STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
DEPARTMENT OF ENVIRONMENT MANAGEMENT

# RI HUNTING REGULATIONS FOR THE WATERFOWL SEASON 2005 - 2006

**September 16, 2005**

**AUTHORITY:** These regulations are adopted pursuant to Chapters 42-17.2 “DEM”; Sections 20-1-4; 20-1-12; 20-1-13; 20-2-35; 20-2-37; in accordance with Chapter 42-35, Administrative Procedures, of the Rhode Island General Laws of 1956, as amended.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

FISH AND WILDLIFE
RULES AND REGULATIONS FOR

# RI Waterfowl Regulations for the 2005-2006 Season

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

FISH AND WILDLIFE
RULES AND REGULATIONS FOR

# R.I. Waterfowl Season
# 2005-2006

**RULE 1 PURPOSE**
The purpose of these rules and regulations is to establish waterfowl hunting seasons, the setting of possession and bag limits, and regulation of the manner of hunting.

**RULE 2 AUTHORITY**
These rules and regulations are promulgated pursuant to Chapter 42-17.1, Environmental Management, and Sections 20-1-4; 20-1-12; 20-1-13; 20-2-35; 20-2-37; and in accordance with 42-35, Administrative Procedures, 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**RULE 5 SUPERSEDED RULES AND REGULATIONS (SOS #2617)**
On the effective date of these Rules and Regulations, all previous Rules and Regulations, and any policies regarding the administration and enforcement of RIGL Sections 20-1-4, 20-1-12, 20-1-13, and in accordance with Chapter 42-35 Administrative Procedures Act shall be superseded **(SOS # 2617).** However, any enforcement action taken by, or application submitted to, the Department prior to the effective date of these Rules and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:
**"coastal waters"** mean high tide

**RULE 7 REGULATIONS**
As follows:

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

FISH AND WILDLIFE
RULES AND REGULATIONS FOR

# RI Waterfowl Season
# 2005-2006

Rules and Regulations: Seasons and bag limits for the taking of migratory waterfowl, the methods of taking, and regulations for waterfowl hunting statewide and within certain state management areas and cooperative private land units, 2005 - 2006. All proposed seasons and bag limits are subject to change(s) in accordance with federal seasons and framework alternatives.

The 2005 - 2006 waterfowl season for ducks will be 60 days in length with a six (6) bird bag limit -- possession limit is twice the daily bag limit or twelve (12).

## 1. SEA DUCKS

The season for sea ducks (scoter, eiders, long-tailed duck) shall be October 8, 2005 – January 22, 2006, inclusive. Except for the periods October 8 – 10; November 23 – 27; and December 3, 2005 – January 22, 2006 may be taken only in the Special Sea Duck Hunting Areas. These areas are seaward of the first upstream bridge, which includes Washington Bridge in the Seekonk River; Mt. Hope Bridge in Mt. Hope Bay; and Sakonnet Bridge in the Sakonnet River. Sea ducks taken in areas outside of these areas during the regular duck season will be considered as part of the regular daily six (6) bird bag limit.

## 2. DUCKS, COOTS, MERGANSERS

The season for ducks, coots, and mergansers shall be
October 7 – 10, 2005, inclusive, November 23 - 27, 2005; and December 3, 2005 – January 22, 2006, inclusive.

The season length for Canvasbacks shall consist of thirty (30) days from December 24, 2005 – January 22, 2006.

Harlequin Ducks shall be closed.

## 3. DAILY BAG & POSSESSION LIMITS

A. **SEA DUCKS** - The daily bag limit shall be seven (7), only four (4) of which may be scoters, eiders, or long-tailed ducks, the possession limit is fourteen (14), only eight (8) of which may be scoters, eiders, or long-tailed ducks.

B. **DUCKS** - The daily bag limit shall be six (6) including no more than four (4) mallards of which two (2) may be a hen mallard, two (2) wood ducks, two (2) redheads, one (1) black duck, one (1) pintail, one (1) canvasback, two (2) scaup.

The possession limit is twice the daily bag limit.

C. **HARLEQUIN DUCKS** - The season is closed on harlequin ducks.

D. **COOTS** - The daily bag and possession limit on coots are 15 and 30, respectively.

E. **MERGANSERS** - The daily bag limit on mergansers is five (5), only one (1) of which may be a hooded merganser. The possession limit is ten (10), only two (2) of which may be a hooded merganser. Five (5) mergansers may be taken in addition to the regular duck bag of six (6) ducks.

## 4. CANADA GEESE & SNOW GEESE

A. Canada Geese - Regular Season - Sixty (60) days with two-bird bag limit and a four-bird possession. November 19 – 27, 2005 and December 3, 2005 - January 22, 2006. Special permits and reservations required for South Shore Management Field.

Experimental Late season - January 27 – February 12, 2005. Seventeen (17) days with five (5)-bird bag limit and ten (10) birds in possession. Limited to Providence and Kent Counties and portions of Exeter and North Kingstown as depicted on a map created by the Division of Fish and Wildlife. Special permit required, obtainable at Division of Fish and Wildlife, Great Swamp.

B. Snow Geese including blue geese - the daily bag limit shall be fifteen (15) birds for the season. October 8, 2004 – January 22, 2005. No possession limit.

## 5. BRANT

The season for brant shall be thirty (30) days December 24, 2004 – January 22, 2005, inclusive. The daily bag limit shall be two (2) and the possession limit shall be four (4).

## 6. SWANS

No season.

## 7. SHOOTING HOURS

Shooting hours for all species are one-half hour before sunrise to sunset daily.

## 8. NON-TOXIC SHOT REQUIREMENTS (STEEL SHOT, BISMUTH SHOT, and TUNGSTEN) REGULATIONS

No person shall take or attempt to take waterfowl within the State of Rhode Island, including Narragansett Bay and all its coastal waters, to the three-mile limit, while possessing shells loaded with any shot other than steel, bismuth-tin, or tungsten-iron, tungsten-polymer, tungsten-matrix, tungsten-nickel-iron shot and other non-toxic shot types as approved by the United States Fish and Wildlife Service (USFWS). Steel, bismuth, or tungsten shot larger than BB is prohibited, including duplex loads containing shot larger than BB. Tin shot is prohibited.

## 9. CLOSED AREAS

A. Providence, East Providence, Pawtucket - That portion of the Seekonk River north of the railroad bridge (a.k.a. Red Bridge) to a line across the Seekonk River running between the intersection of Gulf Road and River Drive (Providence side) to the southerly abutment of the railroad bridge at the outlet of Omega Pond (East Providence side), shall be closed to waterfowl hunting. The discharge of firearms while waterfowl hunting on the Seekonk River is restricted to discharge toward open water (seaward).

B. Warwick - Brush Neck Cove, so-called in its entirety. Mill Cove, so-called, in its entirety, including the beach front. Buttonwoods Cove, so-called, in its entirety.

C. North Kingstown - Mill Cove, Wickford so called, in its entirety. Fishing Cove, Wickford, area west of a line to be determined bisecting Cornelius Island. All discharge of firearms while waterfowl hunting is restricted to discharge in an easterly direction from the above line. The line of demarcation will be established by the Division of Fish and Wildlife.

D. Charlestown - Watchaug Pond and Poquiant Brook, or hunting within 100 yards upland of the shore or bank of same.

E. Tiverton - That unnamed estuary in Tiverton, north of Seapowet Avenue and east of Jack's Island, bounded on the west, south, and east shore by the R.I. Audubon Society's Emile Ruecker Wildlife Refuge, and as posted by R.I. Audubon and Department of Environmental Management signs. The effected area includes the inlet of this estuary and marshland on the north side of this outlet.

F. Middletown – Sachuest Point (NWR) shoreline below mean high water to mean low water surrounding the National Wildlife Refuge property is closed to all hunting. No hunting along shoreline.

G. Lincoln/Cumberland – The area closed is described as the Blackstone River south of the Martin Street Bridge to a line running across the river at Redwing Avenue, Cumberland.

## 10. ADDITIONAL RESTRICTIONS

A. Barrington - The Barrington River between Central Bridge at Massasoit Avenue and Barrington Bridge #123 at County Road is closed to hunting, except for that section designated by DEM markers on the river off Puritan Avenue and Seabrook Park. Hunting shall be restricted to the water areas below the vegetation line, and between the DEM markers. Discharge of firearms while waterfowl hunting is restricted to discharge toward open water (seaward).

B. Bristol - Walker Island - discharge of firearms while waterfowl hunting is restricted to

discharge toward open waters (seaward).

C. East Providence - Check local ordinances for restrictions.
The discharge of firearms while waterfowl hunting is restricted to discharge toward open water (seaward).

D. Warwick - Rock Island and its adjacent groin extending northward off Narragansett Parkway.The discharge of firearms while waterfowl hunting is restricted to discharge toward open water (seaward).

E. Cranston – Washouset Point (Pawtuxet Cove) north to Fields Point including Stillhouse Cove, the discharge of firearms while waterfowl hunting is restricted to discharge towards open water (seaward). No hunting within 500 feet of occupied buildings (RIGL 20-13-7) from the shoreline or from a watercraft.

F. Little Compton - All waterfowl hunters must have the following to hunt the Simmons Mill Pond ONLY in the Simmons Mill Management Area: (a) waterfowl decoys; (b) retrieving breed of hunting dog, and/or a boat without motor, or canoe without motor.

G. North Kingstown - Waterfowl hunting on Belleville Pond is restricted to the northwest segment of the large pond as designated by DEM signs. The discharge of firearms is restricted toward open waters. Waterfowl hunting is permitted after November 15 by Town Ordinance. Firearms must remain cased until individual reaches hunting area.(blind or boat).

**11. YOUTH WATERFOWL HUNTING DAY** – Saturday and Sunday October 29 and 30, 2005 will be Youth Waterfowl Hunting Day in Rhode Island.

A. Youth hunters must be 12 - 14.

B. An adult at least 21 years of age must be in the immediate company of the young hunter. The accompanying adult and all adults are prohibited from hunting on Youth Waterfowl Hunting Day.

C. Both the youth hunter and the accompanying adult must have current Rhode Island hunting licenses, state and federal waterfowl stamps, and state HIP permit.

Regulations for hunting **GEESE** in
Matunuck Hunter/Landowner Cooperative Area and
South Shore Management Area (SSMA)

**Waterfowl Season**

# 2005-2006

## 1. PERMITS

Permits to hunt the **South Shore Management Area (SSMA)** may be obtained by mailing a self-addressed stamped business-size envelope [9 ½X 4 ¼], to Goose Permit, RI Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892. Include your telephone number. Permits will be available October 24, 2005.

1.1 SSMA permits must be carried while waterfowl hunting on the SSMA and must be shown to any DEM Environmental Police Officer or Division of Fish and Wildlife employee upon request.

1.2 All party members must have a permit and must be registered when reserving a field.

1.3 No hunting party shall exceed four (4) hunters.

1.4 Permittees may only hunt in the fields reserved for their party.

## 2. RESERVATIONS

All reservations must be made by telephone (401) 789-0964 Monday through Friday between 9:00 AM and 12:00 noon daily (subject to change).

2.1 Reservations may be made no earlier than seven (7) working days in advance of the hunt. 2.2.1 (See Schedule).

2.2 For the purpose of determining number of days for hunting, a week shall be Sunday through the following Saturday.

2.3 Permittees will be allowed to hunt a maximum of one half day per week during the first split and two-half days per week (Sunday through Saturday) during the second split. No one will be allowed to hunt two consecutive days. Half days will be divided from one half hour before sunrise until 11:30 am and noon until sunset.

2.5 All upland hunting is prohibited during regular goose season.

2.6 If unable to hunt, please cancel your reservation so others may hunt.

## 3. BLINDS

Portable blinds, nets, tarps, or similar forms of concealment are permitted. The use of natural vegetation to build blinds is also permitted, however removal of stones from walls or vegetation from hedge rows is prohibited.

3.1 **Pit Blinds** Pits may not be dug. Pit blinds are available in state-owned fields (3,4,5, and 6).

3.2 Handicapped assessable blind is available in field #5.

**4. DECOYS** A minimum of twenty-four (24) life size, or oversize goose decoys are required. The Division suggests full body or shadow goose decoys.

**5. HARVEST REPORT A Harvest Record Report must be completed and returned whether or not you hunted and regardless of success.** Failure to report will result in the loss of hunting privileges on the SSMA for the 2006-2007 season. Return the Harvest Record card to the Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892 no later than March 1, 2006.

## 6. SHOT

6.1 No person shall take waterfowl while possessing shells loaded with any shot other than steel shot, or other legally approved non-toxic shot.

6.2 Non-toxic shot larger than BB is prohibited, including duplex loads containing shot larger than BB.

## 7. VEHICLES

7.1 Vehicles may park in designated areas only.

7.2 Overnight parking is prohibited in designated areas.

7.3 Vehicles may not drive into or along the edge of any field for any reason. [except in an emergency, e.g., accident or injury], or as provided in section 8.2 of these regulations.

## 8. ACCESSIBILITY program for waterfowl hunters who are handicapped

8.1 Field #5 will have an accessible above-ground blind. The blind will be established by the Division in either a hedge row or within standing crop rows (i.e., standing corn).

8.2 Vehicles may be driven into the field to transport a handicapped hunter and his equipment only when field conditions are allowable, i.e., not during and after heavy

rain conditions when the ground is very muddy.

8.3 Goose hunters applying for the accessibility program must provide a statement signed by a medical doctor stating that the handicap meets the following definition:

A person temporarily or permanently handicapped (i.e., unable to walk without the assistance of crutches or wheelchair or with a chronic medical condition).

8.4 All regulations for hunting geese in the SSMA shall apply.

**9. PROHIBITED** The following is prohibited: Littering; fires; destruction of fencing, equipment, farm property, and standing crops; possession or use of alcoholic beverages; shooting within 500 feet of an occupied building; shooting near or otherwise disturbing persons working in the area; urinating or defecating in pit blinds.

**10. OTHER HUNTING REGUALTIONS** The following types of hunting are available in the SSMA during different portions of the hunting season:

10.1 **Dove hunting** is allowed in Fields 5 and 6 during the early dove season.

10.2 **Upland hunting** is allowed only in field units 5 and 6 during the upland game season **except** during the regular Canada goose seasons*.

10.3 **Deer hunting during the muzzleloader season** is allowed ONLY in the wooded portions of Field 5 and 6, **except** during the regular Canada goose season when the field reservation system is in place.

10.4 **Deer hunting during the archery season** is allowed ONLY in the wooded portions of Fields 3, 5, and 6 throughout the archery season, including during the regular Canada goose season when the field reservation system is in place.

10.5 **Deer hunting during shotgun season** is allowed ONLY in Field 6 and its wooded portions, **except** during the regular Canada goose season.

10.6 **Waterfowl hunting** is allowed outside of the regular Canada goose season (11/19/05 – 11/27/05 and 12/3/05 – 1/22/06) but within legal waterfowl seasons without special hunting permits, reservations, or decoy restrictions, once fields are harvested.

10.7 ***Upland hunting** is prohibited during the regular Canada goose season.

**11. DUCKS DURING LEGAL DUCK SEASONS** The taking of ducks during the legal duck seasons is permitted while goose hunting under the above regulations.

**12. VIOLATIONS** of any above regulations, state management area regulations, and/or any state or federal hunting laws will result in loss of hunting privileges on the SSMA for a period of one year, beginning from the date of the violation.

Regulations for hunting WATERFOWL in
**THE GREAT SWAMP MANAGEMENT AREA - 2005-2006**

1. All persons wishing to hunt waterfowl within the Great Swamp Management Area's Waterfowl Impoundment must first obtain a Special Waterfowl Permit from the Division of Fish and Wildlife Office, P.O. Box 218, West Kingston, Rhode Island 02892 (789-0281)

2. All waterfowl hunters must have the following in order to hunt in, or along, the impoundment:
   a. Waterfowl decoys
   b. Retrieving breeds of hunting dog and/or a boat (without motor), canoe (without motor), or kayak.

3. All waterfowl hunters must return a harvest record card (supplied with permit), REGARDLESS OF SUCCESS, to the Division of Fish and Wildlife PRIOR TO **FEBRUARY 15, 2006**.

4. Waterfowl hunting will be permitted within the impoundment and along the dike from one-half hour before sunrise to sunset daily.

5. Any person found in violation of these regulations and/or any State or Federal game laws will lose their privilege to hunt waterfowl in the Great Swamp Impoundment for one (1) year from the date of occurrence. Any person failing to return a harvest record card PRIOR TO FEBRUARY 15, 2006 will not be allowed to hunt waterfowl within the impoundment during the 2006 – 2007 season.

## SPECIAL REGULATION - STATE WATERFOWL STAMP

All hunters sixteen (16) years of age and older are required by law to purchase a Rhode Island State Waterfowl stamp as well as a Federal Waterfowl stamp.

The 2005 – 2006 stamp ($7.50) will be at participating vendors (RIGL 20-2-37) The stamp must be **signed by the hunter** across the face of the stamp **in the presence of the issuing agent** and carried at all times when hunting.

**RULE 8 EFFECTIVE DATE**

The foregoing Rules and Regulations - R.I. Waterfowl Regulations for the 2005-2006 Season, after due notice, are hereby adopted and filed with the Secretary of State this 16th day of September, 2005 to become effective twenty (20) days thereafter, in accordance with the provisions of Chapter, 42-35, 42-17.1, and 42-17.6 of the General Laws of Rhode Island of 1956, as amended.

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W. Michael Sullivan, PhD
Director, Department of Environmental Management

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| Notice Given: | 8/3/2005 |
| Public Hearing held: | 9/1/2005 |
| Filing Date: | 9/16/2005 |
| Effective Date: | 20 days from filing |

September 16, 2005

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

Dear Mr. Secretary:

The R.I. DEM – Division of Fish and Wildlife, in accordance with Chapter 42-17.1, 42-17.6, "Department of Environmental Management", 42-35 of the Administrative Procedures and to Section 20-1-4; 20-1-12; and 20-1-13, the General Laws of Rhode Island, 1956 as amended, has adopted regulations governing the following:

**RI Hunting Regulations for the 2005-2006 Waterfowl Season**

The purpose is to promulgate new regulations to efficiently manage the wildlife resources of Rhode Island. The attached rules and regulations will become effective twenty (20) days subsequent to filing.

Sincerely,

W. Michael Sullivan, PhD
Director