



NEW ENGLAND CHAPTER BACKCOUNTRY HUNTERS & ANGLERS

February 29, 2024

To Chairman Bennett and members of the House Committee on Environment and Natural Resources

Re: BHA Support for RI - 2024 – H7440 –Relating to Fish and Wildlife – Blue Crabs

Backcountry Hunters & Anglers (BHA) seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting. Our members support the North American Model of Wildlife Conservation, which asserts that wildlife is held in public trust as a scientifically managed resource for the benefit of all Americans.

With these things in mind, **BHA supports H7440**, which seeks to remove legislative restrictions on when blue crabs can be taken in Rhode Island, and subsequently provides RI's Department of Environmental Management (DEM) the opportunity to explore allowing the take of blue crabs at night.

While we recognize that the General Assembly is the body empowered by RI's Constitution "*to provide for the conservation of the air, land, water, plant, animal, mineral and other natural resources of the state*", BHA generally supports assigning responsibility over fish and wildlife to agencies, like DEM, so that the experts who are most familiar with resources are directly responsible for managing them. DEM is generally charged by the General Assembly through § 20-1-1 to manage RI's fish and wildlife through the establishment of seasons, setting of bag limits, and regulation of methods of take, and is more broadly tasked with establishing conservation policies utilizing best available science to conserve and perpetuate all species in the state. With respect to blue crabs, DEM carries out this duty primarily through its Marine Fisheries Division, which is staffed with biologists, scientists, technicians, and other experts who are familiar with the resources they manage. While we appreciate the General Assembly's need to maintain *some* guardrails around the authority it grants to the agency, the taking of blue crabs at night is relatively commonplace outside of RI, including in our neighboring states, so we support removing the legislative prohibition as proposed in H7440.

It is worth noting that RI's policy on taking blue crabs at night, which has been on the books for at several decades, is currently reflected both in RI's General Laws (§ 20-7-15) and DEM's regulations (250-RICR-90-00-5.9-E). As a result, enacting H7440 to remove the legislative prohibition would not immediately legalize crabbing at night, but rather it would provide DEM with the opportunity to analyze what impact lifting the regulatory prohibition might have on RI's blue crab fishery, and on those who choose to participate in it, and if a change is determined to be acceptable then it would need to be implemented through a regulatory process.

Updating RI's General Laws to remove unnecessary prohibitions on the take of fish and wildlife, and subsequently allowing DEM to manage resources through the regulatory process, is aligned with BHA's preferences for fish and wildlife management. As a result, **BHA urges the Committee, and ultimately the entire RI General Assembly, to support H7440.**

Thank you for your consideration,

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