one antlerless deer **prior to** the harvest of a buck in a permitted management zone or hunting method.

**Feeding/baiting** - the act of using, placing, giving, exposing, depositing, distributing, or scattering any material, or any act to maintain the availability of such material, that attracts wildlife to feed on such material.

**Foothold** – the nomenclature for a foothold trap is equivalent to that of leg-hold trap, as described in RIGL 20-16-8, including those foothold traps with padded jaws.

**Jack-lighting** - the use (by an individual or in conjunction with others) of an artificial light at any time to illuminate, jack light, locate, attempt to locate, or show up wild birds or mammals or any other vertebrates when that person or persons have in their actual possession, in the passenger compartment of their vehicle, or in the storage area of a trunk or van, unless locked in a case, a crossbow, long bow (straight limb, reflex, re-curve, or compound bow) rifle, gun, or pistol, except in accordance with these rules and regulations.

**Jamestown (Conanicut Island)/Aquidneck Island** - all of Aquidneck Island with the exception of the city of Newport.

**Junior Hunter** – a person 12-14 years of age who has completed a basic hunter safety course and shall hunt only in the immediate company of a qualified licensed adult, 21 years of age or older.

**Mainland** - Providence, Kent, and Bristol counties; the towns of Tiverton and Little Compton; and all of Washington County with the exception of New Shoreham (Block Island).

**Paraplegic** - an individual afflicted with paralysis of the lower half of the body with involvement of both legs.

**Proficiency testing** - the measurable demonstration of skills with bows and arrows or use of firearms using a set of standards as determined by the hunter education program.

**Replacement tags** - free replacement tags for deer are issued only by DEM's Division of Licensing after a hunter harvesting required antlerless deer as specified by zone management harvest regulations and upon the hunter providing evidence (checked field tags) of having checked the required antlerless deer.

**Small game season** - that period of time beginning the third Saturday in October and ending the last day in February annually (not withstanding the regulated shotgun season for deer).

**Species specific traps** - characterized by all of the following: triggering and restraining mechanisms are enclosed within housing; triggering and restraining mechanisms are only accessible through a single opening when set; the access opening does not exceed 2 inches in diameter; the triggering mechanism can only be activated by a pulling force; has a swivel mounted anchoring system.

**Translocation**-means the transport and release of live wild animals from one location to another.

**Written permission**—means annual written permission of the owner of the land for any current deer season.

## **RULE 7 - REGULATIONS PART I**

### **GENERAL DEER HUNTING REGULATIONS**

- 1.1 A permit must be obtained for each individual deer taken in accordance with the bag limits for each season type.
- 1.2 Legal hours for hunting deer are one half hour before sunrise to one half hour after sunset. All deer must be tagged in a conspicuous manner by the hunter killing same, immediately after taking, with the tag portion of the deer permit for the specific season (i.e., shotgun, archery, muzzleloader and/or paraplegic/double amputee hunter). This tag must be separated from the permit with the appropriate month, day, or other information completed as required, and signed by the hunter. The tag must remain attached to the deer until the animal is processed for consumption or prepared for taxidermy. It will be considered prima-facie evidence of hunting without a valid deer permit if any portion of the deer permit/tag is altered in any manner. All deer must be checked by the hunter killing same, within 24 hours of taking at a Department biological check station, if in operation, or to an environmental police officer or by submitting a written kill report card as prescribed by the Department.. .
  - 1.2.1 In the event of fiscal constraints, check station hours of operation are subject to change.
- 1.3 Prohibited Activities:
  - 1.3.1 Hunting, pursuing, or molesting deer below mean high tidal water, or while deer are swimming in any waters of the state is prohibited.
  - 1.3.2 The construction and/or use of permanent tree stands, or the use of nails, spikes, bolts, or climbing devices which may damage trees, is prohibited on state property or on private property without the permission of the landowner. All portable tree stands must be removed on state lands by the end of deer season.
  - 1.3.3 The use of electronic deer calls is prohibited at all times.
  - 1.3.4 The use of decoys to attract deer is prohibited with the exception that such devices are permitted on Private lands and only during the early archery season (September 15 until September 30, 2011). When transporting deer decoys for the purpose of hunting, persons must wear 500 square inches of fluorescent orange visible from all sides as is currently required for shotgun deer hunting.

- 1.3.5 Driving deer by parties of over five (5) people is prohibited.
- 1.3.6 Only one firearm or bow may be possessed in the field per individual hunter, while hunting deer.
- 1.4 Annual written permission is required to hunt deer on privately owned land (RIGL 20-15-1 [4]). Such written permission must be carried at all times while deer hunting and failure to have such written permission is prima-facie evidence of not having written permission to hunt such land. Written permission must be shown to any authorized person upon demand, and must be presented when checking the deer.
- 1.5 The use of natural or artificial scents, mouth or hand powered deer calls to attract deer, is permitted.
- 1.6 Pop-up blinds are permitted; however, muzzleloader hunters must display a minimum of 200 square inches of fluorescent orange visible from all directions during the muzzleloading deer seasons. During shotgun deer season, 500 square inches of fluorescent orange is required.
- 1.7 The Division retains the right to sample any and all tissues for population and disease management.
- 1.8 Resident All Outdoors Package Permit: Deer hunters may purchase one (1) resident **All Outdoors Package Permit** for the mainland deer seasons to take up to 12 deer during the established seasons. This package permit will only be available at DEM, RI Division of Licensing, 235 Promenade Street, Providence, RI 02908. This may be purchased by mail with a SASE or in person.

A limit of 250 permit packages will be sold on a first come first serve basis. Permits may be purchased in person or through the mail. Due to high volume, permits sold over the counter may be returned by mail.

1.8.1 Mainland either sex permits-may be used as follows:

Hunter must fill in appropriate mainland code for the established season on the front of the permit and on the tag immediately after kill. Hunters with All outdoors permits are subject to the season limit of (3) antlered bucks (see 1.10)

Archery: One (1) mainland either sex permit

Muzzleloader: One (1) mainland either sex permit.

Shotgun: One (1) mainland either sex permit.

Archery, Muzzleloader and Shotgun: Two (2) All Outdoors Permits may be used, in any combination, during the archery, muzzleloader or shotgun

portions of the season to take two (2) additional Antlerless deer. Under no circumstances may a hunter take more than (3) antlered bucks during the season.

1.8.2 Six (7) Mainland Antlerless Permits.

May be used statewide in any combination during the appropriate season. Hunters must fill in the appropriate mainland code for the established season on front of the permit and on tag immediately after kill.

1.9 Deer Management Zones are defined to recognize and achieve harvest and management strategies for deer in Rhode Island as follows (Figure 1):

Deer Management Zone 1

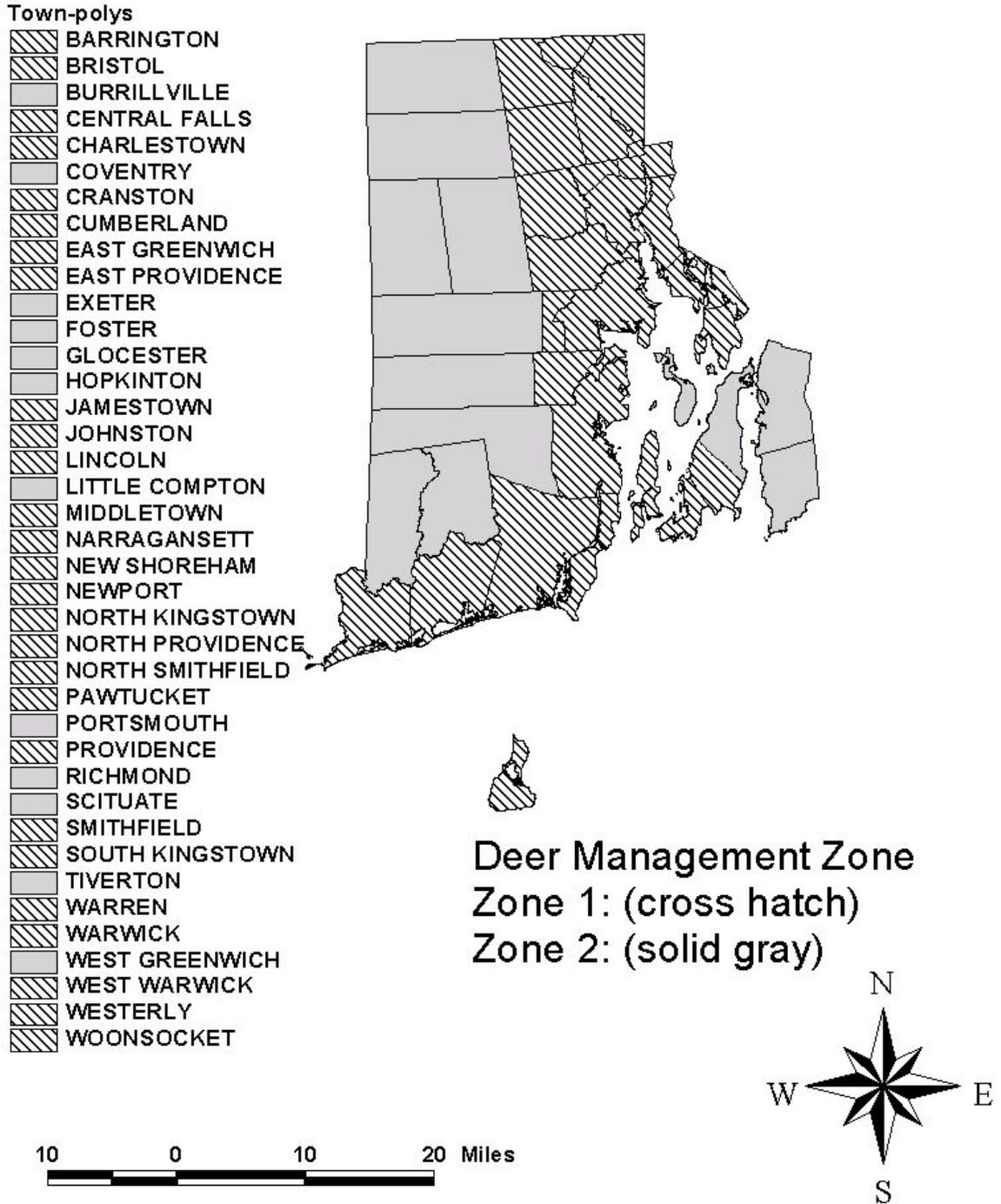
Deer Management Zone 2

1.10 Season Limit on antlered bucks is three (3) statewide, regardless of the zone hunted. All Outdoors package permits are allowed to take up to three (3) antlered bucks in any combination and by any method during the appropriate season.



Figure 1.

# RI Deer Management Zones



## PART II DEER – MUZZLELOADING DEER SEASON

### 2.1 MAINLAND MUZZLELOADING SEASON AND BAG LIMITS:

State Lands:

November 5 to November 27, either sex deer

December 26, 2011 to January 1, 2012, antlerless deer only.

Bag limit is one (1) either sex deer and one (1) antlerless deer.

Zone 1 Private lands:

October 1 to October 4, antlerless deer only

November 5 to November 27, either sex deer

December 26, 2011 to January 1, 2012, antlerless deer only.

Bag limit is one (1) either sex deer and two (2) antlerless deer; hunters are eligible for one (1) free replacement antlerless tag upon checking two (2) antlerless deer;

Zone 2 Private lands:

November 5 to November 27, either sex deer

December 26, 2011 to January 1, 2012 antlerless deer only.

Bag limit is one (1) either sex deer and one (1) antlerless deer;

**Permits Required:** Mainland Muzzleloader Permits:

Mainland muzzleloader deer permits are usable for the taking of deer in Providence, Kent, and Bristol Counties; Washington County (except New Shoreham (a.k.a. Block Island); and the towns of Little Compton and Tiverton.

Either sex and antlerless permits may be purchased at any time for use on state or private lands in accordance with the provisions of this section.

Without waiving the pre-emption of the State's statutory and regulatory authority, some cities and towns have more restrictive ordinances; check local ordinances prior to hunting. All other deer hunting regulations apply.  
(See Part I).

- 2.2 Checking and Tagging: As denoted in section 1.2, all deer must be conspicuously tagged by the hunter killing same immediately after killing or taking as provided, and taken by that same hunter to a DEM (state-operated) checking station within

24 hours during the first four (4) days of the season, November 5 thru 8, 2011. During the remainder of the season deer must be checked either by an EPO or by deer kill report card within 24 hours of taking as prescribed by DEM.

- 2.3 During the muzzleloader deer season, all hunters must wear a minimum of 200 square inches of solid daylight fluorescent orange material (see Section 14.5)
- 2.4 Firearms for muzzleloader deer season are limited to .45 caliber or larger using percussion caplock, flintlock, and in-line ignition systems using percussion caps, rifle, or shotshell primers. Only single barrel or double barrel firearms that must be loaded from the muzzle are allowed. (Also see section 14.9)
- 2.5 Ammunition for muzzleloader deer season is limited to a single projectile, including round ball, or maxi ball type projectiles. Sabot rounds for muzzleloader firearms either lead or jacketed are limited to .43 caliber or larger. Powder is limited to manufacturers' specifications. Telescopic sights are permitted. Possession of modern shotgun shotshells while hunting is prohibited. A muzzleloader is considered unloaded when the percussion cap, primer or pan powder is removed.
- 2.6 Archery equipment is permitted as a substitute during the muzzleloader season provided the hunter has and is hunting with a valid muzzleloader or archery permit and the hunter is certified to hunt with Archery equipment..
- 2.7 Season limit is one (1) antlered buck statewide regardless of zone hunted. Unless otherwise provided in 1.10.

## **PART III DEER - SHOTGUN DEER SEASON**

### **3.1 MAINLAND SHOTGUN SEASON AND BAG LIMITS:**

#### State Lands:

December 3 to December 11, either sex deer  
December 26, 2011 to January 1, 2012, antlerless only

Bag limit is one (1) either sex deer and one (1) antlerless deer;

#### Zone 1- Private lands:

December 3 to December 18, either sex deer  
December 26, 2011 to January 1, 2012, antlerless deer only

Bag limit is one (1) either sex deer and two (2) antlerless deer; hunters are eligible for one (1) free replacement antlerless tag upon checking two antlerless deer;

#### Zone 2 - Private lands:

December 3 to December 18,  
December 26, 2011 to January 1, 2012, antlerless deer only.  
Bag limit is one (1) either sex deer and one (1) antlerless deer

;

#### Permits Required: Mainland Shotgun Permit:

Mainland shotgun deer permits are usable for the taking of deer in Providence, Kent, and Bristol Counties; Washington County except New Shoreham (a.k.a. Block Island); and the towns of Little Compton and Tiverton.

Some cities and towns have more restrictive ordinances; check local ordinances prior to hunting. All other deer regulations shall apply (see Part I).

3.2 No person shall take deer with a shotgun capable of holding more than five shells, unless it is plugged with one-piece filler, which is incapable of removal without disassembling the gun.

3.3 Ammunition permitted for shotgun deer season includes rifled slugs or sabot round. Buckshot is limited to double 00 or larger. Buckshot in 20-gauge is prohibited. Shotguns of 10, 12, 16, or 20-gauge are allowed.

#### 3.4 Checking and Tagging:

As denoted in section 1.2, all deer must be conspicuously tagged by the hunter killing same immediately after killing or taking as provided Deer must be checked by an EPO or by deer kill report card within 24 hours of taking as prescribed by DEM.

3.5 During the shotgun season for deer, all hunters, must wear a minimum of 500 square inches of solid daylight fluorescent orange material (see Section 14.5).

3.6 All other hunting, except otherwise provided, under 4.1, 4.2, 5.1, 9.2, 9.3, and 11.9 is prohibited during the periods of December 3-18, 2011 and December 26, 2011 – January 1, 2012. 3.7 Muzzleloading firearms and crossbows will be permitted during the shotgun season provided hunters possess a current shotgun deer permit as in 3.5 and conform to muzzleloader restrictions in sections 2.5 and 2.6 and/or crossbow equipment restrictions (see 4.5.1). Hunters taking a deer must tag the deer with the shotgun tag immediately after taking. All shotgun deer season fluorescent orange requirements will be enforced.

3.8 Season limit is one (1) antlered buck statewide, regardless of zone hunted, unless otherwise provided under 1.10.

## **PART IV DEER - ARCHERY DEER SEASON**

### **4.1 MAINLAND ARCHERY SEASON AND BAG LIMITS:**

State Lands: September 15, 2011 to January 31, 2012,

Bag limit is one (1) either sex deer and one (1) antlerless deer.

Zone 1- Private lands: September 15, 2011 to January 31, 2012.

Bag limit is one (1) either sex deer and two (2) antlerless deer; hunters are also eligible for one (1) free replacement antlerless tag upon checking two antlerless deer.

Zone 2 -Private lands:

September 15, 2011 to January 31, 2012,

Bag limit is one (1) either sex deer and two (2) antlerless deer;

Permits Required: Mainland Archery Permit:

Mainland archery deer permits are usable for the taking of deer with bow and arrow in Providence, Kent, and Bristol Counties; Washington County (except New Shoreham, (Block Island)); and the towns of Little Compton and Tiverton.

- 4.2 Junior Archery Hunting Weekend: September 10 and 11, 2011, for those junior hunters (ages 12-14) in possession of a valid Rhode Island Junior Hunting License. Junior hunters must be accompanied by at least one qualified license adult who is at least 21 years of age or older and holds a valid Rhode Island hunting/archery license. An adult may accompany no more than two junior hunters at one time. Adults are prohibited from carrying bows. Junior hunters may use either sex or antlerless archery permits as provided for in Section 4.1.

4.3 No bow used in hunting deer shall be equipped with any mechanical device for drawing or releasing the arrow unless in accordance with RIGL 20-15-4 and section 4.4.1 and 4.4.2 of these regulations for those persons meeting the disability requirement and those 65 years of age or older. A bow string release device whereby the bow is hand held, hand drawn, and finger released is permitted. Hunters during the archery portion of the season may hunt deer with crossbow and use of adaptive aids only with a valid adaptive aid/crossbow permit as defined in Sections 4.4.1 and 4.4.2 may utilize adaptive aids.4.3.1 Special archery adaptive aid/or crossbow deer permits may only be obtained through DEM-Division of Licensing, 235 Promenade Street, Providence, RI 02908 (401) 222-3576. An official application for permit issuance signed by a physician for first time applicants is required,

accompanied by an official document on the physician's printed letterhead, stating the certification of disability in accordance with RIGL 20-15-4. A copy of the permit will be sufficient in subsequent years for reapplication. The permit card and associated record log must be carried at all times while deer hunting with a crossbow or adaptive aids and must be shown to any authorized person upon demand. Crossbow or Adaptive Aid evaluation card must be returned by the last day in February to Fish & Wildlife Field Headquarters, regardless of success, in order to be eligible in the future.

- 4.3.2 Hunters, age 65 or older, are permitted to use adaptive aids without a special permit. No crossbows permitted.
- 4.4 Archers must use a long bow, re-curve or compound bow capable of not less than forty (40) pounds at peak draw weight for archers using fixed blade broadheads, and a minimum of fifty (50) pounds for archers using a mechanical broadhead. Only broadhead tipped arrows with at least two (2) metal cutting edges are allowed. All broadheads must be 7/8 of an inch or greater at the widest point. Mechanical heads are measured in the "open" position and must be a minimum of 7/8 of an inch.
  - 4.4.1 Only those crossbows meeting the following minimum criteria are permitted: minimum draw of 150 pounds. Expandable broadheads meeting the specifications in 4.5 are permitted. However, as some crossbow manufacturers specifically recommend against mechanicals, nothing in this section should be construed as permitting such use. One (1) field point arrow may be carried in the quiver for the safe discharge of the crossbow; the field point arrow must be made distinguishable from the crossbow arrow by a color difference.
- 4.5 A current archery deer permit is required for the archery season. All deer must be immediately tagged by the hunter after killing or taking as provided. Deer must be checked by an EPO or by deer kill report card within 24 hours of taking as prescribed by DEM.
- 4.6 All archers including crossbow deer hunters, when traveling to and from a tree stand during the deer muzzleloading season must wear above the waist a minimum of 200 square inches of solid daylight fluorescent orange visible from all directions. A fluorescent orange hat meets this requirement.
- 4.7 Season limit is one (1) antlered buck statewide regardless of zone hunted, unless otherwise provided under Section 1.10.

## **PART V SPECIAL DEER SEASONS**

### **Prudence and Patience Islands Season and Bag Limits:**

5.1 State Lands: October 22, 2011 to January 31, 2012, one (1) deer of either sex

Private lands: October 22, 2011 to January 31, 2012, one (1) deer of either sex and one (1) antlerless deer

Junior Archery Weekend: October 15 and 16, 2011, State or Private lands, one (1) deer of either sex. .

Paraplegic Hunters South End Management Area: October 11-14, 2011, two (2) either sex deer.

#### **Permits Required:**

Prudence-Patience Island deer permits are required for the taking of deer on Prudence Island.

The only legal method of deer hunting on Prudence and Patience Islands is by archery, including crossbows as specifically permitted in sections 4.4.1, 4.4.2 and 4.5.1. All other archery regulations apply. Exemption: hunters complying with section 5.17 and 5.18 for paraplegic and double amputees may use shotguns as permitted in 5.23.

5.2 While archery deer hunting, no possession of firearms is permitted, except for those licensed to participate during the special paraplegic hunter deer season or as specified in Sections 4.4 and 4.4.1.

5.3 In addition to the deer tag, archery deer hunters are required to obtain a special free permit to hunt Prudence and Patience Islands. This permit card must be carried in addition to your individual deer permits and a daily log of hunting activity recorded. Permits must be returned to the Division by February 15, 2012.

Prudence Island permits may be obtained by sending a 9 "x 4" (LEGAL SIZE) self-addressed stamped envelope to: Prudence/Patience Islands, RI Division of Fish and Wildlife, 277 Great Neck Road, West Kingston, RI 02892. One request per envelope.

5.4 Archery deer hunting will be permitted on the Heritage Property, December 1-15, 2011. Archers will be limited to the taking of antlerless deer only. Prudence Island permits are required in addition to the deer tags, as noted in section 5.3.

- 5.5 A quota of 50 deer may be taken on state land to include 25 from the south end, or as provided in section 5.6.
- 5.6 Checking and Tagging: All deer taken on Prudence Island must be immediately tagged by the hunter and checked by that same hunter at the check station designated by the Department of Environmental Management for Prudence Island deer, if available, or by an EPO or by deer kill report card within 24 hours of taking as prescribed by DEM.
- 5.7 The Division of Fish and Wildlife retains the right to alter the number of hunters, number of days hunted, and total deer harvested within the above season, if conditions warrant.
- 5.8 Proficiency testing is required of all archery hunters hunting deer on Patience and Prudence Islands, either private or state-owned lands. The proficiency card is valid for two years from the date of issue and must be carried while hunting.
- 5.9 Written permission of the landowner is required and must be countersigned by the Chief of Police or his/her representative on Prudence Island.
- 5.10 On Prudence Island, during the period September 15, 2011 through January 31, 2012 inclusive, the casting of rays of artificial lights, including spotlights, headlights, or other artificial light, at any time, on any highway or roadway, whether public or private, or on any field, woodland, residential property, or forest, or on any building or farm animal, for the purpose of spotting, locating, or attempting to spot or locate any wild animal or wild bird is prohibited.
- 5.11 On Patience Island, there shall be no hunting of any species of wildlife, except archery hunting for deer, as provided. The possession of any firearm at any time on Patience Island, except for archery equipment as prescribed during the established archery season for deer, is prima-facie evidence of illegal hunting (except as provided in section 5.23).
- 5.12 Waterfowl hunting on Prudence Island: The possession of firearms is permitted while en route to or during waterfowl hunting. Waterfowl hunters must possess a minimum of six (6) decoys. No ball ammunition may be possessed. Possession of a loaded firearm more than (10) ten feet above mean high water is prohibited, except as provided in sections 9.2, 9.3.3, 9.5, & 11.2.
- 5.13 Junior Archery Weekend:  
Archery deer hunting is permitted during Junior Hunter Archery Weekend; October 15 and 16 , 2011 for those junior hunters (ages 12-14) in possession of a valid Rhode Island Junior Hunting License. Junior hunters must be accompanied by at least one (1) qualified license adult who is at least 21 years of age or older and holds a valid Rhode Island hunting/archery license. An adult may accompany no more than two (2) junior hunters at one time. Adults are prohibited from carrying

bows. Junior hunters may use either sex or antlerless archery permit as provided for in 5.2.

- 5.14 Special Season for Disabled Hunters: The taking of deer will be limited to paraplegic and double amputee hunters only.
  - 5.14.1 A special hunting permit must be obtained through the DEM Licensing Division, 235 Promenade St. Providence, RI 02908 (401) 222-3576 by each applicant prior to the hunt. None will be issued on the island. An application signed by a physician for a first-time hunter, or a photocopy of a previous paraplegic/double amputee hunting license, is required.
  - 5.14.2 None of the hunter's assistants will be allowed to hunt or carry loaded firearms at any time. No license is required of the assistants.
  - 5.14.3 All deer taken must be checked as provided in Section 5.6 .
  - 5.14.4 All deer wounded, but not recovered, must be reported as soon as possible to the officer-in-charge.
  - 5.14.5 Ammunition is limited to slugs –10, 12, 16, or 20 gauge only. Buckshot is allowed by special permit only, 00 or larger. Hunters may use muzzleloading firearms on Prudence Island as defined under Muzzleloading Deer Season, as defined in section 2.5 and 2.6.

## **PART VI**

### **Block Island Deer Season**

#### 6.1 Block Island Deer Season and Bag Limits:

##### **Archery:**

Dates TBD: October 1 through November 30, 2011 TBD

##### **Shotgun and Muzzleloader:**

November dates TBD 2011

December

##### **Muzzleloader:**

November 5 through 27, 2011, TBD

- 6.2 State land (Rodman Hollow) only: Open January 14 to January 29, 2011. Bag limit is one (1) deer of either sex and one (1) antlerless deer.
- 6.2.1 Hunting will be by special permit only, selected by lottery. Hunters will be selected and assigned to hunt one (1) of four (4)\_day periods designated by DEM.
- 6.2.2 Six (6) hunters will be allowed to hunt per time period.
- 6.2.3 DEM will assign hunters selected by lottery at their sole discretion.
- 6.2.4 Applications (available at [www.dem.ri.gov](http://www.dem.ri.gov)) to hunt Block Island State land must be submitted by August 15.
- 6.3 Permit Required: A Block Island archery, shotgun, or muzzleloader deer permit is required to hunt deer on Block Island. A hunter may purchase five (5) Block Island deer permits. After checking as provided in section 6.7, a hunter may purchase additional Block Island shotgun, archery, or muzzleloader deer permits to take additional deer on Block Island. Hunters may not possess more than five (5) permits of any type at one time.
- 6.4 Landowner permission, counter-signed by the Chief of Police, is required for all hunting. Landowners may give permission for archery, shotgun, or muzzleloader hunting on their property. Permission will be tracked by the Police Department.
- 6.5 Ammunition permitted for shotgun deer season includes rifled slugs or sabot round. Shotguns of 10, 12, 16, or 20 gauges are allowed. Buckshot is limited to double 00 buck or larger in 12 gauge only.
- 6.6 On Block Island, the casting of rays of artificial lights, including spotlights, headlights, or other artificial light, at any time, on any highway or roadway, whether public or private, on any field, woodland, residential property, or forest, or on any building or farm animal, for the purpose of spotting, locating, or attempting to spot or locate any wild animal or wild bird is prohibited.

- 6.7 All deer must be tagged in a conspicuous manner by the hunter killing same immediately after taking. All deer taken on Block Island must be checked by that same hunter through the designated Block Island check station within twenty-four (24) hours of taking.
- 6.8 Proficiency testing is required of all archery hunters that are hunting deer on Block Island. The proficiency card is valid for two (2) years from the date of issue. The proficiency card must be carried while hunting.
- 6.9 All other deer regulations apply. Equipment permitted for archery season include crossbows and adaptive aids as described in sections 4.4.1, 4.4.2, 4.5 and 4.5.1.
- 6.10 All deer hunters must wear 500 square inches of fluorescent orange, except archery hunters during the archery only portion of the season are exempt from this requirement.
- 6.11 Designated town lands will be open to hunting during the last two (2) weeks of the season.

## PART VII COOPERATIVE HUNTING PROGRAMS

- 7.1 **Northwest Cooperative** – The Northwest Cooperative Deer Hunting permits serve as written permission for hunting this private land. These permits must be carried in addition to your individual deer permits. Turkey hunting is also permitted on Northwest Cooperative with a valid license and turkey permit. No additional Northwest permit is required for turkeys.
- 7.1.1 Deer hunters must have Special Permits to hunt the Northwest Cooperative. A permit is required for each season: Archery, Muzzleloader, and Shotgun. The Division reserves the right to alter the number of hunters, permits, or days of hunting as conditions warrant. Permits must be returned by February 15, 2012. Hunters must return permit to be eligible for the next season's permit. (Reference 2.1)
- 7.1.2 Permits are available after September 1, and may be obtained by sending a (LEGAL SIZE) self-addressed stamped envelope to: NORTHWEST COOP. , R.I. Division of Fish and Wildlife, 277 Great Neck Road, West Kingston, RI 02892. Indicate the permit type (e.g. archery, muzzleloader, and/or shotgun).
- 7.2 **Francis Carter Preserve Cooperative Hunting Area** is restricted to archery hunting of deer from September 15, 2011 to January 31, 2012 and as provided in sections 7.2.1 through 7.2.5 of these regulations. No hunting of any other species of wildlife is permitted. All regulations in General Deer Part I and Archery Deer Part IV of these regulations shall apply.
- 7.2.1 No firearms are allowed on the property at any time. No vehicles of any kind are allowed on the property.
- 7.2.2 The construction of or use of permanent tree stands is prohibited. The use of nails, spikes, bolts, or devices that may damage trees is prohibited. Climbing tree stands are permitted. Tree stands must be removed at the end of the season.
- 7.2.3 Proficiency testing is required for all archery hunters on the Carter Preserve. The proficiency cards are valid for two years from the date of issuance and must be carried while hunting. Either Prudence/Patience Island or Hunter Ethics/Landowner Relations proficiency cards are permitted.
- 7.2.4 A Carter Preserve Hunting Permit is required and will serve as written permission to hunt this private land. This permit must also be carried while hunting. Permits are available by sending a self-addressed stamped envelope to RI Division of Fish and Wildlife, 277 Great Neck Road, West Kingston, RI 02892. All requests must contain your name,

address, current hunting license number and current archery proficiency number. One request per envelope. Hunters must return their permit and hunting log by February 15, 2012 regardless of activity or success, to be eligible for the next season's hunt.

**7.3 Beavertail Cooperative Archery Deer Hunting Area**

November 7, 2011 – January 31, 2012. No hunting on weekends prior to December 31, 2011. The Jamestown (Conanicut Island) either sex, and antlerless archery deer permits are valid for this season.

7.3.1 No hunting of any other species of wildlife is permitted. All regulations in General Deer Part I and Archery Deer Part IV of these regulations shall apply.

7.3.2 No firearms are allowed on the property at any time.

7.3.3 The construction of or use of permanent tree stands is prohibited. The use of nails, spikes, bolts, or devices that may damage trees is prohibited. Climbing tree stands are permitted and must be removed at the end of the season.

7.3.4 Proficiency testing is required for all archery hunters on the Beavertail Cooperative Archery Deer Hunting Area. The proficiency cards are valid for two (2) years from the date of issuance and must be carried while hunting. Either Prudence/Patience Island or Hunter Ethics/Landowner Relations proficiency cards are permitted.

7.3.5 A Beavertail Cooperative Archery Deer Hunting Area Permit is required and will serve as written permission to hunt this property. The permit can be obtained in person at the Jamestown Police Station. This permit must also be carried while hunting. Hunters must return their card regardless of activity or success by February 15, 2012 in order to be eligible for next season.

7.3.6 Countersigned permission of the chief of police or his/her designee is required. Archers must reserve to hunt on the official sign-in log at the police station. Ten (10) hunters will be permitted per day on a first come first served basis. Hunters may sign up for five (5) slots per week, no more than twenty (20) days in advance. Unused slots must be cancelled. Successful hunters must also cancel any reserved slots. Hunters will be provided with a map, safety zone and parking restrictions. Compliance with these and all other hunting regulations is required for future hunting privileges on this parcel. The number of hunters and days of hunting are subject to change.

7.3.7 All Beavertail Coop. hunting subject to federal approval.

## 7.4 Grills Preserve Cooperative Hunting Permit

7.4.1 Hunting for deer and wild turkey is permitted at the Grills Preserve-Westerly Land Trust Property located west of Bowling Lane and Route 91 in Bradford, RI and the Grills Preserve II – Hopkinton Land Trust located east of Route 91 in Hopkinton. Special permits to hunt either Grills Preserve or Grills Preserve II

may be obtained from:

RIDEM Fish and Wildlife. Permits available after September 1<sup>st</sup>, and may be obtained by sending a self-addressed (LEGAL SIZE) stamped envelope to: GRILLS PRESERVE COOP., R.I. Division of Fish and Wildlife, 277 Great Neck Road, West Kingston, RI 02892.

7.4.2 Hunting is permitted only during the archery and state and private muzzleloader portions of the deer season in accordance with the Rules and Regulations set forth by RI DEM as specified in sections 2.1 and 4.1.

7.4.3 Turkey hunting is permitted in accordance with rules for the established turkey seasons by RI DEM as specified in sections 10.1-10.3.

7.4.4 Hunting permits and hunting effort data are to be returned at the conclusion of the spring turkey season.

## 7.5 Burlingame North Camp Hunting Area – North Camp Portion

7.5.1 Hunting for deer or turkey by permit only available from the RI DEM Division of Fish and Wildlife, Great Swamp Field Headquarters, 277 Great Neck Road, West Kingston, R.I. 02892 by mail with a self-addressed stamped envelope. All other deer hunting regulations apply.

7.5.2 Hunting is allowed in designated areas only; obey all safety zones as marked on map enclosed with permit.

7.5.3 The following are PROHIBITED:

- A. Hunting birds on or within 100 yards of the shore of Watchaug Pond or Poquiant Brook as referenced in RIGL 20-14-8.
- B. Hunting birds in that portion of the park west of Watchaug Pond, west of Poquiant Brook and south of Buckeye Brook Road as referenced in RIGL 20-14-8.1.

7.6 **Providence Water Supply Cooperative:** allows deer hunting only by special permit within portions of the Scituate Reservoir Property (approximately 2900 acres). Permits will be available to 150 hunters selected by lottery to participate in the hunt. This hunt will follow season dates and bag limits

for deer hunting during archery, muzzleloader and shotgun seasons established by the DEM.

7.6.1 Hunters must abide by all State deer hunting seasons for Zone 1, regulations and the additional requirements of this permit. The hunt may be suspended at any time due to conditions at the exclusive determination of the DEM and the Providence Water Supply Board.

The PWS Coop will be open October 1 to October 4 for hunting antlerless deer only using muzzleloader.

7.6.2 Hunters will be required to attend a pre-hunt meeting (to obtain maps and specific instructions) and must possess a hunting license and a minimum of two valid antlerless deer hunting tags at that meeting.

7.6.3 Hunters are required to have the written permit and a photo ID in their possession at all times while hunting and are required to fill out a daily hunting record log for the entire season. The hunting permit and daily hunting record must be returned to DEM at the conclusion of the season (by February 15, 2012).

7.6.4 Construction of permanent tree stands is prohibited; however, the use of climbing, ladder or hang on stands that do not damage trees are allowed. Tree stands must be removed immediately at the conclusion of the season.

7.6.5 No hunting for any other species or any other activities is permitted.

7.6.6 Applications to hunt the cooperative are available online ([www.dem.ri.gov](http://www.dem.ri.gov)) or by sending a self addressed stamped envelope to the Great Swamp Field Headquarters, 277 Great Neck Road, West Kingston, RI 02892. Applications must be postmarked by August 15, 2011.

7.6.7 Failure to comply with any and all provisions of this cooperative hunting season will result in the hunter being terminated from the program.

## **PART VIII**

### **\*MIGRATORY GAME BIRDS**

\*Subject to Federal Approval

- 8.1 Mourning Doves -The open season for mourning doves is statewide:

September 17 to October 1, 2011 , inclusive;  
October 15 to November 12, 2011, and  
December 21, 2011 to January 5, 2012, inclusive.

Shooting hours are:

First split: noon to sunset.

Second and third split: sunrise to sunset.

Daily bag/possession limits: 12/24

- 8.2 Rails -The open season for rails is:

September 3, 2011 – November 11, 2011, inclusive.

Daily bag/possession limits:

King & Clapper Rail - 1/2, singly or in aggregate

Sora & Virginia Rail - 3/6, singly or in aggregate

- 8.3 Common snipe: The open season for common snipe is:

September 3 – November 11, 2011

Daily bag/possession limits: 5/10

- 8.4 Woodcock: The open season for woodcocks is:

November 1 – November 30, 2011

Daily bag/possession limits: 3/6

- 8.5 Crows: The open season for crows is:

August 19 – October 9, 2011 - Fridays, Saturdays, and Sundays only.

October 15 – November 20, 2011, all-inclusive.

December 16, 2010 – April 17, 2012 - Fridays, Saturdays, and Sundays only.

8.5.1 The hunting season for crows on state lands shall be from the beginning of dove hunting season in September to the last day of February. Hunting hours for crows are 1/2 hour before sunrise to 1/2 hour after sunset.

Except on Northern Prudence Island Management Area, the season is January 4 - 31, 2012 inclusive. No daily bag or possession limit.

- 8.6 Non-toxic Shot Requirements: No person shall take or attempt to take waterfowl, rails, or snipe within the State of Rhode Island, including Narragansett Bay and its coastal waters, to the three mile limit, while possessing shells loaded with any shot other than non toxic shot (e.g., steel, bismuth-tin, tungsten-iron, tungsten-polymer, tungsten-matrix, and tungsten-nickel-iron shot) and other shot

as approved by USFWS. **All shot larger than BB is prohibited, including duplex loads containing shot larger than BB.**

8.7 Allowed methods of taking and prohibited methods of taking migratory birds and waterfowl, are the same as set forth in 50 CFR 20 (sub parts A through N) of the U.S. Department of the Interior, Fish and Wildlife Service, made under the provisions of an Act of Congress relating to migratory birds and waterfowl. A HIP permit is required for hunting all migratory birds. HIP permits will be available at local vendors. Instructions and details will be available prior to the seasons. In addition, hunters must purchase a federal and state duck stamp to hunt waterfowl.

8.8 Canada Goose: The open season for Canada goose is:  
September 1 - 30, 2011.

Daily bag limit is 15/30 in possession (subject to Federal approval).

Shooting hours are one half hour before sunrise to **one half hour after sunset for September Canada goose hunting only.**

A permit must be obtained from the RI Division of Fish and Wildlife prior to hunting during the special September Canada Goose Season by sending a LEGAL SIZE self-addressed stamped envelope to: RI Division of Fish and Wildlife, 277 Great Neck Road, West Kingston, RI 02892 and must be returned per date designated on permit regardless of hunting success. One request per envelope. Hunters must return the permit to be eligible for the 2012 September Goose Season to above address.

8.9 Sea Ducks: The season for sea ducks (eider, long-tailed duck & scoter) is:  
October 8, 2011– January 22, 2012  
Daily bag/possession limits 5/10, no more than four (4) of which may be eider, scoter, or long-tailed duck.

## **PART IX UPLAND GAME**

9.1 Legal shooting hours for all game birds and mammals, except dove, turkey, migratory birds, coyote, deer, and raccoon will be sunrise to sunset, except as otherwise provided. On October 15, 2011 legal shooting hours will be 7:00 AM to sunset (see section 13.2.1.).

9.2 Open season for Red Fox, Gray Fox, Gray Squirrels, Cottontail Rabbits, and Snowshoe Hare is as follows:

October 15, 2011 through the last day of February, EXCEPT, during the state land portion of the shotgun deer season (December 3 – 11, 2011). Prudence Island:

November 1, 2011 - November 30, 2011 EXCEPT on Northern Prudence Island Management Area the season is: January 4 - 31, 2012 inclusive. South Prudence and Patience Management Areas closed to shotgun small game hunting.

9.2.1 Daily Bag limits:  
Cottontail rabbits – three (3)  
Snowshoe hare – one (1)  
Gray squirrels – five (5)  
There is no bag limit for fox.

9.3 Open season for Bobwhite Quail and Pheasant is as follows:

Quail: October 15 – November 27, 2010.  
Ring-neck Pheasant: October 15 2010 – January 18, 2012.  
(See 9.3.1 and 9.3.2)

Junior Pheasant Hunting Weekend: October 8 and 9, 2011  
(See 9.3.5)

9.3.1 Pheasant Permit:  
Hunters are required to purchase a pheasant permit (\$15.50) of six (6) tags in order to hunt pheasants. Upon harvesting a pheasant, hunter must detach a tag from the permit and affix the pheasant tag to the bird's leg. Pheasant(s) in possession without an attached pheasant tag will be in violation of regulations. Hunters may purchase multiple pheasant permits per season.

9.3.2 Season and Bag Limits  
Ring-neck Pheasant: two (2) birds daily.  
Bobwhite Quail: three (3) birds daily

9.3.3 Prudence Island:

November 1 to 30 2011 - EXCEPT that on northern Prudence Island Management Area the season is January 4 to 31 , 2012, inclusive. South Prudence and Patience Management Areas are closed to shotgun small game hunting.

9.3.4 On New Shoreham (Block Island), the open season on male ring-necked pheasants, with a daily limit of two (2) male pheasants, is as follows:

November 17, 24, 2011

December 1, 8, 15, 22, 29, 2011

January 5, 12, 19, 26, 2012

Daily bag limit (2) male pheasants

9.3.5 Junior Pheasant Hunting Weekend:

Pheasant hunting is permitted during the special Junior Pheasant Hunting Weekend, October 8 and 9, 2011 for those junior hunters in possession of a valid Rhode Island Hunting License and a 2010 pheasant permit. Junior hunters must be accompanied by at least (1) one qualified license adult, age 21 years or older, who holds a valid Rhode Island hunting license. An adult may accompany no more than two (2) junior hunters at one time. The accompanying adult is prohibited from carrying a firearm and hunting pheasant. Hunting will only be permitted at the Great Swamp Management Area in West Kingston and at Durfee Hill Management Area in Glocester. Pheasant stamps are required (see 9.3.1) Bag limit is (2) two pheasants per day. Registration is required no later than September 9, 2011. Adults may call Fish & Wildlife Field Headquarters at 789-0281 or Hunter Education at 783-2304 for information. A limit of 50 parties per management will be permitted. In the event of fiscal constraints, the program may be altered.

9.4 Closed season for Ruffed Grouse.

9.5 No person shall possess a live, artificially propagated pheasant without having a valid game propagation permit in his/her possession.

9.5.1 Each artificially propagated pheasant must be tagged immediately upon harvest for identification with a tag supplied by the Division, at cost to the game propagation permittee.

9.5.2 Permits for propagated pheasant hunting are available from the Division of Licensing, Room 360, 235 Promenade Street, Providence, RI 02908. Such permit shall be issued upon a demonstration that the applicant has met each of the following requirements:

- a. Payment of five dollars (\$5.00) permit fee.
- b. Presentation of proof that the applicant is a bonafide hunting club at the time of the application or application of renewal.

- c. Presentation of proof that the applicant is a bonafide hunting club owning a single body of land consisting of twenty-five (25) or more acres at the time of the application or application of renewal. (hereinafter referred to as the 'site').

9.5.3 Each game propagation permittee must keep an accurate record of all pheasants held by it; how, when, and where acquired; how many released and when released; and how many taken on the site. Permittee must provide this information to the Department within twenty-four (24) hours of the receipt of a request for such records from a Department staff member or no later than March 15th following the closure of the season.

9.5.4 Each game propagation permittee is authorized to release and harvest pheasants upon its site during the pheasant hunting season provided above in Section 9.3 for the taking on the site by club members and their guests provided the following restrictions are observed:

- a. Pheasants may only be taken by hunters with a valid Rhode Island license. Hunters are not required to have a state pheasant permit; however, hunters must tag each harvested pheasant with the game propagation tag as required in 9.4.1 and 9.4.2.

- b. Hunters may not exceed the daily bag limit for pheasant provided above in 9.3.2, i.e., no more than two (2) may be harvested on the site during any day per hunter.

9.5.5 If a game propagation permittee is found to have provided false information in conjunction with its application pursuant to Section 9.4.2, fails to comply with Section 9.4.3, or if it or a member or guest violates Section 9.4.3, the subject permit shall be revoked for the remainder of the season and the action of the permittee or its member shall be considered if and when the permittee applies for re-issuance of a permit. Pursuant to RI Gen. Laws, Chapter 42-17.7, a permittee who feels aggrieved by an enforcement action to revoke the subject's permit and who seeks an adjudicative hearing must seek such hearing by filing a written request with the Administrative Adjudication Division, 235 Promenade St., Providence, RI 02908 within twenty (20) calendar days of receipt of notice of revocation. A permittee who feels aggrieved by a permit denial and seeks an Adjudicative hearing must seek such hearing by filing a written request with the Administrative Adjudication Division, 235 Promenade St., Providence, RI 02908 within thirty (30) calendar days of receipt of the contested agency action.

9.6 The hunting seasons on woodchucks, crows, English sparrows, starlings, and rock doves is closed on Prudence Island at all times, EXCEPT during the period November 1 through November 30, annually, or as otherwise provided. South Prudence and Patience Management Areas are closed to shotgun

small game hunting. See 11.9.1.1 on coyote hunting on Prudence Island.

- 9.7 The hunting of any species of wildlife EXCEPT deer, coyote, and waterfowl as provided, or as otherwise provided, is prohibited in Providence, Kent, Washington, Newport, and Bristol Counties during the annual shotgun deer season. State lands will remain open to upland hunting during the private land only portions of the shotgun deer season.

## **PART X WILD TURKEY**

10.1 Season bag and possession limits: One (1) bearded turkey in the spring season and (1) either sex turkey in the fall season. A separate permit must be purchased to hunt in each season. Refer to 7.1, 7.4 and 7.5 for additional permits on cooperative hunting areas.

10.2 Spring Turkey Seasons Dates:

- A. Special Season - Paraplegic hunters April 21 and 22 , 2012
- B. Junior Turkey Hunting Weekend - April 21 and 22 , 2012
- C. Statewide: April 26 – May 22, 2012

10.3 Fall Archery Season:

October 1 – 28, 2011

10.4 Special Paraplegic Season:

10.4.1 A special turkey permit must be obtained from the DEM-RI Division of Fish and Wildlife. Hunting in this season will be limited to paraplegic hunters only.

10.4.2 An application signed by a physician for a first-time hunter is required. Applications are obtained from DEM Division of Licensing.

10.4.3 None of the hunter's assistants will be allowed to hunt or carry firearms at any time.

10.5 Junior Turkey Hunting Weekend:

10.5.1 Wild turkey hunting is permitted during the Junior Turkey Hunting Weekend for those junior hunters, (ages 12-14), in possession of a valid Rhode Island hunting license. Junior hunters must be accompanied by at least one qualified license adult at least 21 years of age or older who holds a valid Rhode Island hunting/archery license. An adult may accompany no more than two junior hunters at one time. The accompanying adult is prohibited from carrying firearms and bows.

10.5.2 Bag limit is one (1) bearded turkey per license per year.

10.5.3 An adult accompanying a junior hunter may not carry a bow or firearm while hunting, but is permitted to assist the junior in calling the bird.

- 10.6 The Division reserves the right to alter the number of permits and the number of hunting days at any time.
- 10.7 The hunting of wild turkey is allowed in the following areas: Providence County; Kent County; Washington County; as well as Tiverton and Little Compton in Newport County.
- 10.8 Hunting hours: Spring hunting hours are one half hour before sunrise to 1:00 PM Eastern Daylight Time, daily, provided that all hunters leave the woods no later than 1:00 PM. Fall hunting hours are one-half hour before sunrise until sunset.
- 10.9 Authorized firearms and archery equipment: The methods of taking are limited to shotguns, gauges 10, 12, 16, and 20 only, with shot sizes 4, 5, and 6 magnum loads only; and by archery equipment consisting of a long bow (straight limb, reflex, re-curve, and compound bow) of not less than forty (40) pounds pull, and broadhead arrows with at least two cutting edges seven eighths inches (7/8") or greater at the widest point. A bowstring release device where the bow is hand held, hand drawn and finger released is allowed. Legal bows must meet the definition of a legal bow in sections 4.5 and 4.5.1. Crossbows not permitted. Possession of a firearm while archery hunting for turkey is prohibited.
- 10.10 Prohibited Activities:
- 10.10.1 The use of any other firearm, live decoy(s), baiting, cooperative drive(s) electric calling devices or any other devices to capture or ensnare turkeys is prohibited.
- 10.10.2 Stalking or attempting to sneak up on a turkey to get a shot is prohibited.
- 10.10.3 Hunters are prohibited from hunting unless they are carrying a turkey calling device (non-electric). Calling is the only legal method for hunting wild turkey. An individual with a valid Rhode Island hunting license may call turkeys for hunters with a valid turkey permit.
- 10.10.4 A person is prohibited from hunting, killing, taking or attempt to take, or possessing any wild turkey unless they possess on their person a valid R.I. hunting license and a valid turkey hunting permit.
- 10.11 Checking Requirements: A person killing a wild turkey must immediately sign, complete and attach to the leg in a conspicuous manner the turkey tag provided with the permit. The tag must remain attached to the turkey and presented to an authorized check station, if available, or by turkey kill report card or by tele-check (if available), within 24 hours of taking as prescribed by DEM. The Division retains the right to sample any and all tissues deemed necessary. The tag must remain attached until the carcass is prepared for consumption or taxidermy.

- 10.12 A mandatory hunter survey card will be issued to each person purchasing a turkey permit. This hunter survey must be returned to the Division within ten (10) days of the end of the season whether or not you hunt or were successful.

## PART XI FURBEARERS

11.1 Furbearers as listed by RIGL 20-16-1.

11.2 Raccoon -

Open Season - The open season for raccoon is from 6:00 PM October 1, 2010 through the last day of February 2011, inclusive; excluding the period of Shotgun Deer Season: December 3 – December 18 and December 26, 2011- January 1, 2012 statewide. That portion of Providence County east of the Blackstone River will remain open to raccoon hunting during the shotgun deer season.

Bag Limits - There is no season limit on raccoon. There are no limits to the taking of raccoon by bow hunters as provided above, or under special permit on Prudence and Patience Islands. There is no bag limit.

11.2.1 In the Town of Portsmouth on Prudence Island, the season is limited to January 3, 2011 through the last day of February 2011, inclusive, with written permission of the landowner. Bow hunters with a valid deer archery permit may take raccoon on Prudence Island during legal deer hunting hours October 22, 2011 – January 31, 2012 or until the quota is filled.

Bag Limits – There are no limits to the taking of raccoon by bow hunters as provided above, or under special permit on Prudence and Patience Islands.

11.3 The trapping season for gray fox, red fox, mink, muskrat, opossum, rabbit, raccoon, skunk, and weasels is November 1, 2011 – January 31, 2012 inclusive. Traps may not be set, staked, or placed prior to 8:00 AM on opening day, November 1st, annually.

11.3.1 The trapping season for beaver on private land is November 1, 2011– March 13, 2012, inclusive. The trapping season for beaver on state management areas is December 1, 2011 – February 29, 2012 inclusive. Traps may not be set, staked, or placed prior to 8:00 AM on opening day. Setting traps within ten (10) feet of a beaver lodge/bank den is prohibited, unless specifically allowed under a nuisance permit. All trappers participating in beaver trapping must first obtain both a Special Permit (no fee) issued by the Division of Fish and Wildlife Field Headquarters as well as a current RI Trapping License. There is a bag limit of twenty (20) beaver.

11.3.2 The trapping season for fisher (*Martes pennanti*) is December 1- 24, 2011, inclusive. All trappers participating in the fisher trapping season must obtain a special permit (no fee) from the Division of Fish and Wildlife, Great Swamp Field Headquarters in addition to their current R.I.

trapping license. The season limit for fisher is four (4) per permit. All fisher pelts must be presented for tagging, in accordance with fisher permit requirements but no later than December 31, 2010. In addition, all fisher carcasses or any part thereof, as determined by the Division, must be turned in to the RI Division of Fish and Wildlife, Great Swamp Field Headquarters. No fisher pelts will be tagged without the submission of the carcass or required parts to Fish and Wildlife. A trapper survey card will be issued to each permittee and must be returned to the Division at the close of fisher season. The Division of Fish and Wildlife reserves the right to alter the number of permits or the number of fisher harvested at any time. All other general trapping regulations apply. All permittees may be subject to administrative penalties of up to \$1,000.00 for violation of any of these regulations pursuant to RIGL Chapter 42-17-6.

11.3.3 There is no closed season for trapping coyotes on private lands.

The trapping season for coyotes on state lands is November 1<sup>st</sup> 2011 to January 31<sup>st</sup> 2012 inclusive. The use of foothold traps (RIGL 20-16-8) or snares (RIGL 20-16-6) is prohibited. All other general trapping regulations apply.

11.4 Body gripping ("Conibear") type traps with a jaw spread up to but not exceeding 6-1/2 inches as measured from hinge to hinge, are permitted on land or in water. Body gripping traps with a jaw spread larger than 6 - 1/2 inches but not exceeding 8 inches are permitted only if the trap is completely submerged in water in a vertical position, or placed at least six (6) feet above the surface of water or ground (i.e., pole or tree sets). All other body-gripping type traps with a jaw spread exceeding 8 inches are prohibited except as provided in 11.4.1 and 11.5.

11.4.1 For the taking of beaver, the use of body-gripping ("Conibear") type traps are with a jaw spread up to but not exceeding 10 inches as measured from hinge to hinge is permitted. Such traps must be set completely submerged underwater and in a vertical position.

11.5 A permit to trap state management area lands is required in addition to a current Rhode Island trapping license, and may be obtained from the Division of Fish and Wildlife Field Headquarters, Great Swamp Management Area, 277 Great Neck Road, West Kingston, RI. The use of body-gripping ("Conibear") type traps or "box" (i.e., live) traps are permitted on state lands as specified. Body-gripping traps, with a jaw spread up to but not exceeding 6 1/2 inches as measured from hinge to hinge are permitted only if such traps are used in sets where all or a portion of the trap is in contact with or submerged in water or placed no less than six (6) feet above the surface of the ground. The use of body gripping traps with a jaw spread exceeding 6-1/2 inches but not more than ten (10) inches are only permitted if such traps are set completely submerged in water in a vertical position.

- 11.6 All traps must have the valid license number of the trapper embedded or cut into the trap, or a metal tag attached to the trap which, as a minimum, bears the trapper's license number as designated in RIGL 20-16-7.
- 11.7 There is no open season on bobcat (*Lynx rufus*) or otter (*Lontra canadensis*).
- 11.8 Possession, at any time, of a pelt or carcass of an otter, fisher, bobcat or beaver that has not been tagged by an approved state or federal agency is prima-facie evidence of illegal taking. Otter or bobcat taken under RIGL 20-16-2, RIGL 20-16-8 or otherwise, shall not be tagged for personal use or ownership and must be presented to the Division of Fish and Wildlife or the Division of Law Enforcement within 24 hours of taking. Beaver and fishers must be tagged in accordance with 11.3.1 and 11.3.2, respectively.
- 11.9 There is no closed season for woodchuck, red squirrel or coyote on private lands. During the firearms seasons for deer, all coyote hunters must possess a valid shotgun or muzzleloader deer permit for their respective seasons. The legal hunting hours for woodchucks and coyotes is one-half hour before sunrise to one-half hour after sunset. The use of electronic calls or decoys for hunting coyotes is permitted. There is no bag limit on woodchuck or coyote. Refer to RIGL 20-13-13 for firearms restrictions.
- 11.9.1 The hunting season for coyotes on state lands shall be from the beginning of dove hunting season in September to the last day in February inclusive and during the open spring turkey hunting season. The hunting season for coyotes on Prudence Island shall be: On state land during archery season with a valid archery permit, during the upland game season on private land, November 1 – November 30, 2011 and on North Prudence Management Area during upland season, January 1 – January 31, 2012.
- 11.9.2 During the spring turkey season, coyote hunters must possess a valid turkey hunting permit while hunting on state lands.
- 11.9.3 Coyote hunters on state lands must wear a minimum of 200 square inches of fluorescent orange during the small game hunting season. During the shotgun deer season, 500 square inches is required.
- 11.9.4 The placement or use of bait or carcasses for purposes of hunting coyotes on state lands is prohibited.
- 11.10 It is unlawful to take or possess a road-killed furbearer (RIGL 20-16-1) unless with possession of a current Rhode Island trapping license and the furbearer is taken during the open season for the species, or as provided for under the provisions of a current Rhode Island Scientific Collector's Permit (RIGL 20-1-18). Exceptions may be granted at the discretion of the Division.

- 11.11 The translocation of protected furbearers (RIGL 20-16-1) is prohibited without prior written approval of the Division of Fish and Wildlife.
- 11.12 The use of “species specific” type traps as described in the definitions section of these regulations is permitted for trapping furbearers on private and state lands. A legal species specific trap is characterized by all of the following:
- 11.12.1 Triggering and restraining mechanisms are enclosed within a housing.
  - 11.12.2 Triggering and restraining mechanisms are only accessible through a single opening when set;
  - 11.12.3 The access opening does not exceed two inches in diameter;
  - 11.12.4 The triggering mechanism can only be activated by a pulling force.
  - 11.12.5 A swivel mounted anchoring system.

## PART XII REPTILES AND AMPHIBIANS

- 12.1 The removal from the wild, for any purposes, of any reptile or amphibian (except bullfrogs, green frogs, and snapping turtles) to include their nests and eggs is prohibited except by special permit. The taking of snapping turtles at any time is limited to the following methods: turtle traps, snagging, snaring, grabbing, jugging, bow and arrow, or while legally fishing. Turtle traps must have a metal tag attached, which, at a minimum, bears the trapper's name and address. Jugs must be marked indelibly with name and address of trapper. The taking of snapping turtles for commercial purposes is prohibited except by special permit.
- 12.2 The following species of reptiles and amphibians to include their nests and eggs are protected and possession without permit is prohibited at all times: Timber rattlesnake, *Crotalus horridus*; northern diamondback terrapin, *Malaclemys terrapin*; wood turtle, *Clemmys insculpta*; eastern box turtle, *Terrapene carolina*; spotted turtle, *Clemmys guttata*; and bog turtle, *Clemmys muhlenbergi*.
- 12.3 The release into the wild of any non-native reptile or amphibian is prohibited.

## **PART XIII MANAGEMENT AREAS**

- 13.1 The possession of a valid Rhode Island hunting, or combination hunting and fishing license, serves as the permit to hunt State Management Areas, and Tidal Lands pursuant to Title 20, Chapter 18, §§ 20-18-2 and 20-18-3 of the RI General Laws.
- 13.2 Permit is valid from the first day of dove season in September through the last day of February, except when check stations are in operation for upland game at the Great Swamp, Carolina, Durfee Hill, and Arcadia; for turkey hunting; when special permits are required for deer hunting; or for waterfowl hunting on state lands. (See current abstract for check station dates). Bow hunters and muzzleloading hunters hunting deer on state management areas do not need to check in or out.
- 13.2.1 In the event of fiscal constraints, check station hours of operation are subject to change. Notification will be provided by signage and news release. In addition, management areas may be closed for pheasant stocking at noon until sunset, Friday, October 14, 2011; Tuesdays and Fridays from October 18, 2011 until November 15, 2011 ; Wednesday, November 23, 2011; and Fridays in December and January until the close of season January 18, 2012.
- 13.3 The carrying of firearms on state management areas at any other time is prohibited except as provided in Management Area Regulations 11.1. On management areas and designated undeveloped parks, the carrying of firearms and bows and arrows at any time, except during the open season for game birds and mammals, and while on shooting ranges, is prohibited. In addition to above, blank guns are permitted for the purpose of dog training in designated areas from January 1 to September 30.
- 13.4 Individuals must check in, and out, of state management hunter check stations each day they are open for upland season. Check station dates will be listed in the current Hunting Season Abstract. See section 9.1 for upland game hours.
- 13.5 Dog training and all hunting, except for bow hunting for deer, and waterfowl hunting, as provided, is prohibited on state land during the period of October 12 - 16, 2011 unless otherwise provided.
- 13.6 From the period April 1 through August 15, annually, the following are prohibited except by special permit: trespassing, disturbing, or molesting of any species of nesting birds on Hope Island in the West Passage, East Island and West Island off Sakonnet Point, or Gould Island in the East Passage. All cats, dogs, and other domestic animals are prohibited at all times upon these Islands, except that hunting dogs may be used during that period set aside by the Department for hunting of game birds and mammals on Hope Island only.

- 13.7 All users of State Management Areas and undeveloped State Parks are required to wear solid daylight fluorescent orange during appropriate seasons; see Part 14.5.6 for details.
- 13.8 The possession and/or use of paint guns on state management areas are prohibited. See RIGL § 32-2-4.
- 13.9 A hunting license is required when training dogs on wild game on state management areas, except when participating in state-sanctioned field trials.
- 13.10 Complete dressing of game birds and mammals on state property is prohibited. Field dressing (removal of entrails only) is permitted. Head, skin, feathers, wings, tails, etc., must remain attached to the carcass.
- 13.11 Dogs on State Management Areas allowed only under the following rules.
  - 13.11.1 No dogs are allowed to be trained, run, exercised, or be permitted to run at large on state management areas from March 15 to August 15, inclusive, without written permission of the Division of Fish and Wildlife except as otherwise provided in these regulations (Sections 13.5 and 13.12).
  - 13.11.2 Walking of dogs on a leash of not more than 25 feet in length is permitted on roads and trails only.
  - 13.11.3 All dogs must be wearing a collar with the name and address of the owner or handler and license tag.
- 13.12 Dog Training Areas—Dog training is allowed on designated areas only, between January 1 and September 30. During this period, dogs may run freely provided they are under the command of the trainer by voice, training collar, or check cord.
  - 13.12.1 Areas designated for training dogs are: the Black Farm Management Area; the Nicholas Farm Management Area north of the Trestle Trail; and the Arcadia Midway Trail Area confined to the developed field complex east of Brook Trail, south of Austin Farm Road and west of the established field edges comprising the Midway fields area. Field trial areas are as depicted on maps drawn by the Division of Fish and Wildlife.
  - 13.12.2 Training hours are sunrise to sunset.
  - 13.12.3 All persons using areas for training must possess a hunting license.

- 13.12.4 All dogs using areas must be licensed and have proof of rabies vaccinations.
  - 13.12.5 Training with live birds (pheasants/quail) is permitted provided the bird is released unharmed and all necessary permits are obtained.
  - 13.12.6 Shooting of live birds for training purposes is prohibited.
  - 13.12.7 Sanctioned field trial events may be held at the following locations by requesting a special permit from the Division of Fish and Wildlife: Arcadia, Carolina, Durfee Hill Marsh, and Burlingame (Durfee) Pond, and Nicholas Farm.
- 13.13 JOHN L. CURRAN STATE PARK/MANAGEMENT AREA:
- 13.13.1 All hunting must be within the inner boundaries of the buffer zones marked as posted by the Department.
  - 13.13.2 Only shotguns and bow & arrows may be possessed or used while hunting.
  - 13.13.3 The hunting of and/or possession of Mourning Dove or Wild Pigeons (Rock Dove) is prohibited.
- 13.14 SIMMONS MILL POND MANAGEMENT AREA: Only archery equipment, bow and arrows, may be possessed or used while hunting deer within the Simmons Mill Pond Management Area in Little Compton. Sunday hunting will be allowed.
- 13.15 DUTCH ISLAND:  
The entry upon Dutch Island is prohibited. No person is allowed to enter onto Dutch Island without the specific written permission of the Director.
- 13.16 SAPOWET and EIGHT ROD FARM MANAGEMENT AREA:  
Sunday hunting will be allowed within the Eight Rod Farm Management Area. No Sunday hunting will be allowed at Sapowet. No shotgun and/or muzzleloader deer hunting on Sapowet.
- 13.17 GEORGE WASHINGTON GROVE: Designated as an undeveloped state park and is open to hunting.
- 13.18 GALILEE BIRD SANCTUARY: Open to archery deer hunting only.
- 13.19 Snake Den State Park: Designated as an undeveloped State Park and is open for Archery Deer Hunting. All hunting must be within the inner boundaries of the buffer zones marked as posted by the Department.

## PART XIV GENERAL

- 14.1 Taking of moose or bear by any method is prohibited except as provided under special permit issued by the Director of the Department of Environmental Management.
- 14.2 The importation, exportation, possession, liberation, rehabilitation or sale, offer for sale, barter, or offer for barter of **mute swans and their eggs** is prohibited, except by special permit issued by the Director of the Department of Environmental Management or his/her designee.
- 14.3 The importation, exportation, possession, liberation, or sale, offer for sale, barter, or offer for barter of any live or pen-reared **wild turkey** or eggs of a wild turkey is prohibited. The possession of any dead untagged wild turkey is prohibited.
- 14.4 There is no closed season for monk parakeets or rock doves (wild pigeons).
- 14.5 Fluorescent Orange Requirement: Fluorescent orange safety clothing is required during the hunting season statewide for all hunters. To meet this requirement, safety clothing must be solid daylight fluorescent orange. Fluorescent camouflage does not meet this requirement. The hunter orange must be worn above the waist and be visible in all directions. Examples that meet the orange requirements are a hat that covers 200 square inches or combination of hat and vest covering 500 square inches. The following orange requirements apply:
- 14.5.1 Two hundred (200) square inches by small game hunters during the small game season.
- 14.5.2 Two hundred (200) square inches by fall turkey hunters while traveling.
- 14.5.3 Two hundred (200) square inches by muzzleloaders during muzzleloading deer season.
- 14.5.4 Two hundred (200) square inches by archers when traveling to/from stands during muzzleloading deer season.
- 14.5.5 Five hundred (500) square inches by all hunters and other users (including archers) during shotgun deer seasons.
- 14.5.6 **Exempt from fluorescent orange requirements are:**
- waterfowl hunters hunting from a boat or a blind, over water or field, when done in conjunction with decoys.
  - archery deer hunters (except during muzzleloader and shotgun deer season).
  - hunters crow hunting over decoys.

- spring turkey hunters and
- first segment dove hunters.
- not required in areas limited to Archery only by regulation.

- 14.5.7 All other users of State Management areas and undeveloped State Parks, 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 third Saturday in October to the last day of February, and the last Thursday in April to the last day in May, annually.
- 14.6 All dogs being utilized in hunting activities must wear a collar with a valid license tag, and the name and address of the owner or handler.
- 14.7 Waterfowl hunting is permitted no more than 10 feet above mean high water on Prudence Island, except during the early waterfowl season, as established by federal regulation and during November 1 - 30.
- 14.8 Shooting at any animal at any time, while such animal is on a telephone line, pole, or tower, or electric line, pole, or tower, or any communication device is prohibited.
- 14.9 A muzzleloader,,not to exceed .40 caliber with round ball and patch only, may be used to hunt small mammals during the established seasons for these species.
- 14.10 Air gun rifles are permitted to hunt the following small mammals: gray squirrels, red squirrels, woodchucks, cottontail rabbits, and snowshoe hare provided that the air guns are a minimum of .177 caliber and not larger than .22; a minimum of 750 FPS velocity with pellets 7.5 grain or larger.
- 14.11 The use or possession of laser sights that project a beam or night- vision equipment while hunting is prohibited. During the period September 15, 2010 through January 31, 2011, casting of rays of artificial lights, including spotlights, headlights, or other artificial light, at any time, on any highway or roadway, whether public or private or on any field, woodland, residential property or forest, on any building or farm animal, for the purpose of spotting, locating or attempting to spot or locate any wild animal or wild bird is prohibited.
- 14.12 It is prohibited to import or possess game birds for the purpose of liberation or stocking of said game birds into the State of Rhode Island without first having received a permit to do so from the Division of Fish and Wildlife. Persons holding a commercial game license or shooting preserve license may liberate game birds or mammals in connection with field trials and shooting preserves (see RIGL 20-2-16.1, 20-2-29, and 20-17-1).

- 14.13 Feeding and baiting wildlife in Rhode Island: feeding wild waterfowl, wild turkey or wild cervids, black bear and coyote is not permitted any time in the state of Rhode Island except:
- 14.13.1 Under a license or permit issued by the Department pursuant to RI General Laws §20-1-18 for bona fide scientific research;
  - 14.13.2 By planting, cultivating, or harvesting of crops directly associated with bona fide agricultural practices, including planted wildlife food plots;
  - 14.13.3 By distribution of food material for livestock directly associated with bona fide agricultural practices; by distribution of food material for legally possessed captive wildlife, pursuant to a permit;
  - 14.13.4 By cutting of trees or brush; or
  - 14.13.5 Elevated bird/squirrel feeders providing seed, grain, fruit, worms or suet for birds or squirrels located within 100 feet of an occupied dwelling.
  - 14.13.6 Baiting coyotes on private land for purposes of hunting.
  - 14.13.7 The leaving out of food of any kind where accessible to wildlife is prohibited.
- 14.15 Distribution of Certain Food Material – Feeding wild or captive cervids with any material that contains protein derived from any mammalian tissues is prohibited.

## **RULE 8 EFFECTIVE DATE**

The foregoing Rules and Regulations - Hunting Regulations after due notice, are hereby adopted and filed with the Secretary of State to become effective 20 days after filing, in accordance with the provisions of Chapter 20-1-2 20-1-4, 20-1-8, 20-1-12, 20-1-13, 20 -18, and 42-35 of the General Laws of Rhode Island of 1956, as amended.

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Janet Coit, Director  
Rhode Island Department of Environmental Management

Notice Given:  
Public Hearing:

Filing Date:  
Effective Date:

*State of Rhode Island and Providence Plantations*  
*Department of Administration*  
*Budget Office*

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

**Name of Administrative Rule:**

State of Rhode Island

Department of Environmental Management

(1.) Proposed adoption of the RI Hunting Regulations - 2011-2012 Season

(2.) Proposed adoption of the RI Freshwater and Anadromous Fishing Regulations - 2012-2013 Season.

**Date of Notice:** April 15, 2011

**Date of Hearing:** June 1, 2011

These regulations are authorized pursuant to R.I. Gen. Laws Chapters 42-17.1, 42-17.6, 20-1, 20-15, and 20-18 as amended, and have been promulgated pursuant to the procedures set forth in the R.I. Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.

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**FISCAL IMPACT**

<i>Revenues</i>		<i>State Expenditures</i>		<i>City/Town Expenditures</i>	
FY 2011	\$ 0	FY 2011	\$ 0	FY 2011	\$ 0
FY 2012	\$ 0	FY 2012	\$ 0	FY 2012	\$ 0
FY 2013	\$ 0	FY 2013	\$ 0	FY 2013	\$ 0

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**Summary of Policy Change:** The proposed regulations will establish seasons, bag limits, size limits, possession limits, and methods of taking on any species of fish, game, bird, or other wild animal occurring within the state other than marine species that the Department regulates in consultation with the Rhode Island Marine Fisheries Council.

**Summary of Fiscal Impact:** There will be no deleterious fiscal effects at the state level due to the amendment of these regulations.

**City or Town Impact:** There will be no adverse financial impact at the municipal level due to the amendment of these regulations.

Approved:

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Rosemary Booth Gallogly  
Executive Director/State Budget Officer



**RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

April 15, 2011

TO: Peter Dennehy, RI Department of Administration  
Sherri Lynn Carrera, RI Economic Development Corporation  
Rita Menard, Office of the Governor  
T.Leveilee, RI Budget Office

FROM: Gary Powers, Deputy Chief, Legal Services  
Department of Environmental Management

SUBJECT: **Economic Impact and Regulatory Flexibility**

**Relevant Regulations Affected:**

- 1. Freshwater and Anadromous Fishing Regulations for the 2012-2013 Season**
- 2. Hunting Regulations for the 2011-2012 Season**

**Authority:**

Freshwater and Anadromous Fishing Regulations : These regulations are adopted pursuant to RIGL Sections 20-1-2; 20-1-4, 20-1-8; 20-1-12 and 20-1-13, as well as Chapters 42-17.1 and 42-17.6, in accordance with the requirements of Chapter 42-35, Administrative Procedures Act of the General Laws of 1956, as amended.

Hunting Regulations: These regulations are adopted pursuant to RIGL Sections 20-1-2; 20-1-4; 20-1-8; 20-15-1; 20-1-12 and 20-1-13; and Chapters 20-15, 20-18 and 42-17.1, in accordance with Chapter 42-35, Administrative Procedures Act, of the Rhode Island General Laws of 1956, as amended.

**Summary of Proposed Regulation Changes:**

The Freshwater and Anadromous Fishing Regulations and the Hunting Regulations are required pursuant to RIGL §20-1-13 to remain in effect for no longer than one year following their effective date. As such, the Department is required to promulgate these regulations annually. Regulation changes pertain to calendar date changes, fishing access additions, hunting season and bag limits.

Where to find the specific language changes: Drafts [www.dem.ri.gov](http://www.dem.ri.gov)

1. Freshwater and Anadromous Fishing Regulations for the 2012-2013 Season – Newly Adopted
2. Hunting Regulations for the 2011-2012 Season – Newly Adopted
- 3.

**Economic Impact:**

Per RIGL §42-35.1-3, the Department has determined the following:

1. Each of the proposed regulations governs recreational sporting activities. The Department believes that none of its proposed rule making has a potential for causing a direct financial impact upon either small business or any municipality.
2. There are no anticipated reporting, recordkeeping, or other administrative costs required for compliance with the proposed rules.
3. DEM has not identified a less intrusive or less costly alternative method to achieve the requirements mandated upon the Department to regulate the natural resources of this State.

**Regulatory Flexibility:**

Per RIGL §42-35.1-4, the Department has determined the following:

DEM has considered, without limitation, each of the following methods of reducing the impact of the proposed regulation on small businesses and determined that there is no alternative approach that would be as effective and less burdensome, given the requirements of upon the Department to regulate the natural resources of this State:

- 1) The establishment of less stringent compliance or reporting requirements for small businesses;
- 2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- 3) The consolidation or simplification of compliance or reporting requirements for small businesses;
- 4) The establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and
- 5) The exemption of small businesses from all or any part of the requirements contained in the proposed regulation expired prior to June 30, 2011.

If you have any questions or comments on the proposed Rules, please contact one of the following:

Christine Dudley  
[Christine.Dudley@DEM.RI.gov](mailto:Christine.Dudley@DEM.RI.gov)  
401-789-7481

Gary Powers, Deputy Chief Legal Counsel  
[Gary.Powers@dem.ri.gov](mailto:Gary.Powers@dem.ri.gov)  
401-222-4700 Ext 2308

April 15, 2011

**NOTIFICATION FORM  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
DIVISION OF FISH AND WILDLIFE  
SMALL BUSINESS REGULATORY IMPACT AND REGULATORY  
FLEXIBILITY ANALYSIS**

**Title of Regulation:** RHODE ISLAND FISH AND WILDLIFE FRESHWATER AND ANADROMOUS FISHING REGULATIONS FOR THE 2012-2013 SEASON

RHODE ISLAND FISH AND WILDLIFE HUNTING REGULATIONS FOR THE 2011-2012 SEASON

**Statutory Authority:** RIGL Chapter 31.1 SMALL BUSINESS REGULATORY FAIRNESS IN ADMINISTRATIVE PROCEDURES

**The Regulation:**

The proposed rule making serves to satisfy the obligation imposed upon the Department pursuant to RIGL Section 20-1-13 to re-promulgate on an annual basis the regulations governing the seasons, bag limits, size limits, possession limits, and methods of taking on any species of fish, game, bird, or other wild animal occurring within the state other than the marine species that the Department regulates in consultation with the Rhode Island Marine Fisheries Council. The bulk of the changes have been suggested to last year's regulations are merely modifying dates for the prescribed seasons to reflect calendar variations. Among the other changes proposed in the Hunting Regulations, the Department has proposed the creation of an additional means to satisfy the requirement to report each time a deer is taken. Specifically, the proposed regulations would afford hunters the option of submitting a reporting form provided by the Department. In addition, pursuant to the proposed Fishing Regulations, the Department would establish a creel and daily possession limit of 50 American eels with a minimum size of six (6) inches in freshwater. Also, the Fishing Regulations as proposed would adopt a creel and possession limit for Walleye caught in Beach Pond in the amount of two (2) fish per day with a minimum size of eighteen (18) inches in length.

**Expected Small Business Impact:**

There will be no deleterious effects on small businesses. The proposed regulations will, if anything, improve the financial climate for small businesses that might service recreational users by increasing the demand by recreational participants for needed goods and services.

**Regulatory Flexibility Analysis:**

The Department has determined that no small businesses will be adversely impacted by the proposed regulations.