

**RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE

Pursuant to the provisions of Chapters 42-17.1 and 20-3 of the General Laws of Rhode Island as amended, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Director of the Department of Environmental Management (DEM) proposes amendments to the Rhode Island Marine Fisheries Regulations and gives notice of intent to hold a public hearing to afford interested parties the opportunity for public comment.

Public comment will be solicited on the following proposals:

1. Proposal to continue/expand/modify the summer flounder sector allocation program in 2010
2. Proposed changes to the Recreational Summer Flounder Management Plan
3. Proposed changes to the Recreational Scup Management Plan
4. Proposed changes to the Commercial Floating Fish Trap Scup Management Plan
5. Proposed changes to the Commercial Tautog Management Plan
6. Proposed changes to the Recreational Tautog Management Plan
7. Proposed changes to the Recreational Black Sea Bass Management Plan
8. Proposed changes to the Narragansett Bay Menhaden Management Plan
9. Proposed changes to the General Category Commercial Striped Bass Management Plan
10. Proposed changes to the Floating Fish Trap Commercial Striped Bass Management Plan
11. Proposed changes to the Recreational Striped Bass Management Plan
12. Proposed changes to the Winter Flounder Management Plan
13. Proposed changes to the Weakfish Management Plan

The public hearing will commence at 6:00 PM on Tuesday, February 23, 2010 in the University of Rhode Island Graduate School of Oceanography, Corless Auditorium, South Ferry Road, Narragansett, RI 02882. The hearing room is handicap accessible. A taped record of the hearing will be made and the DEM will provide interpreter services for the hearing impaired, provided such services are requested 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 or TDD (401) 831-5508. Written comments concerning the regulations proposed for promulgation by the DEM may also be submitted to the Division of Fish and Wildlife, 3 Fort Wetherill Road, Jamestown, RI 02835 no later than 12:00 p.m. on February 23, 2010.

The Department has determined that small businesses may be adversely impacted by the proposed regulations. 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 be adversely affected. Small businesses which are either currently licensed or in the future may seek permission to harvest, buy, sell, or produce seafood products as well as the small businesses that provide services related to those engaged in such industries and small businesses which buy, sell, or produce products or provide services related to fishing 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.

A copy of the proposed regulations will be available for examination from January 22 through February 23, 2010 by mail or at the offices of the Division of Fish and Wildlife located at 4808 Tower Hill Road, Wakefield, RI 02879 and at 3 Fort Wetherill Road, Jamestown, RI 02835. Electronic copies of the proposed regulations will also be available on the DEM website at the following address:

<http://www.dem.ri.gov/topics/mftopics.htm>

W. Michael Sullivan, PhD
Director
Department of Environmental Management

Table of Public Hearing Items
Included in Part XVII - **Maps**

Public Hearing Item 12 – Proposed changes to the Winter Flounder Management

Plan: (page 10)

[Map #8 is obsolete and will be deleted]



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

BUREAU OF NATURAL RESOURCES
FISH AND WILDLIFE
&
LAW ENFORCEMENT

RHODE ISLAND MARINE FISHERIES STATUTES AND REGULATIONS

Part XVII **Maps**



~~January 5, 2010~~

Annotated 1/21/2010

AUTHORITY: These regulations are adopted pursuant to Chapters 42-17.1, 42-17.6, 20-1-2, 201-4, 20-3-2 thru 20-3-6, 20-4 thru 20-10, and in accordance with 42-35, of the Rhode Island General Laws of 1956, as amended.

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STATUTES AND REGULATIONS**

PURPOSE

The purpose of these rules and regulations is to supplement and simplify and/or clarify existing regulations in order to more efficiently manage the marine resources of Rhode Island.

AUTHORITY

These rules and regulations are promulgated pursuant to Chapter 42.17.1, 42-17.6, 20-1-2, 20-1-4, 20-3-2 thru 20-3-6, 20-4 thru 20-10 and in accordance with Chapter 42-35, Administrative Procedures, of the General Laws of 1956, as amended.

ADMINISTRATIVE FINDINGS

Rules and regulations are based upon the need to modify existing regulations (RIGL 20-3-2 through 20-3-6).

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.

DEFINITIONS

See Rhode Island Marine Statutes and Regulations, Part I, '1.3.

SEVERABILITY

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

SUPERSEDED RULES AND REGULATIONS (#1854)

On the effective date of these rules and regulations, all previous rules and regulations, and any policies regarding the administration and enforcement of Part XVII shall be superseded (#1854). 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 8. EFFECTIVE DATE

The foregoing rules and regulations Rhode Island Marine Statutes and Regulations, after due notice, are hereby adopted and filed with the Secretary of State this ~~5th-~~ **day of January, 2005** to become effective 20 days from filing, unless otherwise indicated, in accordance with the provisions of Chapters 20-1-2, 20-1-4, 20-3-2 through 20-3-6, 20-4 through 20-10, 42-35, 42-17.1, 42-17.6 of the General Laws of Rhode Island of 1956, as amended.

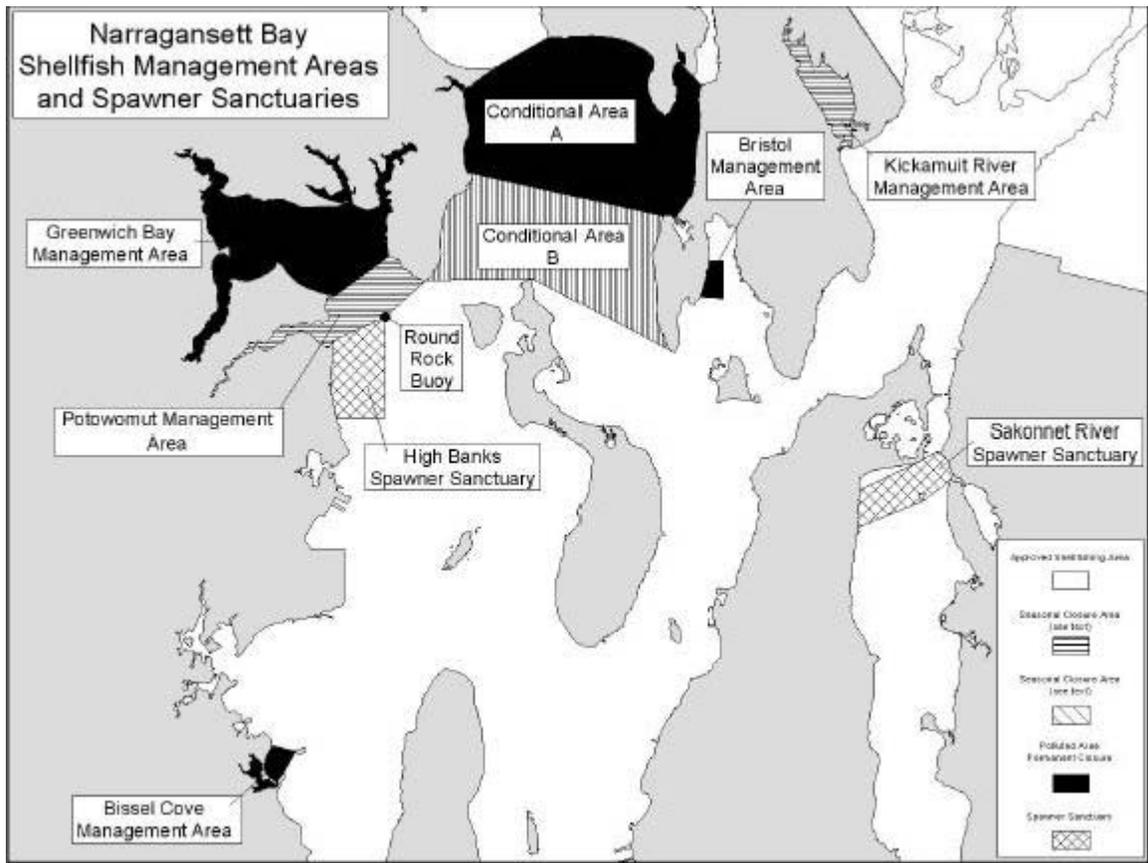
~~Frederick Vincent~~, **W. Michael Sullivan, PhD**
Director, **Department of Environmental Management**

Notice Given:
Public Hearing:

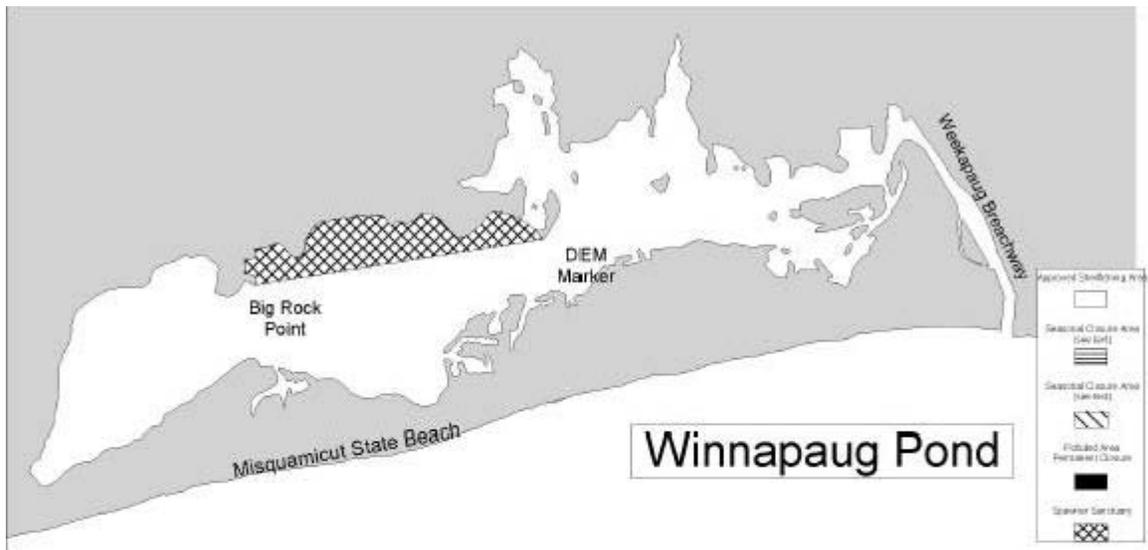
Filing date:
Effective date:

**R.I. Marine Fisheries Statutes and Regulations
PART XVII – MAPS**

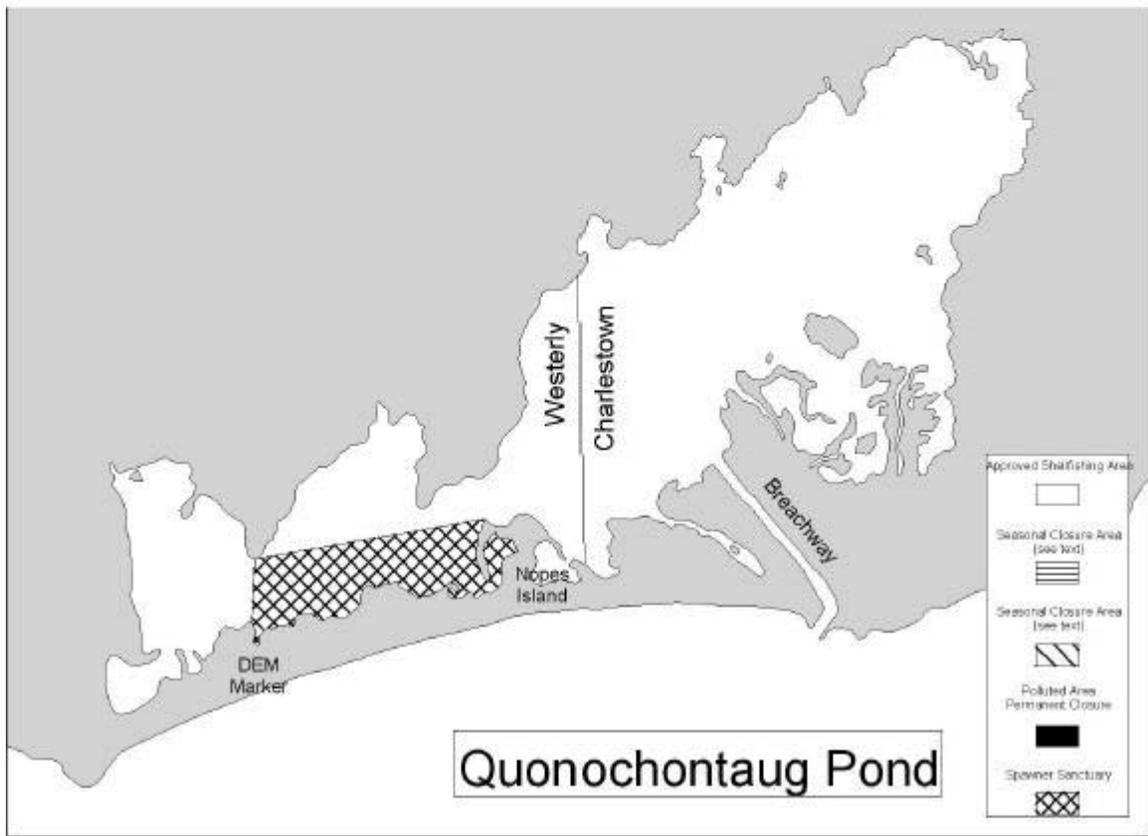
<u>AREA</u>	<u>MAP NO.</u>
Narragansett Bay Shellfish Management Areas and Spawner Sanctuaries	1
Winnapaug Pond	2
Quonochontaug Pond	3
Great Salt Pond – Block Island	4
Ninigret and Green Hill Ponds	5
Narragansett Bay Floating Fish Trap Locations	6a and 6b
Narragansett Bay Trawling Area	7
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R.I. Shellfish Management Areas	<u>8</u> 9
Narragansett Bay Menhaden Management Area	<u>9</u> 10



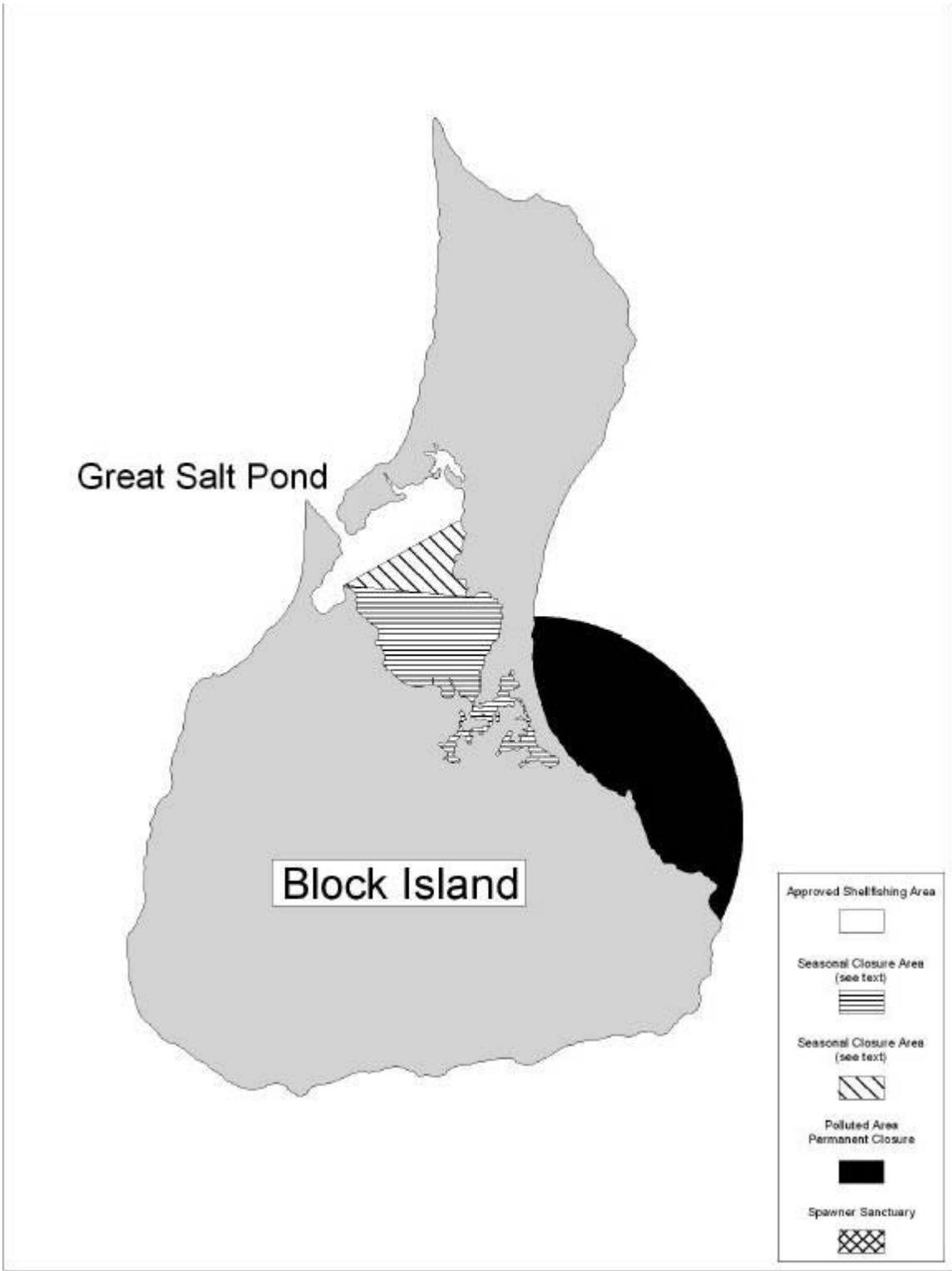
Map #1



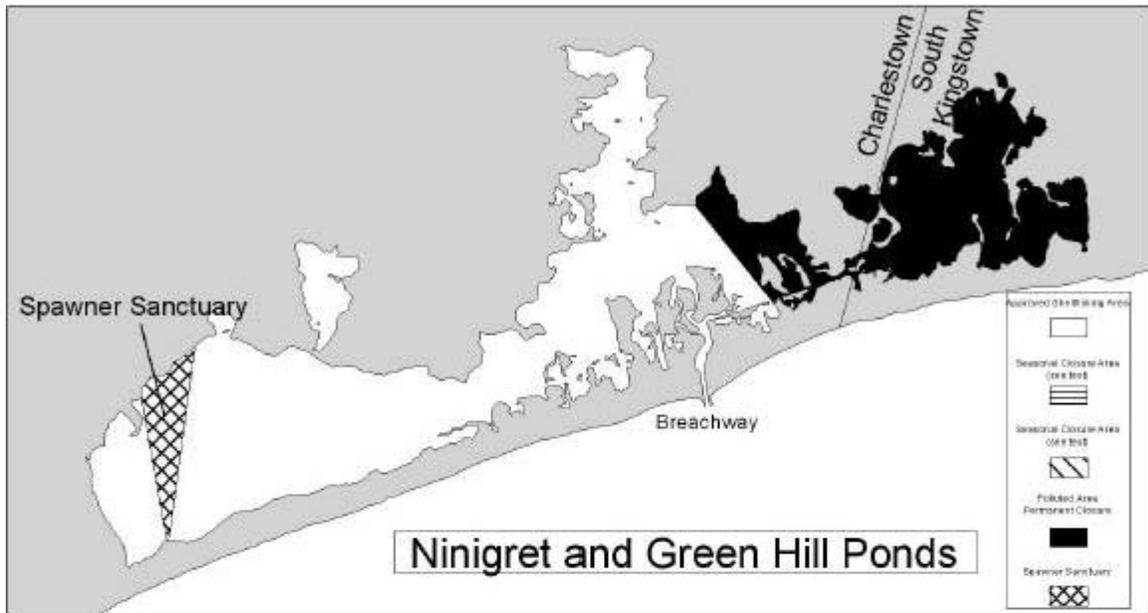
Map #2



Map #3

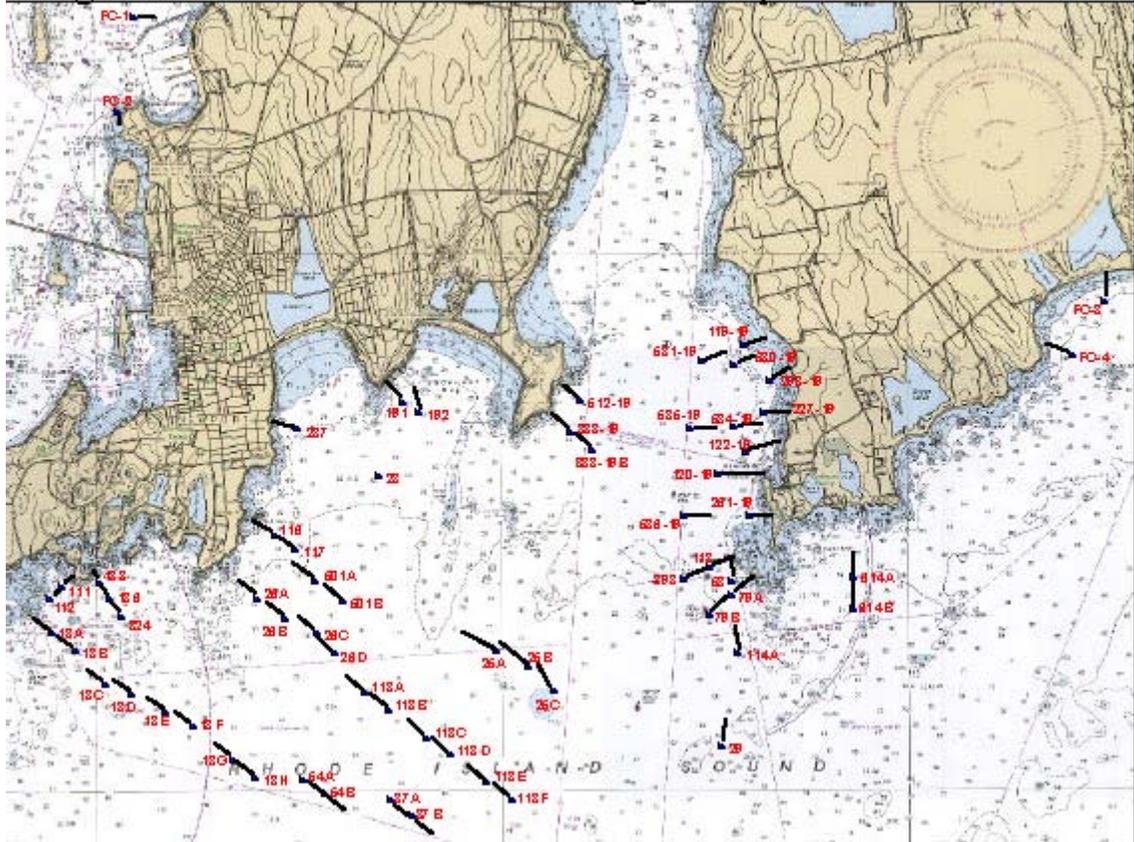


Map #4



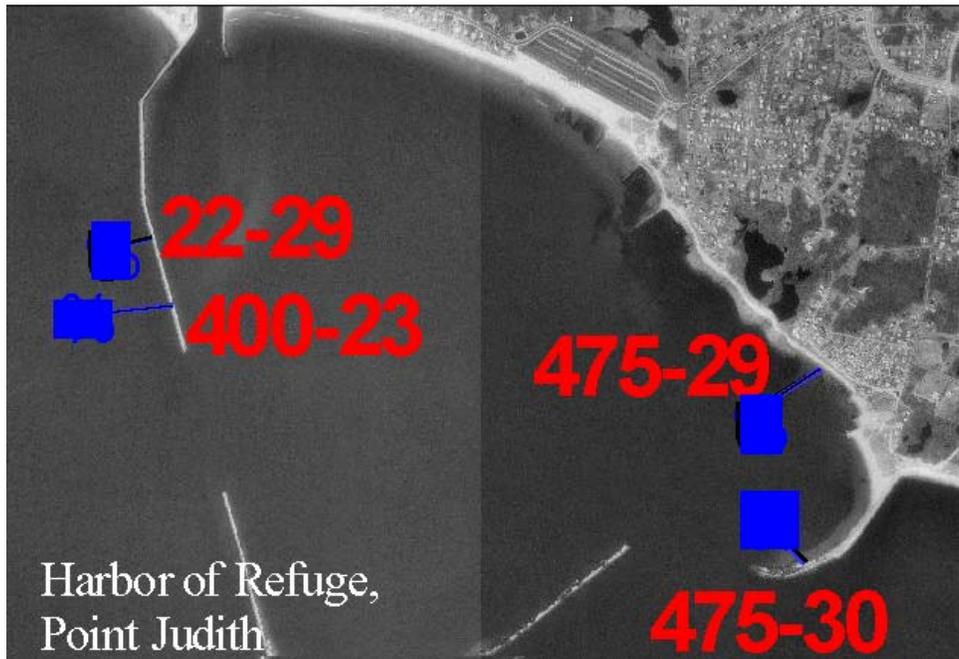
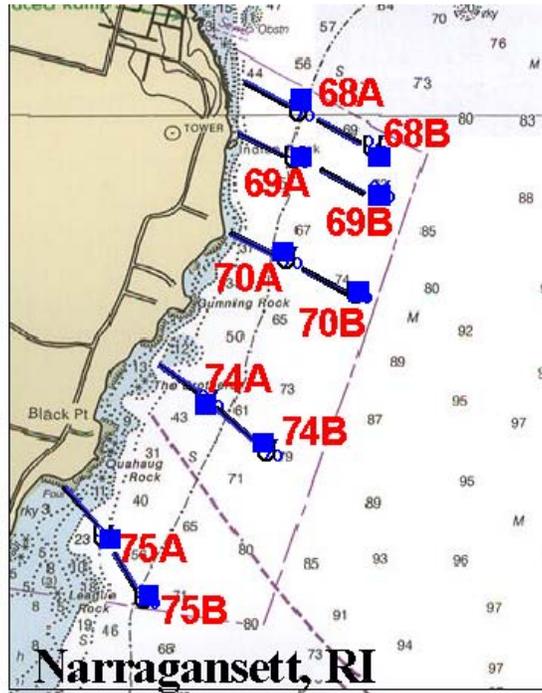
Map #5

Designated sites in Rhode Island for floating fish traps

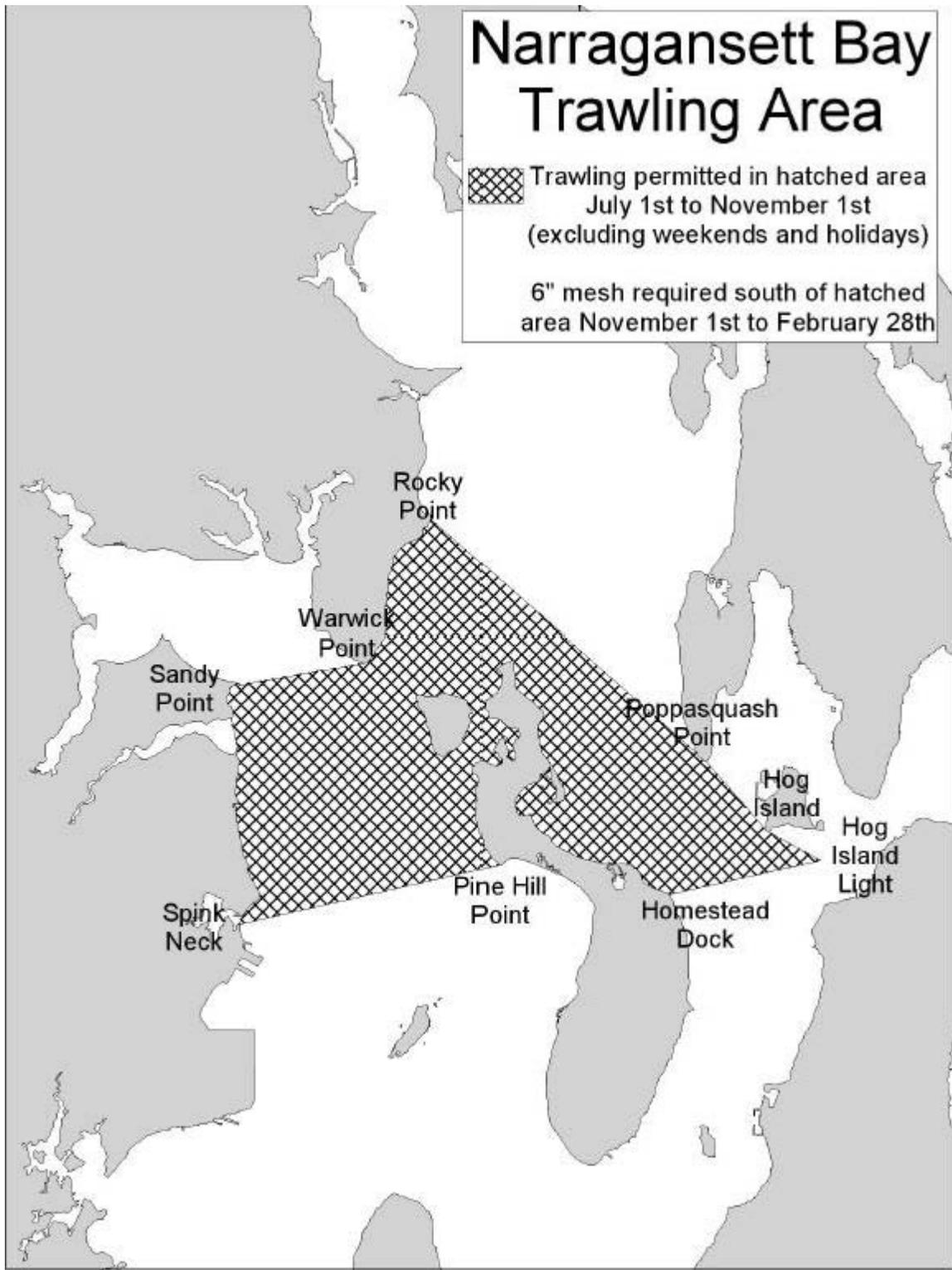


Map #6a

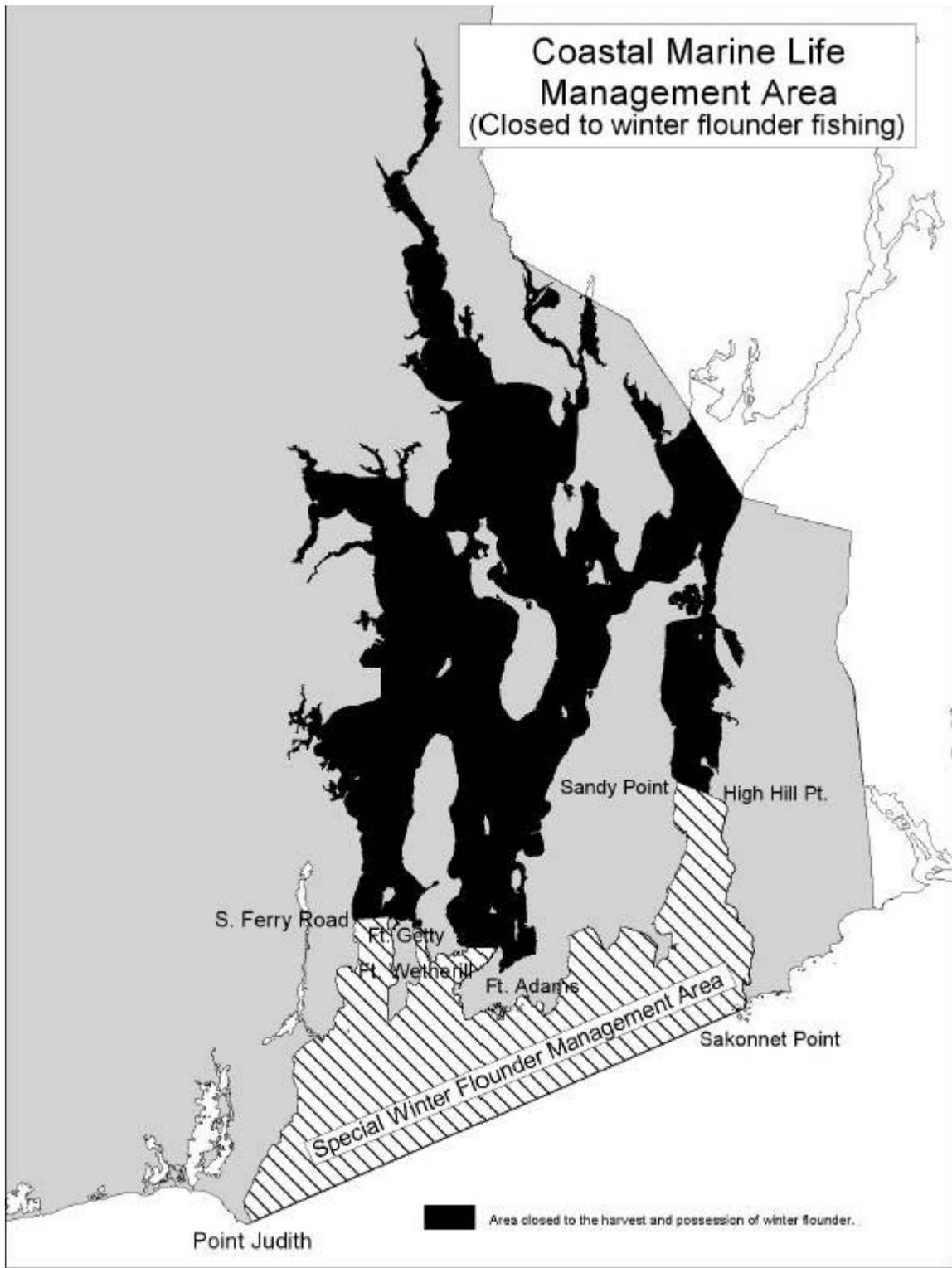
Designated sites in Rhode Island for floating fish traps



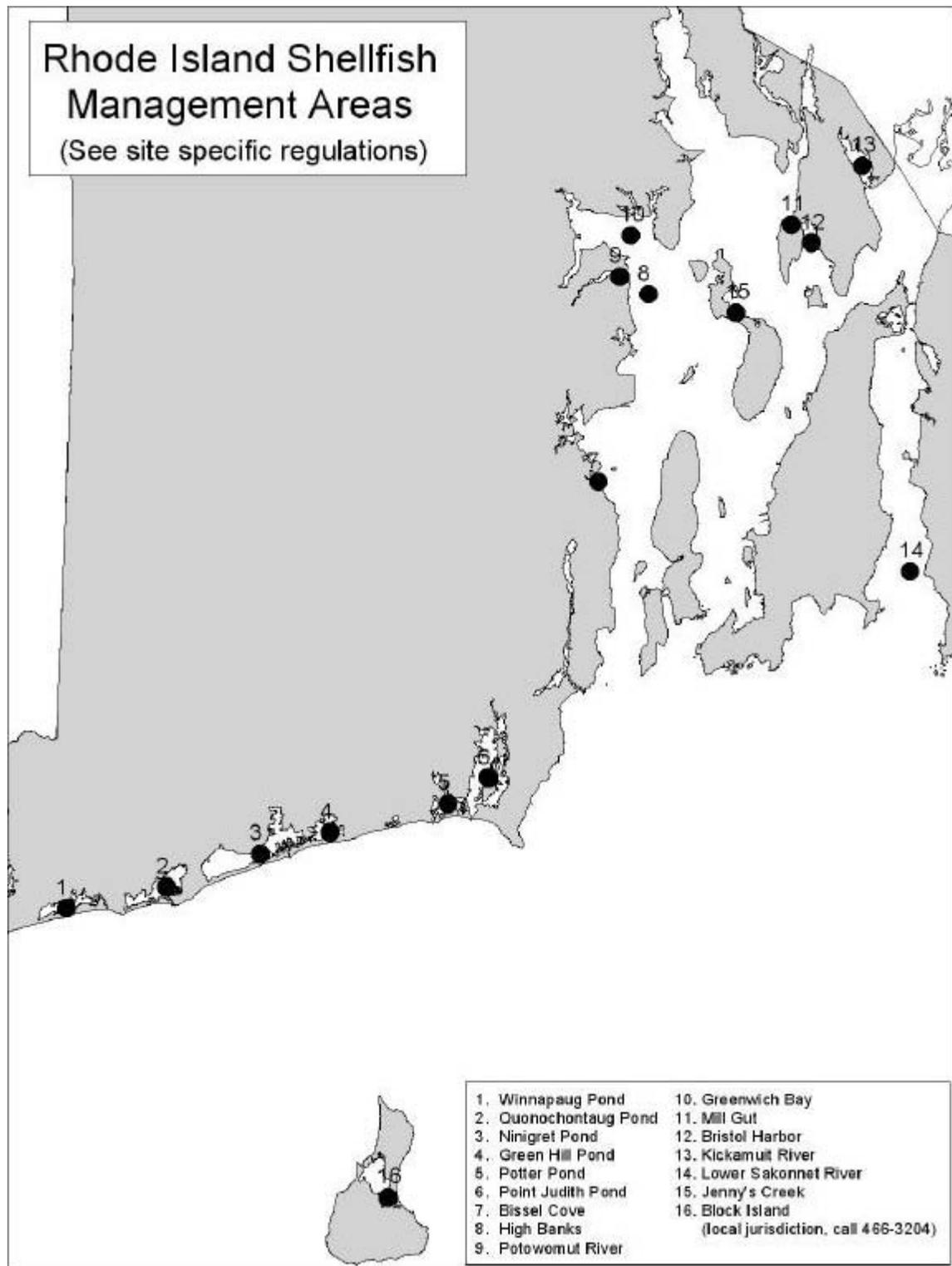
Map #6b



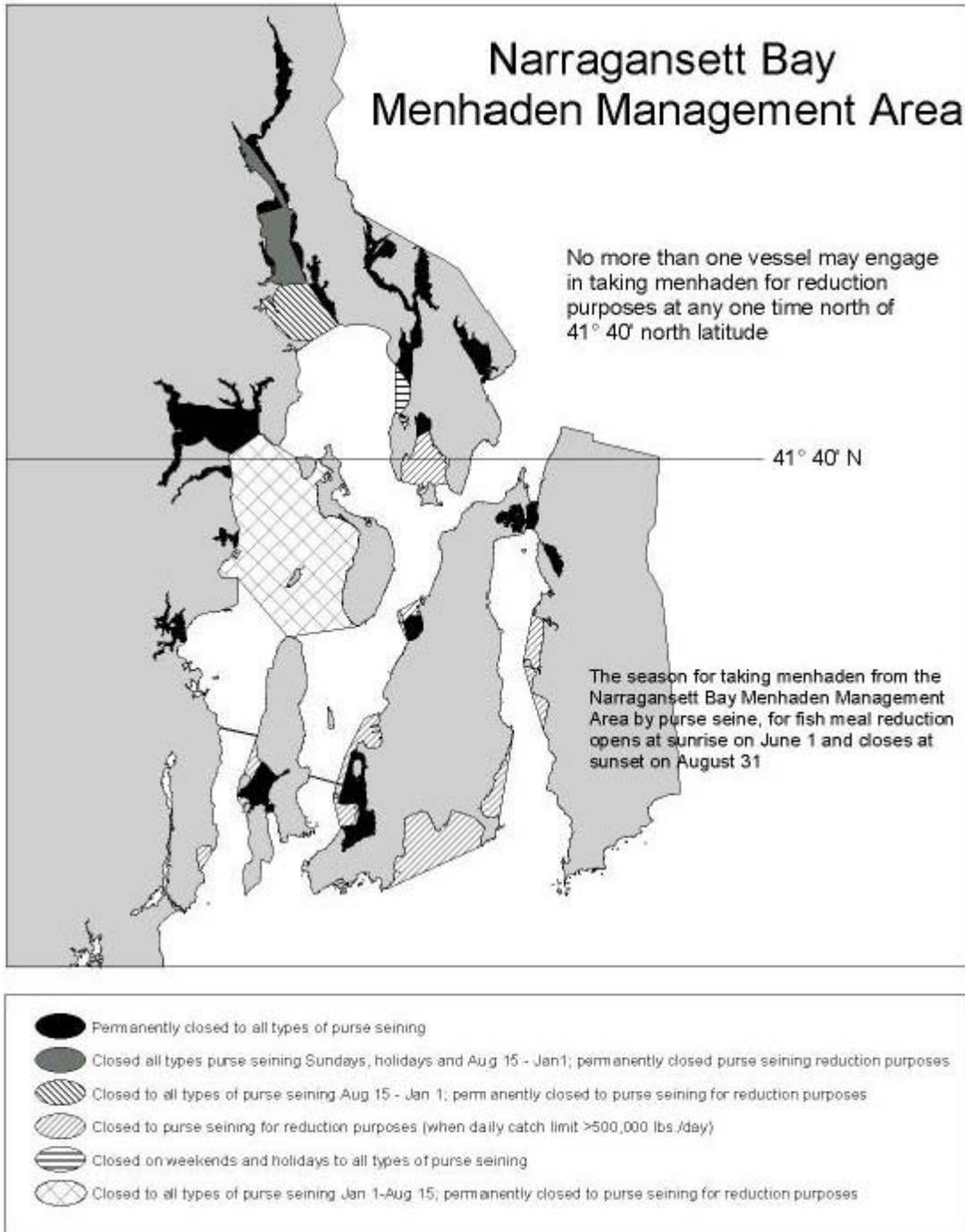
Map #7



Map #8 [This map is obsolete and will be deleted]



Map #9 8



Map # ~~40~~ 9