

## SUMMARY OF PUBLIC HEARING COMMENTS

Hearing Officer: Jay Osenkowski, Deputy Chief of DEM Fish & Wildlife  
RIDEM Staff Present: Catherine Sparks, Assistant to the Director of DEM  
Gary Powers, Deputy Chief, Legal Services Counsel  
Paul Ricard  
Ashley Schipritt  
Joshua Beuth, Intern

The public hearing for the 2013-2014 Falconry Regulations, 2013-2014 Hunting Regulations for the Waterfowl Season was held on August 28, 2013 at 7:00PM at the North Kingstown Community Center. Twelve (12) people from the public attended the hearing.

The hearing was called to order at 7:56 PM by the Hearing Officer, Jay Osenkowski.

**J. Osenkowski – Hearing Officer, (JO):** The hearing began with directions on how the hearing would be conducted and encouraged participants to sign up for testimony. JO introduced himself as a Supervising Biologist for the Division of Fish and Wildlife and announced he was there to officiate on behalf of Janet Coit, Director of DEM. He introduced staff, listed above. The first set concerns Falconry Season Regulations and it was being conducted under the authority of Title 20 and 42-17.1, 42-17.6 of the RI General Laws, pursuant to the procedural requirements of Chapter 42-35, “Administrative Procedures” of the General Laws of Rhode Island 1956, as amended. The second set concerns Waterfowl Hunting Rules and Regulations and it was being conducted under the authority of Title 20 and 42-17.1 of the RI General Laws, pursuant to the procedural requirements of Chapter 42-35, “Administrative Procedures” of the General Laws of Rhode Island 1956, as amended.

Further, for each of these regulatory proceedings, pursuant to the requirements of Section 42-35-3 of the Rhode Island General Laws, DEM has made the following determinations: DEM has complied with the requirements of Section 42-35-3.3 of the Rhode Island General Laws; the DEM has provided prior notice to the Governors Office and the EDC of the proposed promulgation of these rule and regulations and neither has notified DEM that they may have a significant adverse economic impact on small businesses. Despite the above, DEM specifically requests comments on the proposals as to how the proposed regulations can be changed so that any adverse economic impact(s) can be minimized or eliminated.

The purpose of this hearing is to afford interested persons an opportunity to submit data, views, or arguments orally and/or in writing concerning each of the proposed Rules and Regulations. This hearing is not intended as a means of providing a forum for discussing, debating, arguing, or otherwise having a dialogue at this time with the members of the Division. This evening following the close of the formal public hearing, there will be an opportunity for a short and informal question and answer period.

The procedure for the public comment hearing is as follows:

1. Person who wish to speak will register at the table at the rear of the auditorium
2. Speakers will be called in the order of registration. Five (5) minutes was allowed for a presentation unless the number of speakers allowed for additional time. When your name is called come to the front of the room and identify yourself by name and

affiliation, if any. I would add any time you speak you should identify yourself by name for the purpose of the recording.

3. Make your presentation and then provide a written copy of your statement for the written record if one is available.
4. After all persons wishing to speak have had the opportunity to comment, the hearing will be closed.

After the record had been closed the Department has three (3) options:

1. File the rules and regulations with the Secretary of State as is;
2. File the rules and regulations with minor changes;
3. Make additional amendments to the rules and regulations and hold a new public hearing.

If filed, the amended rules and regulations become effective twenty (20) days after filing and have the effect of law.

The Public Hearing on Waterfowl and Falconry Rules and Regulations is now open.

**JO** stated on the record that no written comments have been received prior to the public hearing.

**Powers, Gary (GP)** – Addresses the audience asking if there were any comments for the public record and stated that any discussion that was mentioned prior to the opening of the public hearing will not be on the record. GP asked again if anyone wanted to make any comments.

No comments or request for comments heard from the public.

In accordance with the administrative procedures act requirements, a public notice of this hearing was posted on the Secretary of State Computer website on July 29, 2013. Attached to the record of this proceeding designated as Exhibit # 1 is a copy of the notarized affidavit of the posting of the Proposed DEM Falconry Rules and Regulations and the Proposed DEM Hunting Regulations for the Waterfowl Season. Exhibit # 2 is a copy of the proposed DEM Falconry Rules and Regulations and Proposed DEM Hunting Regulations for the Waterfowl Season that were posted for review.

**Exhibit 1:** Affidavit of Public Posting and Public Notice

**Exhibit 2:** Copy of Proposed Rules and Regulations for the 2013-2014 Falconry Regulations, 2013-2014 Hunting Regulations for the Waterfowl Season.

**JO** made a comment on the record stating that the Division had one change to make to the proposed regulations for the Waterfowl Regulations and that is to the Brant section, page 5, the 2 in the section was inadvertently annotated and the correct date should be December 21, 2013 not December 1, 2013.

Public Hearing is closed at 8:05 PM.