STATE OF RHODE ISLAND ANDROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FISH AND WILDLIFE

HUNTING REGULATIONS
for the 2004-2005 SEASON

Technical Revision
October 4, 2004

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

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R.I. Hunting Regulations
for the 2004 - 2005 Season

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
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FISH AND WILDLIFE

R.I. Hunting Regulations for the 2004 - 2005 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 Chapter 42-17.1, Department of Environmental Management, and Sections 20-1-2; 20-1-4; 20-1-8; 20-1-12; 20-1-13; 20-18-1, and in accordance with Chapter 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RULE 5 SUPERSEDED RULES AND REGULATIONS (#3180)

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Rules and Regulations, and any policies regarding the administration and enforcement of Hunting Regulations shall be superseded **(#3180).** However, any enforcement action taken by, or application submitted to, the Department prior to the effective date of these Rules and Regulations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 devise 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 (either compound or recurve) 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 this regulation.

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 lumination factor not less than 40 percent.

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.

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.

jacklighting - 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, recurve, and compound bow) rifle, gun, or pistol, except in accordance with these rules and regulations.

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, and firearms using a set of standards as determined by the hunter education program.

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 a 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.

RULE 7 REGULATIONS

As follows:

PART I
DEER - GENERAL DEER HUNTING REGULATIONS

1.1 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, and time of kill 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 or separated in any manner.

1.2 Except as provided in sections 2.2, 3.1, 4.1, 4.8, 5.2, 5.22, and 6.6, no individual shall purchase more than one deer permit/tag for each deer season, e.g., one each, muzzleloader, shotgun, and archery.

1.3 Hunting, pursuing, or molesting deer below mean high tidal water, or while deer are swimming in any waters of the state is prohibited.

1.4 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.

1.5 The use of electronic deer calls is prohibited at all times.

1.6 The use of natural or artificial scents, mouth, or hand powered deer calls to attract deer is permitted.

1.7 The use of decoys to attract deer is prohibited.

1.8 Written permission is required to deer hunt on privately owned land (20-15-1 d). Such written permission shall be carried at all times while deer hunting, and failure to have such written permission shall be 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.

1.9 Only one firearm or bow may be possessed in the field per individual hunter, while hunting deer.

1.10 The Division retains the right to sample any and all tissues, for population and disease management.

PART II
DEER – MUZZLELOADING DEER SEASON

2.1 SEASON AND PERMIT REQUIRED as follows:

Muzzleloader deer hunters may purchase permits to take two deer. The bag limit during the muzzleloading season is two (2) deer.

One (1) of either sex and one (1) antlerless.

However, hunters taking an antlerless deer on their either sex statewide muzzleloader permit may additionally purchase a bonus antlerless permit, usable on private land, as provided in 2.2 for a season total of three (3) deer.

Permit Required

A. EITHER SEX PERMIT - STATE LAND AND PRIVATE LAND
Either sex muzzleloader deer permit is usable Statewide for the taking of one deer of either sex. This permit may be purchased at any time.
October 30 – November 19, 2004

B. ANTLERLESS PERMIT - PRIVATE LAND – ANTLERLESS
Antlerless private land muzzleloader deer permit is usable on private land only, for the taking of one antlerless deer. This permit may be purchased at any time.

October 30 – November 19, 2004
December 20 – 26, 2004

C. BONUS Antlerless Muzzleloader Deer Permit is usable on private land only, for the taking of one antlerless deer as provided in 2.2.

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

2.2 Hunters checking an antlerless deer on their statewide muzzleloader permit will be issued an affidavit entitling them to purchase a bonus antlerless permit, valid on private land during the entire muzzleloader season (sec. 2.1)

2.3 A current muzzleloader deer permit is required for the muzzleloading season. 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 an Environmental Police Officer, or other Department designee for checking, within 24 hours. Only specified vendors will be permitted to check deer. The list of approved vendors will be available prior to the season. (Additionally, see section 1.10)

2.4 During the muzzleloading deer season, all hunters except those hunting raccoon at night, or archers in tree stands, crows over decoys, or waterfowl hunters hunting from a boat or a blind, over water or field, when done in conjunction with decoys must wear a minimum of 200 square inches of solid daylight fluorescent orange material, contained in outer garment worn above the waist, and visible from all directions. A fluorescent hat would meet the requirement.

2.5 Firearms for muzzleloading 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. All conversion kits which use a replacement barrel to convert a typical modern shotgun into a muzzleloading rifle are prohibited. Also see Part 14.10.

2.6 Ammunition for muzzleloading deer season is limited to a single lead 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 or pan powder is removed.

2.7 The limit for the muzzleloading deer permit shall be one deer per permit as provided under Parts 2.1.

PART III
DEER - SHOTGUN DEER SEASON

3.1 **Shotgun Season**: November 27, 2004 – December 12, 2004 inclusive. Shotgun deer hunters may purchase permits to take two deer; one – either sex, and one antlerless as described below:

Permit Required

A. EITHER SEX SHOTGUN PERMIT – either sex deer may be taken in Providence, Kent, Newport, Bristol counties, and all of Washington county except New Shoreham (Block Island).

November– 27 - December 5, 2004 on both private and state Management Areas
December 6 – December 12, 2004 on private land only.

B. ANTLERLESS SHOTGUN PERMIT – one antlerless deer, on private land in Providence, Kent, Newport, Bristol counties, and all of Washington County except New Shoreham (Block Island).

Shotgun deer hunters may purchase permits as follows:
Either-Sex Shotgun Permit: shall allow for the taking of one deer of either sex for the first portion of the shotgun season on private and management lands, then on private land only, during the latter portion of season. This permit may be purchased at any time.

The Antlerless Shotgun Permit: shall allow for the taking of one antlerless deer on private land only, during either portion of the shotgun season. Permits may be used in any sequence. This permit may be purchased at any time.

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 a 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 limited to double 00 or larger, buckshot in 20-gauge is prohibited. Shotguns of 10, 12, 16, or 20 gauge are allowed.

3.4 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 state-operated checking station for checking within 24 hours. (Additionally, see section1.10)

3.5 Deer killed or taken on the last day may be checked through a check station no later than 6:00 PM on that date, or by an Environmental Police Officer within 24 hours of taking.

3.6 During the shotgun season for deer, all hunters, **except** waterfowl hunters hunting from a boat or a blind, over water or field, when done in conjunction with decoys, must wear a minimum of 500 square inches of solid daylight fluorescent orange material, contained in an outer garment and worn above the waist, a portion of which must include a head covering visible from all direction.

3.7 All other hunting, except otherwise provided under 4.1, 5.1, 9.2, 9.3, and 11.9, shall be prohibited during period, November 27 - December 12, 2004 except as provided.

PART IV
DEER - ARCHERY DEER SEASON

4.1 **Archery Season:** October 1, 2004 through January 31, 2005 inclusive.
Permit Required
A. Mainland Permit – either sex, mainland, state and private land. This permit may be purchased at any time.

B. Antlerless Archery Permit -- Antlerless, private land. This permit may be purchased at any time.

C. Bonus Antlerless Permit - antlerless, private lands. May be purchased after checking from the mainland or antlerless permits but not from both. (see 4.8)

In total, archery deer hunters may purchase permits to take three deer.

4.1.1 In total archery, deer hunters including those with adaptive aid/ crossbow permits may purchase permits as delineated in 4.3 and 4.8 to take a total of three deer.

4.2 The limit for the mainland archery deer season shall be one deer of either sex and one antlerless private, except as provided under 4.3, 4.8.

4.3 Archery deer hunters shall be permitted an antlerless deer valid on private land after checking deer as provided in 4.1 and receiving an affidavit.

4.4 Archery deer hunting is prohibited during Junior Archery Hunting Weekend: September 25 – 26, 2004 except for those Junior hunters in possession of a valid Rhode Island Junior Hunting License, age 12 through 14 years of age. Junior hunters must be accompanied by at least one parent or legal guardian 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 the first mainland permit or the bonus archery permit as provided for in 4.1.

4.5 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 4.5.1 of this for those 100% disabled 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 with a valid adaptive aid/crossbow permit as defined in section 4.5.1.may utilize adaptive aids.

4.5.1 A special archery adaptive aid/ crossbow deer permit may only be obtained through DEM Division of Licensing, 235 Promenade St. Providence, RI 02908, (401) 222-3576 by each. An official application signed by a physician for a first time applicant accompanied by official document on doctors letterhead of certification of disability criteria in accordance with RIGL 20-15-4 is required for permit issuance. 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 crossbow or adaptive aids and must be shown to any authorized person upon demand, Record logs must be completed and returned, annually by February 29th, to Fish & Wildlife Field Headquarters, regardless of success, in order to be eligible in the future.

4.5.2 Hunters 65 or older are permitted to use adaptive aids without a special permit. No crossbows permitted

4.6 Archers must use a long bow, recurve 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 7/8ths of an inch or greater at the widest point. Mechanical heads are measured in the "open" position and must be a minimum of 7/8ths of an inch.

4.6.1 Only those crossbows meeting the following minimum criteria are permitted: minimum draw of 150 pounds, minimum width of 24 inches, Expandable broadheads meeting the specifications in 4.6 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.

4.7 All deer must be immediately tagged by the hunter after killing or taking as provided, and taken by that same hunter to an Environmental Police Officer, or other Department designee for checking within 24 hours. (Additionally, see 1.10)

4.8 After checking as provided in section 4.7, the archer will be entitled to purchase a bonus antlerless deer permit to take an antlerless deer by bow and arrow on private land. Mainland shall mean all areas of Rhode Island open to bow and arrow hunting except Prudence and Patience Islands, and Block Island. Only specified vendors will be permitted to check deer and

sell additional permits. The list of approved vendors will be available prior to the season.

4.9 All archers including crossbow deer hunters, when traveling to and from a tree stand, during the deer muzzle-loading season, must wear, above the waist, a minimum of 200 square inches of solid daylight fluorescent orange visible from all directions. A fluorescent hat meets this requirement.

PART V
SPECIAL DEER SEASONS

Prudence and Patience Islands

5.1 Archery season dates shall be October 22, 2004 through January 9, 2005 if quota has not been reached.

Permit Required

A. Permit – either sex – This permit may be purchased at any time.
B. Antlerless – This permit may be purchased at any time.
C. Bonus Permit – antlerless, as provided in section 5.2, only.

The only legal method of deer hunting on Prudence and Patience Islands is by archery, including crossbows as specifically permitted in sections 4.5.1, 4.6, and 4.6.1. All other archery regulations apply. Exemption: hunters complying with section 5.18 and 5.20 for paraplegic and double amputees may use shotguns as permitted in 5.25.

5.2 The limit on Prudence and Patience Islands is one (1) deer of either sex, and one (1) antlerless. Additionally, hunters taking an antlerless deer with the "either sex permit" or the "antlerless permit" and checking as provided in sections 5.9 and 5.10, will be entitled to purchase a "bonus antlerless permit", for an Island total of three (3) deer.

5.3 A Prudence/Patience Island Archery Deer Permit (deer tag) is required to hunt on Prudence and Patience Islands.

5.4 While archery deer hunting, no possession of firearms is permitted, except for those licensed to participate during the special paraplegic hunter deer season.

5.5 Reservations to hunt management areas are required by lottery. Reservations will be required on the south and north ends, Barre Units of Prudence and Patience for the first two weekends and two weekday periods, Friday (10/22) Saturday (10/23) and Sunday; (10/24) Monday through Friday (10/25 – 10/29); and Saturday and Sunday (10/30 – 10/31) and Monday through (11/1 – 11/5).

5.5.1 Archery deer hunting will be permitted on the Heritage Property December 1-15, 2004. Archers will be limited to the taking of antlerless deer only. Archers may utilize either sex, antlerless or bonus permits, provided that they take antlerless deer, only.

5.5.2 Reservations are required to hunt the Heritage Property. Reservations will be valid for three (3) consecutive days: December 1-3, 4-6, 7-9, 10-12, and 13-15, 2004.

5.5.3 A lottery system will assign hunters on the Heritage Property during the reservation period. Lottery applications may be obtained at DEM Division of Licensing or by mailing a request with a self-addressed stamped envelope (9½ x 4 inch envelope) to: HERITAGE DEER LOTTERY, Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892, or you may acquire an application online at www.state.ri.us/dem. Applications must be received by the Division during the period of September 20 through October 20, 2004 and postmarked by the 20th. Two individuals may apply on one application, however, an individual may only apply once in the lottery system. Duplicate, illegible, incorrect, or incomplete forms will be rejected. Any applicant found to have more than one application for the 2004 season lottery shall be ineligible for participation in the lottery for the 2004 season. The lottery reservation is non-transferable and non-negotiable. In order to be eligible for preferential status for next hunting season' s lottery, all hunters, regardless of hunting activity or success, must return their Hunter Survey Card by Jan. 31, 2005.

5.5.4 A total of 18 hunters may be assigned per reservation period on the Heritage Property. Hunters will be provided with a map, safety zone and parking restrictions. Compliance with these and all other hunting regulations are required for future hunting privileges on this parcel.

5.6 A lottery system will assign hunters on Prudence Island and Patience Island during the reservation period. Lottery applications may be obtained at DEM Division of Licensing, designated deer check stations, vendors, or by mailing a request with a self-addressed stamped envelope (9½ x 4 inch envelope) to: DEER LOTTERY, Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892, or you may acquire an application online at www.state.ri.us/dem. Application dates will be July 8 through August 19, 2004. Two individuals may apply on one application, however, an individual may only apply once in the lottery system. Duplicate, illegible, incorrect, or incomplete forms will be rejected. The lottery reservation is non-transferable and non-negotiable. In order to be eligible for preferential status for next hunting season' s lottery, all hunters, regardless of hunting activity or success, must return their Hunter Survey Card by Jan. 31, 2005.

5.7 On the south and north ends of Prudence Island 50 hunters respectively, per day may be assigned. On Patience Island and the Barre Unit on Prudence Island, 10 hunters respectively, per day may be assigned.

5.8 A quota of 375 deer may be taken, or as provided in section 5.11 Hunting on the Prudence and Patience islands will end the earlier of either January 9, 2005 or when quota is reached.

5.9 All deer taken on Prudence Island shall be immediately tagged by the hunter and checked by that same hunter through the check station designated by the Department of Environmental Management and a leg seal must be attached to the deer prior to leaving Prudence Island. The leg seal must remain attached to the deer until processed for consumption. Affidavits shall be issued for antlerless deer taken on the bonus 'either sex' permit. (additionally see 1.10)

5.10 All deer taken on Patience Island shall be immediately tagged by the hunter and then checked by that same hunter through the deer check station on Prudence Island, or on the mainland by contacting an Environmental Police Officer or other Department designee within 24 hours after killing or taking. Affidavits shall be issued for antlerless deer taken on the 'either sex' permit. (additionally see 1.10)

5.11 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.

5.12 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.

5.13 For private lands, written permission of the landowner must be obtained, and as required by local ordinance, must be countersigned by the Chief of Police or his representative on the Island.

5.14 On Prudence Island, during the period October 1, 2004 through January 9, 2005 inclusive, the casting of the rays of artificial lights, including spotlights, headlights, or other artificial light, at any time, on any highway or roadway, whether public or private, or any field, woodland, residential property, or forest, 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.

5.15 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, shall be prima-facie evidence of illegal hunting, (except as provided in section 5.20).

5.16 Waterfowl hunting Prudence Island - The possession of firearms is permitted while en route to, or during waterfowl hunting; waterfowl hunters must possess all the following: 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, 9.3.2, 9.4, 9.5, & 11.2).

Paraplegic and double amputee hunters on Prudence Island, Portsmouth; and Fort Greene Army Reserve, Narragansett

5.18 The season for the South End Management Area hunt on Prudence Island will be:
October 12 – 15, 2004 inclusive; and

The season for Fort Greene will be:
October 19 – 22, 2004 inclusive, during legal shooting hours. Availability of Ft. Greene facility may be subject to change.

5.19 The taking of deer will be limited to paraplegic and double amputee hunters only. The season bag limit on Prudence shall be two (2) deer. The season bag limit at Fort Greene shall be one (1) deer.

5.20 A special hunting license 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. Hunters for Fort Greene must also complete a registration card and mail it to R.I. Fish and Wildlife, Box 218, W. Kingston, RI 02892, ATTN: Fort Greene and postmarked by September 30.

5.21 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.

5.22 Hunters may participate in either hunt. Only five (5) hunters will be permitted on Fort Greene. If needed, a lottery will be conducted to choose the five eligible hunters. Hunters will be notified after the selection. All hunters and assistants must register upon entering or leaving either location with the officer-in-charge.

5.23 All deer taken must be checked by an Environmental Police Officer or Department designee prior to leaving Prudence Island, or for Fort Greene by a Department designee, or at a state certified vendor check station. (additionally, see 1.10)

5.24 All deer wounded, but not recovered, must be reported as soon as possible to the officer-in-charge.

5.25 Ammunition shall be 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 2.4.

5.26 Once a deer is taken, the successful hunter may no longer carry a firearm in the field, but may assist other fellow hunter(s).

5.27 Additional restrictions may be required on Fort Greene.

PART VI
Block Island Deer Season

6.1 Deer hunting season dates for the Town of New Shoreham shall be as follows:

Archery Only:
October 18, 19, 20, 21, 22, 25, 26, 27, 28, 29
November 1, 4, 5, 8, 9, 10, 12

Archery & Shotgun:

November 15, 16, 18, 19, 22, 23, 24, 29, 30
December 2, 3, 6, 7, 8, 9, 10, 13, 14, 16, 17, 20, 21, 22, 23
January 3, 4, 6, 7, 10, 11, 12, 13, 14, 18, 20, 21, 24, 25, 26, 27, 28, 31
February 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18

6.2 All state-owned land on Block Island is closed to deer hunting for the 2004-2005 season.

6.3 The limit shall be one deer of either sex, except as provided under section 6.6.

6.4 A Block Island archery or shotgun deer permit is required to hunt on Block Island. Mainland deer permits will be invalid on the Island. Prior to start of the archery or shotgun deer season a hunter may purchase five permits. After season opening permit must be purchased as provided in section 6.6.

6.5 In addition to the written permission requirements, all deer hunters on Block Island must obtain countersigned written permission from the Block Island Chief of Police or his representative on the Island.

6.6 After checking as provided in section 6.9, a hunter may purchase additional Block Island Shotgun or Archery Deer Permits to take additional deer on Block Island until season closure. Hunters may possess not more than five (5) permits of any type at one time.

6.7 Ammunition permitted for shotgun deer season includes rifled slugs or sabot round. Shotguns of 10, 12, 16, or 20 gauge are allowed.

6.8 On Block Island, the casting of the rays of artificial lights, including spotlights, headlights, or other artificial light, at any time, on any highway or roadway, whether public or private, or any field, woodland, residential

property, or forest, 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.

6.9 All deer must be tagged in a conspicuous manner by the hunter killing same immediately after taking. All deer taken on Block Island shall be checked by that same hunter through the designated check stations and a leg seal must be attached to the deer prior to leaving the island, and within 24 hours of taking. The leg seal must remain attached to the deer until processed for consumption. (additionally, see 1.10)

6.10 Proficiency testing is required of all archery hunters that are hunting deer on Block Island. The proficiency card is valid for two years from the date of issue. The proficiency card must be carried while hunting.

6.11 All other deer regulations apply. Equipment permitted for archery season includes crossbows and adaptive aids as described in sections 4.5.1, 4.6 and 4.6.1.

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PART VII
DEER - COOPERATIVE DEER HUNTING PROGRAM

7.1 **Northwest Cooperative** -- The Northwest Cooperative Deer Hunting permits serve as your written permission for hunting this private land. These permits must be carried in addition to your individual deer permits.

7.1.1 Archery and muzzleloader deer hunters must have state permits to hunt the Northwest Cooperative. A permit is required for each season: (Archery, Oct. 1 - Jan 31); (Muzzleloader, Oct. 30 - Nov 14 ; Dec. 20 – 24, 2004 . 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, 2005. Hunters must return permit to be eligible for the next season's permit.

7.1.2 Permits available after - September 1, and may be obtained by sending a self-addressed 9½ x 4 stamped envelope to: NORTHWEST COOP, R.I. Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892. Indicate the permit-type (e.g. archery, muzzleloader, or both).

7.1.3 Shotgun deer hunters must check in and out of the Durfee Hill check station daily, November 27 – December 5, 2004 only for the Northwest Cooperative hunting area. No shotgun hunting permitted 6 – 12, 2004.

7.2 **Francis Carter Preserve Cooperative Hunting Area** (formerly known as United Nuclear) is restricted to archery hunting of deer from December 1 – December 31, 2004, and as provided in sections 7.5 through 7.9 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 shall be 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.

7.2.5 Permits will be issued for two, two-week periods December 1 – 14 and 15 – 31, 2004. A limit of 24 permits will be issued for each period. Two individuals may apply on one application, however, an individual may only apply once. Permits are non-transferable. Applications are available by sending a self-addressed stamped envelope to RI Division of Fish and Wildlife, Box 218, West Kingston, RI 02892 or downloaded from the web at www.state.ri.us/dem. Duplicate, illegible or incomplete applications will be rejected. Applications will be available beginning September 1, 2004 – October 15, 2004. Applications postmarked after October 15 will not be accepted. Permits will be chosen by lottery. Hunters must return their permit by January 15th, 2005, regardless of activity or success, to be eligible for the next season's hunt.

7.3 **Beavertail Cooperative Archery Deer hunting Area**. November 8, 2004 to January 31, 2005. No huntng on weekends prior to December 31, 2004. The Mainland either sex archery deer permit, only, is 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. Tree stands 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 years from the date of issuance and must be carried while hunting. Either Prudence/Patience Island or Hunter Ethics/Landowner Relation's proficiency cards shall be permitted.

7.3.5 A Beavertail Cooperative Archery Deer Hunting Area Permit is required and will serve as written permission to hunt this private land. This permit must also be carried while hunting. Hunters must return their card regardless of activity or success by February 15, 2005 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 serve basis. Hunters may sign up for three (3) slots per week, no more than seven (7) 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 are required for future hunting privileges on this parcel. The number of hunters and days of hunting are subject to change.

PART VIII
*MIGRATORY GAME BIRDS

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

September 25 -- October 11, 2004, inclusive;
October 16 -- November 21, 2004, and
December 29 -- January 13, 2005, inclusive.

Shooting hours shall be:
First split: 12:00 noon to sunset.
Second and third split: - shall be sunrise to sunset.

Daily bag/possession limits - 12/24.

8.2 Rails - The open season for rails shall be:
September 4, 2004 -- November 12, 2004, inclusive.
Daily bag/possession limits -
King & Clapper Rail - 5/10, singly or in aggregate
Sora & Virginia Rail - 5/10, singly or in aggregate

8.3 Common snipe: The open season for common snipe shall be:
September 4 -- November 12, 2004 -- daily bag/possession limits - 5/10

8.4 Woodcock: October 28 -- November 26, 2004 daily bag/possession limits - 3/6.

8.5 Open season for Crows
August 20 -- October 10, 2004 - Fridays, Saturdays, and Sundays only.
October, 16 -- November 26, 2004, all inclusive.
December 24, 2004 -- April 3, 2005 - Fridays, Saturdays, and Sundays only.

Hunting hours for crows is one-half hour before sunrise to one-half hour after sunset.
Except on Northern Prudence Island Management Area the season shall be January, 10 – 31, 2005, inclusive. No daily bag or possession limit.

8.6 Allowed methods of taking and prohibited methods of taking migratory birds and waterfowl, shall be 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 and Act of Congress relating to migratory birds and waterfowl. A HIP permit is required for hunting all migratory birds.

Special Regulation.

8.7 Canada Goose September 1 - 30, 2004

Daily bag limit is 8, 16 in possession [subject to Federal approval]

A permit must be obtained from the Division of Fish and Wildlife prior to hunting during the special September Canada Goose Season.
The permit must be returned to the: Division of Fish and Wildlife, P.O. Box 218, West Kingston, RI 02892, October 20, 2004 regardless of hunting success. Hunters must return the permit to be eligible for the 2005 Special Goose Season.

8.8 Sea Ducks (Eider, Old Squaw, & Scoter)

October 9, 2004 January 23, 2005
Daily bag/possession limits - 7/14 only 4 of which may be scoters, eider, or old squaw.

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 16, 2004 legal shooting hours will be 7:00 AM to sunset.

9.2 Open season for Fox, Gray Squirrels, Cottontail Rabbits, and Snowshoe Hare shall be:
October - 16, 2004 through the last day of February EXCEPT during shotgun deer season (November 27 – December 12, 2004). State land will remain open December 6 – 12, 2004.

Prudence Island:
November 1, 2004 -- November 30, 2004 EXCEPT on northern Prudence Island Management Area the season shall be January 10 – 31, 2005 inclusive. South Prudence and Patience Management Areas closed to shotgun small game hunting.

Newport & Bristol Counties and East of Blackstone River & New Shoreham shall be closed during shotgun season
November 27 – December 5, 2004

State land will remain open December 6 – 12, 2004

Daily Bag limits:
Cottontail rabbits shall be three;
Snowshoe hare shall be one;
Gray squirrels shall be five.

9.3 Open season for Ruffed Grouse, Bobwhite Quail, & Pheasant shall be:

Ruffed Grouse & Quail: October 16 - December 31, 2004.
Ruffed grouse hunting is CLOSED in the Arcadia Management Area in the Towns of Exeter, Richmond and West Greenwich and the Great Swamp Management Area in it's entirety.

Ringneck Pheasant: October 16 - January 17, 2005.
Season limit 12 birds.

Closed November 27 – December 12, except State Management Lands are open December 6 – 12, 2004. State Management Areas will remain open.

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 two (2) pheasant permits per season

9.3.2 Season and Bag Limits
Daily bag limit is two (2) pheasants
Season limit is twelve (12) pheasants

Prudence Island:

November 1 - 30, 2004 - EXCEPT that on northern Prudence Island Management Area the season shall be: January 10 – 31, 2005 inclusive. South Prudence and Patience Management Areas are closed to shotgun small game hunting.

Newport & Bristol Counties and East of Blackstone River shall be closed November 27 – December 12, 2004.

Daily Bag limits:
Ruffed grouse shall be one (1)
Bobwhite quail (3) birds
Ring-necked pheasants, two (2) birds,
EXCEPT in Newport and Bristol Counties where the limit will be two male pheasants

On New Shoreham, the open season on male ring-necked pheasants, with a daily limit of two male pheasants, shall be:

November 3, 17
December 1, 15, 29, 30
January 5, 19, 26

9.3.3 Game Propagation Permit for pheasants

9.3.3-1 No person shall possess a live, artificially propagated pheasant without having a valid game propagation permit in its possession.

9.3.3-2 Each artificially propagated pheasant shall be tagged upon harvest for identification with a tag supplied by the Division, at cost to the game propagation permitee.

9.3.3-3 Permits 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; and
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').

9.3.3-4 Each game propagation permitee shall keep an accurate record of all pheasants held by it; how, when, and where acquired; how many released and when released; how many taken on the site, and shall 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 15 following the closure of the season.

9.3.3-5 Each game propagation permitee 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, must tag each harvested pheasant with the game propagation tag as required in 9.3.3.-2; and
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.

9.3.3-6 If a game propagation permitee is found to have provided false information in conjunction with its application pursuant to Section 9.3.3-3, fails to comply with Section 9.3.3-4, or if it or a member or guest violates Section 9.3.3-5, the subject permit shall be revoked for the remainder of the season and the action of the permitee or its member shall be considered if and when the permittee applies for reissuance 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 permit and seeks an adjudicatory 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 17.7, a permittee who feels aggrieved by a permit denial and seeks an adjudicatory 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.

9.4 The hunting seasons on woodchucks, crows, English sparrows, starlings, and rock doves shall be 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.

9.5 The hunting of any species of wildlife EXCEPT white-tailed deer, coyote, and waterfowl as provided, or as otherwise provided, shall be prohibited in Providence, Kent, Washington, Newport, and Bristol Counties during the annual shotgun deer season.

PART X
WILD TURKEY

10.1 The open seasons and dates for hunting wild turkey are:

A. Special Season - Paraplegic hunters April 23 and 24, 2005 (see 10.4)
B. Junior Turkey Hunting Weekend April 23 and 24, 2005 (see 10.5)
C. Statewide: April 28 - May 26, 2005
Applicants may obtain only one type of spring turkey permit per season.

10.2 Permits for hunting wild turkey may be purchased from the DEM Division of Licenses and/or designated vendors. The Division reserves the right to alter the number of permits and the number of hunting days at any time.

10.3 The hunting of wild turkey is prohibited except in the following areas: that portion of Providence County west of the Blackstone River; Kent County; Washington County; as well as Tiverton and Little Compton in Newport County.

10.4 Special Paraplegic season:
A. A special turkey permit must be obtained from the DEM Division of Fish and Wildlife. Hunting in this season will be limited to paraplegic hunters only.
B. An application signed by a physician for a first-time hunter is required.
C. None of the hunter's assistants will be allowed to hunt or carry firearms at any time.
D. All turkeys taken must be checked at an official state designated checking station on the day of taking.

10.5 Junior Turkey Hunting Weekend

10.5.1 Wild turkey hunting is prohibited during Junior Turkey Hunting Weekend except for those Junior hunters in possession of a valid Rhode Island hunting license, age 12 through 14 years of age. Junior hunters must be accompanied by at least one parent or legal guardian 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 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 Hunting hours shall be from one half hour before sunrise to 1:00 P.M. Eastern Daylight Time, daily, provided that all hunters shall leave the woods no later than 1:00 P.M.

10.7 The bag and possession limit shall be one (1) bearded turkey per license per year.

10.8 The methods of taking shall be 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, recurve, and compound bow) of not less than forty (40) pounds pull, and shall use broadhead arrows, with at least two cutting edges seven eighths inches (7/8") or greater at the widest point. A bow string release device where the bow is hand held, hand drawn and finger released is allowed.

10.9 The use of any other firearm, live decoy(s), baiting, dog(s), cooperative drive(s), electric calling devices, or any other devices, to capture or ensnare turkeys is prohibited.

10.10 The shooting of turkeys on the roost is prohibited.

10.11 Stalking or attempting to sneak up on a turkey to get a shot is prohibited.

10.12 Hunters must carry a turkey calling device (non-electric) while hunting. Calling is the only legal method for hunting wild turkey.

10.13 A person shall not hunt, kill, take, or attempt to take, or possess any wild turkey unless they possess on their person a permit to do so. Provided, however, that if an individual has a valid Rhode Island hunting license, that individual may call turkeys for individuals with a valid turkey permit.

10.14 A person receiving a turkey permit is required to sign, in ink, on the face of the turkey tag prior to hunting. A person killing a wild turkey shall immediately, before transporting or removing the carcass in any manner from where it was killed, complete and attach to the leg in a conspicuous manner the "turkey tag" provided with the permit following instructions printed on the tag. Said "turkey tag" shall remain attached to the turkey until the turkey is presented to a duly authorized check station for checking. The metal tag must remain attached until the carcass is prepared for consumption or taxidermy. The hunting of wild turkey when not in possession of a valid, signed unused "turkey tag" shall be prima-facie evidence of hunting without a valid turkey hunting permit.

10.15 Within the same calendar day, but no later than 4:00 P.M. Eastern Daylight Time, after killing a wild turkey, the entire fully-feathered intact carcass of the bird must be presented by the person killing same to a duly authorized check station for the purpose of being recorded, examined, and sealed. The Division retains the right to sample any and all tissues deemed necessary.

10.16 Applicants must have a valid current Rhode Island hunting, combination, or other such valid license as required by law to hunt in Rhode Island before purchasing a 2005 turkey permit.

10.17 A mandatory hunter survey card will be issued to each permittee. This hunter survey must be returned to the Division by June 10, 2005; WHETHER YOU HUNT, OR WHETHER OR NOT YOU 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 shall be 6:00 PM October 1, 2004 through the last day of February, inclusive; excluding the period of Shotgun Deer Season November 27 through December 12, 2004 inclusive, statewide. Raccoon season will remain open 6 – 12, 2004 on State Management Areas. In the Town of Portsmouth, Prudence Island, season shall be limited to January 10, 2005 through the last day of February, inclusive, with written permission of the landowner and special permit issued by the DEM representative on Prudence Island. That portion of Providence County east of the Blackstone River shall remain open to raccoon hunting during the period November 27 – December 12, 2004. Provided, however, that bow hunters with a valid deer archery permit may take raccoon on Prudence Island during legal deer hunting hours October 22, 2004 – January 9, 2005 or until the quota is filled. Special permit not required for bow hunters under this latter provision.

Bag Limits - There is no season limit on raccoon. There are no limits to the taking of raccoon by bow hunters as provided under 1.2, or under special permit on Prudence and Patience Islands. There is no bag limit on fox.

11.3 The trapping season for mink, muskrat, skunk, raccoon, red fox, gray fox, opossum, and weasels shall be November 1, 2004, through January 31, 2005, inclusive. Traps may not be set, staked, or placed prior to 8:00 AM on opening day, November 1, annually.

11.3.1 The trapping season for beaver on private land shall be November 1, 2004 - February 28, 2005, inclusive. The trapping season for beaver on state management areas shall be December 1, 2004 – January 31, 2005, inclusive. Traps may not be set, staked, or placed prior to 8:00 AM on opening day.

Setting traps within 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.

Individual trappers may be limited to the number of beaver harvested as established by the Division of Fish and Wildlife.

The number of beaver to be harvested within each watershed shall be determined by the Division of Fish and Wildlife, and the Division reserves the right to alter the number at any time.

Special beaver permits/tags may be issued for selected watersheds, or specific sites within watershed. Special permits/tags are valid only for assigned trap sites.

11.3.2 The trapping season for fisher *Martes pennanti* shall December 1, 2004 through December 22, 2004, 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. There shall be a season limit of three (3) fisher per permit. All fisher pelts must be presented for tagging within 72 hours of taking. In addition, all fisher carcasses must be turned in to the Division of Fish and Wildlife, Great Swamp Field Headquarters. No fisher pelts will be tagged without the submission of the carcass 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.

11.4 Body gripping "conibear" type traps in Sizes 110, 120, or 160 (or equivalent, not to exceed 6 ½ inch jaw spread as measured from hinge to hinge) shall be permitted on land or in water; Size 220 (or its equivalent, not to exceed 8 inch jaw spread) shall be permitted only if such trap is completely submerged in water, or placed at least six (6) feet above the surface of water or ground (i.e., trees). All other "conibear" type traps are prohibited.

11.4.1 For the taking of beaver, the use of 220 and 330 "Conibear" type traps shall be permitted only if such traps are completely submerged underwater and in a vertical position. Trap jaw spread not to exceed 10 inch opening when set.

11.5 Permits to trap state land are required in addition to a current Rhode Island trapping license, and are obtainable from the Division of Fish and Wildlife Field Headquarters, Great Swamp Management Area, West Kingston, RI. Only the use of body-gripping (i.e., conibear) type traps or “box” (i.e., live)

traps are permitted on state lands as specified. Body-gripping traps, sizes 110, 120, or 160 or equivalent, are permitted only if such traps are used in water sets (i.e., all or a portion of the trap is submerged in water) or placed no less than six (6) feet above the surface of the ground. The use of body gripping traps, size 220 and 330 or their equivalent (jaw spread not to exceed ten (10) inches shall only be permitted if such traps are completely submerged in water (in a vertical position). All traps placed on state lands must be affixed with the name, address and Rhode Island trapping license number of the owner.

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 <u>There is no open season on bobcat (*Lynx rufus*) or otter (*Lontra canadensis*)</u>

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 shall be prima-facie evidence of illegal taking. Otter and bobcat may only be taken or possessed under RIGL 20-1-1-21or otherwise must be presented to the Division of Fish and Wildlife or Division of Enforcement within 24 hours of 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. 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 red squirrel, woodchuck, or coyote (coyote pelts must be tagged by the Division of Fish and Wildlife prior to sale or export).
During the shotgun season for deer November 27 - December 12, 2004 all coyote hunters must possess a valid shotgun deer permit. Legal hunting hours for the above species is sunrise to sunset, see 9.1, **except** for coyotes where the legal hunting hours shall be one-half hour before sunrise to one-half hour after sunset.

11.10 It shall be unlawful to take or possess a road-killed furbearer (RIGL 20-16-) 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 relocation of beaver *Castor canadensis* 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 are 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 shall be 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, shall serve as a permit to hunt State Management Areas, and Tidal Lands pursuant to Title 20, Chapter 18, §§ 20-18-2 and 20-18-3 of the General Laws.

13.2 Permit shall be valid only 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.

13.3 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 11, 2004 through October 15, 2004 unless otherwise provided.

13.6 From the period April 1 through August 15, annually, there shall be no trespassing, disturbing, or molesting of any species of nesting birds on Hope Island in the West Passage; Gould Island in the Sakonnet River, East Island and West Island off Sakonnet Point, or Gould Island in the East Passage, except by special permit. 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 are required to wear solid daylight fluorescent orange, see Part 14.5.6 for details

13.8 The possession and/or use of paint guns on state management areas is 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., shall remain attached to the carcass.

13.11 Dogs on State Management Areas allowed only under the following rules.

13.11.1 No dogs shall be trained, run, or 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 (13.5 and 13.12).

13.11.2 Walking of dogs on a leash of not more than 25 feet in length shall be 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 areas shall be 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 either 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 shall be sunrise to sunset.

13.12.3 All persons using areas for training shall possess a hunting license.

13.12.4 All dogs using areas shall 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 shall 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 white-tailed deer within the Simmons Mill Pond Management in Little Compton.

13.15 **DUTCH ISLAND**

The entry upon Dutch Island is prohibited. No person shall enter onto Dutch Island without the specific written permission of the Director

13.16 **SEAPOWET** and **EIGHT ROD FARM MANAGEMENT AREA**

No Sunday hunting. No shotgun and/or muzzleloader deer hunting on Seapowet.

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, 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 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 muzzleloaders during muzzleloading season

14.5.3 Two hundred (200) square inches by archers when traveling to/from stands during muzzleloading deer season

14.5.4 Five hundred (500) square inches by all hunters and other users (including archers) during shotgun deer season.

14.5.5 Exempt from 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 muzzle-loader and shotgun

deer season);
- hunters crow hunting over decoys;
- turkey hunters; and
- first segment dove hunters.

14.5.6 All other users of State Management areas, including but not limited to: hikers, bikers, 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, annually, **EXCEPT** as stated above in 14.5.4. The wearing of 200 square inches of solid daylight fluorescent orange is required during the established mourning dove and any wild turkey hunting season as promulgated by regulation.

14.6 All dogs being utilized in hunting activities must be wearing 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** in that period from the October 4 – 7 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 muzzleloading rifle, not to exceed .40 calibre, with round ball and patch only, may be used to hunt small mammals during the established seasons for these species. The use of solid ball in a muzzleloading shotgun is prohibited at all times, except when deer hunting as provided.

14.10 The use or possession of laser sights that project a beam or night-vision equipment while hunting is prohibited.

14.11 No person shall 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.

14.12 No person shall feed any black bear (Ursus americanus). No person shall intentionally use any method(s) to attract or entice a black bear.

14.13 Feeding and baiting wildlife in Rhode Island – No person shall feed wild waterfowl or wild cervids 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 within an enclosed pen;

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 feed of an occupied dwelling.

14.14 Distribution of Certain Food Material – No person shall feed wild or captive cervids with any material that contains protein derived from any mammalian tissues.

RULE 8 EFFECTIVE DATE

The foregoing Rules and Regulations - Hunting Regulations for the 2004 - 2005 Season, after due notice, are hereby adopted and filed with the Secretary of State this 4th day of October, 2004 to become effective immediately upon 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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Frederick Vincent, Acting, Director
Department of Environmental Management

Notice Given on:	technical revision
Public Hearing held:	none needed
Filing Date:	10/4/04
Effective Date:	upon filing

October 4, 2004

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

Dear Mr. Secretary:

The DEM - Division of Fish and Wildlife, in accordance with Chapters 20-1-2; 20-1-4, 20-1-8, 20-1-12, 20-1-13, 20 –18.1 “Department of Environmental Management", and Chapters 42-17.1, and 42-35 Administrative Procedures, General Laws of Rhode Island, 1956 as amended, has made a technical revision.

The purpose of this technical revision to the “Hunting Regulations for the 2004-2005 Season is to remove language that restricted the sale of certain deer tags following the opening date of the archery, muzzleloading, and shotgun deer seasons in Rhode Island.

These regulations to become effective upon filing.

Sincerely,

Michael L. Lapisky
Acting Chief