



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

(401) 423-1920 Fax: (401) 423-1925

RIMFC: Robert Ballou, *Chairman*; David Monti, *Vice Chair*; Jeff Grant; William Mackintosh, III; Michael Rice, Ph.D.; Christopher Rein; Andy Dangelo; Mike Roderick; Travis Barao

MEETING NOTICE RI MARINE FISHERIES COUNCIL

February 28, 2017 – 6:00 PM
URI Narragansett Bay Campus, Corless Auditorium
South Ferry Road, Narragansett, RI

AGENDA

| Agenda item | ePacket Attachment(s) | Recommended action(s) |
|--|--|---|
| 1. Approval of tonight's agenda | <ul style="list-style-type: none"> • Tonight's agenda | Approval of agenda and/or recommendations for modifications. |
| 2. Approval of minutes from last meeting | <ul style="list-style-type: none"> • Meeting minutes 12-5-2016 | Approval of minutes and/or recommendations for modifications. |
| 3. Public Comments on any items not on agenda | N/A | Discussion and/or possible future action. |
| 4. <u>SAP & IAC Membership:</u> <i>J. Grant, C. Rein</i> | N/A | Removal of inactive members and/or update on progress |
| 5. <u>February 13 public hearing items:</u> <i>J. McNamee, N. Lengyel, N. Ares</i> <ul style="list-style-type: none"> • Rec. summer flounder • Rec. tautog • Comm. tautog • Comm. bluefish • Rec. scup • Rec. black sea bass • Rec. striped bass • Comm. striped bass • Comm. striped bass FFT • Comm. menhaden | <ul style="list-style-type: none"> • 1/10 workshop agenda • 2/6 workshop agenda • Public Notice • Powerpoint presentation (updated for Council) • Written comments • Summary of oral comments • Annotated regulations <ul style="list-style-type: none"> ○ Rec. summer flounder ○ Rec. tautog ○ Comm. tautog ○ Comm. bluefish ○ Rec. scup ○ Rec. black sea bass ○ Rec. striped bass | Provide recommendations to the Director regarding proposed regulations. |

| | | |
|--|--|---|
| | <ul style="list-style-type: none"> ○ Comm. Striped bass ○ Comm. Striped bass FFT ○ Comm. menhaden | |
| 6. <u>Advisory Panel Meeting Minutes approval:</u> <ul style="list-style-type: none"> • <u>SAP 1/11/17:</u> <i>J. Grant</i> • <u>SAP 2/22/17:</u> <i>J. Grant</i> | <ul style="list-style-type: none"> • <u>1/11/17:</u> Agenda, draft minutes, presentation • <u>2/22/17:</u> Agenda | FYI, discussion, approval of minutes |
| 7. <u>February 13 public hearing items cont'd:</u> <i>J. McNamee, W. Helt</i> <ul style="list-style-type: none"> • Shellfish Management Areas – new proposed areas • Bristol Harbor SMA – revised boundary location | <ul style="list-style-type: none"> • Annotated regulations • Powerpoint presentation • Summary of oral comments | Provide recommendations to the Director regarding proposed regulations. |
| 8. <u>RIMFC Annual Report:</u> <i>B. Ballou</i> | <ul style="list-style-type: none"> • RIGL §20-3-2 | Discussion |
| 9. <u>Skate Aggregate Performance metrics:</u> <i>J. McNamee</i> | N/A | FYI and/or determination of future action(s) |
| 10. RI Saltwater Recreational Fishing License Program Report – <i>J. Lake</i> | <ul style="list-style-type: none"> • RIGL 20-2.2-10 • Draft Report | Determination as to whether program is meeting its intended purpose per RIGL 20-2.2-10. |
| 11. <u>FYI:</u> ASMFC 2017 Winter Meeting Summary | <ul style="list-style-type: none"> • Report | FYI |
| 12. Adjourn | | |

All RIMFC Meetings are open to the public



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3 Fort Wetherill Road Jamestown, Rhode Island 02835

(401) 423-1920 Fax: (401) 423-1925

MEETING SUMMARY

December 5, 2016

Chairperson: *B. Ballou*

RIMFC Members: *J. Grant, B. Mackintosh, M. Rice, C. Rein, M. Roderick (D. Monti, T. Barao, A. Dangelo absent)*

DEM: *G. Powers, J. McNamee, S. Olszewski, P. Duhamel, D. Costa, N. Lengyel, N. Ares*

Public: Approximately 30 persons

1. **Approval of the Agenda:** The Chair requested modifications to the agenda or objections to approving the agenda. Hearing no such requests or objections, the agenda was approved.
2. **Approval of RIMFC meeting minutes from October 3, 2016:** The Chair inquired as to any proposed modifications or objections to approving the minutes. Hearing none, the minutes were approved.
3. **Public comments regarding other matters not on agenda:** Sarah Schumann provided a brief presentation regarding her upcoming “*Resilient Fisheries RI*” workshops.
4. **SAP meeting summary approval:** *J. Grant* provided a meeting summary. Upon conclusion of the summary, the meeting summary was approved.
5. **November 14 Public Hearing items:**
 - **Commercial Summer flounder – proposal # 1:** *J. McNamee* offered that status quo was not an option for 2017 due to the 30% reduction in quota. He offered that the Division recommendation at this juncture is in consideration of the comments received during the public hearing process, and is as follows:
 - Division support for the Town Dock proposal of 1,300 lb/bi-wk possession limit for the Winter sub-period as a means to avoid downward possession limit adjustments and/or early closure;
 - Division support for the Town Dock proposal to close on Monday rather than Sunday as proposed by the Division as either option is manageable by the Division, but also offered that such discontinuity may be problematic in terms of enforceability;
 - Division support to maintain aggregate program during Summer sub-period as catch rates are minimal due to low participation during this sub-period.
 - Division support to maintain the 100 lbs/vsl/day starting possession limit in the Fall sub-period. Catch rates generally start slowly; if catch rates don’t increase sufficiently, it may be difficult to use the entire quota. Division recommendation is to monitor closely and decrease possession limits accordingly to maximize the length of the season.

- Division support for the industry proposal to remove the eligibility requirement to participate in the Summer Flounder Aggregate program for the summer sub-period:
 - The Division can adequately manage the fishery and monitor catch rates;
 - The Division can adequately manage the additional administrative burden that would result if implemented, namely the additional issuance of permits;
 - Based on past modeling, implementation of this measure was estimated to increase harvest rates by 10 – 30%, meaning there is additional risk of an earlier closure.

B. Macintosh inquired as to the reality of the actual risk. *J. McNamee* asked guidance from the Council regarding minimum possession limit prior to closing. The current floor limit is set at 50 lbs; the question was posed if this should be lowered to 25 lbs. *K. Booth* offered against the proposal as too risky at this time. *B. Macintosh* offered that if this measure were to be implemented, then as additional safety factor to consider would be to close the aggregate program when 60% of the sub-period quota has been harvested, rather than at 80% as currently stipulated in regulation. **Motion made by *J. Grant*, 2nd by *M. Rice*, to recommend adoption of the following parameters:**

- **Maintain current sub-period allocation percentages and dates;**
- **Winter sub-period: Amend the aggregate possession limit to 1,300 lbs/vsl/week and 90 lbs/day as proposed by Town Dock;**
- **Summer sub-period:**
 - **Maintain starting possession limit of 50 lbs/vsl/day;**
 - **Closed days Friday, Saturday and Sunday.**
- **Fall sub-period: Maintain 100 lb/vsl/day starting possession limit: option 2; 2nd by *M. Rice*.**

The motion passed 4 – 0 (M. Roderick recused).

- **Commercial Summer flounder – proposal # 2: Motion made by *B. Macintosh* to recommend adoption of the measure as proposed, and also specifying a permit requirement for participants, and to also amend such that the program would terminate at 60% harvest; 2nd by *M. Rice*.** Discussion ensued regarding when the aggregate program in the summer sub-period should close if adopted. *J. Grant* offered support of the motion with additional consideration of the percentage to terminate the program so as to maintain an open season for as long as possible. *C. Rein* offered that he felt the aggregate program is important to maintain. *K. Booth* was against the proposal as difficult to enforce. Discussion ensued regarding the pros and cons of the proposal. **The motion passed 4 – 0 (M. Roderick recused).**
- **Commercial Scup: Motion made by *B. Macintosh*; 2nd by *M. Rice* to maintain status quo. The motion passed 5 – 0.**
- **Commercial Black sea bass: *J. McNamee* offered that minimum size in the commercial fishery is not used as an effort control measure, but is based on biology. He offered support for the public comment received to amend the starting possession limit during the 1st sub-period to 750 lbs/vsl/day. *C. Rein* inquired as to the impacts from a floor limit of 50 lbs/day vs. 25 lbs/day, to which *J. Grant* responded that the public comments received**

in support of a 25 lb/day floor was mainly from rod and reel fishermen. **Motion made by J. Grant to maintain status quo, but also to amend the starting possession limit for the 1st sub-period from 1,000 to 750 lbs/vsl/day, and also to maintain the 50 lb floor possession limit; 2nd by M. Rice. The motion passed 5 – 0.**

- **Proposed amendments regarding Commercial Coastal sharks:** Motion made by *J. Grant* to recommend adoption as proposed; 2nd by *M. Rice*. The motion passed 5 – 0.
- **Shellfish regulations:**
 - Transiting: The Division provided rationale for the proposed amendment, and revised language provided from the Division of Law Enforcement. Upon conclusion of the discussion, **motion was made by C. Rein; 2nd by M. Roderick, to recommend adoption of the revised language as provided from the Division of Law Enforcement. The motion passed 4 – 0** (*J. Grant* momentarily absent).
 - Proposed clarification of process to amend winter boat SMA harvest schedules: The Division presented rationale for the proposed amendment. Upon conclusion of the discussion, **motion was made by C. Rein to recommend adoption as proposed; 2nd by J. Grant. The motion passed 5 – 0.**
 - Proposed deletion of regulation regarding temporary possession limits in SMAs: **Motion made by M. Rice to recommend adoption as proposed; 2nd by C. Rein. The motion passed 5 – 0.**
 - Clarification of language for default harvest schedules in Winter Management Areas: The Division presented rationale for the proposed amendment, and also an additional change for the Council's consideration to include a December 25 and January 1 annual closure for the Bissel Cove/Fox Is. SMA consistent with Greenwich Bay and Bristol Harbor SMAs, which was apparently missed in previous a previous amendment. Upon conclusion of the discussion, **motion made by J. Grant to recommend adoption as proposed, including the additional change recommended by the Division regarding the December 25 and January 1 annual closure for the Bissel Cove/Fox Is. SMA; 2nd by M. Rice. The motion passed 5 – 0.**
 - Minimum size of soft-shell clams: **Motion made by M. Rice to recommend maintaining the existing language as well as including the new language proposed; 2nd by B. Macintosh. The motion passed 5 – 0.**
- **Proposed amendments regarding the management of horseshoe crabs:**
 - *J. McNamee* presented rationale for the proposed amendment and a summary of the industry and Save the Bay proposals, and revisions to the Division proposal based on public comments. Discussion ensued regarding all proposals, particularly regarding the closed season proposed. He offered that moon based closures are a difficult management approach as is difficult to enforce, and offered that a single continuous closure is more favorable. *S. Olszewski* provided additional rationale describing the need for additional management measures. *W. Ferguson* (Save the Bay) discussed STB's proposal regarding return of crabs used for bio-medical purposes. Discussion ensued regarding the process by which crabs are returned after the bleeding process and where compliance should reside with the harvester or the facility (i.e., dealer).

Discussion ensued regarding reporting and survival of crabs after bleeding. **Motion made by J. Grant, 2nd by M. Rice, to recommend adoption of the following parameters:**

- 7" minimum size (as proposed);
- Improve reporting and reporting compliance (as proposed);
- Improve the return process for crabs used for bio-medical (as proposed), however modify the language such that compliance rests solely with the bio-medical facility and not the harvester;
- Adjust the sub-period quota resulting from over-harvest in prior sub-period (as proposed).

The motion passed 5 – 0.

- *J. Grant* continued discussion with the other proposed measures and offered that the Division's stated goals were to promote a longer bait harvest season, to promote equity of access amongst participants, and to provide for improved timeliness of reporting. He offered that the industry proposal was developed to meet these goals. **Motion made by J. Grant, 2nd by M. Rice, to recommend a bait harvest closure for the month of May annually and to maintain the current moon based closures for bio-medical for the month of May (eliminate moon based closures for the months of June and July for both bio-medical and bait); 2nd by M. Rice.** *J. Grant* continued that the self-imposed bait quota is lower than that as required by the ASMFC FMP. He offered that the bio-medical quota is higher and is based on historical landings, and that a bio-medical harvest closure for the month of May would negatively impact this industry. He offered that DEM has previously taken measures to help maintain the viability of the bio-medical facility. *S. Olszewski* offered that consideration is needed regarding bait harvest that may be occurring illegally under a bio-medical permit, which would also then result in inaccurate reporting. *J. Grant* offered that the harvester permit must specify the dealer to improve reporting and monitoring. *W. Ferguson* offered that moon-based closures is not resulting in improved population of crabs and discussed other aspects of the STB proposal, and offered that the April closure proposed by STB was meant to provide maximum protection. She offered that a comprehensive spawning survey should be completed in cooperation with industry and that closures be addressed then. Upon conclusion of the discussion. **The motion passed 4 – 0 – 1** (*J. Grant* abstention).
- **Motion made by M. Rice; 2nd by C. Rein, to recommend a bait harvest possession limit of 60 crabs/day.** *J. Grant* promoted the proposed industry option with regard to seasons and possession limits, and offered that reaching the quota may be difficult with a 60 crab/day limit. He offered that if the motion proposed is adopted it would prevent bait fishermen from obtaining their desired amount of crabs, which is inconsistent with the Division's intent. Public comment was made that bait quota should be preserved for a fall season harvest; to which *J. Grant* answered that the industry proposal was designed to provide for this. **The motion passed 4 – 1** (*J. Grant* opposed).
- Regarding the proposed moratorium on the issuance of new permits, **motion was made by J. Grant to establish a control date of January 1, 2017 for the commercial horseshoe crab fishery; 2nd by M. Rice.** *J. Grant* offered that motion

was a good compromise in lieu of a moratorium. Upon conclusion of the discussion, **the motion passed 4 – 1** (*M. Roderick* opposed).

- **Proposed amendments to correct the location of Fish Trap # 29:** *J. McNamee* offered that the Council is not obligated to provide a recommendation on the matter, and suggested that such recommendation not be provided due to the sensitivity of the matter. The Council opted to discuss the matter and offer no recommendation. *B. Macintosh* offered that he has been fishing since 1969 and has never seen a fish trap located at the site where it was set off of Chase point this year, and also that it was unlike any fish trap that he was aware of. *J. Grant* offered that the situation was extremely unfortunate due to the amount of effort with building the fish trap specific to this site, resulting in losses of tens of thousands of dollars as the net is built tailored to the site and cannot readily be used in a different location. He offered that the regulations as currently written do indicate a location in the vicinity of Chase Point where the trap was set. *J. McNamee* offered that he also was sympathetic to the operator and particularly the crew, and offered that he personally endeavored to find an authorized location that the operator could utilize, but that all such efforts were rebuked by the operator. *J. Grant* offered appreciation to the state for such efforts.
6. **SAP & IAC Membership:** *C. Rein* and *J. Grant* offered to contact their respective panel memberships to begin the process of determining current membership and needs moving forward.
 7. **Other matters:** No other matters were discussed.

Meeting adjourned at approximately 8:30; prepared by *P. Duhamel*



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF FISH & WILDLIFE / MARINE FISHERIES
Three Fort Wetherill Road
Jamestown, Rhode Island 02835



MEETING NOTICE

Pre-Hearing Workshop

January 10, 2017

5:00 PM

URI Bay Campus

Coastal Institute Building

Hazard Room

South Ferry Road, Narragansett, RI

Agenda

1. [RIMFR - Striped bass](#)
 - a. 2017 recreational management
 - b. 2017 commercial management
 - i. General category
 - ii. Floating fish trap
2. [RIMFR – Menhaden](#)
 - a. 2017 Commercial management
3. [RIMFR - Finfish](#)
 - a. Tautog
 - i. 2017 Recreational management
 - ii. 2017 Commercial management
 - b. Bluefish
 - i. 2017 Recreational management
 - ii. 2017 Commercial management



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DIVISION OF FISH & WILDLIFE / MARINE FISHERIES
Three Fort Wetherill Road
Jamestown, Rhode Island 02835



MEETING NOTICE

Pre-Hearing Workshop

February 6, 2017

5:00 PM

URI Bay Campus

Coastal Institute Building

Hazard Room

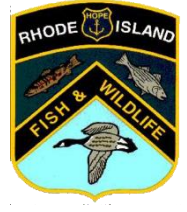
South Ferry Road, Narragansett, RI

Agenda

1. 2017 management for recreational summer flounder;
2. 2017 management for recreational scup;
3. 2017 management for recreational black sea bass;
4. Proposed new Shellfish Management Areas;
 - a. Providence and Seekonk Rivers
 - b. Warren River
 - c. Town Pond, Portsmouth
 - d. Narrow River
 - e. Green Hill Pond
 - f. Little Narragansett Bay/Pawcatuck River
5. Proposed amendment to the southern boundary of the Bristol Harbor Shellfish Management Area.



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DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF FISH & WILDLIFE / MARINE FISHERIES
Three Fort Wetherill Road
Jamestown, Rhode Island 02835



PUBLIC NOTICE CONCERNING PROPOSED REGULATORY CHANGES

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

The following regulatory items will be presented for public comment:

1. Proposed amendments to **RIMFR Part 3 - Finfish** regarding management for the following:
 - a. Recreational Summer Flounder (section 3.7.1);
 - b. Recreational Tautog (section 3.9.1);
 - c. Commercial Tautog (section 3.9.2);
 - d. Commercial Bluefish (section 3.10.2);
 - e. Recreational Scup (section 3.11.1);
 - f. Recreational Black Sea Bass (section 3.14.1).
2. Proposed amendments to **RIMFR Part XII - Striped Bass**, regarding management for the following:
 - a. Recreational Striped Bass (section 12.1);
 - b. Commercial Striped Bass general category (section 12.2);
 - c. Commercial Striped Bass floating fish trap (section 12.4).
3. Proposed amendments to **RIMFR-Part XVI - Menhaden**, regarding commercial menhaden management (section 16.1).
4. Proposed amendments to **RIMFR-Part 4 - Shellfish**, regarding the following:
 - a. Clarifications of Shellfish Management Area boundaries (sections 4.7.4 through 4.7.18)
 - b. Proposed Shellfish Management Areas (proposed new sections 4.7.19 through 4.7.24)

The **PUBLIC HEARING** will be held at **6:00PM** on **Monday, February 13th** at the University of Rhode Island, Graduate School of Oceanography, Corless Auditorium, South Ferry Road, Narragansett, RI 02882.

The rooms are accessible to the disabled. Interpreter services for the deaf and hard of hearing will be provided if such services are requested at least three (3) business days prior to the hearing by contacting the RI Commission on the Deaf and Hard of Hearing at (401) 222-5300; or (401) 222-5301 (TTY); or <http://www.cdhh.ri.gov/>.

The Department has determined that small businesses may be adversely impacted by the proposed regulations. Small businesses which are either currently licensed, or in the future may seek a license to harvest, buy, sell, or produce seafood products, as well as the small businesses that provide services related to those engaged in such industries, are requested to comment on the proposed regulations on how such proposed action can be changed to minimize the impact on those small businesses affected.

The public comment period closes at 4:00PM February 24, 2017. Written comments may be submitted to the Marine Fisheries office at 3 Fort Wetherill Road, Jamestown, RI 02835 (Attn: Peter Duhamel) or emailed to peter.duhamel@dem.ri.gov. The proposed regulations have been filed with the Office of the Secretary of State's website at <http://sos.ri.gov/ProposedRules/> pursuant to RIGL Chapter 42-35, and are also available at the DEM Marine Fisheries webpage at <http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/rimfc/index.php>, or by mail.

Jason McNamee,
Chief

RI Marine Fisheries Council

February 28, 2017



RI Department of Environmental Management

Marine Fisheries

PUBLIC HEARING

February 13,
2017



Hearing Items

1a. Recreational Summer Flounder

1b. Recreational Tautog

1c. Commercial Tautog

1d. Commercial Bluefish

1e. Recreational Scup

1f. Recreational Black Sea Bass

2a. Recreational Striped Bass

2b. Commercial Striped Bass general category

2c. Commercial Striped Bass floating fish traps

3. Commercial menhaden

4a. Proposed Shellfish Management Areas

4b. Proposed modification to the Bristol harbor SMA boundary



Hearing Item 1a: Recreational Summer Flounder

Management Options:

| Option | Minimum size | Season | Possession Limit |
|-----------------------------|--------------|------------------------------|------------------|
| Status Quo* | 18" | May 1 – Dec. 31 | 8 fish |
| <u>ASMFC (1):</u> | <u>19"</u> | May 1 – Dec. 31 | <u>4</u> fish |
| <u>ASMFC Default (2):</u> | <u>19"</u> | <u>June 1 – September 15</u> | <u>3</u> fish |
| <u>Workshop Option (3):</u> | 18" | May 1 – <u>Aug 4</u> | <u>4</u> fish |
| <u>Workshop Option (4):</u> | 18" | <u>July 2 – August 31</u> | <u>4</u> fish |
| <u>Industry (5):</u> | <u>19"</u> | <u>May 19</u> – Dec. 31 | <u>6</u> fish |
| <u>Industry (6):</u> | <u>19"</u> | <u>May 19</u> - Dec. 31 | 8 fish |

* Status quo is not an option for 2017



Hearing Item 1b: Recreational Tautog

Management Options:

| Option | Min. Size | Rec. and P/C Season | Poss. Limit* |
|--------------------------------|-----------|---|-------------------|
| <u>Option 1:</u> Status Quo | 16" | April 15 – May 31: | 3 fish/person/day |
| | | June 1 – July 31: | Closed |
| | | Aug. 1 – Friday before 3 rd Sat. in Oct: | 3 fish/person/day |
| | | 3 rd Sat. in Oct. – Dec. 15: | 6 fish/person/day |
| <u>Option 2:</u> | 16" | April 15 – May 31: | 3 fish/person/day |
| | | June 1 – July 31: | Closed |
| | | Aug. 1 – <u>Oct. 14</u> : | 3 fish/person/day |
| | | <u>Oct. 15</u> – Dec. 15: | 6 fish/person/day |

* max. 10 fish/vessel (n/a for P/C)



Hearing Item 1c: Commercial Tautog

Management Options:

| Option | Min. Size | Season | Allocation | Possession Limit |
|--------------------------------|-----------|---|------------|------------------|
| <u>Option 1:</u> Status Quo | 16" | April 15 – May 31 | 1/3 | 10 fish/vsl/day |
| | | June 1 – July 31 | -- | Closed |
| | | Aug. 1 – Sept. 15 | 1/3 | 10 fish/vsl/day |
| | | Oct. 15 – Dec. 31 | 1/3 | 10 fish/vsl/day |
| <u>Option 2:</u> Industry | 16" | April 15 – May 31 | <u>25%</u> | 10 fish/vsl/day |
| | | June 1 – July 31 | -- | Closed |
| | | Aug. 1 – Sept. 15 | <u>25%</u> | 10 fish/vsl/day |
| | | Oct. 15 – Dec. 31 | <u>50%</u> | 10 fish/vsl/day |
| <u>Option 3:</u> Industry | 16" | April 15 – May 31 | <u>40%</u> | 10 fish/vsl/day |
| | | June 1 – July 31 | -- | Closed |
| | | Aug. 1 – Sept. 15 | <u>20%</u> | 10 fish/vsl/day |
| | | Oct. 15 – Dec. 31 | <u>40%</u> | 10 fish/vsl/day |
| <u>Option 4:</u> Industry | | <u>Commercial management same as recreational</u> | | |



Hearing Item 1d: Commercial Bluefish

Management Options:

| Option | Min. size | Sub-period | Poss. Limit (lbs/vsl/wk) | 2017 Projected Poundage |
|---|------------|-----------------------|--------------------------|-------------------------|
| <u>Option 1:</u> Status Quo | 18" | 1/1 – 4/30 | 500 | 12,194 |
| | | 5/1 – 11/15 | 4,000 | 343,784 |
| | | 11/16 – 12/31 | 500 | 17,462 |
| <u>Option (2):</u> | 18" | 1/1 – 4/30 | 500 | 12,194 |
| | | 5/1 – 11/ <u>11</u> | <u>6,000</u> | 376,493 |
| | | 11/ <u>12</u> – 12/31 | 500 | 21,867 |
| <u>Workshop</u> <u>Option (3):</u> Industry | <u>12"</u> | 1/1 – 4/30 | 500 | 12,194 |
| | | 5/1 – 11/ <u>11</u> | <u>6,000</u> | 376,493 |
| | | 11/ <u>12</u> – 12/31 | 500 | 21,867 |
| <u>Option (4):</u> Industry | <u>15"</u> | 1/1 – 4/30 | 500 | 12,194 |
| | | 5/1 – 11/ <u>11</u> | <u>6,000</u> | 376,493 |
| | | 11/ <u>12</u> – 12/31 | 500 | 21,867 |



Hearing Item 1e: Recreational Scup

Management Options:

| Option | Mode | Min. Size | Season/Possession Limit |
|--------------------------------|-----------------|-----------|--|
| <u>Option 1:</u> Status Quo | General Fishery | 10" | <u>May 1 – Dec. 31:</u> 30 fish |
| | P/C | 10" | <u>May 1 – Aug. 31:</u> 30 fish <u>Sept. 1 – Oct. 31:</u> 45 fish <u>Nov. 1 – Dec. 31:</u> 30 fish |
| | Special Shore | 9" | <u>May 1 – Dec. 31:</u> 30 fish |



Hearing Item 1f: Recreational Black Sea Bass

Management Options:

| Option | Min. Size | Season | Possession Limit |
|-----------------------------|-----------|----------------------------|------------------|
| <u>Option 1:</u> Status Quo | 15" | 6/24 – 8/31 | 3 fish |
| | | 9/1 – 12/31 | 7 fish |
| <u>Workshop Option (2):</u> | 15" | 6/24 – 8/31 | 3 fish |
| | | 9/1 – <u>10/21</u> | 7 fish |
| <u>Workshop Option (3):</u> | 15" | <u>7/6</u> – 8/31 | 3 fish |
| | | 9/1 – 12/31 | 7 fish |
| <u>Workshop Option (4):</u> | 15" | <u>5/25</u> – 8/31 | 3 fish |
| | | 9/1 – <u>9/21</u> | 7 fish |
| | | <u>10/22</u> – 12/31 | 7 fish |
| <u>Workshop Option (5):</u> | 15" | 6/ <u>10</u> – 8/31 | 3 fish |
| | | 9/1 – <u>9/21</u> | 7 fish |
| | | <u>10/12</u> – 12/31 | 7 fish |
| <u>Industry (6):</u> | 15" | 6/ <u>14</u> – <u>9/30</u> | 3 fish |
| | | <u>10/15</u> – 12/31 | 7 fish |



Hearing Item 2a: Recreational Striped Bass

Management Options:

| Option | Min. Size | Possession Limit | Season |
|--------------------------------|-----------|-------------------|-----------------|
| <u>Option 1:</u> Status Quo | 28" | 1 fish/person/day | Open year round |



Hearing Item 2b: Commercial Striped Bass – General Category

Management Options:

| Option | Min. Size | Season* | Alloc . | Possession Limit** |
|----------------------|-----------|-----------------------------|-------------|--------------------|
| Status Quo (1) | 34" | 5/29 – 8/31 | 70% | 5 fish/person/day |
| | | 9/8 – 12/31 | 30% | 5 fish/person/day |
| <u>Industry (2):</u> | 34" | 5/ <u>28</u> – 8/ <u>14</u> | <u>60</u> % | 5 fish/person/day |
| | | <u>8/15</u> – 12/31 | <u>40</u> % | 5 fish/person/day |
| <u>Industry (3):</u> | 34" | 5/ <u>15</u> – <u>9/2</u> | <u>80</u> % | 5 fish/person/day |
| | | 9/ <u>3</u> – 12/31 | <u>20</u> % | 5 fish/person/day |
| <u>Industry (4):</u> | 34" | 5/ <u>28</u> – 8/ <u>14</u> | <u>60</u> % | 5 fish/person/day |
| | | <u>8/25</u> – 12/31 | <u>40</u> % | 5 fish/person/day |
| <u>Industry (5):</u> | 34" | Did not specify | <u>50</u> % | 5 fish/person/day |
| | | Did not specify | <u>50</u> % | 5 fish/person/day |
| <u>Industry (6):</u> | 34" | <u>6/4</u> – 8/31 | 70% | 5 fish/person/day |
| | | 9/ <u>5</u> – 12/31 | 30% | 5 fish/person/day |

* Closed Friday and Saturday; ** max. 5 fish/vsl.



Hearing Item 2c: Commercial Striped Bass - Floating Fish Traps

Management Options:

| Option | Min. Size | Possession Limit | Season |
|---|--|------------------|-------------|
| <u>Option 1:</u> Status Quo | 26" | Unlimited | 4/1 – 12/31 |
| <u>Option 2</u> <u>industry</u> <u>proposal:</u> Adjust poss. limit trigger | <u>Proposed language:</u> <u>(C) Possession limit: Unlimited. Once seventy percent (70%) of the seasonal allocation is projected to be harvested the possession limit shall be 200 pounds per floating fish trap licensee per calendar day.</u> | | |



Hearing Item 3: Commercial Menhaden

- Proposal 1: Change bycatch limit as defined in ASMFC Addendum I to Amendment 2

16.1.2 (B) Once the quota has been reached, the fishery will close for directed fisheries, including but not limited to purse seine operations, and ~~a the landing~~ bycatch limit for ~~non-directed fisheries will be 6,000 pounds per vessel per day~~ will be in effect. The bycatch limit will be:

(1) 6,000 pounds per vessel per day for non-directed fisheries.

(2) If two commercially licensed individuals are harvesting from the same vessel, 2 daily possession limits (12,000 pounds per vessel per day) may be harvested from one of the following gear types: pound nets, fish traps, anchored/staked gill nets, and fyke nets.



Hearing Item 3 cont'd: Commercial Menhaden

- Proposal 2: Modify location of Fall opening for purse seining

(E) Fall opening within the Menhaden Management Area:

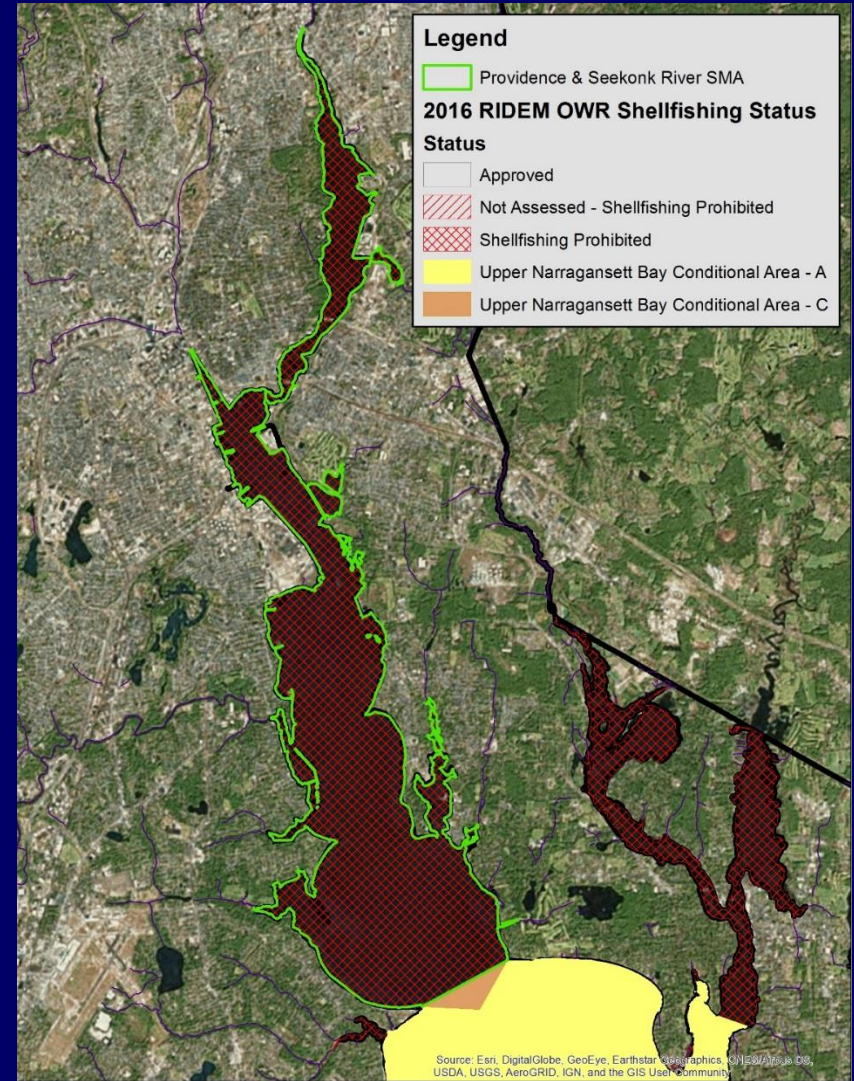
(1) Beginning September 1 annually, the ~~area south of a line from the Jamestown and Newport Bridges, and the area south of a line from Fogland Point to Sandy Point in the Sakonnet River, to the southern extent of the~~ Management Area will be open to the harvest of menhaden by purse seine as long as the states quota has not been exhausted or if the Episodic Event Set Aside Program, as described in this section, has been enacted in RI.

(2) Possession limit: 25,000 pounds per vessel per day.



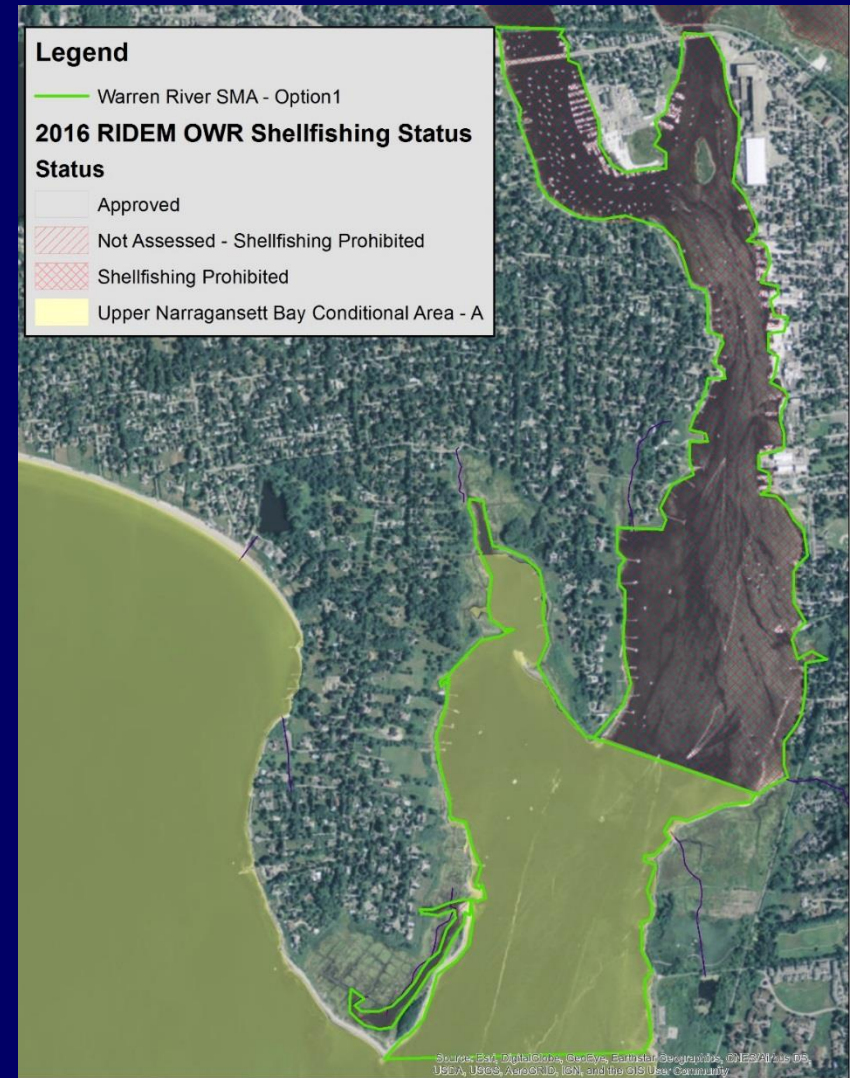
Hearing Item 4a: Proposed Shellfish Management Areas

- Providence and Seekonk Rivers Shellfish Management Area



Hearing Item 4a cont'd: Proposed Shellfish Management Areas

- Warren River Shellfish Management Area
- Option 1 - Division proposal:
 - Include portion of Conditional Area A north of Rumstick Point and closed waters of the Barrington, Palmer, and Warren Rivers
- Option 2 - Division proposal:
 - Include only closed waters of the Barrington, Palmer, and Warren Rivers



Hearing Item 4a cont'd: Proposed Shellfish Management Areas

- Town Pond Shellfish Management Area



Hearing Item 4a cont'd: Proposed Shellfish Management Areas

- Narrow River Shellfish Management Area



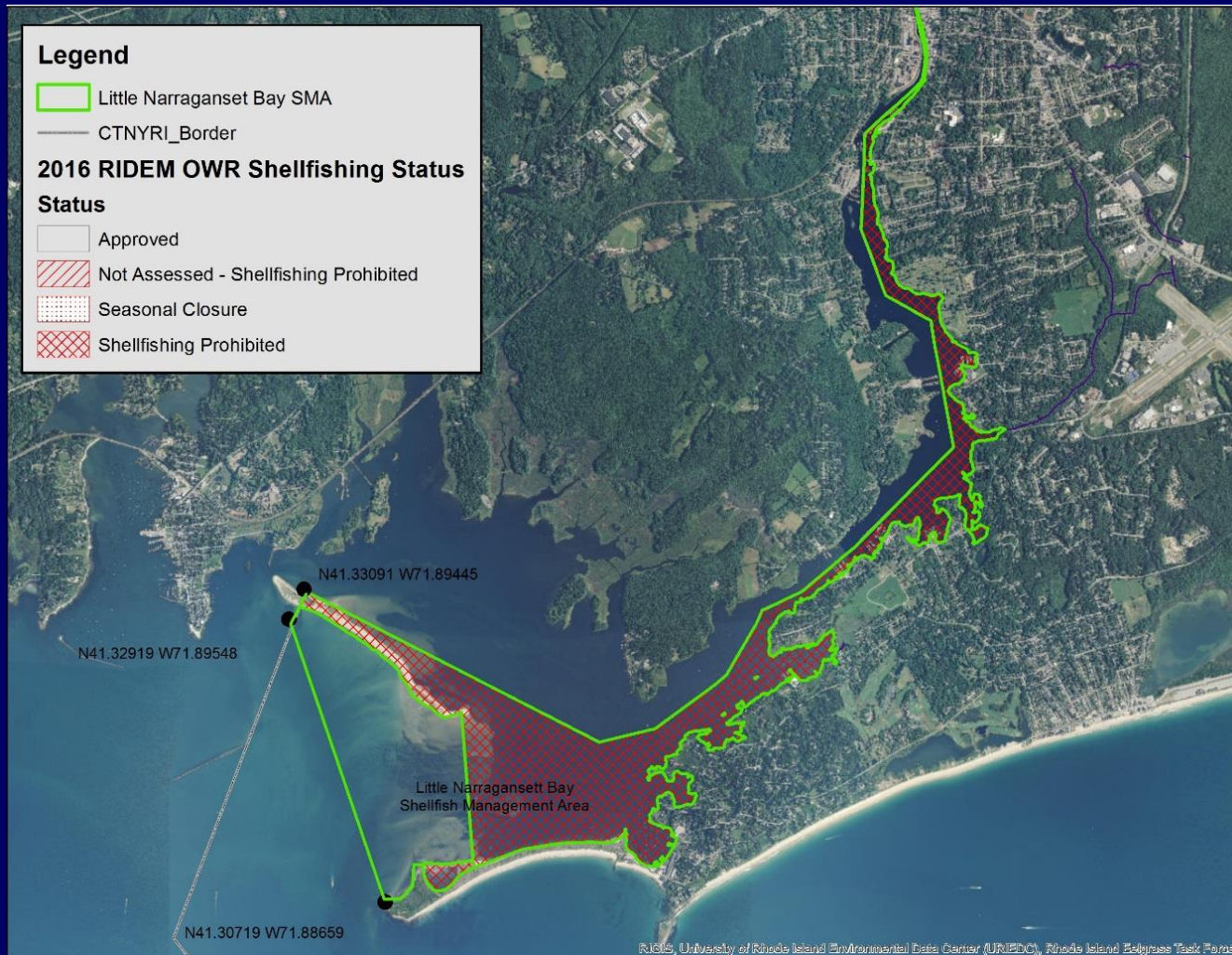
Hearing Item 4a cont'd: Proposed Shellfish Management Areas

- Green Hill Pond Shellfish Management Area

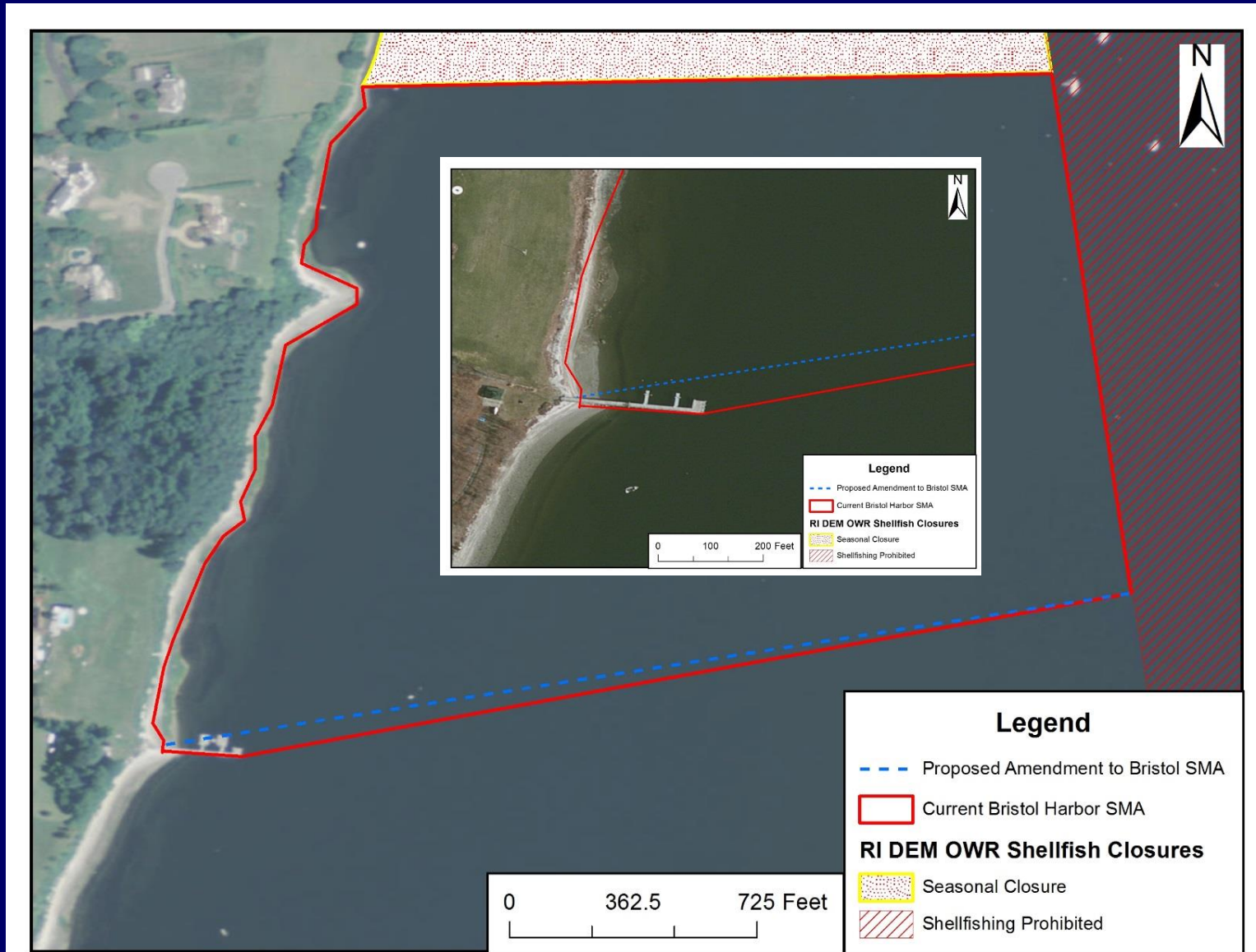


Hearing Item 4a cont'd: Proposed Shellfish Management Areas

- Little Narragansett Bay/Pawcatuck River



Hearing Item 4b: Proposed modification to the Bristol harbor SMA boundary



Hearing Item 4b: Proposed modification to the Bristol harbor SMA boundary

4.7.10 Bristol Harbor: Described as the marine waters of Bristol Harbor and its tributaries located southerly of a line extending between CRMC permitted dock #419 located at 163 Poppasquash Road (~~so-called Rockwell's Dock~~) in the town of Bristol ~~to~~ and the northwest corner of the Rockwell Pier municipal parking lot ~~in Bristol Harbor~~ in the town of Bristol; and north of a line ~~beginning~~ extending from the north side of CRMC Permitted Dock #1601 where it meets the shoreline, located at the boat house to the rear of 363 Poppasquash Road (~~so-called Johnson's Dock~~) in the town of Bristol and the northwest corner of the ~~Coast Guard Dock~~ U.S. Coast Guard station pier in the town of Bristol Harbor. ~~The area is bordered on the west by the three (3) foot contour line along the shore between Dock #419 and Dock # 1601 and on the east by the existing pollution line.~~



End of Slides!





Rhode Island
Department of Environmental Management
DIVISION OF FISH AND WILDLIFE
3 Fort Wetherill Road
Jamestown, RI 02835

401 423-1923
FAX 401 423-1925

SUMMARY OF ORAL COMMENTS

A public hearing was held on **February 13, 2017** at 6:00 PM, URI Narragansett Bay Campus, Coastal Institute Building, Narragansett, RI. Approximately 60 persons from the public were present.

Hearing Officer: J. McNamee

DEM Staff: B. Ballou, L. Mouradjian, G. Powers, J. McNamee, S. Olszewski, D. Costa, P. Duhamel.

RIMFC: D. Monti, T. Barao, B. Macintosh, A. Manca, J. Grant

Public comments were solicited on the following items:

• **Hearing Item 1a. - Recreational Summer Flounder:**

- R. Hittinger: *Would normally not be in support of an increase in minimum size, however due to effects on bag limit/season without such increase, in support of ASMFC option #1.*
- S. Medeiros - RISAA: *In support of ASMFC option #1.*
- F. Blount: *In support of 19" min. size and shortening season by 18 days.*
- G. Allen: *In support of ASMFC option #1.*
- R. Bellavance - RIPCBA: *In support of: minimum size 19"; Season May 19 – Dec. 31; 6 fish bag limit.*
- R. Tellier: *In support of ASMFC option #1.*

• **Hearing Item 1b. - Recreational Tautog:**

- S. Medeiros -RISAA: *In support of status quo.*
- G. Allen: *In support of status quo.*
- R. Bellavance - RIPCBA: *In support of option 2.*

• **Hearing Item 1c. - Commercial Tautog:**

- K. Booth - RICRRA: *In support of option 2 as a means to provide for more harvest in the fall season.*
- J. Walker: *Proposed allocations of 40/20/40 respectively for the 3 sub-periods.*
- Public comment: *In support of option 2.*
- A. Cahill: *In support of option 2.*
- R. Enright: *In support of option 2.*
- J. Macari: *In support of option 2.*
- Public comment: *In support of option 2.*
- J. Martini: *In support of option 2.*
- Public comment (comm. Rod and reel fisherman): *In support of option 2.*
- Public comment (comm. Rod and reel fisherman): *In support of option 2.*

- Public comment (comm. Rod and reel fisherman): In support of option 2.
 - D. Pascale: In support of option 2; 2nd preference of 40/20/40.
 - F. Pascale: In support of option 2.
 - M. Sherer: In support of option 2.
- **Hearing Item 1d. – Commercial Bluefish:**
 - A. Eagles: In support of option 3.
 - D. Pascale: In support of option 2 or 3.
- **Hearing Item 1e. - Recreational Scup:**
 - S. Medeiros -RISAA: In support of status quo.
 - F. Blount: In support of status quo.
- **Hearing Item 1f. - Recreational Black Sea Bass:**
 - S. Medeiros - RISAA: In support of status quo; 2nd preference support for option 4.
 - R. Bellavance - RIPCBA: In support of the following: June 14 – Sept. 30, 3 fish bag limit; Oct. 15 – Dec. 31, 7 fish bag limit. Also in support of an exemption to allow for transiting through federal waters between Block Island and the mainland during closed federal season. Without such exemption vessels docked mainland and wishing to fish in state waters around Block Island cannot do so as are not allowed to possess or transit in federal waters, which is a significant hardship.
 - F. Blount: In support of option 1 if reduction is required; or either option 4 or 5. Strongly in support of season being open in June.
 - A. Cahill: In support of option 1 if reduction is required; or either option 4 or 5.
 - Public comment – recreational fisherman: In support of option 4 and earlier opening.
 - R. Tellier: In support of option 1; or option 4.
- **Hearing Item 2a. - Recreational Striped Bass:**
 - S. Medeiros - RISAA: In support of status quo.
 - G. Allen: In support of status quo.
- **Hearing Item 2b. - Commercial Striped Bass general category:**
 - K. Booth: In support of amending 1st sub-period season to open 1st Sunday in June, and 2nd sub-period opening of the day after Labor Day; or industry option 2.
 - G. Allen: In support of proposal offered by K. Booth.
 - J. Macari: In support of proposal offered by K. Booth; or status quo.
 - B. Christensen: In support of option 3.
 - M. McGivney/RISA: In support of option 3.
 - Public comment: In support of option 3.
 - T. Walker: In support of option 3.
 - Public comment: In support of option 3.
 - J. Martini: In support of splitting sub-period allocation 50/50; or option 1.
 - A. Cahill: In support of proposal offered by K. Booth; or option 2.
 - Public comment: In support of proposal offered by K. Booth; strongly opposed to option 3.

- R. Masciarelli: In support of option 1.
 - Public comment: In support of option 1.
 - Public comment: In support of option 1.
 - M. Sherer: In support of option 1 and opening earlier in the fall.
 - Public comment: In support of option 3.
 - Public comment: In support of proposal offered by K. Booth; or status quo. Strongly opposed to option 3.
 - P. Chappell: In support of option 1.
 - D. Pascale: In support of option 2; strongly opposed to option 3.
 - F. Pascale: In support of proposal offered by K. Booth; or option 2 as the most fair.
 - Public comment: Strongly opposed to 50/50 allocation.
 - R. Miner: In support of option 3; or option 1.
 - J. Stevens: In support of option 3.
- **Hearing Item 2c. - Commercial Striped Bass floating fish trap:**
 - J. Walker: In support of status quo.
 - A. Eagles: In support of option 2.
 - J. Grant: In support of option 2.
- **Hearing Item 3. – Commercial Menhaden:**
 - **Proposal 1 - Amend bycatch limit as defined in ASMFC Addendum I to Amendment 2:**
 - T. Walker: In support as proposed.
 - **Proposal 2 - Modify location of Fall opening for purse seining:**
 - S. Medeiros - RISWAA: Strongly opposed as proposed.
 - R. Sousa: Strongly in support of proposal as a means to provide lobster bait to local lobstermen; believes that amount of fish is significant in area currently prohibited and needs to be harvested.
 - J. Walker: In support of proposal. Believes very important that this industry maintains viability so as to provide lobster bait.
 - Public comment: In support of proposal.
 - Public comment: In support of proposal.
 - J. Macari: In support of proposal.
 - A. Eagles: In support of proposal.
 - G. Allen: Opposed.
 - Public comment: Opposed.
 - R. Hittinger: Opposed. Believes area currently open is adequate.
 - Public comment (rec. fisherman): Opposed.
- **Hearing Item 4a. - Proposed Shellfish Management Areas:**
 - **Providence and Seekonk Rivers Shellfish Management Area:**
 - M. McGivney: Support as proposed.

- Public comment: Support as proposed.
- Public comment (comm. shellfisherman):
- **Warren River Shellfish Management Area:**
 - Jarrold Goulart: Opposed to option 1.
 - J. Desmond: Opposed to option 1.
 - Public comment: Opposed to option 1.
 - Public comment: Opposed to option 1.
 - John Goulart: Opposed to option 1.
 - L. McElroy: Opposed to option 1; support for option 2.
 - Public comment: Support for option 2.
 - M. McGivney: Support for option 2.
 - Public comment: Support for option 2.
 - J. Harvey: Support for option 2.
- **Town Pond Shellfish Management Area:**
 - Some discussion but no comments provided.
- **Narrow River Shellfish Management Area:**
 - Some discussion but no comments provided.
- **Green Hill Shellfish Management Area:**
 - No comments provided.
- **Little Narragansett Bay/Pawcatuck River Shellfish Management Area:**
 - Public comment: Inquired if allowed to transit through SMA from non-SMA waters while in possession of quantities greater than SMA possession limit.
- **Hearing Item 4b. – Proposed amendment to the Bristol Harbor Shellfish Management Area boundary:**
 - Public comment: Boundaries should be based on GPS coordinates rather than landmarks.

Prepared by P. Duhamel

Good Afternoon All,

I was just going over some numbers on summer flounder and there are a few interesting facts to consider.

The MA landings were down 22,000 fish last year or about 28% and RI landings were down 72,000 fish or approximately 44%. That means RI and Mass were down by 94,000 fish.

CT was up 134% with an increase of 126,000 fish, NY was up 238,000 fish or 48% and NJ was up 294,000 fish or 61%. That is an increase of 658,000 fish over the past year.

There just doesn't seem to be any logic in MA and RI going along with option 5 at all. MA seems to be willing to go up and inch but not lowering their bag limit. Early reports are NJ is also going to do something different.

What that means is at a period of time when two states caught 94,000 FEWER fish three states caught 658,000 MORE. The move to cut the bag limit is not based on any science. The other states say they are disadvantage because we have a higher bag limit. If that is the case why have their landings gone up and ours gone down? They also state there is chaos on the border between the states. MA and RI have a 2 inch size difference and a different bag limit. The argument does not hold water.

I urge the State of RI to do EVERYTHING that it can to keep the theft of the summer flounder and the mistreatment of RI fisherman from happening. If MA, NJ and RI all stand firm we have a chance. I don't believe any judge, if it gets that far, would find RI or MA out of compliance with the plan if we take a larger percent reduction then the three states that went over by 658,000 fish. **RI should go up one inch and if needed shorten our season by 18 days in May. We should not cut our bag limit just because other states think the optics of it look on fair.**

NY doesn't think it is on fair when in the fall they have a 10 fish bag limit on Sea Bass. Ct didn't seem to have a problem with an 8 fish bag limit on the for hire sector all year when RI had a 3 fish limit for half of the season and then a 7 fish limit in the fall. The other two states agreed to have a regional approach with RI last year, they didn't not in fact do so in reality. Ct went over in Sea bass by 151,000 fish. If the coast needs and 8 % reduction for 2017 Ct is a good place to look for it.

AMSMC and the MAFMC went with the regional approach a couple of years back. What it has done is just reallocate the fish. The other states have been supplementing NY for a couple of years. What did NY do in return? NY increased its bag limit and will not cut its season! If NY can keep the same length of its season does anyone think that they will not go over again?

Frank Blount

Hi Pete,

Here is what I recall saying on the record at the Public Hearing.

Fluke: May 19th to December 31st 19 Inches and 6 fish per person. I am adamantly opposed to the ASMFC Option.

Tautog: Option 2 Opening on October 15th as opposed to the 3rd Saturday in October.

Black Sea Bass: June 14th to September 30th 3 fish per person; and October 15th to December 31st 7 fish per person.

My intent on the Black Sea Bass is to limit the fall closure to 2 weeks. Then take whatever conservation we have left after the 8% reduction and open as many days as possible in June. I think Jason will need to figure out the exact day, I picked June 14th. I would like to try to get the Black Sea Bass opening and the Tautog opening to correspond so we can sell those trips.

Thanks,
Rick

Capt. Rick Bellavance, President
RI Party and Charter Boat Association
401-741-5648
www.rifishing.com

Hi Jason,

Just getting back to you regarding the workshop for Bluefish. After speaking with Nicole, it seems like option 2 is best. Then making adjustments like last year as the season progresses. It is very important to be PRO active as we were for the most part last year. I do appreciate being able to continue to work together.

Thanks

Dean Pasante

Hi Jason, Couldn't make the public hearing this past Monday. I'm assuming option 2 or 3 was most popular for Bluefish. If we could come to a compromise on the minimum size, 15 inches, maybe that would satisfy the traps. I'm friends with those guys and understand their concern, but I think its best to let ALL fish reproduce before harvesting them. Let me know what you think.

Thanks,
Dean Pesante

Hello,

My name is Kenneth T Murgo and I am a commercial fisherman from Bristol, RI (Multipurpose License # 001365). I wanted to comment on the public hearing item 1C Commercial Tautog. I support the status quo option on commercial Tautog management. The even distribution of quota between the three sub periods allows me to harvest tautog regularly in the Spring and Summer sub periods, which is an important part of my income. As tautog are one of the first fish to arrive in RI waters in the spring, the spring sub period is very important to my livelihood as it is one of the first things I can fish for after a long winter with little income. Reducing the quota in the spring sub period when there are no other fish available would be a hardship to my, and other fisherman's businesses. There is no advantage to allocating more quota to the fall sub period as proposed in option 2. During the fall there are numerous other species of fish, shellfish, and crustacean available for harvest, so more tautog quota is not needed during this time. Therefore, I feel that the status quo regarding Commercial Tautog management is in the best interest of RI fisherman.

Thank you for your time and consideration,

Kenneth T Murgo

Rhode Island Fishermen's Alliance

P.O. Box 337
East Greenwich, RI 02818

February 1, 2017

RI Marine Fisheries Public Hearing for proposed amendments for the 2017 **Commercial Tautog** fisheries management plan.

The Alliance proposes the following changes:

7.9.2 Commercial:

(A) Minimum size: Sixteen (16) inches.

(B) Seasons, allocations, and possession limit: The commercial harvest shall be the same seasons and the same bag limit as the recreational fishery.

~~(B) Seasons, allocations, and possession limit: The total allowable harvest of tautog will be established annually, and will be that amount allocated to the State of Rhode Island by the Regional Fishery Management Council and/or the ASMFC. The quota shall only be available during the following seasons:~~

~~(1) Spring sub-period (April 15 – May 31): (a) Allocation: 1/3 of the annual quota. (b) Possession limit: Ten (10) fish per vessel per day. RI Marine Fisheries Regulations Part VII – Finfish Page 15 of 40~~

~~(2) Summer sub-period (August 1 – September 15): (a) Allocation: 1/3 of the annual quota. (b) Possession limit: Ten (10) fish per vessel per day.~~

~~(3) Fall sub-period (October 15 – December 31): (a) Allocation: 1/3 of the annual quota (b) Possession limit: Ten (10) fish per vessel per day.~~

~~(4) Sub-period quotas may be harvested until exhausted. Any quota not harvested during a sub-period will be added to the next sub-period. If an over-harvest has occurred, that over-harvest will be deducted equally from all remaining sub-periods in the same calendar year. If an over-harvest has occurred for the entire year, that over-harvest will be deducted from the Summer sub-period of the following calendar year.~~

Note:

1. There are around one million residents in the state and around 31,000 salt water licensed residents or approximately three percent (3%) of the resident population.

2. The RI recreational fishery currently harvests over 250,000 lbs of tautog annually while the commercial fishery is limited to less than 50,000 lbs.
3. RI non-fishing residents representing 97% of the population have less than 20% of the available resource accessible to them.
4. Active resident recreational fishermen representing 3% of the population and non-resident fishermen take more than 80% of the resource.
5. More than half of the recreational salt water anglers fishing in RI waters are non-residents.
6. Non-resident recreational fishermen take many more times as much of the Tautog resource as is made available to the non-fishing RI resident.
7. Recreational fishermen have access to the tautog resource for many more days out of the year while non-fishing residents dependent upon commercial fishermen have access for a reduced number of days.

Rhode Island Fishermen's Alliance

P.O. Box 337
East Greenwich, RI 02818

February 1, 2017

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ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO
SUPPORTED US LAST YEAR

PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

Please sign below If you wish to support this initiative.

Thank you

Bo Christensen

| | | |
|---------------|----------------------------|-----------------------|
| DICK LEFEBVRE | <i>Richard J. Lefebvre</i> | 500 000315 |
| TBD | <i>Whitaker</i> | 000057 |

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR

18

PROPOSAL FOR 2017:

3 on Back too!

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

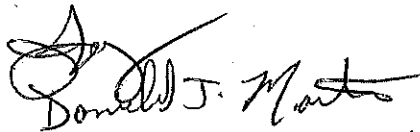
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Thank you

Bo Christensen

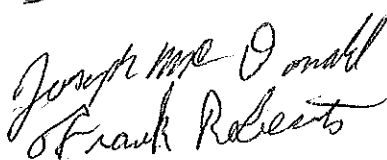
Jody King
DONALD MARTIN


Donald J. Martin

~~002516~~

001382

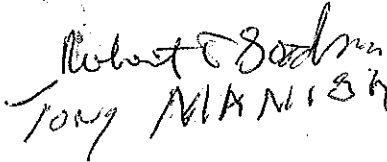
Joseph McDonald
FRANK ROBERTS


Joseph McDonald
of Frank Roberts

0696

489

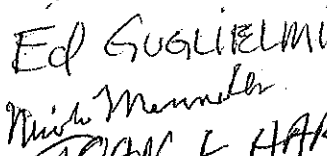
ROBERT GOODMAN
ANTHONY MARRAS


Robert Goodman
Tony MARRAS

0050 mp

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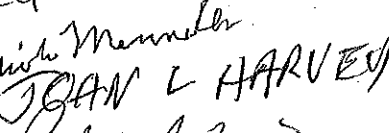
Ed Guglielmi
Michele Mennella


Ed GUGLIELMI
Miche Mennella

308

00100

ROBERT L. SIMMONS


JOAN L HARVEY

00047

EDWARD L VENTURA


Edward L Ventura

149

305

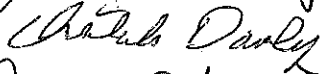
Richard B Andrews
JOSEPH GAIUCCI


Richard B Andrews
Joseph Scully

971

MP243

EMERSON DOWNES


Curt Cokely

MP 168

Curt Cokely


Curt Cokely

MP 466

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR

13

PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

Please sign below If you wish to support this initiative.
Thank you
Bo Christensen

| | | |
|-----------------------|-----------------------|--------|
| Bo Christensen | Bo Christensen | MP 429 |
| Martin McGiverney | Mat McGiverney | MP 205 |
| Matthew McGiverney | Mat McGiverney | 304 |
| Slawomir Hermanowski | Slawomir Hermanowski | 238 |
| RAY RATHILL | Ray Rathi | 46 |
| John Pampush | John Pampush | 406 |
| John Bonner | John Bonner | 1610 |
| Adam McGiverney | Adam McGiverney | 1609 |
| Richard Muer | Richard Muer | MP 130 |
| Krzysztof Hermanowski | Krzysztof Hermanowski | MP 275 |
| Philip Spadola | Phil Sp | MP 106 |
| Mike McGiverney | Mike McGiverney | MP 401 |
| Michael Ventura | Michael Ventura | 825 |

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR

12

PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

Please sign below if you wish to support this initiative.
Thank you
Bo Christensen

~~Bo Christensen Bo Christensen MP 429~~
NORM ZWOLINSKI Norman Zwolinski MP 193
John Stevens III John Stevens III PEL 1527
JONATHAN Wilson Jonathan Wilson M.P. 125
MURRAY CIANCIOLO Robert Brierty MP 303
Bill Bennett Bill Bennett MP 344
Norm Myers Norman Myers
KEITH ZWOLINSKI Keith Zwolinski #629
Greg Bassett #1647
Dwayne Gagnon Dwayne Gagnon #544
John Mayor 0034
Joe AMATO - MP 44
Richard A. Cavaco #1583

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12

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PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

Please sign below If you wish to support this initiative.

Thank you

Bo Christensen

| | | |
|------------------------|---------------------------|-------------------|
| Andrew Bless | Andrew Bless | MP 1224 |
| * Bo Christensen | Bo Christensen | MP 429 |
| Geary Schey | Geary Schey | MP 334 |
| George Viau | George Viau | PE 357 |
| Michael Monteforte | Michael Monteforte | MP 293 |
| Craig Abrahamson | Craig Abrahamson | MP 245 |
| FRANK FIELD | Frank Field | MP 495 |
| Jay E. Camacho | Jay E. Camacho | MP 0006 |
| Joe Bennett | Joe Bennett | 1076 |
| Robert J. M... .. | Robert J. M... .. | 699 |
| WILLIAM D. SIEZKIEWICZ | William D. Siezkiewicz | M.P. 124 |
| RAMON ESTRADA | Ramon Estrada | 02907 |

9

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR

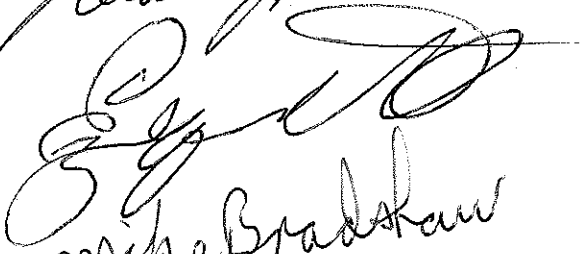

PROPOSAL FOR 2017:

**SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)**

**FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)**

Please sign below If you wish to support this initiative.
Thank you
Bo Christensen

~~*Bo Christensen Bo Christensen 429~~

| | |
|---|-----------|
| Frank Beardsley | 120 |
| ROBERT C HOGAN JR | MPURP 208 |
| Joe Mc Cue Joseph N. N. N. | 365 |
| OWEN KELLY MP | 0029 |
| Jerry Myers | 61 |
| Keith J. W. S. | 01134 |
|  | 605 SF 65 |
| Mike Bradshaw | 0423 |
|  | 1370 |

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO
SUPPORTED US LAST YEAR

PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

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Thank you
Bo Christensen

RONALD FORREST *Ronald Forrest*
William Silva *W S*
Nicholas McCarty
Zach St. Curs
DAN LOMBARDO
Joe Medeiros
Col Rene
Richard Burton
Bryce Felt
Bryan W

MULT 00139
MULT-0526
MULT: 1386
M
multi 1357
RIMP 998
MP 477
MAPRP 903
RD 001501
CPL 906
CPL 1268

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO
SUPPORTED US LAST YEAR

PROPOSAL FOR 2017:

SPRING SEASON OPENING MAY 15, (CURRENTLY MAY 29)
80% OF QUOTA (CURRENTLY 70%)

FALL SEASON OPENING SEPT. 3, (CURRENTLY SEPT. 8)
20% OF QUOTA (CURRENTLY 30%)

Please sign below If you wish to support this initiative.

Thank you

Bo Christensen

Mike McEvoy Richard J. Ely
Christopher LeVasseur C. H. L.

MP 0082

MP 4345

Pete,

I believe that I first requested that RIDEM consider reverting back to the format that worked for a number of years opening on the first Sunday in June with 70% of the quota; and then the fall season after Labor Day with 30% of the quota. If not that option, then the second which calls for opening on May 28th with 60% of the quota and, if my memory is correct, I modified the opening the fall season from the posted date of 8/15 to 8/25 with 40% of the quota..

Ken Booth

(Commercial Striped Bass)

To whom it may concern,

I would like to officially comment, on record for the purposed/annotated changes to the Rhode Island commercial striped bass fishery.

As a Rhode Island multipurpose dealer and a commercial rod and reel fisherman, Narragansett Bay Lobsters, Inc. is in **support of option 2**. As a proud member of the RHODE ISLAND SEAFOOD MARKETING COLABRATIVE and a supporter keeping our seafood products local, I feel that the fishery has a greater value to all involved if we can keep the fishery open closer to the peak of our tourist season. By doing this, it will allow our area markets and restaurants to provide the local and visiting public with a highly sought after and valuable local seafood item. By opening the season in mid-May most of the quota is caught before our real season even starts. Prices to the fisherman will be higher because the demand locally is stronger. If not option 2 we would be in support of option 1 status quo. If you should have any questions I can be contacted anytime at the number below.

Tom LaFazia
Sales/Purchasing Manager
401-782-9000 ext.1
islandlure@yahoo.com





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

BUREAU OF NATURAL RESOURCES

DIVISION OF FISH AND WILDLIFE
DIVISION OF LAW ENFORCEMENT



RHODE ISLAND MARINE FISHERIES REGULATIONS

Part 3 Finfish

~~December 16, 2016~~

Proposed/annotated changes

Public Hearing
February 13, 2017

Hearing Item 1a.
Recreational Summer Flounder
(section 3.7.1)

- Quota reductions are required for 2017, however specific data is unavailable at the time of notice.
- Status quo is not an option for 2017.
- No specific proposals are provided at this time; all management parameters are open to comment and subject to amendment.

3.7.1 Recreational:

- (A) Minimum size: Eighteen inches (18”).
- (B) Season: May 1 through December 31.
- (C) Possession limit: Eight (8) fish, whether caught within the jurisdiction of this state or otherwise.

Hearing Item 1b.
Recreational Tautog
(section 3.9.1)

Option 1: Status quo

3.9.1 Recreational:

- (A) Minimum size: Sixteen (16) inches.
- (B) Seasons and possession limits:
 - (1) April 15 through May 31: Three (3) fish per person per calendar day.
 - (2) June 1 through July 31: Closed.
 - (3) August 1 through the Friday before the third Saturday in October: Three (3) fish per person per calendar day.
 - (4) Third Saturday in October through December 15: Six (6) fish per person per calendar day.
 - (5) Maximum per vessel possession limit: The possession limit shall be per person per calendar day, as stated above, with a maximum of ten (10) fish per vessel per calendar day.

(C) Licensed Party and Charter vessel seasons and possession limits:

- (1) April 15 through May 31: Three (3) fish per person per calendar day.
- (2) June 1 through July 31: Closed.
- (3) August 1 through the Friday before the third Saturday in October: Three (3) fish per person per calendar day.
- (4) Third Saturday in October through December 15: Six (6) fish per person per calendar day.
- (5) Licensed party/charter boats are not subject to the ten (10) fish per vessel per calendar day restriction.
- (6) Reporting: Any licensed party/charter boat participating in the tautog fishery must report each trip targeting tautog into the elogbook (the electronic logbook hosted by ACCSP).

Option 2: Change October start date to October 15

3.9.1 Recreational:

(A) Minimum size: Sixteen (16) inches.

(B) Seasons and possession limits:

- (1) April 15 through May 31: Three (3) fish per person per calendar day.
- (2) June 1 through July 31: Closed.
- (3) August 1 through ~~the Friday before the third Saturday in October~~ **October 14:** Three (3) fish per person per calendar day.
- (4) ~~Third Saturday in October~~ **October 15** through December 15: Six (6) fish per person per calendar day.
- (5) Maximum per vessel possession limit: The possession limit shall be per person per calendar day, as stated above, with a maximum of ten (10) fish per vessel per calendar day.

(C) Licensed Party and Charter vessel seasons and possession limits:

- (1) April 15 through May 31: Three (3) fish per person per calendar day.

- (2) June 1 through July 31: Closed.
- (3) August 1 through the Friday before the third Saturday in October: Three (3) fish per person per calendar day.
- (4) Third Saturday in October through December 15: Six (6) fish per person per calendar day.
- (5) Licensed party/charter boats are not subject to the ten (10) fish per vessel per calendar day restriction.
- (6) Reporting: Any licensed party/charter boat participating in the tautog fishery must report each trip targeting tautog into the elogbook (the electronic logbook hosted by ACCSP).

Hearing Item 1c.
Commercial Tautog
(section 3.9.2)

Option 1: Status quo

3.9.2 Commercial:

- (A) Minimum size: Sixteen (16) inches.
- (B) Seasons, allocations, and possession limit: The total allowable harvest of tautog will be established annually, and will be that amount allocated to the State of Rhode Island by the Regional Fishery Management Council and/or the ASMFC. The quota shall only be available during the following seasons:
 - (1) Spring sub-period (April 15 – May 31):
 - (a) Allocation: 1/3 of the annual quota.
 - (b) Possession limit: Ten (10) fish per vessel per day.
 - (2) Summer sub-period (August 1 – September 15):
 - (a) Allocation: 1/3 of the annual quota.
 - (b) Possession limit: Ten (10) fish per vessel per day.
 - (3) Fall sub-period (October 15 – December 31):
 - (a) Allocation: 1/3 of the annual quota

(b) Possession limit: Ten (10) fish per vessel per day.

Option 2: Adjust sub-period allocations

3.9.2 Commercial:

(A) Minimum size: Sixteen (16) inches.

(B) Seasons, allocations, and possession limit: The total allowable harvest of tautog will be established annually, and will be that amount allocated to the State of Rhode Island by the Regional Fishery Management Council and/or the ASMFC. The quota shall only be available during the following seasons:

(1) Spring sub-period (April 15 – May 31):

(a) Allocation: ~~1/3~~ **25%** of the annual quota.

(b) Possession limit: Ten (10) fish per vessel per day.

(2) Summer sub-period (August 1 – September 15):

(a) Allocation: ~~1/3~~ **25%** of the annual quota.

(b) Possession limit: Ten (10) fish per vessel per day.

(3) Fall sub-period (October 15 – December 31):

(a) Allocation: ~~1/3~~ **50%** of the annual quota

(b) Possession limit: Ten (10) fish per vessel per day.

Hearing Item 1e. **Commercial Bluefish** **(section 3.10.2)**

Option 1: Status quo

3.10.2 Commercial: A total allowable harvest of Bluefish will be established annually, and shall be that amount allocated to the State of Rhode Island by the Regional Fishery Management Councils and/or the ASMFC.

(A) Minimum size: Eighteen (18) inches.

(B) Seasons and allocations:

- (1) January 1 through April 30: 500 pounds per vessel per week.
- (2) May 1 through November 15: 4,000 pounds per vessel per week.
- (3) November 16 through December 31: 500 pounds per vessel per week.

Option 2: Increase starting possession limit in the summer sub-period

3.10.2 Commercial: A total allowable harvest of Bluefish will be established annually, and shall be that amount allocated to the State of Rhode Island by the Regional Fishery Management Councils and/or the ASMFC.

(A) Minimum size: Eighteen (18) inches.

(B) Seasons and allocations:

- (1) January 1 through April 30: 500 pounds per vessel per week.
- (2) May 1 through November 15: ~~4,000~~ **6,000** pounds per vessel per week.
- (3) November 16 through December 31: 500 pounds per vessel per week.

Option 3: Industry proposal - increase starting possession limit in the summer sub-period and decrease minimum size

3.10.2 Commercial: A total allowable harvest of Bluefish will be established annually, and shall be that amount allocated to the State of Rhode Island by the Regional Fishery Management Councils and/or the ASMFC.

(A) Minimum size: ~~Eighteen~~ **Twelve** (~~18~~ **12**) inches.

(B) Seasons and allocations:

- (1) January 1 through April 30: 500 pounds per vessel per week.
- (2) May 1 through November 15: ~~4,000~~ **6,000** pounds per vessel per week.
- (3) November 16 through December 31: 500 pounds per vessel per week.

Hearing Item 1f.
Recreational Scup
(section 3.11.1)

- **Quota reductions may be required for 2017.**
- **No specific proposals are provided at this time; all management parameters are open to comment and subject to amendment.**

3.11.1 Recreational:

(A) Minimum size: Ten (10) inches.

(B) Season: May 1 through December 31 annually.

(C) Possession limit: Thirty (30) Scup per person per calendar day, whether caught within the jurisdiction of this State or otherwise.

(D) Special shore-fishing provision:

(1) Locations: India Point Park, Providence; Conimicut Park, Warwick; Rocky Point, Warwick; Stone Bridge, Tiverton; East and West Walls (Harbor of Refuge), Narragansett; Fort Wetherill, Jamestown; and Fort Adams, Newport:

(2) Minimum size: Nine (9) inches.

(3) Season: May 1 through December 31.

(4) Possession limit: Thirty (30) Scup per person per calendar day.

(E) Licensed Party and Charter vessels seasons and possession limit:

(1) May 1 through August 31: Thirty (30) Scup per person per calendar day, whether caught within the jurisdiction of this State or otherwise.

(2) September 1 through October 31: Forty-five (45) scup per person per calendar day whether caught within the jurisdiction of this State or otherwise.

(3) November 1 through December 31: Thirty (30) Scup per person per calendar day whether caught within the jurisdiction of this State or otherwise.

Hearing Item 1g.
Recreational Black Sea Bass
(section 3.14.1)

Option 1: Status quo

Option 2:

- Quota reductions may be required for 2017.
- No specific proposals are provided at this time; all management parameters are open to comment and subject to amendment.

3.14.1 Recreational:

(A) Minimum size: Fifteen (15) inches. Minimum size measurement for black sea bass does not include the tendril located on the caudal (tail) fin.

(B) Seasons and possession limits:

(1) June 24 through August 31: Three (3) fish per person per calendar day, whether caught within the jurisdiction of this State or otherwise.

(2) September 1 through December 31: Seven (7) fish per person per calendar day, whether caught within the jurisdiction of this State or otherwise.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

BUREAU OF NATURAL RESOURCES
FISH AND WILDLIFE
&
LAW ENFORCEMENT



**RHODE ISLAND MARINE FISHERIES
REGULATIONS**

**Part XII
Striped Bass**

~~March 31, 2016~~

Proposed/annotated changes

Public Hearing
February 13, 2017

Hearing Item 2a.
Recreational Striped Bass
(section 12.1)

Option 1: Status quo

12.1 Recreational:

12.1.1 Minimum size: Twenty-eight inches (28") in total length, whether caught within the jurisdiction of this State, or otherwise.

12.1.2 Season: There is no closed season for recreational striped bass.

12.1.3 Possession limit: One (1) fish per person per day, whether caught within the jurisdiction of Rhode Island or otherwise.

(A) Possession limit compliance aboard vessels:

(1) Licensed party/charter vessels: Possession limit compliance aboard licensed party/charter vessels will be determined by dividing the number of fish by the number of fishermen onboard the boat.

(2) Multiple licensed recreational fishermen fishing from a single vessel: Possession limit compliance aboard vessels with multiple licensed fishermen will be determined by dividing the number of fish by the number of licensed fishermen on board said vessel.

Hearing Item 2b.
Commercial Striped Bass General Category
(section 12.2)

Option 1: Status quo

12.2 Commercial – General Category:

12.2.1 Minimum size: Thirty four (34) inches or greater in total length, whether caught within the jurisdiction of this state or otherwise.

12.2.2 Seasons, allocations, and possession limits: During a single calendar year, the general category Striped bass fishery shall be allowed to harvest not more than 61% of the annual Rhode Island commercial quota.

(A) January 1 – May 28: Closed.

(B) May 29 – August 31:

- (1) Allocation: 70% of the general category quota will be available in this sub-period.
- (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.
- (3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub-period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.
- (4) The sub-period will close once 70% of the general category quota is projected to be harvested if prior to August 31.

(C) September 8 – December 31:

- (1) Allocation: 30% of the general category quota will be available in this sub-period.
- (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.
- (3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.
- (4) The sub-period will close when 30% of the general category quota is projected to be harvested.
- (5) If DFW determines that the quota will be exceeded or will not be met before the end of the fall season, DFW may adjust that catch rate accordingly on or after September 15 annually.

Option 2: Industry proposal

12.2 Commercial – General Category:

12.2.1 Minimum size: Thirty four (34) inches or greater in total length, whether caught within the jurisdiction of this state or otherwise.

12.2.2 Seasons, allocations, and possession limits: During a single calendar year, the general category Striped bass fishery shall be allowed to harvest not more than 61% of the annual Rhode Island commercial quota.

- (A) January 1 – May ~~28~~ 27: Closed.
- (B) May ~~29~~ 28 – August ~~31~~ 14:
- (1) Allocation: ~~70~~ 60% of the general category quota will be available in this sub-period.
 - (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.
 - (3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub-period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.
 - (4) The sub-period will close once ~~70~~ 60% of the general category quota is projected to be harvested if prior to August ~~31~~ 14.
- (C) September 8 August 15 – December 31:
- (1) Allocation: ~~30~~ 40% of the general category quota will be available in this sub-period.
 - (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.
 - (3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.
 - (4) The sub-period will close when ~~30~~ 40% of the general category quota is projected to be harvested.
 - (5) If DFW determines that the quota will be exceeded or will not be met before the end of the fall season, DFW may adjust that catch rate accordingly on or after September 15 annually.

Option 3: Industry proposal

12.2 Commercial – General Category:

12.2.1 Minimum size: Thirty four (34) inches or greater in total length, whether caught within the jurisdiction of this state or otherwise.

12.2.2 Seasons, allocations, and possession limits: During a single calendar year,

the general category Striped bass fishery shall be allowed to harvest not more than 61% of the annual Rhode Island commercial quota.

(A) January 1 – May ~~28~~ 14: Closed.

(B) May 29 15 – August 31 September 2:

(1) Allocation: ~~70~~ 80% of the general category quota will be available in this sub-period.

(2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.

(3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub-period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.

(4) The sub-period will close once ~~70~~ 80% of the general category quota is projected to be harvested if prior to ~~August 31~~ **September 2**.

(C) September ~~8~~ 3 – December 31:

(1) Allocation: ~~30~~ 20% of the general category quota will be available in this sub-period.

(2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.

(3) The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.

(4) The sub-period will close when ~~30~~ 20% of the general category quota is projected to be harvested.

(5) If DFW determines that the quota will be exceeded or will not be met before the end of the fall season, DFW may adjust that catch rate accordingly on or after September 15 annually.

Hearing Item 2c.
Commercial Striped Bass Floating Fish Traps
(section 12.4)

Option 1: Status quo

12.4 Commercial - Floating Fish Trap:

12.4.1 Floating fish trap operators must be permitted pursuant to RIGL §20-5-1, and abide by all conditions as specified in RIGL Chapter 20-5 and RIMFR Part XIV. Application shall be made to the DFW on forms prescribed by the Director.

12.4.2 Allocation: During a single calendar year, the floating fish trap quota shall not be more than thirty-nine percent (39%) of the annual Rhode Island commercial quota.

12.4.3 Minimum size: Twenty-six inches (26") in total length.

12.4.4 Season: April 1 through December 31.

12.4.5 When DFW has determined that the annual quota allocated to floating fish traps has been reached, the fishery will terminate.

12.4.6 Reporting: All floating fish trap operators shall keep daily records of striped bass landings and report landings to SAFIS every Monday, Wednesday, and Friday, of every week that the trap is in operation.

12.4.7 If the floating fish trap operators are found to be out of compliance with the reporting requirements, the operators will be notified, and default to following program

- (A) April 1 – December 31: One hundred percent (100%) of the floating fish trap quota shall be available during this sub-period. Once eighty percent (80%) of the seasonal allocation is projected to be harvested the possession limit shall be 500 pounds per floating fish trap licensee per calendar day.

Option 2: Industry proposal

12.4 Commercial - Floating Fish Trap:

12.4.1 Floating fish trap operators must be permitted pursuant to RIGL §20-5-1, and abide by all conditions as specified in RIGL Chapter 20-5 and RIMFR Part XIV. Application shall be made to the DFW on forms prescribed by the Director.

12.4.2 **Seasons, allocations, and possession limits:** During a single calendar

year, the floating fish trap quota shall not be more than thirty-nine percent (39%) of the annual Rhode Island commercial quota.

~~12.4.3~~(A) Minimum size: Twenty-six inches (26") in total length.

~~12.4.4~~(B) Season: April 1 through December 31.

(C) Possession limit: Unlimited. Once seventy percent (70%) of the seasonal allocation is projected to be harvested the possession limit shall be 200 pounds per floating fish trap licensee per calendar day.

12.4.5 When DFW has determined that the annual quota allocated to floating fish traps has been reached, the fishery will terminate.

12.4.6 Reporting: All floating fish trap operators shall keep daily records of striped bass landings and report landings to SAFIS every Monday, Wednesday, and Friday, of every week that the trap is in operation.

12.4.7 If the floating fish trap operators are found to be out of compliance with the reporting requirements, the operators will be notified, and default to following program

(A) April 1 – December 31: One hundred percent (100%) of the floating fish trap quota shall be available during this sub-period. Once eighty percent (80%) of the seasonal allocation is projected to be harvested the possession limit shall be 500 pounds per floating fish trap licensee per calendar day.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

BUREAU OF NATURAL RESOURCES
FISH AND WILDLIFE
&
LAW ENFORCEMENT

Rhode Island Marine Fisheries Regulations



**Part XVI
Menhaden**

~~May 11, 2016~~

Proposed/annotated changes

Public Hearing
February 13, 2017

Hearing Item 3.
Commercial Menhaden
(section 16.1 in its entirety)

Option 1: Status quo

16.1 Commercial:

16.1.1 Menhaden Management Area: Narragansett Bay in its entirety is designated a Menhaden Management Area pursuant to RIGL 20-4.1-1. This area shall include the east and west passages of Narragansett Bay, Mt. Hope Bay, and the Sakonnet River, and be bordered on the south by a line from Bonnet Point to Beavertail Point to Castle Hill Light. The southern boundary further extends from Land's End to Sachuest Point and then to Sakonnet Light. The following regulations govern all commercial menhaden operations conducted in the Menhaden Management Area (Management Area). (RIGL 20-4.1-1)

(A) Opening and closure of fishery:

(1) Fishery opening - possession limits:

(a) Biomass Floor: On an annual basis in the spring, the DFW shall conduct regular estimates of the standing stock of menhaden present in the Management Area utilizing approved scientific monitoring methods. On the basis of those estimates, the Division of Fish & Wildlife (DFW) shall open the commercial fishery at an initial possession limit of 120,000 pounds per vessel per calendar day when the estimated weekly standing stock reaches 2,000,000 pounds.

(b) The possession limits may be modified by the DFW on the basis of the estimated weekly standing stock of menhaden in the Management Area derived via approved scientific monitoring methods.

(c) The possession or taking of menhaden is prohibited on any Saturday, Sunday, official state holiday, or prior to sunrise or following sunset, unless using a non-directed gear type for menhaden. Non-directed gear shall be defined as cast nets, floating fish traps, and rod and reel.

(2) Fishery closure:

(a) Biomass Ceiling: When 50% of the estimated standing stock of menhaden stock present in the management area, above the minimum threshold amount of 1,500,000 pounds, is harvested, the DFW shall close the menhaden fishery until further notice.

(b) If at any time the stock estimate drops below 1,500,000 pounds, the DFW shall close the commercial fishery until further notice.

(c) Non-directed gear possession limit allowance: Upon closure of the fishery, the possession limit is 6,000 pounds per vessel per day for vessels utilizing non-directed gear.

(B) Purse seine restrictions: The use of purse seines in the Management Area shall be permitted only in accordance with the following terms and conditions:

(1) All nets shall be less than 100 fathoms (600 feet) in length and less than 15 fathoms (90 feet) in depth.

(2) All nets shall be marked with fluorescent-colored float buoys, distinguishable from the other float buoys on the net, at intervals of 50 feet.

(3) Annually, prior to use, all nets shall be inspected and certified as being in conformance with the provisions of this section by the DEM Division of Law Enforcement (DLE). Once inspected and certified, a net may be used throughout the duration of the calendar year in which it was inspected, provided that it is not altered with regard to any of the provisions of this section. Any net that is altered with regard to any of the provisions of this section must be re-inspected and recertified prior to use.

(C) Permanently closed areas (waters) to purse seining for menhaden:

(1) Providence River: All waters north of a straight line extending from Rocky Point to Conimicut Light to Nayatt Point.

(2) Greenwich Bay: All waters in Greenwich Bay west of a line from the flag pole on Warwick Point to Sandy Point.

(3) Harvest of menhaden in permanently closed areas: No person harvesting menhaden shall possess more than 200 menhaden per vessel per calendar day unless using gear types other than purse seine.

(D) Commercial vessel restrictions: A fishing vessel engaged in the commercial menhaden fishery may not have a useable fish storage capacity greater than 120,000 pounds. Prior to the commencement of fishing, for any vessel not previously certified through this process, each vessel must be inspected by a certified marine surveyor and assessed with regard to its fish storage capacity. Such certification must be kept aboard the vessel at all times. Vessels must either be certified as having a useable storage capacity of 120,000 pounds or less, or for vessels with a fish storage capacity greater than 120,000 pounds the excess capacity is rendered unusable in accordance with the specifications set forth in the assessment.

(E) Fall opening within the Menhaden Management Area:

(1) Beginning September 1 annually, the area south of a line from the Jamestown and Newport Bridges, and the area south of a line from Fogland Point to Sandy Point in the Sakonnet River, to the southern extent of the Management Area will be open to the harvest of menhaden by purse seine as long as the states quota has not been exhausted or if the Episodic Event Set Aside Program, as described in this section, has been enacted in RI.

(2) Possession limit: 25,000 pounds per vessel per day.

(F) Reporting requirements:

(1) Any fisher intending to engage in the commercial menhaden fishery in the Management Area shall notify the DLE at (401) 222-3070 prior to taking or possessing menhaden. At the time that a fisher advises the DLE of his/her intent to harvest menhaden, the DLE shall notify said fisher of any modification which may have been established in the possession limit for menhaden.

(2) Each person engaging in the commercial menhaden fishery shall contact the DFW at (401) 423-1940 at the end of each day to report the area fished and the amount of menhaden in possession by the fisher in pounds.

16.1.2 Landing of menhaden in RI under State Quota Program: An annual statewide quota for menhaden is established annually for the State by the Atlantic States Marine Fisheries Commission (ASMFC). The quota shall pertain solely to landings of menhaden in RI and shall not pertain to the possession of menhaden in RI waters prior to landing.

(A) The landing limit is unlimited until the quota has been reached, as determined by the DFW.

(B) Once the quota has been reached, the fishery will close for directed fisheries, including but not limited to purse seine operations, and the landing limit for non-directed fisheries will be 6,000 pounds per vessel per day.

(C) All commercial menhaden operations conducted in the Management Area, prior to and after the State's quota has been reached, are subject to the provisions of section 16.1.1, unless using non-directed gear.

16.1.4 Episodic Event Set Aside Program:

(A) After the State's quota has been reached, if RI is approved to participate in the Episodic Event Set Aside Program for Menhaden, as established by the

ASMFC, the landing limit for menhaden will be 120,000 pounds per vessel per day for vessels associated with directed fisheries for Menhaden, until the Set Aside quota has been exhausted, as determined by the ASMFC and/or the DFW, at which time the program will end and the directed fishery will close. Vessels that target and land menhaden in RI under this program must harvest only from RI waters and, if operating in the Management Area, must adhere to all of the provisions as specified in these regulations.

(B) Reporting Requirements:

(1) Any person intending to engage in the commercial menhaden fishery under the Episodic Event Set Aside Program must notify the DLE at (401) 222-3070 prior to taking or possessing menhaden. At the time that a fisher advises the DLE of his/her intent to harvest menhaden, the DLE shall notify said fisher of any modification to the possession limit for menhaden that is applicable to operations conducted in the Management Area.

(2) Each person engaged in the commercial menhaden fishery shall contact the DFW at (401) 423-1940 at the end of each daily trip or within four hours thereof to report the amount of menhaden landed by the fisher in pounds. These menhaden-specific reporting requirements are in addition to all other existing commercial fishing reporting requirements as set forth in the RI Marine Fisheries Regulations (RIMFR).

(C) Vessels not associated with directed fisheries for menhaden may continue to harvest and land in RI up to 6,000 pounds per vessel per day as bycatch. Such vessels are not subject to the provisions of sub-sections 16.1.1(A)(1)(b) & (c), but are subject to the provisions of section 16.1.1 with regard to operations conducted in the Management Area, and are subject to all existing commercial fishing reporting requirements as set forth in the RIMFR.

(D) The Episodic Event Set Aside Program will end on November 1 annually or when the set aside quota has been harvested, whichever first occurs.

16.1.5 No person may transfer or attempt to transfer at sea, from one vessel to another, any finfish identified in these regulations.

16.1.6 Prohibition on the harvesting of menhaden for reduction processing: The taking of Menhaden for reduction (fish meal) purposes is prohibited in Rhode Island waters. A vessel will be considered in the reduction (fish meal) business if any portion of the vessel's catch is sold for reduction.

Option 2: Change bycatch limit as defined in ASMFC Addendum I to Amendment 2

16.1.2 Landing of menhaden in RI under State Quota Program: An annual

statewide quota for menhaden is established annually for the State by the Atlantic States Marine Fisheries Commission (ASMFC). The quota shall pertain solely to landings of menhaden in RI and shall not pertain to the possession of menhaden in RI waters prior to landing.

(A) The landing limit is unlimited until the quota has been reached, as determined by the DFW.

(B) Once the quota has been reached, the fishery will close for directed fisheries, including but not limited to purse seine operations, and ~~a the landing bycatch limit for non-directed fisheries will be 6,000 pounds per vessel per day will be in effect.~~ The bycatch limit will be:

(1) Non-directed fisheries: 6,000 pounds per vessel per day.

(2) Pound nets, fish traps, anchored/staked gill nets, and fyke nets: If two commercially licensed individuals are harvesting from the same vessel, two (2) daily possession limits (12,000 pounds per vessel per day).

Option 3: Industry Proposal

(E) Fall opening within the Menhaden Management Area:

(1) Beginning September 1 annually, the ~~area south of a line from the Jamestown and Newport Bridges, and the area south of a line from Fogland Point to Sandy Point in the Sakonnet River, to the southern extent of the~~ Management Area will be open to the harvest of menhaden by purse seine as long as the states quota has not been exhausted or if the Episodic Event Set Aside Program, as described in this section, has been enacted in RI.

(2) Possession limit: 25,000 pounds per vessel per day.



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835
(401) 423-1920 Fax: (401) 423-1925

Panel Chair:
Jeff Grant

Scientific Advisor:
Dale Leavitt

DFW Staff:
Conor Mcmanus

Advisory Panel Members:

Aquaculture:
Primary: Jeff Gardner
Alternate: Bob Rheault

Commercial Bullrake:
Primary: David Ghigliotty
Alternate: open
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Tong:
Primary: open
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Diver:
Primary: Bill Blank
Alternate: Russell Blank

East Bay:
Primary: Katie Eagan
Alternate: open

Dealer:
Primary: Bob Smith
Alternate: open

Recreational:
Roger Tellier
Richard Pastore

Meeting Notice

Shellfish Advisory Panel

January 11, 2017, 4:30PM

DEM Fort Wetherill Marine Laboratory
3 Fort Wetherill Road, Jamestown, RI

AGENDA

1. Review of New Prospective Shellfish Management Areas*
 - a. Providence and Seekonk Rivers
 - b. Warren River
 - c. Town Pond
 - d. Narrow River
 - e. Green Hill Pond
 - f. Little Narragansett Bay and Pawcatuck River
2. Review of Prospective Shellfish Management Area Amendment*
 - a. Bristol Harbor

All RIMFC Species Advisory Panel meetings are open to the public.

For more information please contact Conor McManus @ conor.mcmanus@dem.ri.gov
or (401) 423-1941.

*Non-voting items

Shellfish Advisory Panel
January 11, 2017, 4:30PM
DEM Fort Wetherill Marine Laboratory
3 Fort Wetherill Road, Jamestown, RI

AGENDA

1. Review of New Prospective Shellfish Management Areas*
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2. Review of Prospective Shellfish Management Area Amendment*
 - a. Bristol Harbor

*Non-voting items

Purpose of today's meeting

- Provide an overview of proposed Shellfish Management Areas that will go to public notice later this week.
- This is an informational only meeting, designed to provide information and answer questions from industry on these areas and the process in general.
- The timing was geared to provide ample time for industry to consider these proposals and coalesce their comments.
- There will be public workshop on these items on Feb 6, 2017.

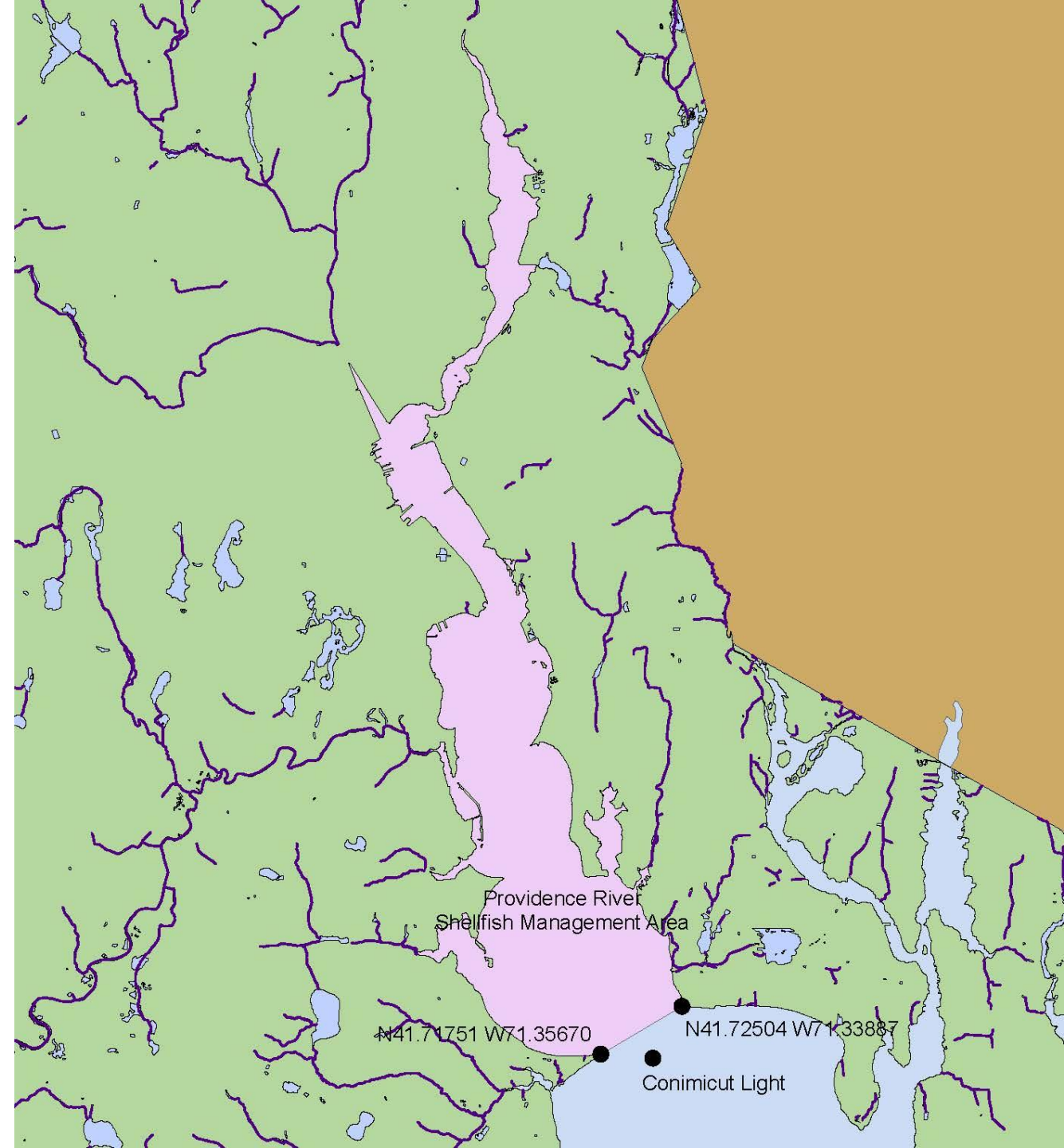
Why create a Shellfish Management Area?

- **RI General Law Title 20**
- **§20-3-4 Shellfish and marine life management areas.** The council may recommend to the director of environmental management, the designation of certain portions of the shores of the public waters of the state, or land within the state covered by tidewater at either high or low tide, or portions of the free and common fisheries of the state as shellfish or marine life project management areas *for the purpose of enhancing the cultivation and growth of marine species, managing the harvest of marine species, facilitating the conduct by the department of experiments in planting, cultivating, propagating, managing, and developing any and all kinds of marine life, and any other related purpose*. The designation shall be pursuant to the Administrative Procedures Act, chapter 35 of title 42, and shall be by reference to fixed landmarks. The council, upon the designation of a management area, shall propose any rules and regulations as it shall deem necessary *for the protection and management of the management area and the animal life and property in the management area, including the exclusion or restriction of persons from the area or the prohibition of certain activities within the areas or other restrictions as it may deem necessary*. Upon the designation of a management area, the director of environmental management shall place any stakes, bounds, buoys or markers with the words "Rhode Island department of environmental management" plainly marked on them, as will approximate the management area. Failure to place or maintain the stakes, bounds, buoys, or markers shall not be admissible in any judicial or administrative proceeding. The director may make any experiments or conduct any activities as in his or her discretion are appropriate in these management areas.

1. Review of New Prospective Shellfish Management Areas*

Providence and Seekonk Rivers

- RI DEM OWR Shellfishing Status:
 - Unapproved – Harvest Prohibited
- Purpose :
 - Facilitate potential future oyster and/or shellfish restoration and habitat restoration/enhancement work
 - Allow for management of brood stock



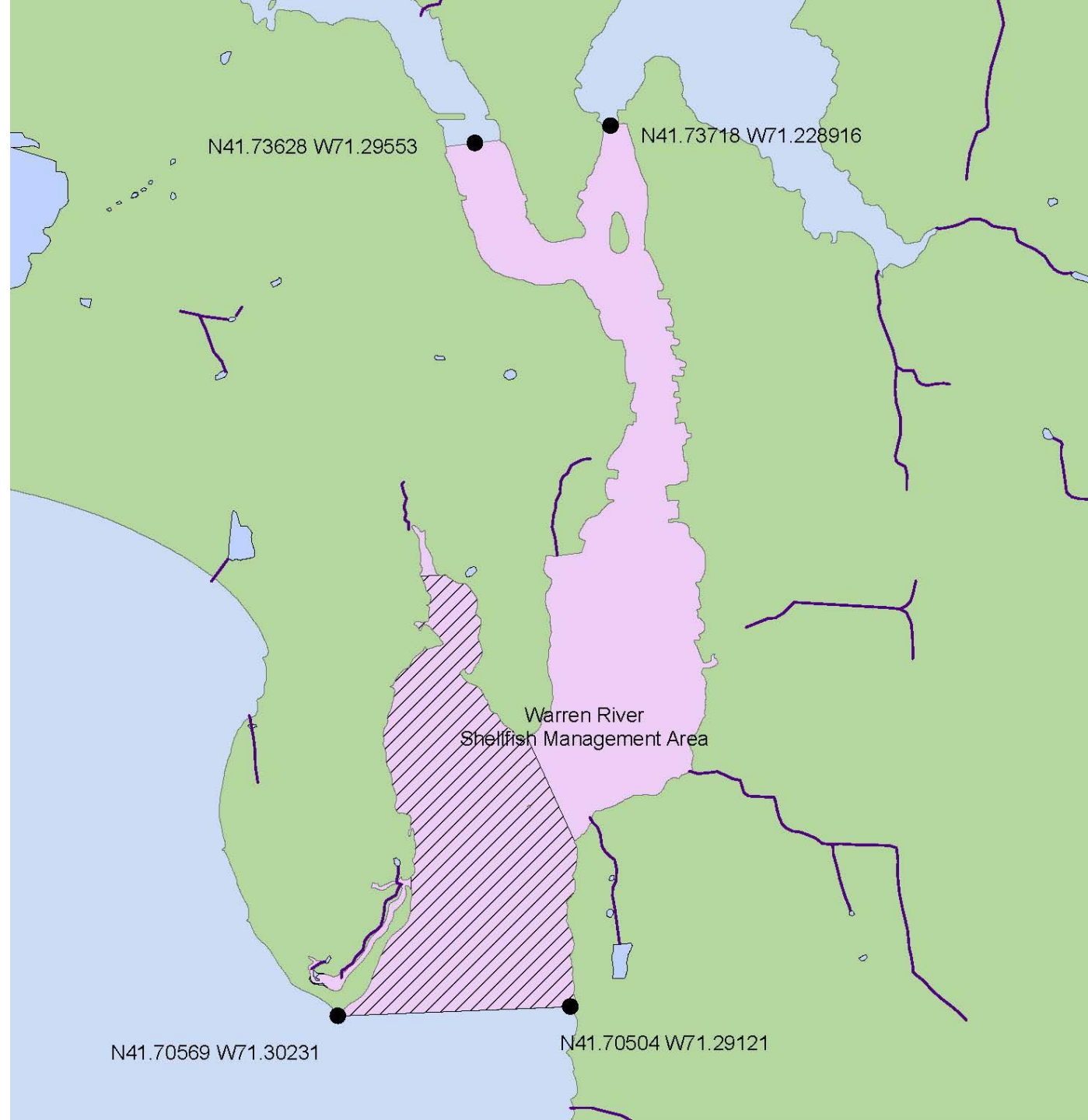
1. Review of New Prospective Shellfish Management Areas*

Warren River

- RI DEM OWR Shellfishing Status:

- Unapproved – Harvest Prohibited (Barrington, Palmer, and Warren Rivers)
- Conditionally Approved (Area-A)

- Purpose: Facilitate oyster restoration/enhancement work AND potential alternative harvest/management regimes for restored/enhanced areas



1. Review of New Prospective Shellfish Management Areas*

Town Pond

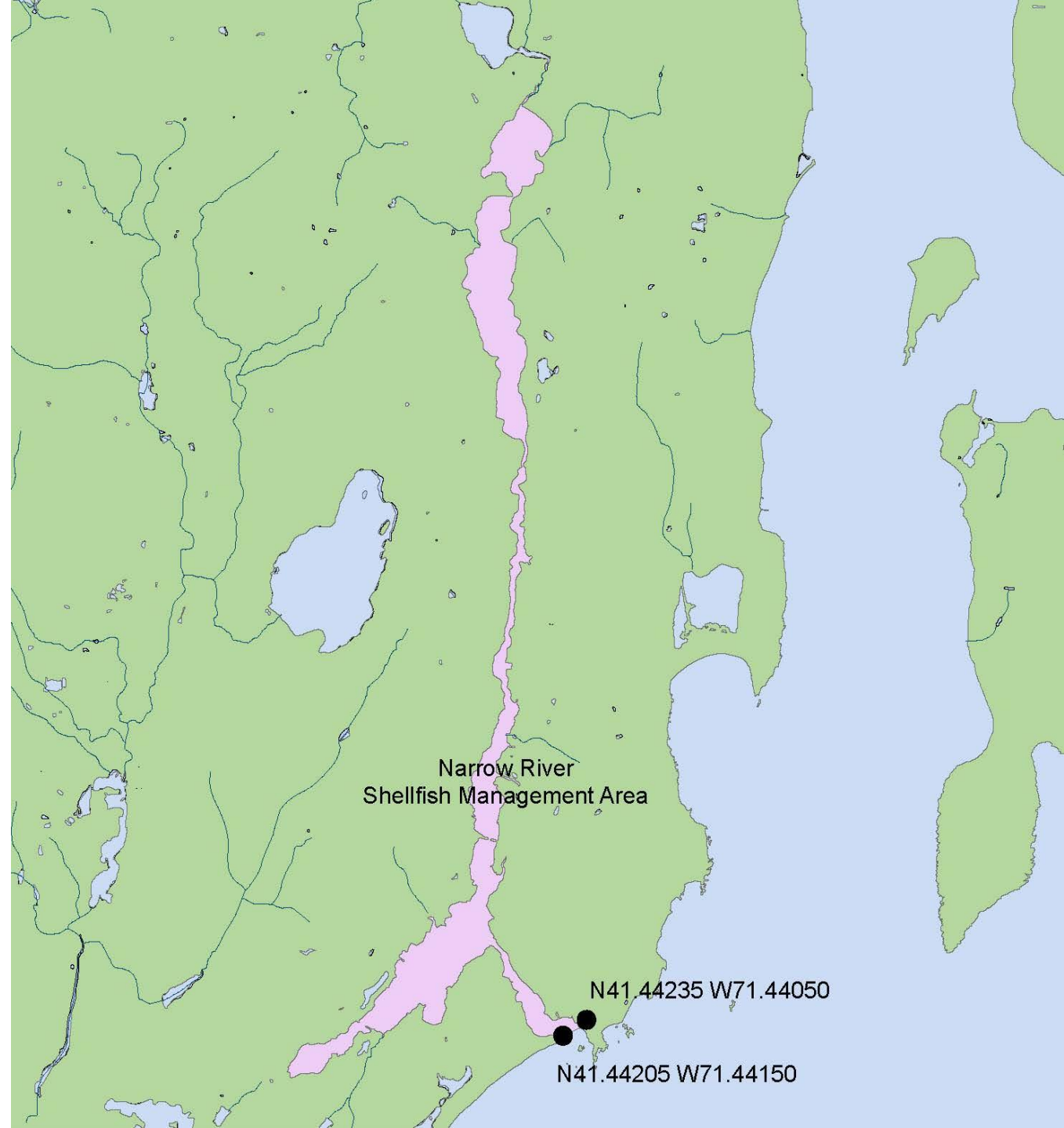
- RI DEM OWR Shellfishing Status:
 - Unassessed – Harvest Prohibited
- Purpose: Facilitate current and future oyster restoration work lead by RWU



1. Review of New Prospective Shellfish Management Areas*

Narrow River

- RI DEM OWR Shellfishing Status:
 - Unapproved – Harvest Prohibited
- Purpose: Facilitate future oyster restoration work, including substrate and brood stock enhancement



1. Review of New Prospective Shellfish Management Areas*

Green Hill Pond

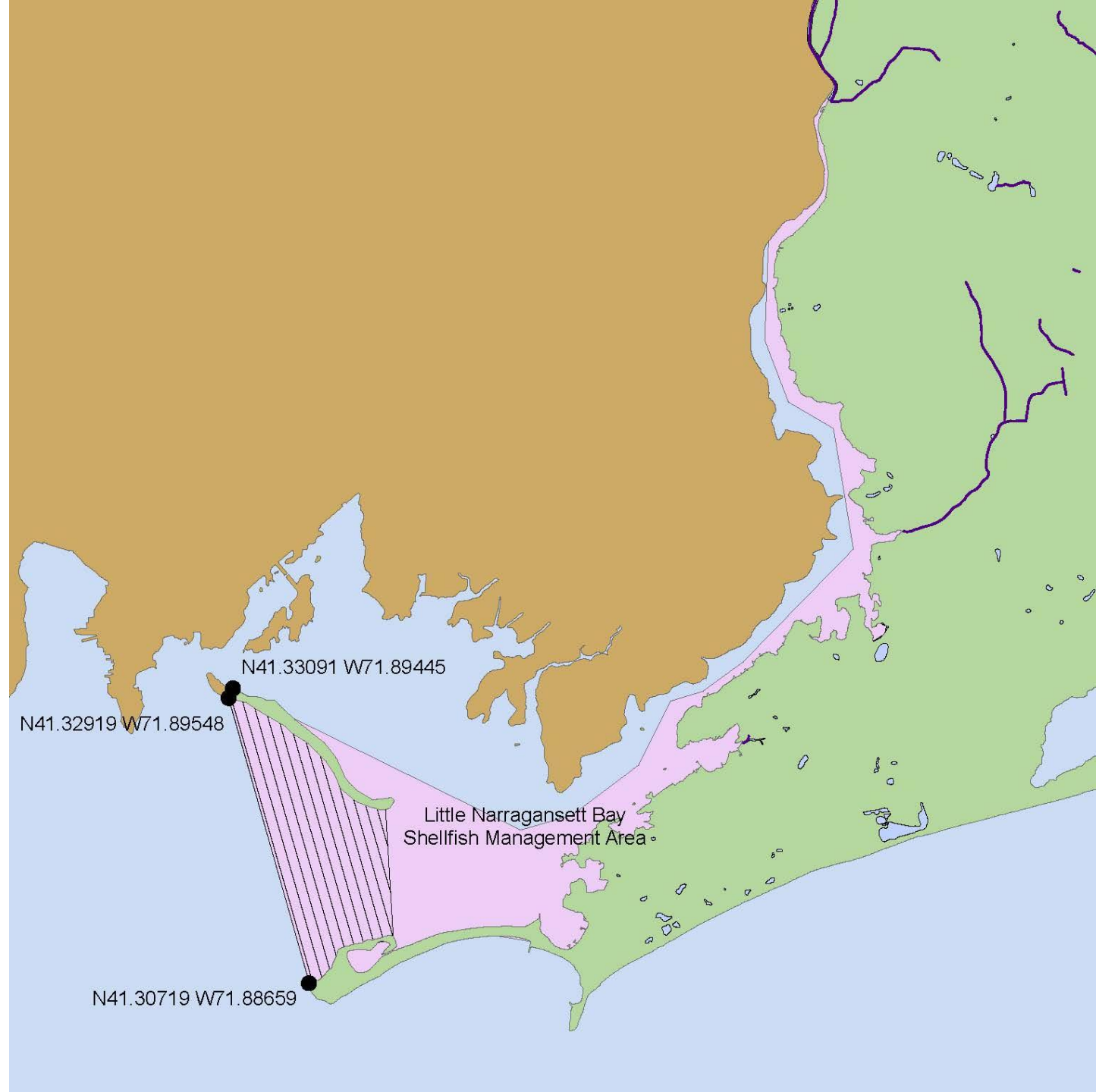
- RI DEM OWR Shellfishing Status:
 - Unapproved – Harvest Prohibited
- Purpose: Facilitate future oyster restoration work, including substrate and brood stock enhancement



1. Review of New Prospective Shellfish Management Areas*

Little Narragansett Bay & Pawcatuck River

- RI DEM OWR Shellfishing Status:
 - Unapproved – Harvest Prohibited (Pawcatuck River & Little Narragansett Bay)
 - Approved (Little Narragansett Bay)
- Purpose: Facilitate potential future oyster restoration and habitat restoration work



2. Review of Prospective Shellfish Management Area Amendment*

Bristol Harbor

RI DEM OWR Shellfishing Status:

- Unapproved – Harvest Prohibited
- Seasonal Closure (GA3-2)
- Approved
- Purpose: Clarify the language defining the southern boundary line. There was confusion regarding where the line originated.



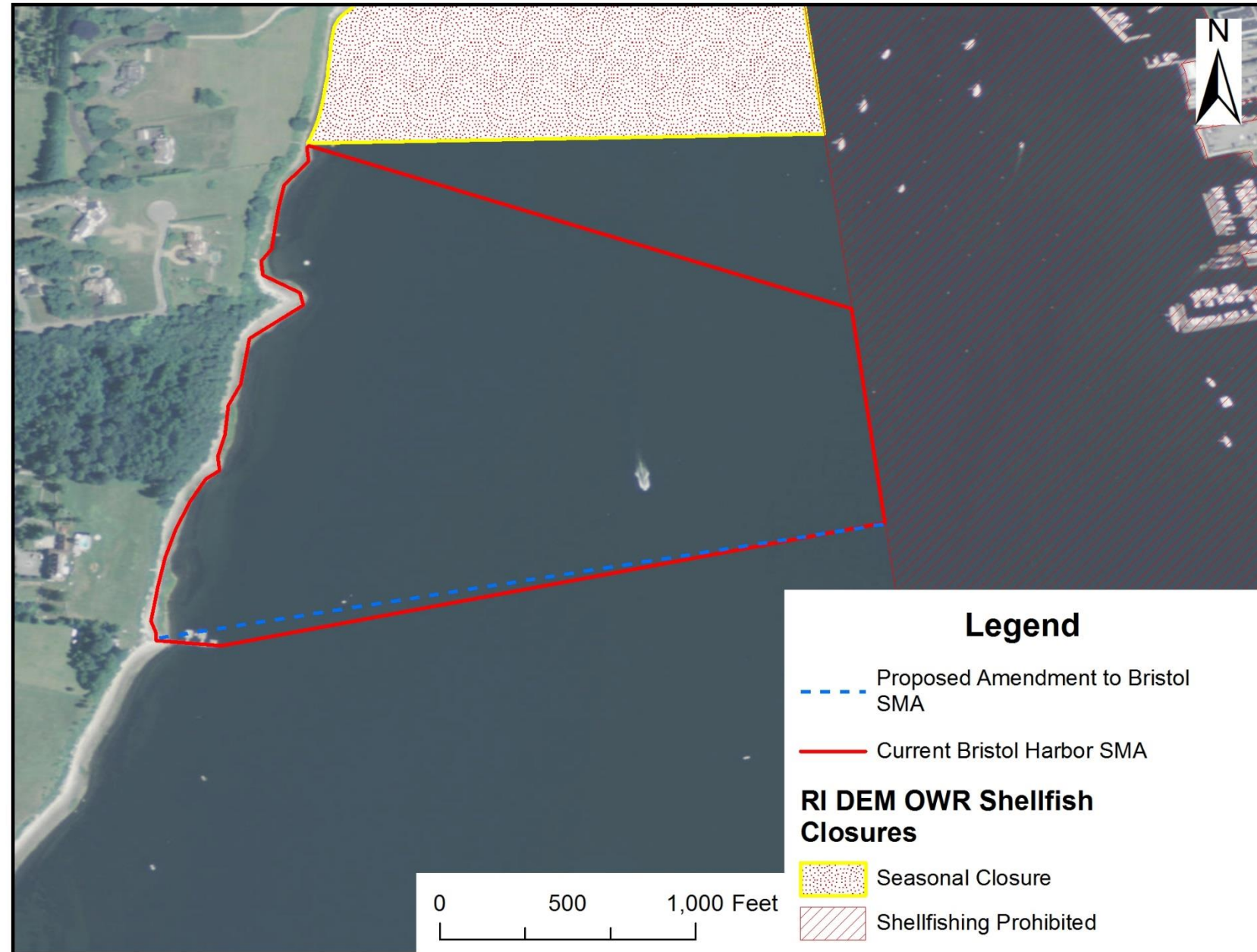
2. Review of Prospective Shellfish Management Area Amendment*

Bristol Harbor

RI DEM OWR Shellfishing Status:

- Unapproved – Harvest Prohibited
- Seasonal Closure (GA3-2)
- Approved

- Purpose: Clarify the language defining the southern boundary line. There was confusion regarding where the line originated.



Questions?

Why create a Shellfish Management Area?

SMA are designated for the purpose of:

- enhancing the cultivation and growth of marine species,
 - managing the harvest of marine species,
 - facilitating the conduct by the department of experiments in planting, cultivating, propagating, managing, and
 - developing any and all kinds of marine life, and any other related purpose.
-
- Upon the designation of a management area, [the Council] shall propose any rules and regulations as it shall deem necessary for the protection and management of the management area and the animal life and property in the management area, including the exclusion or restriction of persons from the area or the prohibition of certain activities within the areas or other restrictions as it may deem necessary.

Rhode Island Marine Fisheries Council
SHELLFISH ADVISORY PANEL
Wednesday, January 11, 2017, 4:30PM
DEM Fort Wetherill Marine Laboratory
3 Fort Wetherill Road, Jamestown, RI

MEETING MINUTES

RIMFC members: J. Grant (SAP Chair)

DEM DFW: C. McManus; W. Helt; E. Schneider; D. Erkan; J. McNamee;

DEM DLE: J. Poccia;

Science Advisor: D. Leavitt;

SAP members: Bill Blank; K. Eagan; M. McGivney; R. Tellier;

Public: John Crandall; Mike Foley; Manuel Sousa;

Review of New Prospective Shellfish Management Areas (SMAs)

J. Grant opened the meeting and provided context for the meeting. Briefly, J. Grant noted this was an informational meeting designed to provide an overview of the proposed Shellfish Management Areas that will go to public notice on 1/16/17. J. Grant offered E. Schneider the opportunity to present the new Prospective Shellfish Management Areas (SMAs).

E. Schneider began a presentation that reviewed the following areas. Aspects of the discussion for each area are summarized below.

Providence and Seekonk Rivers

E. Schneider provided a description and the justification for the proposed SMA. This SMA would allow for restoration and habit enhancement (particularly for fish habitat) work to be considered and provide a management system for shellfish if water quality improves to a level that allows for shellfish harvesting to occur. In the context of restoration, D. Leavitt and M. McGivney described other restoration projects that have been proposed in this area (e.g., NBC reefball proposal). M. McGivney asked J. Poccia whether there would be enforcement issues in this area, which J. Poccia replied that it would be similar to current enforcement. D. Leavitt asked what would happen if water quality improves in this area in regards to harvest. E. Schneider and D. Erkan explained that if the shellfish management area were to be approved, possession would be prohibited here. However, if water quality improves to a state where harvest could be permitted, possession limits of quahogs, or other species, could be revisited. Differences between Marine Fisheries (MF) and Office of Water Resources (OWR) obligations and statutes managing shellfish were described. Differences between restoration and enhancement activities were described.

Warren River

E. Schneider provided a description and the justification for the proposed shellfish management area: to facilitate oyster restoration/enhancement projects (e.g., NRCS EQIP and Town of Warren) that will aid in rebuilding local oyster populations and potential alternative harvest/management regimes for restored/enhanced areas that may allow for alternative harvest opportunities. K. Egan asked about what the reasoning was to have the proposed SMA go up to just short of 100 Acre Cove. E. Schneider stated that 100 Acre Cove provides habitat for the northern diamondback terrapin, amongst other species and MF currently has no intention of conducting habitat work within 100 Acre Cove. K. Egan expressed concern about the Conditional Area A section of the proposed SMA that is being fished currently. E. Schneider noted that the default quahog management for this area under the proposed SMA would be 3 bushels per day, but asked if industry would provide an alternative possession limit. J. Poccia noted that in order to enforce the SMA effectively, management strategy would have to be uniform throughout the area. There was a discussion regarding whether oyster shells impact quahog populations. Dialogue also took place on whether the SMA harvest could be specific to oysters only or quahog bushel limits could be greater than the traditional SMA default. K. Egan noted she does not support restricting any shellfishing in the Conditional Area A portion of the proposed SMA, and that the SMA should not include the Conditional Area component.

Town Pond

E. Schneider provided a description and the justification for the proposed shellfish management area: to facilitate current and future oyster restoration work lead by Roger Williams University that will aid in rebuilding local oyster populations. Discussion was held on the possibility of increasing the number of signs throughout the state indicating shellfish closures.

Narrow River

E. Schneider provided a description and the justification for the proposed shellfish management area: facilitate future oyster restoration work, including substrate and brood stock enhancement to aid in rebuilding local oyster populations. Discussion was held on the factors that influence oyster recruitment and larval survival.

Green Hill

E. Schneider provided a description and the justification for the proposed shellfish management area: facilitate future oyster restoration work, including substrate and brood stock enhancement to aid in rebuilding local oyster populations. M. Foley asked about the reasons for Green Hill being closed. E. Schneider stated that they were related to water quality impairments.

Little Narragansett Bay and Pawcatuck River

E. Schneider provided a description and the justification for the proposed shellfish management area: facilitate potential future oyster restoration and habitat restoration work. M. McGiveney and D. Leavitt asked about the coordination we have with Connecticut on enforcement and closures currently within this proposed SMA.

Review of Prospective Shellfish Management Area Amendment

Bristol Harbor

E. Schneider explained the proposed language that would modify the southern boundary line to where the northern-side of the dock meets the shoreline; opposed to the end of the dock. K. Eagan and M. McGiveney said it should be the end of the dock given it's much

easier to ensure fishermen are compliant using landmarks. J. McNamee and E. Schneider discussed the issue with using man-made objects as management tools, given that these objects can change over time (e.g. docks, flag poles). J. Poccia notes that legally, the GPS points are really important and useful. K. Eagan asked about the possibility of getting more signs noting closure lines, and M. McGiveney stated with was also part of the SMP mission in general for the state.

This concluded E. Schneider's presentation. Since there was no other business, J. Grant then adjourned the meeting.

Prepared by: C. McManus



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835
(401) 423-1920 Fax: (401) 423-1925

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Primary: William Cote
Alternate: John Nolan

Tong:
Primary: open
Alternate: open

Diver:
Primary: Bill Blank
Alternate: Russell Blank

East Bay:
Primary: Katie Eagan
Alternate: open

Dealer:
Primary: Bob Smith
Alternate: open

Recreational:
Roger Tellier
Richard Pastore

Meeting Notice

Shellfish Advisory Panel

February 22, 2017, 4:30PM

URI Bay Campus, Coastal Institute Building, Hazard Room
218 S Ferry Road, Narragansett, RI 02874

AGENDA

1. Review of Aquaculture Applications sent to Public Notice
 - a. 2016-10-100, Behan, Ninigret Pond
 - b. 2016-10-101, Behan, Ninigret Pond
 - c. 2016-11-053, Mooresfield, Pt. Judith Pond
 - d. 2017-01-007, Roebuck, Pt. Judith Pond
2. New Prospective Shellfish Management Areas
 - a. Providence and Seekonk Rivers
 - b. Warren River
 - c. Town Pond
 - d. Narrow River
 - e. Green Hill Pond
 - f. Little Narragansett Bay and Pawcatuck River
3. Prospective Shellfish Management Area Amendment
 - a. Bristol Harbor

All RIMFC Species Advisory Panel meetings are open to the public.

Aquaculture applications can be found at
<http://www.crmc.ri.gov/applicationnotices.html>

For more information please contact Conor McManus @ conor.mcmanus@dem.ri.gov
or (401) 423-1941.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF FISH AND WILDLIFE
DIVISION OF LAW ENFORCEMENT



RHODE ISLAND MARINE FISHERIES REGULATIONS

**PART 4
Shellfish**

~~May 11, 2016~~

Proposed/annotated changes

Public Hearing
February 13, 2017

Hearing Item 4a.
Clarifications of Shellfish Management Area boundaries
(sections 4.7.4 through 4.7.18)

4.7 Shellfish Management Areas – Descriptions, Seasons, and Possession Limits:

4.7.1 Greenwich Bay, Conimicut Point, Potowomut, High Banks, Bissel Cove/Fox Island, Mill Gut, Bristol Harbor, Kickemuit River, Jenny’s Creek, Sakonnet River, Pt. Judith Pond, Potter Pond, Ninigret (Charlestown) Pond, Quonochontaug Pond, ~~and~~ Winnapaug Pond, **Green Hill Pond, Narrow River, Little Narragansett Bay and the Pawcatuck River, the Providence River, the Warren River, and Town Pond (Portsmouth)** have been declared Shellfish Management Areas pursuant to RIGL 20-3-4.

4.7.4 Greenwich Bay (GB): Described as the **marine** waters **of Greenwich Bay in its entirety, including its tributaries,** west **and north** of a line **extending** between the flagpole **located** at the Warwick Country Club, and the **easternmost** end of Sandy Point on the Potowomut shore ~~in the towns of East Greenwich and Warwick.~~

(A) GB sub-area 1: Described as the **marine** waters **of Greenwich Bay located** east **and south** of a line **extending** between the DEM range marker located at the end of Neptune Street in ~~Chepiwanoxet~~ **the town of East Greenwich to and** the DEM range marker located on Cedar Tree Point **in the town of Warwick;** and north **and west** of a line **extending** between the ~~far~~ **most** northeastern ~~section~~ **point** of Chepiwanoxet Point **in the town of East Greenwich** and the ~~westernmost~~ flagpole **located at the westernmost end of** ~~of~~ Promenade Street **in the** Old Buttonwoods **section of the town of Warwick.**

(B) GB sub-area 2: Described as the **marine** waters **of Greenwich Bay located** west of a line **extending** between Sally Rock Point **in the Potowomut section of the town of Warwick,** and the ~~westernmost~~ flagpole **located at the westernmost end of** ~~of~~ Promenade Street, **in the** Old Buttonwoods **section of the town of Warwick;** and south **and east** of a line **extending** between the ~~far~~ **most** northeastern ~~section~~ **point** of Chepiwanoxet Point **in the town of East Greenwich** and the ~~westernmost~~ flagpole **located at the westernmost end of** ~~of~~ Promenade Street, **in the** Old Buttonwoods **section of the town of Warwick.**

(1) Commercial boat harvest schedule for GB sub-areas 1 and 2: GB sub-areas 1 and 2 shall be subject to an annual December harvest schedule established by the Director, pursuant to recommendations developed by the DFW and the RIMFC. Said recommendations shall be submitted to the Director at least sixty (60) days prior to the first scheduled opening. The December schedule may include up to forty-eight (48) hours of permitted shellfishing, spread over any number of days during the month, excluding December 25.

(2) If weather or water quality conditions during the month of December prevent this area from opening on two or more scheduled days, the DFW may modify the December schedule to allow for additional hours or days of permitted shellfishing, provided that:

(a) The proposed modification(s) is/are submitted in writing to the DFW by a member of the RIMFC;

(b) The total number of hours of permitted shellfishing for the month does not exceed forty-eight (48) hours; and

(c) The re-scheduled hours or days are announced publicly (i.e., listserv) by the DFW with at least seventy-two (72) hours of advance notice.

(3) Commercial boat harvest schedule for GB sub-areas 1 and 2:

(a) January 4, 2016 through April 28, 2016: 8:00 A.M. to 12:00 P.M. Noon on Mondays, Wednesdays, and Fridays.

(4) Default commercial boat harvest schedules for GB sub-areas 1 & 2: If no action is taken to establish specific harvest schedules annually, the following schedule shall be in effect by default:

(a) 8:00 A.M. to 12:00 P.M. on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the last Friday in April, excluding December 25 and January 1 annually.

(5) GB Area 3: Described as the marine waters of Greenwich Bay located east and south of a line extending between Sally Rock Point in the Potowomut section of the town of Warwick and the westernmost flagpole located at the westernmost end of ~~on~~ Promenade Street, in the Old Buttonwoods section of the town of Warwick, and west and north of a line extending between the flagpole located at the Warwick Country Club and the end of Sandy Point on the Potowomut Shore.

(a) Boat harvest schedule: Open daily.

4.7.5 Conimicut Point: Described as the marine waters located south of a line running extending from the flagpole (Latitude: 41° 43' 2.93" North, Longitude: 71° 21' 27.68" West) located ~~on~~ at Conimicut Point in the town of Warwick ~~to~~ and the center of the Old Tower at Nayatt Point; and north of a line extending from the westernmost extension end of Samuel Gorton Avenue in the town of Warwick, and the southernmost extension end of Bay Road in the town of Barrington.

(A) The reduced Shellfish Management Area possession limit applies only to soft-shell clams.

4.7.6 Potowomut: Described as the marine waters ~~at the mouth of Greenwich Bay~~ extending south of a line between the flagpole at the Warwick Country Club ~~to and~~ the ~~seaward~~ easternmost end of Sandy Point; and north of a line extending between ~~and~~ the ~~seaward~~ easternmost end of Pojac Point in the town of North Kingstown ~~to and~~ buoy "G1" (Round Rock) ~~and to~~ the Warwick Lighthouse located at the southern end of Warwick Neck, including all the marine waters of the Potowomut River in the towns of Warwick and East Greenwich seaward of the Forge Road Spillway, ~~in the towns of East Greenwich and Warwick.~~

(A) Area A: Described as the area marine waters located west and south of a line extending between the ~~seaward~~ easternmost end of Sandy Point and buoy "G1" (Round Rock); and north and west of a line extending between the ~~seaward~~ easternmost end of Pojac Point to buoy "G1" (Round Rock).

(1) Harvest schedule: Open daily.

(B) Area B (Management Closure Area): Described as the marine waters within a triangular shaped area located east of a line extending between the ~~seaward~~ easternmost end of Sandy Point and buoy "G1" (Round Rock); and west of a line extending between the flagpole at the Warwick Country Club and buoy "G1" (Round Rock); and south of a line extending between the flagpole at the Warwick Country Club to the ~~seaward~~ easternmost end of Sandy Point. ~~Area "B" is closed to shellfishing until further notice.~~

(1) Harvest schedule: ~~This area is~~ Closed to the harvest of shellfishing, except for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

(C) Area C: Described as the area marine waters east of a line extending between the flagpole at the Warwick Country Club and buoy "G1" (Round Rock); and north of a line extending from buoy "G1" (Round Rock) ~~to and~~ the Warwick Lighthouse.

(1) Harvest schedule: Open daily.

4.7.7 High Banks: Described as the marine waters ~~of the upper west passage~~ located south and east of a line extending between the ~~seaward~~ easternmost end of Pojac Point to ~~the Round Rock~~ buoy "G1" (Round Rock); and north of a line extending from the ~~seaward~~ easternmost end of ~~the fence between the former Davisville Navy property and~~ Pettee Street ~~in the Mount View section of~~ in the town of North Kingstown ~~to and~~ buoy "N6" located mid-bay west of Prudence Island; ~~The area is bounded on the and~~ east by a line projecting extending from the easternmost end of Pier 2 at Davisville to ~~the Round Rock~~ buoy "G1" (Round Rock) ~~and is bounded to the west by the shore, in the town of North Kingstown.~~

(A) Harvest schedule: Open daily

4.7.8 Bissel Cove/Fox Island: Described as the marine waters of Bissel Cove in its entirety located seaward of the Annaquatucket River bridge located at Boston Neck Road; and including the adjacent waters of Narragansett Bay located south of a line extending between ~~Pole #275 at~~ the corner of Waldron and Seaview Avenues in the town of North Kingstown and the most southwestern point of Fox Island (~~south of the cable area~~), in the town of North Kingstown; and west of a line extending from the southwestern most point of Fox Island ~~to~~ and the northernmost ~~point~~ terminus of Rome point in the town of North Kingstown.

(A) Boat harvest schedule:

(1) Beginning the 2nd Wednesday of December through April 30, 2016: Open daily for the harvest of bay quahaugs, soft-shell clams, and blue mussels.

(2) May through November annually: Closed.

(3) Default harvest schedule: If no action is taken to establish specific harvest schedules annually, the following schedule shall be in effect by default:

(a) Between 8:00 A.M. and 12:00 Noon on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the end of April annually.

(B) Oyster harvest moratorium: The harvest and possession of oysters in the Bissel Cove/Fox Island Shellfish Management Area is prohibited until November 15, 2020.

4.7.9 Mill Gut: Described as the marine waters of Mill Gut in its entirety, ~~lying~~ south of the northernmost bridge on Colt Drive in the town of Bristol.

(A) Harvest schedule: Open ~~for to~~ the harvesting of bay quahaugs, soft-shell clams, blue mussels, and oysters only ~~between~~ from the second Wednesday in December ~~and through~~ April 30 annually.

4.7.10 Bristol Harbor: Described as the marine waters of Bristol Harbor and its tributaries located ~~south~~ erly of a line extending between CRMC permitted dock #419 located at 163 Poppasquash Road (~~so-called Rockwell's Dock~~) in the town of Bristol ~~to~~ and the northwest corner of the Rockwell Pier municipal parking lot ~~in Bristol Harbor~~ in the town of Bristol; and north of a line ~~beginning~~ extending from the north side of CRMC Permitted Dock #1601 where it meets the shoreline, located ~~at the boat house to the rear of~~ 363 Poppasquash Road (~~so-called Johnson's Dock~~) in the town of Bristol and the northwest corner of the ~~Coast Guard Dock~~ U.S. Coast Guard station pier in the town of Bristol Harbor. ~~The area is bordered on the west by the three (3) foot contour line along the shore between Dock #419 and Dock # 1601 and on the east by the existing pollution line.~~

(A) Boat harvest schedule:

- (1) December 2015: Closed.
- (2) Beginning January 11, 2016: Open between 8:00 A.M. and 12:00 P.M. Noon on Mondays, Wednesdays, and Fridays.
- (3) February 1 through April 30, 2016: Open daily.
- (4) May through November annually: Closed.
- (5) Default harvest schedule: If no action is taken to establish specific harvest schedules annually, the following schedule shall be in effect by default:

(a) Between 8:00 A.M. and 12:00 Noon on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the end of April. Harvest is prohibited on December 25 and January 1 annually.

4.7.11 Kickemuit River: Described as the marine waters of the Kickemuit River and its tributaries north of a line ~~connecting~~ extending between the southwest terminus of Emery Road in the town of Warren and nun buoy 6 and can buoy 1 at located in the Bristol Narrows.

4.7.12 Jenny's Creek: Described as the marine waters of ~~Prudence Island~~ including Jenny's Creek in its entirety located north of the inlet at Pine Hill Cove on Prudence Island.

(A) Harvest schedule: Closed to the harvest of shellfishing.

~~(1) Exception: except~~ ~~The area is open~~ for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

4.7.13 Sakonnet River: Described as the marine waters of the Sakonnet River and its tributaries located north of a line extending from Sachuest Point in the city of Newport to and Sakonnet Light in the town of Little Compton; and south of a line extending from Brown Point in the town of Little Compton and the intersection of Old Mill Land and Indian Avenue in the town of Middletown; ~~The northern boundary is an east/west line across the Sakonnet River lying one quarter (1/4) mile south of the pipeline found just south of Black Point, so-called; the western boundary is a north/south line running from Flint Point to Taggart's Ferry, so-called, in the town of Middletown.~~ and east of a line extending from Flint Point and the intersection of Indian Avenue and Taggart's Ferry Road in the town of Middletown.

(A) The possession limit for surf clams is two hundred (200) bushels/vessel/day.

(1) **Bay quahaug bycatch:** ~~A bycatch of~~ One (1) bushel of bay quahaugs for each ten (10) bushels of surf clams, not to exceed twelve (12) bushels of bay quahaugs, ~~is allowed per vessel.~~

4.7.14 **Point Judith Pond:** Described as the **marine** waters of Point Judith Pond, ~~including East Pond,~~ **and its tributaries** in ~~their~~ **its** entirety, in the towns of South Kingstown and Narragansett.

4.7.15 **Potter Pond:** Described as the **marine** waters of Potter Pond **and its tributaries** in its entirety **located** west of the Succotash Road bridge in the town of South Kingstown.

(B) **Closed Management Closure Area:** ~~The harvest and possession of shellfish is prohibited in the following area:~~ **Described as** the area **marine waters within of** Sycamore Cove **in Potter Pond located** ~~defined as~~ north of a line ~~running~~ **extending easterly** from a ~~special~~ DEM marker located at N 41 degrees 23 minutes 2.0 seconds, W 71 degrees 32 minutes 13.0 seconds ~~to~~ a ~~second special~~ DEM marker located at N 41 degrees 23 minutes 1.0 second, W 71 degrees 31 minutes 59.5 seconds; and bound by the northern pond shoreline between the ~~special~~ DEM markers.

(1) **Exception Harvest schedule:** **Closed to the harvest of shellfish** ~~The area is open~~ **except** for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

4.7.16 **Ninigret (Charlestown) Pond:** Described as the **marine** waters of Ninigret Pond **and its tributaries** in its entirety, in the town of Charlestown.

(A) **Western closed Management Closure Area:** ~~The harvest and possession of shellfish is prohibited in the following area:~~ **Described as All the marine waters of Ninigret Pond located** within an area formed by the following points: from (“A” N 41 degrees 20 minutes 41.7 seconds W 71 degrees 41 minutes 24.3 seconds, the northeast corner of the Ninigret Conservation Area parking lot) following the shoreline to (“B” N 41 degrees 20 minutes 49.6 seconds W 71 degrees 41 minutes 4.6 seconds, a DEM sign approximately 500 meters eastward of “A”); from “B” northward to (“C” N 41 degrees 21 minutes 31.0 seconds W 71 degrees 41 minutes 22.2 seconds, the Lavin’s Landing Marina launching ramp); from “C” following the shoreline to (“D” N 41 degrees 21 minutes 10.1 seconds W 71 degrees 41 minutes 40.9 seconds, a DEM sign on the westernmost end of Reeds Point); from “D” southward to “A”.

(1) **Exception Harvest schedule:** **The harvest of shellfish is prohibited** ~~The area is open~~ **except** for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

(B) **Foster Cove Northern Management Closed Closure Area:** ~~The harvest and possession of shellfish is prohibited in the following area:~~ **Described as the marine All waters of Foster Cove in Ninigret Pond** within ~~an area formed by~~

the following points: from ("A" N 41 degrees 21 minutes 58.7 seconds, W 71 degrees 40 minutes 33.8 seconds [41°21'58.7"N, 71°40'33.8"W]) to a point ~~125 feet south-southeast~~ ("B" N 41 degrees 21 minutes 57.5 seconds, W 71 degrees 40 minutes 34.4 seconds [41°21'57.5"N, 71°40'34.4"W]), to a point ~~xxx feet east-southeast~~ ("C" N 41 degrees 21 minutes 56.5 seconds, W 71 degrees 40 minutes 31.1 seconds [41°21'56.5"N, 71°40'31.1"W]), to a point ~~125 north-northeast~~ ("D" N 41 degrees 21 minutes 57.8 seconds, W 71 degrees 40 minutes 30.5 seconds [41°21'57.8"N, 71°40'30.5"W]), ~~from "D" westward to "A"~~.

(1) ~~Harvest schedule: This area shall remain closed~~ **The harvest of shellfish is prohibited** until January 1, 2020, unless extended by the Director after RIMFC review.

(C) ~~Foster Cove Eastern Management Closed Closure Area: The harvest and possession of shellfish is prohibited in the following area:~~ **Described as the marine** All waters **of Foster Cove in Ninigret Pond** within 75 feet of shore ~~beginning at of~~ a point ("A" N 41 degrees 21 minutes 49.3 seconds, W 71 degrees 40 minutes 24.8 seconds [41°21'49.3"N 71°40'24.8"W]) continuing along the shore to a point ~~northwest~~ ("B" N 41 degrees 21 minutes 52.4 seconds, W 71 degrees 40 minutes 31.0 seconds [41°21'52.4"N 71°40'31.0"W]), continuing along the shore to a point ~~east-southeast~~ ("C" N 41 degrees 21 minutes 51.6 seconds, W 71 degrees 40 minutes 23.6 seconds [41°21'51.6"N 71°40'23.6"W]).

(1) ~~Harvest schedule: This area shall remain closed~~ **The harvest of shellfish is prohibited** until January 1, 2020, unless extended by the Director after RIMFC review.

4.7.17 Quonochontaug Pond: Described as the waters of Quonochontaug Pond **and its tributaries** in its entirety, in the towns of Charlestown and Westerly.

~~(A) Closed Area:~~

~~(1A) Western Management Closed Closure Area: The harvest and possession of shellfish is prohibited in the following area:~~ Described as the **marine** waters **of Quonochontaug Pond located** south of a line ~~running extending~~ **extending easterly from between** the ~~special~~ DEM marker **located** at the **southern** end of Quahaug Point (N 41 degrees 20 minutes 0.0 seconds, W 71 degrees 44 minutes 39.5 seconds), ~~to and the a second special~~ DEM marker **located** at the northern end of Nope's Island (N 41 degrees 20 minutes 5.0 seconds, W 71 degrees 44 minutes 1.0 second); ~~and east of~~ **and east of** ~~The area will be bordered on the west by a line running extending~~ south from **the southern end of** Quahaug Point to a ~~special~~ DEM marker located on the barrier beach shoreline (N 41 degrees 19 minutes 50.0 seconds, W 71 degrees 44 minutes 40.0 seconds). ~~The southern boundary will be the shoreline between the barrier beach special DEM marker and Nope's Island special DEM marker.~~

~~(2B) Eastern Management Closed Closure Area: The harvest and possession of shellfish is prohibited in the following area:~~ Described as the **marine** waters **of**

Quonochontaug Pond located east of a line running extending southerly from between the special DEM marker located southwest corner of the Quonochontaug Yacht Club stone pier located at N 41 degrees 21 minutes 1.1 seconds W 71 degrees 42 minutes 33.4 seconds, ~~to~~ and a ~~second special~~ DEM marker located at N 41 degrees 20 minutes 41.0 seconds W 71 degrees 42 minutes 44.1 seconds; ~~and bound by the eastern pond shoreline between the special DEM markers.~~

(a) ~~Exception Harvest schedule: The harvest of shellfish is prohibited, except The area is open~~ for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

(~~BC~~) The harvest and possession of oysters in Quonochontaug Pond is prohibited until September 15, 2021.

4.7.18 Winnapaug Pond: Described as the marine waters of Winnapaug Pond and its tributaries in its entirety, in the town of Westery.

(A) Management Closed Closure Area: ~~The harvest and possession of shellfish is prohibited in the following area:~~ Described as the marine waters located north of a line running extending easterly from the special DEM marker located at Big Rock Point (N 41 degrees 19 minutes 49.0 seconds, W 71 degrees 47 minutes 57.0 seconds), ~~to~~ and the special DEM marker located at the southern end of Larkin's Island (N 41 degrees 19 minutes 55.0 seconds, W 71 degrees 47 minutes 5.0 seconds); and west of ~~The area will be bordered on the east by~~ a line running extending northwesterly between the DEM marker located at the southern end of Larkin's Island ~~special marker to~~ and the special DEM marker located adjacent to the end of Bayside Avenue (N 41 degrees 19 minutes 58.0 seconds, W 71 degrees 47 minutes 9.0 seconds). The northern boundary is the shoreline between the Bayside Ave special DEM marker and the Big Rock Point special DEM marker.

(1) Exception: The harvest of shellfish is prohibited, except for the harvest of bay scallops by dip-netting from a boat during the open season for bay scallops.

Hearing Item 4b. Proposed Shellfish Management Areas (sections 4.7.19 through 4.7.24)

4.7.19 Green Hill Pond: Described as the marine waters of Green Hill Pond and its tributaries in its entirety, in the towns of South Kingstown and Charlestown.

(A) Harvest schedule: The harvest and possession of shellfish is prohibited.

4.7.20 Narrow River: Described as the marine waters of the Narrow River in its entirety, in the towns of Narragansett, South Kingstown, and North Kingstown.

(A) Harvest schedule: The harvest and possession of shellfish is prohibited.

4.7.21 Little Narragansett Bay and Pawcatuck River: Described as the marine waters of Little Narragansett Bay and Pawcatuck River and its tributaries located southerly and seaward of the Broad Street/Route 1 bridge in the towns of Westerly, RI and Stonington, CT.; and north and east of a line extending from the western end of Napatree Point (41.30719° N ; 71.88659° W) and the northwest corner of Sandy Point (41.33091° N, 71.89445° W); and bordered by the state boundary.

(A) Harvest schedule: Open daily.

4.7.22 Providence and Seekonk Rivers: Described as the marine waters of the Providence River and Seekonk River and their tributaries located north of a line extending from the flagpole (Latitude: 41° 43' 2.93" North, Longitude: 71° 21' 27.68" West) located at Conimicut Point in the town of Warwick and the center of the Old Tower at Nayatt Point; and southerly and seaward of the Hurricane barrier in the city of Providence; and southerly and seaward of the Main Street Dam in the city of Pawtucket.

(A) Harvest schedule: The harvest and possession of shellfish is prohibited.

4.7.23 Warren River Shellfish Management Area

Option 1: Division proposal – include portion of Conditional Area “A” currently open to shellfish harvest

Described as the marine waters of the Warren River and its tributaries located north of a line extending from Rumstick Point in the town of Barrington to the dock located at the end of Beach Lane in the town of Warren; and southerly and downstream of the Main street/Route 114 bridge at its intersection with the Barrington River in the town of Barrington; and southerly and downstream of the Main street/Route 114 bridge at its intersection with the Palmer River in towns of Bristol and Warren.

(A) Harvest schedule: Open daily.

Option 2: Industry proposal – DO NOT include portion of Conditional Area “A” currently open to shellfish harvest; include only those waters of the Warren River currently closed to shellfish harvest

Described as the marine waters of the Warren River and its tributaries located north and east of a line extending from the flagpole at 178 Adams Point Road on Adams Point in Barrington to the DEM range marker at Jacobs Point; and southerly and downstream of the Main street/Route 114 bridge at its intersection with the Barrington River in the town of Barrington; and southerly and downstream of the Main street/Route 114 bridge at its intersection with the Palmer River in towns of Bristol and Warren.

(A) Harvest schedule: The harvest and possession of shellfish is prohibited.

4.7.24 Town Pond: Described as the marine waters of Founders Brook and Town Pond in their entirety, in the town Portsmouth.

(A) Harvest schedule: The harvest and possession of shellfish is prohibited.

§ 20-3-2 Powers and duties.

(a) The marine fisheries council shall serve in an advisory capacity only to the state and agencies of the state regarding marine fisheries issues and to the director of the department of environmental management in the exercise of his or her authority under this title for the planning, management, and regulation of marine fisheries on matters, including but not limited to the following activities:

- (1) The manner of taking fish, lobsters, and shellfish;
- (2) The legal size limits of fish, lobsters, and shellfish to be taken or possessed;
- (3) The seasons and hours during which fish, lobsters, and shellfish may be taken or possessed;
- (4) The numbers or quantities of fish, lobsters, and shellfish which may be taken or possessed; and
- (5) The opening and closing of areas within the coastal waters to the taking of any and all types of fish, lobsters, and shellfish.

(b) The council shall report annually by March 1 of each year, to the governor, the speaker of the house, the president of the senate, the chairperson of the house committee on environment and natural resources, the chairperson of the senate committee on environment and agriculture, and to the house oversight committee and the senate committee on government oversight, for the preceding calendar year with regard to:

- (1) The advice it has given to state agencies, including specifically the department of environmental management, on marine fisheries issues;**
- (2) The response it received to the advice it gave;**
- (3) Any findings or position it may have with regard to the status and/or condition of marine fisheries; and**
- (4) Any recommendations it may have for maintaining, improving, or changing laws, regulations, or management programs for marine fisheries.**

§ 20-2.2-10 Accountability and oversight.

- (a) On an annual basis, the department shall prepare a report that details the number of recreational saltwater fishing licenses issued, the total amount of license fee revenue received, the expenditures made during the prior year utilizing the fee revenue, and how the department plans to allocate and use the fee revenue during the next year. The report shall also include any additional, relevant information relating to the administration and enforcement of the licensing program, and status of state-based recreational fishing assessments and stock assessments.

- (b) The department shall annually submit the report to the marine fisheries council, and the department, in coordination with the council, shall annually schedule and conduct one or more public meetings to solicit input from recreational fisherman and the general public. On the basis of such input, and the council's own review, the council shall annually prepare an addendum to the report, setting forth the council's opinion on whether the licensing program is meeting its intended purposes, and offering any recommendations for modifying the program.

- (c) The department shall annually submit the report, including the addendum developed by the council, to the general assembly.

**Rhode Island Saltwater Recreational
Fishing License Program**

Annual Report

Fiscal Year 2016

**RI Department of Environmental Management
Division of Fish and Wildlife
Marine Fisheries Section
3 Fort Wetherill Road
Jamestown RI 02835**

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I. Purpose of Report

The purpose of this report is to fulfill the requirements set forth by Section 20-2.2-10 of the Rhode Island General Laws. In accordance therewith, this report provides an overview of the Recreational Saltwater License Program for Rhode Island for FY16, offers a brief review of the status of state-based recreational fishing assessments, and sets forth the FY17 programmatic budget.

II. Overview of License Program

a. Background

The State of Rhode Island enacted legislation in January 2010 establishing a new Recreational Saltwater License Program for Rhode Island. The program has two primary purposes:

1) It provides a state-based alternative to federal saltwater angler registry requirements, which are administered by the National Marine Fisheries Service (NMFS) pursuant to the 2006 Amendments to the federal Magnuson-Stevens Fishery Conservation Act (section 401(g)) (hereinafter referred to as the “Magnuson Act Amendments”).

2) It provides a source of state funding for programs and activities that benefit marine recreational fishing interests in Rhode Island.

The Magnuson Act Amendments mandate the establishment of a national registry program for all saltwater anglers, for use in conducting more accurate marine recreational fisheries statistical surveys; those surveys serve as the backbone of marine fisheries management programs for the recreational fishing sector. In December 2008, NMFS promulgated the final rule creating the registry, and also established an option for states to develop their own state-based licensing programs as an alternative, provided that the state programs meet federal criteria.

The RI license fees -- \$7/year for residents (under age 65), \$10/year for non-residents, and \$5 for a 7-day license – are designed to both cover the administrative costs of the license program and provide additional support to programs and activities that serve the needs and interests of saltwater recreational fishermen in Rhode Island.

The statute establishing RI’s Recreational Saltwater License Program – RIGL Chapter 20-2.2 – was shaped and supported by a Recreational Marine License Study Group, co-chaired by the R.I. Department of Environmental Management (hereinafter, the “Department”) and the R.I. Saltwater Anglers’ Association. The group included representatives from a variety of recreational fishing groups and interests from Rhode Island.

The statute includes a section titled *Accountability and oversight* (RIGL Section 20-2.2-10). Pursuant to that section, the Department is charged with preparing an annual report that details the number of recreational saltwater licenses issued, the total amount of license fee revenue received, the expenditures made during the prior year from the license fee account, and how the Department plans to allocate and use the fee revenue during the next year. The report is also slated to include any additional, relevant information relating to the administration and enforcement of the licensing program, and the status of state-based recreational fishing assessments and stock assessments.

The statute calls upon the Department to submit the report to the Rhode Island Marine Fisheries Council, and for the Department and Council to then conduct one or more public meetings to solicit input from recreational fishermen and the general public. The Council is then tasked with preparing an addendum to the report, setting forth its opinion on whether the licensing program is meeting its intended purpose, and offering any recommendations for modifying the program. The report and addendum are then to be submitted to the Rhode Island General Assembly.

b. Status

The Department's Division of Fish & Wildlife, Marine Fisheries Program (hereinafter, the "Division") developed the RI recreational saltwater license program early in 2010, and the program officially took effect on April 15, 2010.

As established by the statute, anyone wishing to recreationally fish or spearfish in the marine waters of Rhode Island must possess either a RI state fishing license, a state fishing license from a reciprocal state, or a federal registration. The requirement solely pertains to those harvesting, or attempting to harvest, finfish for non-commercial purposes. In 2012, regulations were amended to have the requirements also include those harvesting, or attempting to harvest, squid. Exemptions are provided for the following categories:

- Children under 16,
- Anglers fishing on licensed party or charter boats,
- RI residents who are blind or permanently disabled, and
- RI residents who are on leave from active military duty.

RI residents over the age of 65, and active military personnel stationed in RI, are eligible to obtain RI state licenses at no cost.

The new federal registry requirements also pertain to for-hire vessels, requiring that they either register federally or be subject to state-based licensing. Pursuant to a previously enacted state statute – RIGL section 20-2-27.1 – Rhode Island requires for-hire vessels (charter and party boats carrying recreational fishermen) to obtain a RI party and charter boat license.

In the summer of 2010, the Division submitted the new RI recreational saltwater fishing license program, and the existing RI party and charter boat license program, to

NMFS for review. On October 25, 2010, NMFS and the Division entered into an MOU, pursuant to which the Division agreed to regularly collect and transmit to NMFS the contact information generated by the two programs.

On the basis of NMFS' review and approval of the RI license programs, and the commitments set forth in the MOU, the State of Rhode Island was officially designated as an exempted state for all anglers, spear fishers, and for-hire fishing vessels on November 8, 2010 – enabling the RI recreational saltwater fishing license program, and the RI party and charter boat license program, to serve as a valid, legal substitutes for the federal registry.

During 2010, a federal registration was available at no cost. Beginning in 2011, NMFS enacted a \$15 annual fee for the federal registration. The annual cost has since increased to \$29.

Because the federal registration did not have a fee during 2010, it was difficult to assess the metrics of the RI program during its inaugural year. Since 2011, the program has equilibrated, providing more predictable participation and revenue rates. The average number of licenses issued since 2010 is approximately 42,000 per year, generating average revenues of about \$270,000 gross and \$180,000 net. All net license fee revenues, those not retained by the program vendor, are deposited into a restricted receipt account.

c. Benefits

The overarching benefits of recreational license programs are their potential for improving recreational fishing management by:

- Allowing flexibility in the administration of the recreational license program to suit the needs of Rhode Island.
- Improving the quality and accuracy of marine recreational fishing data; and
- Providing an improved means for quantifying the scope of recreational saltwater fishing and spearfishing in Rhode Island, and throughout the U.S.

A key benefit of having the State of Rhode Island administer its own license program is the opportunity to make the license available at a lower cost than a federal registration. The \$7 (resident) and \$10 (non-resident) fees for the RI license compare favorably to the \$29 fee for the federal registration. Moreover, RI does not require state residents over the age of 65, or any active military personnel stationed in RI, to pay a fee for a license. RI offers a 7-day license at a reduced rate of \$5, available to both residents and nonresidents.

An additional benefit of having RI administer its own program is that the State program offers certain exemptions that are not available under the federal program –

namely, exemptions for RI residents who are blind or permanently disabled, and RI residents who are on leave from active military duty.

Another benefit of having a RI state program is reciprocity with neighboring states and federal waters. Pursuant to Rhode Island's licensing statute, Rhode Island will extend reciprocity to any other state that offers reciprocity to Rhode Island. Any resident from a reciprocal state who is licensed by that state can fish in RI waters without having to obtain a RI license, provided that a RI resident with a RI license can fish in the waters of the reciprocal state without having to obtain a license from that state. The states currently covered by a reciprocity agreement with Rhode Island are: New York, Connecticut, Massachusetts, and Maine.

A portion of each Rhode Island license sold, \$2 for every license sold online, and \$3 for every license sold via a vendor, is used to cover the costs of administering the licensing program. This money goes directly to the vendors who administer the program, and are not revenues received by the state. In this way, the program covers its own costs and is self-sustaining.

The balance of the revenues derived from license sales are deposited into a restricted receipt account, which is managed by the Department and subject to the exclusive-use restrictions set forth by statute. Monies from the account may only be used for: managing Rhode Island's marine recreational fisheries, with particular reference to improving State-based recreational fishery catch and effort statistics and stock assessments; and enhancing recreational fishing opportunities in the State. The availability of this dedicated revenue source for use in supporting programs and activities that address the priority interests of RI's recreational fishing community is a major benefit associated with the RI license program. Of particular value is the opportunity to use the state funds to leverage federal funds.

The US Fish and Wildlife Service's (USFWS) Sport Fish Restoration Program provides federal funding for saltwater recreational fishing programs. The funding is administered via grants to the State; projects written into these grants require a 25% state match. The fees generated by the RI saltwater license program are used to leverage an additional \$3 for every \$1 dedicated to projects and activities that enhance recreational saltwater fishing access, as well as science and management programs that relate directly to recreational fish stocks. It is the policy of the Division to only fund Saltwater Fishing License Fee projects which have been matched with USFWS grants unless absolutely necessary.

d. Implementation

Internet Based System & Local Vendors

Section 20-2.2-7 of the statute establishing the license program authorizes and directs the Department to engage the contractual services of a state-approved vendor to develop and implement a web-based system that serves as a portal to obtain licenses. The

system developed by the vendor is used directly by recreational fishermen and by authorized licensing agents.

During the initial program development stage, the Department entered into a formal agreement with Rhode Island Interactive (RII), which administers the Rhode Island state government web portal, known as RI.gov. Pursuant to the agreement, RII is responsible for developing and implementing the internet-based licensing system. RII followed through by developing and implementing a system that serves as the mechanism for issuing licenses, and for collecting all of the required contact information at the point of sale for the national registry.

The internet-based system is used by authorized vendors to provide a point of sale alternative for anglers and spear fishers to acquire a license. These vendors include bait and tackle shops, marinas and big box stores. To date, there are twenty-five (25) authorized vendors. RII is responsible for handling the business arrangements with each vendor, including billing, remittance and technical support. Vendors must pay an annual fee of \$75 to RII to cover these service costs.

To cover the overall costs of administering the web-based license program, RII retains \$2 for each license sold via the internet. If a license is sold by a vendor, RII retains \$1 and the vendor retains \$2. Neither RII nor the vendors receive any compensation for no-fee licenses issued to RI residents over the age of 65 or active military personnel stationed in RI.

RII provides all angler contact information (name, address, phone number, date of birth – and if provided, email address) to the Division monthly via electronic transfer. The confidentiality of the data is protected via the use of encryption. The Division, in turn, provides the encrypted data to the NMFS MRIP program for incorporation into the national registry.

Information & Outreach

Since the rollout of the Rhode Island Saltwater Recreational Fishing License, the Division has continued to provide information and outreach to the Rhode Island angling community. The primary vehicle is the webpage, www.saltwater.ri.gov, which provides direct access to the licensing portal. The page includes a detailed FAQ section, covering all aspects of the license program, a link to all authorized license vendors, links to recreational fishing regulations, the locations of all public boat ramps that provide access to marine waters in Rhode Island, and other information pertinent to recreational saltwater fishing.

Since 2013, the Division has contracted with a publishing company to create a recreational fishing guide for distribution throughout the state. The guide provides information on a variety of recreational-fishing-related issues, including current recreational fishing regulations, information on local fishing and boating access sites, and commonly caught species. It also provides information on the license program. The

guide has emerged as a popular, widely circulated annual publication that serves to both promote recreational saltwater fishing in RI and inform the angling community on saltwater license revenue supported programs and regulations.

The Division continues to issue periodic press releases regarding the license program and produce fact sheets, informational cards and brochures for dissemination at public events, such as the Rhode Island Saltwater Anglers Association (RISAA) annual New England Saltwater Fishing Show. The Division continues to man a booth at the show to answer questions about recreational fishing, and to support issuing licenses in a convenient forum for the community. The show offers an ideal opportunity to interact directly with the recreational fishing community. Per the suggestion of our recreational saltwater license study group, the Division will provide more frequent updates to the RISAA and other interested parties on projects funded by recreational license funds. For example the Division will report any boat ramp repairs or construction updates to RISAA to disseminate to their members. Another valuable suggestion generated by the group was to communicate any maintenance / infrastructure via press releases. The group feels that it is important to increase public awareness of how the recreational saltwater license funds are being spent. Tangible results increase the positive perception of the program. To that end the Division will also highlight these projects in its annual magazine. The group also suggested more communication between the Division and the angling public to direct where access point maintenance is needed.

To help increase awareness regarding the license program in the field, the Division also continues to maintain weatherproof vinyl signs at fishing access points throughout RI. The signs feature an illustration of the license and clear text informing the public that the license is required and how it can be acquired. RI also continues to provide informational signs to vendors to advertise the availability of licenses at their places of business.

For the FY2017 funding cycle the Division is proposing the addition of an annual youth fishing camp administered by the Rhode Island Saltwater Anglers Association (RISAA) with oversight from the Division. RISAA is a very active, large recreational fishing organization based in the state of Rhode Island. An overview of the association can be found on their website: www.risaa.org. The youth fishing camp represents a recurring budget item. Additionally during the FY2017 budget cycle the Division is proposing to build a kiosk at the Port of Galilee to be used by APAIS field interviewers as a base of operations at this high frequency fishing site. This kiosk represents a one time budget item. Both of these new outreach initiatives are described below in the proposed budget section of the report.

The goal of the saltwater recreational fishing license is to promote healthy and diverse recreational fisheries which are easily accessible by the fishing public. By providing funds to promote better data collection and stock assessment, the license leads to better management programs which should ensure sustainable fishing in to the future. Robust fishing opportunities coupled with modern, well thought out, and convenient fishing access is ultimately the best strategy to increase awareness of the license to ensure

that all Rhode Islanders are participating in the program equally. To this end the saltwater recreational license program will continue to direct funding towards these two aspects of recreational fishing.

Free Fishing Day

In accordance with the statutory allowance for one free fishing day a year, during which all license requirements are waived, the DEM Director continues to declare a free fishing day each summer. Since 2010, the free fishing day has coincided with Governor's Bay Day.

e. Licenses Issued, Revenues Received: Fiscal Years 2011-2016

Tables 1-3 summarize licenses issued and revenue generated since the inception of the license program. For the purposes of this report gross revenue is the total amount of fees paid to RIDEM for the saltwater recreational license. Net revenue is the balance of fees deposited into the restricted account after the administrative costs are paid to the internet portal contractor and other brick and mortar vendors. License numbers and revenues increased after FY11, as expected, as the federal registry switched from being a free alternative to being a more costly alternative. In the five years since FY11, license issued have plateaued at approximately 42,000 per year, generating an average gross revenue of about \$270,000, and average net revenue of about \$186,000. The number of licenses sold and revenue generated fall well short of initial predictions, resulting in a much more constrained budget than originally envisioned. FY16 had increased license sales above the recent average which is encouraging for the program. During FY16 47,147 licenses were issued resulting in \$306,125 in gross revenue and \$210,631 in net revenue. This increase during FY16 allowed RIDEM to bank approximately \$5,000 more than expected. If this trend continues the Division will adjust the budget predictions accordingly.

Table 1. RI Saltwater Recreational Fishing Licenses – Number Issued: FY11 through FY16

| License Type | FY11 | FY12 | FY13 | FY14 | FY15 | FY16 |
|---------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Resident Full Year | 18,658 | 26,556 | 25,864 | 25,938 | 26,084 | 29,335 |
| Non-Resident Full Year | 5,249 | 7,649 | 6,975 | 7,432 | 7,381 | 8,428 |
| Resident 7-Day | 60 | 122 | 107 | 144 | 134 | 159 |
| Non-Resident 7 Day | 1,310 | 2,505 | 2,730 | 2,958 | 3,055 | 3,141 |
| Resident Over 65 | 3,635 | 4,613 | 4,653 | 4,667 | 4,704 | 5,078 |
| Active Military Stationed in RI | 703 | 993 | 996 | 1,055 | 992 | 1,006 |
| Totals: | 29,615 | 42,438 | 41,325 | 42,194 | 42,350 | 47,147 |

Table 2. RI Saltwater Recreational Fishing Licenses -- Gross Revenue: FY11 through FY15

| License Type | FY11 | FY12 | FY13 | FY14 | FY15 | FY16 |
|---------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Resident Full Year | \$130,606 | \$185,892 | \$181,048 | \$181,566 | \$182,588 | \$205,345 |
| Non-Resident Full Year | \$52,490 | \$76,490 | \$69,750 | \$74,320 | \$73,810 | \$84,280 |
| Resident 7-Day | \$300 | \$610 | \$535 | \$720 | \$670 | \$795 |
| Non-Resident 7 Day | \$6,550 | \$12,525 | \$13,650 | \$14,790 | \$15,275 | \$15,705 |
| Resident Over 65 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Active Military Stationed in RI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Totals: | \$189,946 | \$275,517 | \$264,983 | \$271,396 | \$272,343 | \$306,125 |

Table 3. RI Saltwater Recreational Fishing Licenses -- Net Revenue: FY11 through FY15

| License Type | FY11 | FY12 | FY13 | FY14 | FY15 | FY16 |
|---------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Resident Full Year | \$88,462 | \$124,413 | \$120,880 | \$120,736 | \$121,175 | \$136,810 |
| Non-Resident Full Year | \$40,702 | \$58,566 | \$53,340 | \$56,970 | \$56,682 | \$64,923 |
| Resident 7-Day | \$174 | \$352 | \$304 | \$411 | \$382 | \$453 |
| Non-Resident 7 Day | \$3,605 | \$6,528 | \$6,988 | \$7,794 | \$8,085 | \$8,445 |
| Resident Over 65 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Active Military Stationed in RI | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Totals: | \$132,943 | \$189,859 | \$181,512 | \$185,911 | \$186,324 | \$210,631 |

III. Status of State-Based Fishing Assessments

Rhode Island's recreational catch and effort data is collected via the Marine Recreational Information Program (MRIP). MRIP is designed to improve recreational data collection by using the data generated from license sales to create a national recreational angler registry and by employing new angler survey protocols. This registry of licensees is a known sampling frame that can be drawn upon to conduct more focused surveys. Addresses taken from the registry are used to assess fishing effort, i.e., the number of anglers and the number of trips they make in Rhode Island. Catch data is collected by intercept interviews with anglers at fishing access sites. This catch data is used to calculate the number, species, and size of the fish being caught by recreational anglers in Rhode Island. Data from the two independent surveys is combined to produce regional and coast wide estimates of recreational harvest. Results are reported in two-month periods called waves. This data is collected during the months of March through December; no recreational data is collected in Rhode Island during wave 1 (January - February) due to low fishing activity.

The portion of MRIP that collects recreational fishing effort data is currently being collected by the Coastal Household Telephone Survey (CHTS) and the mail based Fishing Effort Survey (FES). The dual data collection methodology is in the end stage of a transition from a phone to a mail based survey. Both methodologies use information provided by anglers when purchasing a Rhode Island Saltwater Recreational Fishing License as the sample frame for the surveys. ICF International is the federally approved contractor that currently conducts the effort survey. Throughout the year, the data collected by the contractor is presented to the Division for review; once approved by the Division, the data is provided to MRIP. The results of the CHTS are displayed, by calendar year, in Tables 4 - 6 respectively. Note that the data is presented by calendar year, not fiscal year, and that 2016 phone data is only for waves 2-4.

The effort data presented in these tables was collected by the random telephone surveys to households in coastal communities (CHTS) method. This methodology has fallen short in recent years of meeting sampling metrics; successful interview rates have been dropping over the past four years, despite large increases in sample size. This trend is a main driving force behind the planned switch to an alternative mail-based methodology, the FES. MRIP has completed pilot research projects in several states evaluating the FES methodology. Preliminary results show that the response rates are higher and survey answers are more comprehensive using this methodology. The program is expected to fully transition in 2018.

The second portion MRIP focuses on the collection of recreational catch statistics. As of 2016, the Division is responsible for conduct of the Access Point Angler Interview Survey (APAIS). Prior to that, the Division had a contract with the federally approved contractor, to perform the APAIS. APAIS is the portion of MRIP which captures the recreational catch data. The accuracy of the data collected via angler intercepts has been improving over the past three years, due to the new approaches employed under MRIP.

The number of attempted interviews is increasing, as is the spatial and temporal distribution of the interviews. A more comprehensive sampling frame of potential sampling locations with accompanying site pressures is being used to better distribute the interviews. Better statistical sample distribution is expected to continue to increase the accuracy of the estimates. Additionally, interviews are now being conducted at night and at increasing rates during the winter months. Intercept refusal rates have remained level, despite the change to the Division conducting the APAIS. The Division is working hard to improve this aspect of the processes and engaged stakeholders at local club events to foster buy in to the APAIS. This face to face approach has been well received and will continue into the future. The Division has also reached out to NOAA Fisheries for outreach materials and strategies which should have positive results.

To further add to the above-described improvements, the Division is increasing the number of sample draws across all months using revenues from Rhode Island Saltwater Recreational Fishing License matched 3:1 with USFWS federal grant money. The funds are being used to hire two additional seasonal employees during the summer months to perform these additional interview shifts. The Division plans to continue this practice into the foreseeable future. This state-specific increase in sample numbers is expected to further increase the accuracy and precision of recreational catch and effort data for RI.

As mentioned above, APAIS has transitioned from contractor-based administration to state-based administration. The transition occurred in 2016. The data collected from APAIS is displayed in table 7a, 7b and 8. Recreational Saltwater License funds were not used to make this transition; it was a federally funded initiative. Agreements have been forged between NOAA Fisheries and the Atlantic States Marine Fisheries Commission (ASMFC) outlining the duties and responsibilities the Division must accomplish to successfully transition and run the program. To accomplish this transition the Division hired a full time coordinator to administer the program. The funding for this position is provided annually by NOAA Fisheries. The MRIP coordinator will be responsible for maintaining and scheduling personnel who will conduct angler intercepts throughout RI. In addition to staffing duties, the coordinator will be responsible for QA/QC, validation, and disseminating of data collected to the Atlantic Coast Cooperative Statistics Survey (ACCSP). ACCSP is part of ASMFC and will be coordinating the collection of data from state partners for delivery to NOAA Fisheries.

The Division has hired two full time field interviewers to perform angler intercepts during waves 2 -6 throughout Rhode Island. NOAA Fisheries provides funding for the full time staff as well as for two seasonal employees each year. These employees travel to shore based sites and ride on board head boats to conduct angler interviews routinely as prescribed by APAIS. The full time employees also provide back office support to the MRIP coordinator. As mentioned above, Recreational Saltwater License funds will be used each year to increase the number of interviews beyond the base number funded by NOAA Fisheries. These additional interviews are accomplished by hiring additional seasonal employees during peak fishing waves. The funding for the two

additional seasonal employees is provided by Rhode Island Recreational Saltwater License fees matched 3:1 with USFWS grant money. It is estimated that the two additional temporary samplers will accomplish the same number of additional samples (likely more) than were purchased directly from the contractor in the past. After one year of the new methodology it has been determined that two additional seasonal employees is an effective number to conduct the additional site assignments requested by the Division. By ordering additional samples from NOAA Fisheries, the tiered nature of the sample draws can result in summer weekend days requiring six staff members to carry out all of the site assignments. Non weekend sample draws are less intensive and require fewer staff. The coordinator attempted to provide 35 hours a week to the seasonal employees but often each would only get 30 hours a week on average. Increasing the number of sample draws from NOAA fisheries would require more staff to cover weekend assignments but would not increase the weekday assignments enough to provide sufficient hours to all staff.

The Division intends to build on the recent improvements to the survey and anticipates better data collection and more accurate information going forward with the program. Table 8 compares 2015 and 2016 APAIS interview statistics. The results display the changes from the federal contractor to State conduct of the survey. Notably the number of completed interviews have decreased and refusal rates have increased during 2016. The lower number of completed interviews is a function of sampling location and refusals. During the early sampling waves of 2016 the Division was still learning the nuances of conducting the survey. A key part of the process involved adjusting the site pressures used by NOAA Fisheries to make the random assignments directing where interviews take place. Rhode Island site pressures needed adjustment because they were not resulting in random draws that would direct field interviewers to popular fishing sites. The adjustments were accomplished in season and their effectiveness is reflected in a higher number of completed interviews in wave 4 during 2016 relative to 2015. Field interviewer production rates also contributed to less completed interviews in 2016. Production rates were lowered early season but steadily improved over the course of the year. Refusal rates also increased which can be attributed to field interview staff becoming familiar with conducting the survey and a procedural change at NOAA Fisheries. Beginning in 2016 to more appropriately represent anglers in Private/Rental and Party/Charter boat parties that were not interviewed, but some were, any anglers that were not interviewed from a boat party from which at least one angler was interviewed be coded as an initial refusals, and the count of missed anglers only refer to anglers who were eligible but could not be interviewed because the interviewer was busy interviewing other anglers. This is a significant change from 2015 which increases the number of refusals in these two modes and thus refusal rates. The increase in initial refusals and subsequent decrease in missed anglers is illustrated in tables 7a and 7b. The Division anticipates results more similar to 2015 next year due to more experienced staff and a more accurate site register.

Table 4. RI phone Surveys conducted by ICF International: 2011 through 2016

| Category | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 (w 2- 4) |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|--------------------------|
| Successful Phone Interviews | 254 | 244 | 252 | 222 | 232 | 146 |
| Total Phone Calls | 72834 | 74753 | 90769 | 108055 | 116660 | 93448 |

Table 5. 2015 RI Phone Interviews Conducted by ICF International

| Disposition | WAVE 2 | | WAVE 3 | | WAVE 4 | | WAVE 5 | | WAVE 6 | | TOTAL | |
|---------------------------------|-------------|---------------|--------------|---------------|--------------|---------------|--------------|---------------|--------------|---------------|---------------|----------------|
| | # | % of total | # | % of total | # | % of total | # | % of total | # | % of total | # | % of total |
| Total Numbers Attempted | 5884 | 5.31% | 24737 | 22.33% | 43458 | 39.23% | 31892 | 28.79% | 10689 | 9.65% | 110776 | 100.00% |
| Non-Response | 4542 | 77.20% | 19425 | 78.50% | 34570 | 79.50% | 24916 | 78.10% | 8134 | 76.10% | 91587 | 78.51% |
| No Contact | 4267 | 72.50% | 18332 | 74.10% | 32988 | 75.90% | 23535 | 73.80% | 7698 | 72.00% | 86820 | 74.42 |
| Busy | 13 | 0.20% | 188 | 0.80% | 146 | 0.30% | 153 | 0.50% | 4 | 0.00% | 504 | 0.43 |
| No Answer | 513 | 8.70% | 7390 | 29.90% | 18383 | 42.30% | 9399 | 29.50% | 2277 | 21.30% | 37962 | 32.54 |
| Not Available for Screening | 3701 | 62.90% | 8672 | 35.10% | 9652 | 22.20% | 9162 | 28.70% | 4837 | 45.30% | 36024 | 30.88 |
| Answering Machine | 40 | 0.70% | 2082 | 8.40% | 4807 | 11.10% | 4821 | 15.10% | 580 | 5.40% | 12330 | 10.57 |
| Contacted Non-Respondents | 275 | 4.70% | 1093 | 4.40% | 1582 | 3.60% | 1381 | 4.30% | 436 | 4.10% | 4767 | 4.09 |
| Language Problem | 26 | 0.40% | 38 | 0.20% | 108 | 0.20% | 64 | 0.20% | 29 | 0.30% | 265 | 0.23 |
| Refused | 249 | 4.20% | 1055 | 4.30% | 1474 | 3.40% | 1317 | 4.10% | 407 | 3.80% | 4502 | 3.86 |
| Response | 1342 | 22.80% | 5312 | 21.50% | 8888 | 20.50% | 6976 | 21.90% | 2555 | 23.90% | 25073 | 21.49% |
| Respondent Ineligible | 1010 | 17.20% | 4380 | 17.70% | 7390 | 17.00% | 5773 | 18.10% | 2088 | 19.50% | 20641 | 17.69 |
| Failed Prescreening | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0 |
| Not in Service | 523 | 8.90% | 2364 | 9.60% | 4011 | 9.20% | 3068 | 9.60% | 1151 | 10.80% | 11117 | 9.53 |
| Business Phone | 450 | 7.60% | 1819 | 7.40% | 3087 | 7.10% | 2523 | 7.90% | 869 | 8.10% | 8748 | 7.5 |
| Wrong Number | 1 | 0.00% | 1 | 0.00% | 3 | 0.00% | 1 | 0.00% | 0 | 0.00% | 6 | 0.01 |
| Wrong County | 30 | 0.50% | 126 | 0.50% | 174 | 0.40% | 125 | 0.40% | 51 | 0.50% | 506 | 0.43 |
| Not Permanent Resident | 6 | 0.10% | 70 | 0.30% | 115 | 0.30% | 56 | 0.20% | 17 | 0.20% | 264 | 0.23 |
| Eligible Non-Fishing Households | 330 | 5.60% | 885 | 3.60% | 1398 | 3.20% | 1127 | 3.50% | 460 | 4.30% | 4200 | 3.6 |
| No Fishing Last 12 Months | 296 | 5.00% | 826 | 3.30% | 1351 | 3.10% | 1079 | 3.40% | 412 | 3.90% | 3964 | 3.4 |
| No Fishing Last 2 Months | 33 | 0.60% | 58 | 0.20% | 45 | 0.10% | 46 | 0.10% | 47 | 0.40% | 229 | 0.2 |
| First-Time Contact/Non-Fishing | 1 | 0.00% | 1 | 0.00% | 2 | 0.00% | 2 | 0.00% | 1 | 0.00% | 7 | 0.01 |
| Eligible Fishing Households | 2 | 0.00% | 47 | 0.20% | 100 | 0.20% | 76 | 0.20% | 7 | 0.10% | 232 | 0.2 |

Table 6. 2016 RI Phone Interviews Conducted by ICF International

| Disposition | WAVE 2 | | WAVE 3 | | WAVE 4 | | WAVE 5 | | WAVE 6 | | TOTAL | |
|---------------------------------|--------------|---------------|--------------|---------------|--------------|---------------|--------|------------|--------|------------|--------------|----------------|
| | # | % of total | # | % of total | # | % of total | # | % of total | # | % of total | # | % of total |
| Total Numbers Attempted | 10110 | 10.82% | 30776 | 32.93% | 52562 | 56.25% | | | | | 93448 | 100.00% |
| Non-Response | 7590 | 75.10% | 18424 | 59.90% | 23342 | 44.40% | | | | | 49356 | 52.82% |
| No Contact | 7251 | 71.70% | 17113 | 55.60% | 21356 | 40.60% | | | | | 45720 | 48.93% |
| Busy | 48 | 0.50% | 32 | 0.10% | 22 | 0.00% | | | | | 102 | 0.11% |
| No Answer | 3124 | 30.90% | 5582 | 18.10% | 7010 | 13.30% | | | | | 15716 | 16.82% |
| Not Available for Screening | 3907 | 38.60% | 7942 | 25.80% | 12619 | 24.00% | | | | | 24468 | 26.18% |
| Answering Machine | 172 | 1.70% | 3557 | 11.60% | 1705 | 3.20% | | | | | 5434 | 5.81% |
| Contacted Non-Respondents | 339 | 3.40% | 1311 | 4.30% | 1986 | 3.80% | | | | | 3636 | 3.89% |
| Language Problem | 16 | 0.20% | 72 | 0.20% | 101 | 0.20% | | | | | 189 | 0.20% |
| Refused | 323 | 3.20% | 1239 | 4.00% | 1885 | 3.60% | | | | | 3447 | 3.69% |
| Response | 2520 | 24.90% | 12352 | 40.10% | 29220 | 55.60% | | | | | 44092 | 47.18% |
| Respondent Ineligible | 2212 | 21.90% | 11373 | 37.00% | 27649 | 52.60% | | | | | 41234 | 44.13% |
| Failed Prescreening | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | | | | | 0 | 0.00% |
| Not in Service | 1391 | 13.80% | 8721 | 28.30% | 23159 | 44.10% | | | | | 33271 | 35.60% |
| Business Phone | 774 | 7.70% | 2417 | 7.90% | 4101 | 7.80% | | | | | 7292 | 7.80% |
| Wrong Number | 0 | 0.00% | 1 | 0.00% | 6 | 0.00% | | | | | 7 | 0.01% |
| Wrong County | 28 | 0.30% | 145 | 0.50% | 250 | 0.50% | | | | | 423 | 0.45% |
| Not Permanent Resident | 19 | 0.20% | 89 | 0.30% | 133 | 0.30% | | | | | 241 | 0.26% |
| Eligible Non-Fishing Households | 299 | 3.00% | 930 | 3.00% | 1483 | 2.80% | | | | | 2712 | 2.90% |
| No Fishing Last 12 Months | 255 | 2.50% | 883 | 2.90% | 1431 | 2.70% | | | | | 2569 | 2.75% |
| No Fishing Last 2 Months | 43 | 0.40% | 45 | 0.10% | 47 | 0.10% | | | | | 135 | 0.14% |
| First-Time Contact/Non-Fishing | 1 | 0.00% | 2 | 0.00% | 5 | 0.00% | | | | | 8 | 0.01% |
| Eligible Fishing Households | 9 | 0.10% | 49 | 0.20% | 88 | 0.20% | | | | | 146 | 0.16% |

Table 7a. APAIS Interview Statistics from 2015 Assignments. (CH = Party/Charter, PR = Private/Rental Boat, SH = Shore, HB = Head Boat)

| Year | Wave | Mode | Completed | Initially Refused | Language Barrier | Refused Mid-Interview | Missed Anglers |
|------|------|------|-----------|-------------------|------------------|-----------------------|----------------|
| 2015 | 2 | CH | 0 | 0 | 0 | 0 | 4 |
| 2015 | 2 | PR | 9 | 2 | 0 | 0 | 0 |
| 2015 | 2 | SH | 5 | 0 | 1 | 0 | 1 |
| 2015 | 3 | HB | 161 | 20 | 19 | 0 | 87 |
| 2015 | 3 | CH | 124 | 165 | 0 | 6 | 129 |
| 2015 | 3 | PR | 124 | 46 | 2 | 0 | 34 |
| 2015 | 3 | SH | 151 | 21 | 20 | 0 | 33 |
| 2015 | 4 | HB | 367 | 21 | 19 | 0 | 376 |
| 2015 | 4 | CH | 254 | 424 | 17 | 1 | 252 |
| 2015 | 4 | PR | 320 | 150 | 17 | 1 | 49 |
| 2015 | 4 | SH | 217 | 72 | 59 | 1 | 64 |
| 2015 | 5 | HB | 157 | 9 | 25 | 0 | 66 |
| 2015 | 5 | CH | 97 | 124 | 2 | 2 | 24 |
| 2015 | 5 | PR | 200 | 100 | 23 | 0 | 30 |
| 2015 | 5 | SH | 157 | 52 | 64 | 0 | 32 |
| 2015 | 6 | CH | 8 | 2 | 0 | 0 | 0 |
| 2015 | 6 | PR | 27 | 11 | 7 | 0 | 0 |
| 2015 | 6 | SH | 43 | 5 | 14 | 0 | 6 |

Table 7a. APAIS Interview Statistics from 2016 Assignments. (CH = Party/Charter, PR = Private/Rental Boat, SH = Shore, HB = Head Boat)

| Year | Wave | Mode | Completed | Initially Refused | Language Barrier | Refused Mid-Interview | Missed Anglers |
|------|------|------|-----------|-------------------|------------------|-----------------------|----------------|
| 2016 | 2 | HB | 103 | 53 | 2 | 0 | 0 |
| 2016 | 2 | CH | 0 | 0 | 0 | 0 | 0 |
| 2016 | 2 | PR | 3 | 7 | 0 | 0 | 1 |
| 2016 | 2 | SH | 10 | 3 | 1 | 0 | 7 |
| 2016 | 3 | HB | 135 | 101 | 20 | 6 | 0 |
| 2016 | 3 | CH | 94 | 339 | 24 | 0 | 11 |
| 2016 | 3 | PR | 89 | 89 | 7 | 1 | 25 |
| 2016 | 3 | SH | 52 | 16 | 15 | 0 | 29 |
| 2016 | 4 | HB | 309 | 313 | 54 | 0 | 0 |
| 2016 | 4 | CH | 168 | 555 | 22 | 0 | 80 |
| 2016 | 4 | PR | 225 | 166 | 40 | 1 | 112 |
| 2016 | 4 | SH | 160 | 103 | 74 | 0 | 69 |

Table 8. Summary of APAIS interview Statistics from 2015 – 2016 assignments.

| Year | Wave | Completed | Refused | Percent Refused | Ratio Refused/Missed |
|------|------|-----------|---------|-----------------|----------------------|
| 2015 | 2 | 14 | 3 | 17.65% | 0.60 |
| 2015 | 3 | 560 | 299 | 34.81% | 1.53 |
| 2015 | 4 | 1158 | 782 | 40.31% | 2.14 |
| 2015 | 5 | 611 | 401 | 39.62% | 4.66 |
| 2015 | 6 | 78 | 39 | 33.33% | 6.50 |
| 2016 | 2 | 116 | 66 | 36.26% | 8.25 |
| 2016 | 3 | 370 | 618 | 62.55% | 9.51 |
| 2016 | 4 | 862 | 1328 | 60.64% | 5.09 |

IV. Issues & Initiatives

a. Increasing the Number of Local Vendors

Although the internet remains the most convenient means for obtaining a license for most people, it is apparent that a portion of the population continues to prefer to obtain a license, in-person, at a local store or shop. Such individuals may either not have, or may not be comfortable using a home computer and printer. Additionally some individuals may have the need to pay for their license using cash, instead of a debit or credit card, which is required for the online transaction. This precipitates the need to maintain and increase brick and mortar vendors in RI.

To date, there are twenty-five local vendors authorized to issue licenses at their places of business. This is up from just seven vendors at the start of the 2011 fishing season. The locations of the twenty-five vendors cover the major population areas of Rhode Island, including Block Island. Increasing the number of vendors should remain a top priority, since adding more vendors to the program will make it easier for more people to get their licenses, thereby enhancing compliance.

The Division applied for and was awarded a grant from the Atlantic States Marine Fisheries Commission to administer a vendor-incentive program. The program started in 2011. Pursuant to the program, the Division loans computers and printers to any establishment that agrees to vend licenses for a period of five years. The Division has enough funds to provide equipment for up to 50 vendors. This grant ended as of November of 2015. The Division will continue to distribute computers as long as supplies last.

b. Developing Regulations for the License Program

In 2010 the Division developed and enacted comprehensive regulations for the recreational license program. The regulations largely codify the key statutory provisions governing the license program. The Division tracks recreational fishing issues and strives to keep pace with advances in technology as it pertains to fishing licenses and will amend regulations if needed to address current issues. At this time the Division is pursuing regulations to allow the sale of the Saltwater Recreational Fishing License as part of a

combination package with Freshwater and Hunting licenses and permits. Saltwater and Freshwater licenses are available online, hunting licenses are not. Additionally the Saltwater and Freshwater licenses cannot be bought in a single transaction. Allowing for a combination purchase will enhance the customer service aspect of the licensing program, and is therefore an important initiative for the State.

c. Meeting with the Recreational Saltwater License Study Group

The Division plans to continue meeting annually with the Recreational Saltwater License Study Group. This ad-hoc group worked closely with the Division on the development of the original saltwater recreational license bill. The purpose of these annual meetings is to review and get input on the status of the overall license program, as well as the draft budget for the saltwater license restricted receipt account. These meetings are in addition to, not in lieu of, the Council and public comment processes set forth by the license statute.

d. Allowing Volunteer Contributions to the Restricted Receipt Account

It has been suggested that some anglers and spear fishers would welcome the opportunity to make an additional, voluntarily contribution to the restricted receipt account associated with the license program at the time they purchase their license. It is unclear whether this could be done without additional statutory authority, but if there is enough interest on the part of the Rhode Island recreational fishing community to pursue the initiative, it can be pursued further. Examples of voluntary methods for contribution include license plate programs and donations on state tax forms. There are no proposals to develop additional means of acquiring voluntary contributions at this time.

e. Streamlining the Online License Renewal Process

The Division has continued to coordinate with RII in an effort to streamline the renewal process, namely, by having prior contact information recalled and re-inserted, with an onus on the licensee to verify that it is up-to-date and accurate. Phone numbers remain an important data field, the system still requires phone numbers to be re-entered every year, to help ensure that they are up-to-date and accurate. The future of MRIP's methods is still unclear but will likely shift to a mail based survey. This change will make the address of the applicant the key data element. It is unclear if the telephone number will become self-populated from previous license data after the switch is made to the mail survey, but for now it will still be a required data element of the RI program.

f. Compliance

As mentioned above, the number of licenses issued for the past three years has remained static at approximately 42,000 until 2016. In the 2016 fiscal cycle this number increased to 47,000 licenses. The increase is potentially a combination of better compliance rather than an overall increase in anglers. Increases were seen in both the resident and non-resident demographic. Although it is too soon to predict whether these

sales numbers will be sustained, it is a positive sign that general awareness to the licensing program has increased. It is speculated that the presence of APAIS field interviewers dressed in RIDFW uniforms was also a factor in raising awareness of the program or perception that an angler's license may be checked more frequently. The Division is vested in providing outreach and education to the public, this positive sign is encouraging and fosters a belief that the outreach funds are well spent.

It is important to know how closely the number of licenses tracks the actual number of anglers in order to assess the effectiveness of the saltwater license program. RIDEM Division of Law Enforcement (DLE) conducts field checks of the recreational license to ensure compliance with the saltwater license requirement with good results. On average approximately 1,200 license checks take place annually. These results have yielded an approximate 85% compliance rate with the Saltwater Recreational License program. DLE states that this is similar to rates seen by other regional law enforcement agencies. While 85% is a good compliance rate it still remains necessary to promote a high level of awareness of the saltwater license program to keep noncompliance in check, to facilitate good quality data collection, and continue to foster the gains in sales from FY2016 in to the future.

The Division will continue working to increase compliance as well as prevent license sales from eroding. Several ideas provided by the Saltwater Recreational License advisory group will be pursued to this end. The Division collects email addresses from license applicants; these email addresses will be used in the future to send an electronic reminder to renew their licenses annually. It is generally accepted that the frequent recreational angler is aware of the recreational license requirement; a lack of compliance likely exists in the casual angling population. To address this compliance gap the Division expanded its distribution of its saltwater fishing magazine to more diverse locations such as popular tourist hotels and attractions.

V. Expenditures and Budget

a. Preface

As noted previously, in accordance with the provisions of the RIGL Chapter 20-2.2, all funds from the saltwater license fees are deposited into a restricted receipt account that can only be used for the purposes list below.

- Administering and enforcing the Rhode Island license program;
- Managing Rhode Island's marine recreational fisheries, with particular reference to improving state-based recreational fishery catch and effort statistics and stock assessments; and
- Enhancing recreational fishing opportunities in the State.

It is important to note that this account does not need to be spent down every year. License revenue that is not spent remains in the account and is available for projects the following year and into the future. If designated funds are not spent in any given category they are kept in that category for the next budget cycle.

The Division undertakes a range of programs that address and support recreational fishing interests in Rhode Island. These programs are largely funded via a federal grant administered by the US Fish & Wildlife Service's Sport Fish Restoration (SFR) Program. The SFR Program is derived from excise taxes on fishing and boating equipment, and is structured as a user-pay/user-benefit program. The SFR program is the primary source of funding for recreational fishing programs in Rhode Island, providing some \$2 million annually. SFR grants require a 25 percent non-federal match.

The primary RIDEM programs pertaining to recreational fishing fall into the following general categories:

- Fish stock assessments
- Recreational catch and effort estimates
- Management programs and regulations
- Boating and fishing access
- Artificial reefs and habitat protection/enhancement
- Public information, outreach, and education
- Enforcement

In developing annual budgets for the recreational saltwater license account, RIDEM draws upon the following guidelines: projects must be consistent with the licensing statute; address the needs and interests of the recreational fishing community in Rhode Island; and maximize opportunities and benefits by leveraging federal SFR funds whenever possible.

b. FY16 Expenditures

During the 2016 fiscal year, a total of \$161,213 was spent on the Rhode Island Marine Recreational Fishing Program (Table 8). This amount is down from the \$209,433 expended in FY2015. Of that total:

- \$99,840 was used for personnel and equipment costs in support of the Division's finfish surveys for stock assessments;
- \$9,718 was used for the management of the Marine Recreational Fisheries Program;
- \$12,207 was used to support the Division's boating/fishing access site maintenance program;
 - Improvements to parking and boat access at Sapowet Point;
 - Grading of access roads and parking lots and fence repair at Charlestown (Breachway), Quonochontaug, Weekapaug, Narrow River, and Deep hole fishing access sites;
 - Charlestown(Breachway) boat ramp repair and regrading;
 - Repair of dock, grates, and ramp at Westerly- Pawcatuck boat ramp;
 - Repair of floating dock at Colt State Park;
 - Supervision of Camp Cronin construction;

- Removal, storage and reinstallation of floating docks at Mt Hope, Haines Park, Galilee, and Fort Adams boat ramps;
- Portable sanitary placement at various Washington County fishing access sites in peak months;
- Trash removal and signage maintenance at fishing access sites throughout state.
- \$2,340 was used for public education, information, and outreach, including production of the second annual Rhode Island Recreational Saltwater Fishing Guide; and

\$37,100 was used for the purchase of additional MRIP intercept interviews.

Table 8. FY2016 Recreational Saltwater License Program budget.

| Category | FY15 Carryover | FY16 Revenue | FY16 Available | FY16 Expended |
|---|------------------|------------------|------------------|------------------|
| Enhanced MRIP Data Collection | \$170,562 | \$0 | \$170,562 | \$37,100 |
| Boating/Fishing Access I | \$64,213 | \$42,126 | \$106,339 | \$0 |
| Boating/Fishing Access II | \$14,206 | \$21,063 | \$35,269 | \$12,207 |
| Rec Fisheries Support | \$16,377 | \$21,063 | \$37,440 | \$9,718 |
| Fish Stock Assessment Support | (\$97,154) | \$126,379 | \$29,225 | \$99,848 |
| Artificial Reef | \$16,685 | \$0 | \$16,685 | \$0 |
| Public Education, Information, and Outreach | \$34,909 | \$0 | \$34,909 | \$2,340 |
| TOTAL | \$219,807 | \$210,631 | \$430,438 | \$161,213 |

c. FY17 Budget

The budget for FY2017 is described in Table 9. It is anticipated that the restricted receipt account will receive another \$180,000 from FY17 license sales, and the proposed FY17 Programmatic Budget, as set forth below, is based on that amount. In the interest of going forward with a more balanced budget, an internal adjustment of the categorical balances will be applied to correct for overspending in the “Fish Stock Assessment Support” category that occurred in FY2014. This overage occurred due to one too many FTE salaries being drawn from the category. This oversight has been addressed and expenditures for each category have been on budget. The adjustment will zero out the

overage in the “Fish Stock Assessment Support” by drawing from categories which have a surplus. The “Enhanced MRIP Data Collection” category which funds additional APAIS interviews will be drawn down by \$33,938. This category has a large amount available from previous year’s budget carry overs. Now that the shift to state conduct of APAIS has taken place the cost of the MRIP add-ons is much less expensive. By hiring 2 additional seasonal field interviewers instead of purchasing extra interviews from the federal contractor, the cost of adding on to the base samples has decreased from approximately \$35,000/year to \$6,000/year. The balance after the adjustment is sufficient to support the add-ons to MRIP into the future. The “Recreational Fisheries Support” category which funds an FTE equivalent to work on recreational fishing projects will be drawn down by \$20,000. This category is carrying a balance over the amount necessary to fund it annually due to personnel modifications, and since it is a salary category, there is no need to carry a surplus. The “Artificial Reef” category which was intended to fund an artificial reef located off of Portsmouth, RI will be drawn down completely (\$16,685). This project has been abandoned and other funding for artificial reef projects has been secured. The amount being drawn from the three surplus categories amounts to \$70,623, the amount needed to reset the “Fish Stock Assessment Support” balance to \$0.

Table 9. FY2016 Recreational Saltwater License Program budget.

| Category | FY16 Carryover | Balance Adjustment | FY17 Adjusted | FY17 Revenue | FY 17 Available | FY17 Budgeted |
|---|------------------|--------------------|------------------|------------------|------------------|--------------------|
| Enhanced MRIP Data Collection | \$133,462 | (\$33,938) | \$99,524 | \$0 | \$99,524 | (\$6,313) |
| Boating/Fishing Access I | \$106,339 | \$0 | \$106,339 | \$36,000 | \$142,339 | (\$75,000) |
| Boating/Fishing Access II | \$23,062 | \$0 | \$23,062 | \$18,000 | \$41,062 | (\$18,000) |
| Rec Fisheries Support | \$27,722 | (\$20,000) | \$7,722 | \$18,000 | \$25,722 | (\$20,000) |
| Fish Stock Assessment Support | (\$70,623) | \$70,623 | \$0 | \$108,000 | \$108,000 | (\$100,000) |
| Artificial Reef | \$16,685 | (\$16,685) | \$0 | \$0 | \$0 | \$0 |
| Public Education, Information, and Outreach | \$32,569 | \$0 | \$32,569 | \$0 | \$32,569 | (\$13,442) |
| TOTAL | \$269,225 | \$0 | \$269,216 | \$180,000 | \$449,216 | (\$232,755) |

1. Enhanced MRIP Data Collection (\$6,313)

Proposal. Continue to expand the recreational catch and effort data collection program for Rhode Island (under the MRIP sampling umbrella) by providing funding for add-on intercept surveys to increase the overall precision of the overall catch estimates and better enable mode-specific (e.g., shore-based) estimates.

Rationale. The MRIP program is the major source for marine recreational catch and effort fishing assessments. Data collected via the program is used to estimate catch

(landings and discards) and effort by species/state/mode/wave. Estimates of catch and effort are used to develop status of the stock for all species, including striped bass, summer flounder, scup, tautog, bluefish, winter flounder, cod, black sea bass, and weakfish. In addition, indices of abundance using catch per unit of effort are incorporated into age-structured models to track abundance in comparison to other fisheries independent surveys. Estimates of catch and effort can have high variability in part due to sampling levels. These sampling levels are directly correlated to the level of funding allocated for each survey.

The marine recreational catch and effort fishing assessments yield fishery dependent information which, coupled with the fishery independent trawl and seine surveys, serve as the basis for marine recreational fishing regulations. The accuracy and fairness of recreational fishing regulations is directly related to the quality and precision of the assessments. Better accuracy and precision will lead to a better understanding of fishing activities by mode. This information is paramount if the Division is to pursue mode splits such as differential regulations for shore-based fishermen versus boat-based fishermen. Mode specific regulations require adequate survey and sampling of the two modes to enable relatively precise estimates of respective catch and effort.

The proposed enhanced data collection initiative will continue to attempt to maintain sampling to prior levels (2002-2005). The \$6,000 investment will leverage an additional \$18,000 in federal (SFR) funds to provide \$24,000 in total programmatic benefits. The \$24,000 will allow the Division to hire two additional seasonal field interviewers to staff additional samples ordered from NOAA Fisheries. The addition of these two staff members plus the full time coordinator, two full time field interviewers, and two seasonal field interviewers funded via NOAA Fisheries base MRIP grant bring the total number of staff working on the APAIS to seven. The Division has a contract with the Atlantic States Marine Fisheries Commission to provide staffing support for these employees.

As mentioned above the cost for this annual category of the budget has dropped considerably since the Division took over conduct of the APAIS. Prior to the change the Division was spending approximately \$35,000 of RI SWL funds matched with \$105,000 of USFWS SFR funds for 85 additional samples per wave from the federal contractor. The shift to state conduct is a significant change in doing business and changes the methodology of acquiring add-on samples. The federal contractor charged the state per sample (a sample is one 6 hour shift). Under the new model the Division can request as many samples to be drawn for a given wave as long as there is staff to cover them. The Division hired two additional seasonal field interviewers during FY16 to cover additional sample draws. The total cost of these two additional 6 month seasonal interviewers was \$24,000; \$6,000 of which was generated from Saltwater Recreational License receipts and \$18,000 match by USFWS SFR. These two additional staff allowed the Division to order 108 additional samples. By way of comparison in 2015 the federal contractor conducted 825 total assignments (base + add-ons) with a productivity rate of 2.10 interviews per assignment while in 2016 RIDFW conducted 460 total assignments (base + add-ons) with a productivity rate of 2.96 interviews per assignment. Although the

Division conducted fewer samples they were more productive generating successful interviews. The cost per sample decreased significantly from ~\$180/ sample in 2015 to ~\$55/ sample in 2016. Changing to state conduct of APAIS cost less to produce more interviews per sample than under the previous model when samples were purchased individually.

2. Boating/Fishing Access I (\$75,000)

Proposal. Construction of Rocky Point State Park Fishing Pier

Rationale. Rocky Point State Park is a popular and historic outdoor recreational area in western Narragansett Bay, providing direct access to great shore based fishing. RIDEM is in the planning stage of building a fishing pier in the State Park, this new pier will provide enhanced accessibility for fishing. The funding provided by the Saltwater Recreational Fishing License and USFWS SFR will begin once the construction has started at Rocky Point. Using \$75,000 in licensing to leverage \$225,000 in SFR funds frees up \$300,000 to be used on these selected projects, including Rocky Point State Park, expediting the public access program as a whole. It should be noted that the funds for the Goddard Memorial State Park boat ramp were not drawn down in FY16 and remained in the restricted account. These funds will be drawn down in FY17.

3. Boating/Fishing Access II (\$18,000)

Proposal. Continue to support the Division's boating/fishing access site maintenance program.

Rationale. The Division is responsible for maintaining 60 state-owned and operated boating/ fishing access sites used by an estimated 28,000 boats that are less than 24 feet in length. In order to foster compliance and repeat participation in the saltwater recreational license program, it is as important to keep our public access points clean and functional as it is to build new ones. The Division lacks adequate resources to undertake all of the work that's needed to maintain these sites on a regular basis. The allocation of these funds from the license fee account, leveraged with federal funds, supports the Division's ability to properly maintain state-owned boating/fishing access sites throughout Rhode Island. The \$18,000 investment will leverage an additional \$54,000 in federal (SFR) funds to provide \$72,000 in total programmatic benefits.

4. Recreational Fisheries Management Support (\$20,000)

Proposal. Continue to provide staff time, equivalent to a full-time employee (FTE), for the Division's Recreational Marine Fisheries Program. Staff will coordinate a range of projects and activities that relate directly to priority marine recreational fishing issues.

Rationale. In the past, the Division has never had staff time completely dedicated to marine recreational fishing programs. The \$20,000 investment will leverage an additional \$60,000 in federal (SFR) funds to provide \$80,000 for staff support. The Division requires staff dedicated to RI's marine recreational fisheries program and proposes maintaining an FTE equivalent to focus on the following issues:

- Coordinating the overall license program, in concert with Rhode Island Interactive and local vendors; and serving as the conduit for data management between the program and NOAA Fisheries, pursuant to the Division's MOU with NOAA Fisheries.
- Coordinating recreational fishing assessments; continued coordination of RIDFW APAIS; serving on the ACCSP's Recreational Technical Committee; advancing Rhode Island's electronic reporting program.
- Coordinating the development of marine recreational fishing management programs in Rhode Island; applying recreational fishing assessments to recreational management programs; developing mode-specific recreational fishing management programs and other recreational fishing alternatives for important ASMFC-managed species.
- Serving as a principal point of contact for recreational fishing groups and organizations throughout Rhode Island.
- Assisting with the coordination of the Division's boating/fishing access program – including assessment, maintenance, and management of existing sites; pursuing grants to upgrade/improve existing sites and develop new sites; and conveying information on access opportunities to the Rhode Island recreational fishing community.

5. Fish Stock Assessment Support (\$100,000)

Proposal. Support the continuation of finfish stock assessment surveys of recreationally important species in Rhode Island waters.

Rationale. The key programs funded via the federal SFR grant are the continuation of the Narragansett Bay trawl survey; the juvenile finfish seine survey conducted in the coastal ponds, and the newly developed fish pot survey. These projects are important annual finfish fisheries surveys in Rhode Island waters with long standing time series of data. In the past, these programs have been funded by the Division's federal SFR grant, and matched entirely with commercial fishing license fee revenues. Given the importance of these programs to the recreational fishing community, it stands to reason that a portion of the recreational fishing license fees should continue to cover the non-federal match requirements of the SFR grant pertaining to these projects. Project reports are submitted annually for these programs to USFWS and are available upon request. The \$100,000 investment will leverage an additional \$300,000 in federal (SFR) funds to provide \$400,000 in total programmatic benefits.

6. Artificial Reef Support (\$0)

Proposal. The Division is no longer using the Recreational Saltwater License receipts as a funding source for artificial reef projects. The Division still supports artificial reef projects via alternate funding sources.

Rationale. The Division is supporting fish habitat enhancement project with support from The Nature Conservancy and the USFWS SFR program. The project is in the early stages of a major investigation of fish habitat quality in upper Narragansett Bay over the next two years. This information will be used to develop plans for habitat improvement opportunities. Once the best zones have been determined for juvenile fish as well as what species are utilizing the area, plans for potential habitat enhancement and restoration efforts will be developed that can improve the conditions for growth and survival of juvenile fish. A variety of habitat enhancement and restoration techniques will be considered, from “reef balls” to oyster cultch reefs, to other types of structures, as well as any opportunities to improve the few areas of salt marsh that provide fish habitat.

7. Public Education, Information, and Outreach (\$10,042)

Proposal. To continue the annual one page water resistant regulation abstract and the Rhode Island Recreational Saltwater Fishing Magazine, fund a youth fishing camp conducted by the Rhode Island Saltwater Angler’s Association, and build a new kiosk at the Port of Galilee.

Rationale. Although compliance with the new license program has generally been good, it is clear that a number of recreational fishermen and spear fishers remain unaware of the program, not only in terms of the need to obtain a license, but also with regard to the purpose of the program and the benefits it provides to the recreational fishing community. Since the primary purpose of the license program is to develop a comprehensive database of contact information for all recreational fishermen and spear fishers, it makes sense to continue making a modest investment in public outreach, aimed at increasing awareness among the recreational fishing community regarding the license program, particularly during the summer season, thereby enhancing compliance and bolstering programmatic support.

Each year the Division publishes a one page regulation abstract which contains the current year’s recreational fishing rules and regulations. These are printed on glossy water resistant paper and supplied to various locations throughout the state. The abstracts are heavily utilized and raise awareness and foster compliance to the current regulations.

In 2016, the Division published the fourth annual edition of the Rhode Island Recreational Saltwater Fishing Magazine. The publication, done in a colorful and appealing magazine style, offers a wealth of information of interest to the marine recreational fishing community in the State. The guide informs fishermen on the issues associated with the licensing program and the associated benefits. It also provides recreational fishing information as well as other issues of interest to the community, including current regulations, informative articles, and lists of local bait and tackle shops

and party/charter boat services. While the Division continues to provide information to the Rhode Island recreational fishing community via the Division's website and an annual abstract that features recreational and commercial fishing regulations, the magazine enhances the Division's ability to connect with and inform recreational fishermen, and to promote recreational fishing in Rhode Island. The publication has been well-received, and so it makes sense to continue utilizing a small portion of funds from the license account to fund it annually.

In June of 2016 the Division participated in the Rhode Island Saltwater Anglers Association's (RISSA) pilot youth fishing camp. Currently there are no dedicated Saltwater Fishing community based instructional programs in Rhode Island. During 2016, RISSA conducted a successful pilot youth fishing camp for 50 children between the ages of 7 and 14 on June 28-30. The camp didn't just focus on fishing techniques but additionally taught the attendees about fishing regulations, ecology and sustainable practices. Youth programs have been recognized as important to keeping vitality in the recreational fishing industry as well as developing a more informed and responsible fishing populace. (1) This educational program was a pilot program intended to show proof of concept, funding is required to keep it going into the future. The Division will be providing funding to RISAA to keep the program going into future to fill this programmatic gap.

The 2016 pilot fishing camp funded and conducted by RISAA was well received and considered a resounding success. The format involved both classroom style instruction coupled with hands on experience. Local volunteers, RIDEM staff, US Coast Guard Auxiliary, and City of Warwick staff combined their talents and resources to deliver a well-rounded camp experience. The pilot youth fishing camp was well received by parents, the children that participated and partners. Additionally, the camp generated positive attention from the local media with reports in two local newspapers and on television (2,3,4). The camp ended on a high note as children received certificates of completion for the three day fishing camp. Children learned about fishing gear and tackle, marine biology and how to fish from shore and from a boat. By far, the camp's most popular program was fishing, as children enjoyed catching fish from both shore and boats. Topics covered included fish identification, fishing regulation, use of spinning and conventional tackle, basic marine biology, how and why to use different baits and lures, casting and fishing from shore as well as boating safety and fishing from a boat. The camp was documented in a report produced by RISAA with ideas for improvements were the camp to continue.

RIDEM proposes to provide funding to RISAA to conduct the camp annually for the next grant period. A memorandum of understanding has been established to this effect. The day camp will be run by RISAA with RIDEM participation and oversight. The camp will accommodate 50 children between the ages of 7 and 14. The camp will be planned, coordinated, and implemented by a hired camp coordinator. The base location for the camp will be Rocky Point State Park, Warwick, RI. Part of the camp will involve children fishing on boats launched at local marinas for two of the camp days. These two days will require the use of a bus to transport children to and from Rocky Point State

Park. Vessel captains will be provided by RISAA. The camp will last for three days include but is not limited to the following activities:

- Classroom setting instruction of basic fish biology and identification, sustainable fishing methods and practices, fishing tackle, safety on and around the water, fishing regulations, and recreational data collection
- Hands on fish capture and identification using beach seines and dip nets
- Hands on knot tying and casting instruction
- Hands on fishing from shore
- Hands on fishing from boats

The Division’s conduct of the APAIS survey was successfully implemented in 2016. One of the overall goals of the new program design is data improvement. In Rhode Island, one major data quality issue stems from high refusal rates of anglers in response to APAIS. Refusals impede the collection of data used to assess recreational fishing catches and contribute to high percent standard error (PSE) values undermining the usefulness of the data gathered in the survey. Intercepts attempted in the charter boat mode represent the highest number of these refusals, the vast majority of which are generated at the Port of Galilee, RI. This location houses the majority of active charter boats. Division staff have adjusted the site registry pressures used to randomly generate sample draws accordingly, resulting in APAIS staff frequently sampling this location. The area adjacent to the docks is a parking lot without an adequate location for field interviewers to base operations or raise awareness to the survey. The Division asserts that the presence of a kiosk will create a more visible presence at the site which will foster greater participation from anglers. Division staff would have the ability to use signage to provide information about the program and indicate whether a survey was taking place that day. These factors combined will convey a more professional look and feel to the survey and foster greater participation.

The proposed outreach budget would spend \$10,042 of Recreational Saltwater Fishing License funds to leverage additional \$30,126 in USFWS SFR funding resulting in \$40,168 used for outreach and education pertaining to the recreational fishing license. The outreach and education budget is broken down into more detail in table 10.

Table 10. Public Education, Information, and Outreach Budget.

| Item | State Funds | Federal Funds | Total |
|-------------------------------|--------------------|----------------------|-----------------|
| RISAA Youth Fishing Camp | \$3,342 | \$10,028 | \$13,700 |
| APAIS Kiosk | \$5,330 | \$15,990 | \$21,320 |
| Fishing Magazine and Abstract | \$3,000 | \$9,000 | \$12,000 |
| Miscellaneous Costs | \$1,000 | \$3,000 | \$4,000 |
| Total | \$12,672 | \$38,018 | \$51,020 |

VII. Looking Ahead to FY18

While there is cautious optimism that the increased revenue generated in FY16 from Saltwater Recreational Licenses will hold steady into the future, there is no clear indication that that is likely to happen. As previously noted, the total number of licenses issued during FY16 fiscal year was 47,147 and total revenues deposited into the license fund for the calendar year were \$210,147. If this trend is sustained for FY17 the division will increase its expected revenue prediction accordingly. No major changes are expected in FY18.



Atlantic States Marine Fisheries Commission

2017 Winter Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

2017 Winter Meeting
Alexandria, VA
January 31 – February 2, 2016

Toni Kerns, ISFMP, or
Tina Berger, Communications
For more information, please contact
the identified individual at
703.842.0740

Meeting Summaries, Press Releases and Motions

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ATLANTIC HERRING SECTION (JANUARY 31, 2017)

Press Release

ASMFC Atlantic Herring Section Approves Draft Addendum I for Public Comment

Alexandria, VA – The Commission’s Atlantic Section approved Draft Addendum I to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring for public comment. Draft Addendum I includes management options to ensure the seasonal quota is distributed throughout Trimester 2, are applied consistently by the states adjacent to Area 1A, and address excessive capacity.

The Draft Addendum was initiated in response to the accelerated rate of Area 1A Trimester 2 (June through September) landings in recent years and the increasingly dynamic nature of days out measures to control effort that have varied across states. The Section utilizes days out of the fishery to slow the rate of Area 1A catch by restricting the number of available landing days. Landing reports indicate vessels are harvesting herring on days out of the fishery and transferring fish at-sea to carrier or larger vessels until landing is permitted. The practice of fishing outside of landing days has limited the effectiveness of the days out program in controlling the rate of harvest.

The Draft Addendum presents six management options to improve the performance of the Area 1A fishery, ranging from restricting a vessel from landing fish caught on days out of the fishery to limiting transfers at sea as well as the amount a vessel can land per week. The document also seeks input on a tiered weekly landing limit for future management consideration.

The Draft Addendum will be available on the Commission website, www.asmfc.org (under Public Input) by February 10, 2017. It is anticipated Maine, New Hampshire, Massachusetts and New Jersey will be conducting public hearings in March/April. The details of those hearings will be released in a subsequent press release. The Section will review submitted public comment and consider final approval of Addendum I at the Commission’s Spring Meeting in May 2017.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

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PR17-01

Motions

Move to approve the request of the New England Fishery Management Council to add a non-voting member seat for the development of Addendum I.

Motion made by Mr. Stockwell and seconded by Mr. Grout. Motion carries (Roll Call Vote: In Favor – ME, RI, CT, NY; Opposed – MA, NJ; Null – NH).

Move to approve Draft Addendum I for public comment with the exception of Section 3.2 items reviewed by the PDT but not developed.

Motion made by Mr. Stockwell and seconded by Mr. Abbott. Motion carries unanimously.

Move that the Herring Section recommend to the ISFMP Policy Board to write a letter to the GARFO Office requesting that the states of Maine, New Hampshire, and Massachusetts be granted access to the VMS pre-landing report.

Motion made by Mr. Grout and seconded by Mr. Stockwell. Motion carries unanimously.

TAUTOG MANAGEMENT BOARD (JANUARY 31, 2017)

Meeting Summary

The Tautog Management Board reviewed the results of the tagging trial that was conducted to test the feasibility of applying a tag to a live tautog. In addition, the Board reviewed the regional harvest reduction and projection analyses conducted by the Technical Committee (TC) and feedback provided by the regional working groups, initiated in October 2016, on harvest reductions and their impact on Draft Amendment 1.

A commercial harvest tagging program was recommended to increase accountability in the fishery and curb illegal harvest. To evaluate the feasibility of such a program a tagging trial was conducted to investigate the efficacy of a commercial tag that serves as a tool for law enforcement, while minimizing impact to the resource. Twenty-one tautog were collected for a thirty day trial. Fifteen tautog were tagged with a strap tag and six tautog served as controls. At the end of the trial, there was localized damage to the gill, but it was not life threatening or inhibiting the fish's ability to survive. At the conclusion of the study, the tags were removed and all fish were returned to the Long Island Sound. The research team provided tagging tips and the Board suggested the creation of short videos to illustrate how to apply a tag. At the October Board meeting, the PDT was given guidance to develop a comprehensive commercial tagging program in Draft Amendment 1.

The TC harvest reduction analysis was presented for the regions of Massachusetts-Rhode Island, Long Island Sound and New Jersey-New York Bight. In addition, feedback was provided on the regional working groups input on proposed harvest reductions. The regional working groups of Long Island Sound, New Jersey-New York Bight and Delaware-Maryland-Virginia requested additional TC tasks that would develop management measures there were consistent across the states within a region. Specifically the Board tasked the TC to evaluate recreational measures that would include a uniform 16" size limit and possession limit with consistent spawning closures across the region. In Long Island Sound and New Jersey-New York Bight, the Board tasked the TC to evaluate management measures for the DelMarVa region that would include a uniform 15" and 16" size limit and possession limit with consistent spawning closures across the region, as well as the impact of regional slot limits for the recreational and commercial fisheries and consistent spawning closures. Lastly, the Board elected to include SPR reference points for all regions, except Long Island Sound which will use MSY reference points in Draft Amendment 1.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move that the Massachusetts-Rhode Island region go out for public comment including only the SPR reference points.

Motion made by Mr. McKiernan and seconded by Mr. Gibson. Motion carries (7 in favor, 2 abstentions).

Move that the Long Island Sound region go out for public comment including only the MSY reference points.

Motion made by Mr. Alexander and seconded by Mr. Heins. Motion carries (7 in favor, 1 opposed, 2 abstentions).

WINTER FLOUNDER MANAGEMENT BOARD (JANUARY 31, 2017)

Meeting Summary

The Winter Flounder Management Board maintained existing management measures for the inshore waters of Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) for the 2017 fishing season (May 1, 2017 – April 30, 2018), as shown below. Given management measures have been consistent in recent years, the Board intends to approve a three-year specifications package for winter flounder when the 2019-2021 specifications package becomes available.

| Stock | Sector | Trip Limit/ Possession Limit | Size Limit | Season | Gear |
|------------|--------------|------------------------------------|---------------|--------------------------|--|
| GOM | Commercial | 500 lbs/ trip/day | 12" | Maintain closures | Minimum 6.5" square or diamond mesh in cod-end |
| | Recreational | 8 fish | 12" | NA | |
| SNE/ MA | Commercial | 50 lbs/ 38 fish/trip/day | 12" | Maintain closures | Minimum 6.5" square or diamond mesh in cod-end. 100-lb mesh trigger. |
| | Recreational | 2 fish | 12" | March 1 – December 31 | |

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

No motions made.

AMERICAN LOBSTER MANAGEMENT BOARD (JANUARY 31, 2017)

Press Releases

ASMFC American Lobster Board Approves Draft Addendum XXV for Public Comment *Addendum Seeks to Address Southern New England Stock Declines*

Alexandria, VA – The American Lobster Management Board approved Draft Addendum XXV to Amendment 3 to the Interstate Fishery Management Plan for American Lobster for public comment. The Draft Addendum seeks to address the depleted condition of the Southern New England (SNE) stock while preserving a functional portion of the SNE lobster fishery. The document presents a suite of management measures to increase egg production and lower fishing mortality through a combination of management tools including gauge size changes, season closures, and trap reductions.

The Draft Addendum responds to the results of the 2015 American Lobster Benchmark Stock Assessment which found the SNE stock is severely depleted and experiencing recruitment failure. Declines in population abundance were most pronounced in the inshore portion of the stock where environmental conditions have remained unfavorable to lobster since the late 1990s. These stock declines are largely in response to adverse environmental conditions, including increasing water temperatures over the last 15 years, combined with continued fishing mortality.

Draft Addendum XXV focuses on increasing egg production so that, if environmental conditions become favorable, the SNE stock can benefit from a strong recruitment year. The Draft Addendum includes six issues. The first proposes four targets to increase egg production, ranging from 20% to 60%, with an additional option for status quo. The second issue seeks input on proposed management tools to increase egg production and whether these tools should be used independently or in conjunction with one another. The third issue addresses the effects of proposed measures on the recreational fishery. The fourth issue explores the implementation of season closures and potential impacts to the Jonah crab fishery. The fifth issue examines whether management measures should be uniform across Lobster Conservation Management Areas (LCMA) in SNE. The sixth issue asks how management measures should be applied to the offshore waters of LCMA 3, which spans both the Gulf of Maine/Georges Bank and SNE stock units.

The Draft Addendum will be available on the Commission website, www.asmfc.org (under Public Input) by February 20, 2017. It is anticipated that the majority of states from Massachusetts through Virginia will be conducting public hearings; the details of those hearings will be released in a subsequent press release. The Board will review submitted public comment and consider action on the Addendum at the Commission's Spring Meeting in May 2017.

In other business, the Board initiated development of Draft Addendum XXVI to respond to the need for improved harvest reporting and biological data collection in state and federal waters. The Draft Addendum seeks to utilize the latest technology to improve reporting, increase the spatial resolution of harvester data, collect greater effort data, and advance the collection of biological data offshore. The Board will receive an update on the development of Draft Addendum XXVI at the Commission's Spring Meeting in May 2017.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

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PR17-02

ASMFC American Lobster Board Approves Jonah Crab Addendum II

Alexandria, VA – The Commission’s American Lobster Management Board approved Addendum II to the Jonah Crab Fishery Management Plan (FMP). The Addendum establishes a coastwide standard for claw harvest and a definition of bycatch, based on a percent composition of catch, in order to minimize the expansion of a small-scale fishery under the bycatch allowance.

The Addendum responds to concerns regarding the equity of the claw provision established in the 2015 FMP, which instituted a whole crab fishery with the exception of fishermen from New Jersey, Delaware, Maryland, and Virginia who have a history of claw landings prior to June 2, 2015. Following approval of the FMP, claw fishermen from New York and Maine were identified and, while these fishermen had a history of claw landings, they were required to land whole crabs under the provisions of the FMP. Addendum II permits claw harvest coastwide. Specifically, the Addendum allows Jonah crab fishermen to detach and harvest claws at sea, with a required minimum claw length of 2.75” if the volume of claws landed is greater than five gallons. Claw landings less than five gallons do not have to meet the minimum claw length standard. Fishermen may also harvest whole crabs which meet the 4.75” minimum carapace width.

Addendum II also establishes a definition of bycatch in the Jonah crab fishery, whereby the total pounds of Jonah crabs caught as bycatch must weigh less than the total amount of the targeted species at all times during a fishing trip. The intent of this definition is to address concerns regarding the expansion of a small-scale fishery under the bycatch limit. Prior to this Addendum, a non-trap or non-lobster trap fisherman could land 1,000 crabs as bycatch but was not required to have any other species of catch on-board. Through Addendum II, fishermen harvesting under the bycatch limit must have another species on board of greater weight than landed Jonah crabs.

The Addendum is available at http://www.asmfc.org/uploads/file/589501bcJonahCrabAddendumII_Jan2017.pdf. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

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PR17-03

Meeting Summary

The American Lobster Management Board approved Draft Addendum XXV for public comment to address stock declines in Southern New England, initiated Draft Addendum XXVI to improve reporting and data collection in the lobster fishery, and approved Jonah Crab Addendum II, which permits the harvest of claws coastwide and establishes a definition of bycatch based on percent composition. For further information on these Board actions, please refer to the above press releases.

In addition to the actions above, the Board also heard a report from the American Lobster Technical Committee (TC) on changing stock conditions in the Gulf of Maine (GOM) and Georges Bank (GBK). This analysis was requested by the Board after surveys showed a recent decline in settlement. The TC Report reviewed the role that ocean currents play in the life history of lobsters, investigated stock connectivity, provided evidence of decreased size at maturity, highlighted changes in the stock-recruit relationship, and explored management tools to increase the resiliency of the stock. In response to this information, the Board established a GOM/GBK Subcommittee to further review the TC's analysis and provide recommendations to the Board.

The TC also presented work on potential impacts to the lobster and Jonah crab fisheries as a result of the New England Fishery Management Council's Omnibus Deep Sea Coral Amendment. The analysis investigates potential impacts to effort and revenue as a result of closures proposed around the offshore canyons, Mount Desert Rock, and the Outer Schoodic Ridge. Prior to passing this analysis on to the Council, the Board tasked the Lobster Advisory Panel with reviewing the analysis and providing industry comments.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move that Addendum XXV include the proposal for *de minimis* for the states of Delaware, Maryland, and Virginia.

Motion made by Mr. Clark and seconded by Mr. Luisi. Motion carries (9 in favor, 2 opposed, 1 abstention).

Move that the overlap zone issue be added to Addendum XXV.

Motion made by Mr. Gibson and seconded by Mr. Keliher. Motion carries unanimously.

Main Motion

Move to approve Draft Addendum XXV for public comment as modified by discussion today.

Motion made by Mr. McKiernan and seconded by Mr. Reid.

Motion to Amend

Move to amend to approve Draft Addendum XXV for public comment as modified today and include an Option C under Section 2 to allow gauge size changes and season closures to be used either together or independently to achieve egg production increases.

Motion made by Mr. Burns and seconded by Mr. White. Motion carries (9 in favor, 2 opposed, 1 abstention).

Main Motion as Amended

Move to approve Draft Addendum XXV for public comment as modified today and include an Option C under Section 2 to allow gauge size changes and season closures to be used either together or independently to achieve egg production increases.

Motion carries 11-0-1 abs-0.

Move to initiate an addendum to improve harvester reporting and biological data collection in state and federal waters. The addendum should seek to: 1) utilize the latest technology to improve reporting; 2) increase the spatial resolution of harvester data; 3) collect greater effort data; and 4) advance the collection of biological data offshore.

Motion made by Mr. McKiernan and seconded by Mr. Train. Motion approved by consensus.

Main Motion

Move to approve Addendum II to the Jonah Crab FMP with the following options: Issue 1, Option C (Claw Harvest Permitted Coastwide) and Issue 2, Option B (Bycatch Defined as Percent Composition).

Motion made by Mr. Gilmore and seconded by Mr. Luisi.

Motion to Amend

Move to amend to revise Option C to read:

Option C: Coastwide Small Volumetric Claw Harvest Permitted

Under this option, only whole crabs which meet the minimum size of 4.75" may be retained and sold, with the exception of a one 5-gallon bucket allowance of detached crab claws per vessel per trip which may be retained and sold. Two claws may be harvested from the same crab.

Motion made by Ms. Murphy and seconded by Mr. McKiernan. Motion fails (4 in favor, 6 opposed).

Main Motion

Move to approve Addendum II to the Jonah Crab FMP with the following options: Issue 1, Option C (Claw Harvest Permitted Coastwide) and Issue 2, Option B (Bycatch Defined as Percent Composition).

Motion made by Mr. Gilmore, seconded by Mr. Luisi. Motion passes (7 in favor, 5 opposed).

Move to approve Addendum II to the Jonah Crab FMP as modified today.

Motion made by Mr. Grout and seconded by Mr. Clark. Motion passes (Roll Call Vote: In favor – ME, NH, MA, NY, NJ, DE, MD, VA, NEFMC; Opposed – RI, CT; Abstain – NMFS).

AMERICAN EEL MANAGEMENT BOARD (JANUARY 31, 2017)

Meeting Summary

The American Eel Management Board met to receive an update on the stock assessment schedule and a summary of the Technical Committee's meeting from fall 2016.

The Board received a summary of the Stock Assessment Subcommittee's (SAS) meeting regarding the 2017 stock assessment update. For the update, the trend analyses of abundance indices developed from fishery independent surveys from the 2012 benchmark assessment will be updated-Mann-Kendall, Manly, Autoregressive Integrated Moving Average (ARIMA), and Power analysis. These analyses focus on detecting trends in abundance of young-of-year (YOY) and yellow eels at both the coast wide and regional level. The growth analysis based on biological data from various datasets will also be updated. The SAS will conduct work using fishery-independent and -dependent data through 2016. Neither the Depletion-Based Stock Reduction Analysis nor the Traffic Light Analysis will be updated since both of these analyses needed improvements, as recommended by the review panel, before they could be used

for management. Therefore, there will not be overfishing or overfished determinations made. Staff indicated that the planned completion date for the work will be fall 2017 with the goal of presenting the stock assessment update results to Board at the ASMFC Annual Meeting in October 2017.

Next, the Board was presented the Technical Committee (TC) Meeting Summary. The TC meeting focused on YOY surveys, reviewing updates on nematode research, Maine life cycle study, and otolith exchange. Additionally the group had a discussion of landings vs harvester reports. In considering the YOY surveys, the reviewed methods and results the TC discussed the challenges many have encountered across the coast in trying to collect important information of YOY eels. The group noted that not all YOY surveys provide equal information to the stock assessment, and there are current efforts underway to determine which surveys may be more informative if they were switched to focusing on other life stages such as yellow or silver. The TC recommended that if a state does seek to discontinue a YOY survey, another survey should replace it focusing on a different life stage. These changes must first be approved by the Board. The other significant discussion for the TC was how best to use commercial landings and harvester reports in assessing allocation moving forward. In recent Addenda, landings attributed to states have varied in using landing or harvester reports or sometimes both, when they are distinctly different types of information- commercial landings include the value for a specific amount of eels, whereas harvester reports can including eels that are harvested but not sold. In preparation for the stock assessment update, both data sources will be updated and the TC recommended that allocation issues should addressed after the assessment update is completed.

Lastly, North Carolina provided a brief update that a small amount of glass eels were collected through their aquaculture program. The state will provide a full update on their 2017 aquaculture program later on in the year.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

Motions

No motions made.

EXECUTIVE COMMITTEE (FEBRUARY1, 2017)

Meeting Summary

The Executive Committee reviewed and approved the FY16 Audit. The Committee approved the revised draft of the ASMFC Standard Meeting Practices Document, and the Guidelines for Management of State-Housed Employees. It received a positive report on the full integration of the ACCSP into the Commission. They discussed the use of Sections versus Management Boards and decided to leave the process as it currently is. Under other business, the committee discussed AP members who also serve as Board proxies and the potential conflict of interest. After a robust discussion, staff was directed to summarize the comments for the Committee and fully discuss the issue in May. Mr. Bullard of NMFS GARFO gave an overview of the current NOAA leadership in light of the transition due to the election of President Trump.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

SHAD & RIVER HERRING MANAGEMENT BOARD (FEBRUARY 1, 2017)

Meeting Summary

The Shad and River Herring Management Board met to review updated sustainable fishery management plans and a habitat plan, as well as the Technical Committee's (TC) recommendations regarding each document.

The New York Division of Marine Resources submitted an updated SFMP to harvest river herring in the Hudson River and some of its tributaries. The plan includes recent data and codifies more restrictive management measures that were first implemented by the state in 2013. The sustainability benchmark remains unchanged from the 2012 SFMP. Given the TC's support of the plan, the Board approved the updated SFMP.

The Maine Department of Marine Resources submitted a revised SFMP to harvest river herring, which includes a request to open the Card Mill Stream in the Town of Franklin for commercial harvest. Currently 24 municipalities actively harvest river herring on tributaries of larger rivers. Given the TC's support of the plan, the Board approved the revised SFMP. The TC recommended Maine consider the inclusion of a secondary sustainability threshold (repeat spawning ratio) in a future SFMP.

The Delaware River Basin Cooperative (Co-op) submitted a revised SFMP to harvest shad, which includes a request to move the mixed stock demarcation line and add a new mixed stock benchmark. Currently the demarcation line extends to a point in Delaware that does not align with Delaware's four reporting regions. The Co-op has identified three places for the line to move to and the Co-op's Policy Board recommends moving the line from its current position at Leipsic River to Bower's Beach (12 miles south).

The TC could not come to a consensus regarding the request to move the mixed stock demarcation line. Several members of the TC recommended approving the SFMP as written, but several others expressed concerns regarding the proposed mixed stock demarcation line. There was concern that moving the mixed stock demarcation line closer to the mouth of the Delaware Bay could expand effort on the mixed stock fishery because shad that were previously in the mixed stock portion of the Bay would now be deemed 100% Delaware River stock. Additional fishing effort (directed or bycatch) on a mixed stock could diminish shad stocks that are under restoration and cannot support fisheries in other areas along the Atlantic Coast.

The Board discussed the TC's concerns regarding the mixed stock demarcation line and the TC suggestion to move the mixed stock demarcation point (on the Delaware coast) to Port Mahon (2 miles south) instead of Bower's Beach (12 miles south), but ultimately approved the plan as originally proposed. Moving forward, the mixed stock demarcation line in Delaware Bay will run from Gandy's Beach (New Jersey) to Bower's Beach (Delaware).

Florida Division of Marine Fisheries Management submitted a Habitat Plan for American Shad in the St. Johns River, Econlockhatchee River, and St. Mary's River. The Board approved of the plan based on the recommendations of the TC.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at aharp@asmfc.org or 703.842.0740.

Motions

Move to accept the New York Sustainable Fishery Management Plan (SFMP) for river herring, the Maine SFMP for river herring and the Delaware River Basin Cooperative SFMP for shad.

Motion made by Mr. Nowalsky and seconded by Mr. Stockwell. Motion passes unanimously.

Move to approve Florida's American Shad Habitat Plan.

Motion made by Dr. Duval and seconded by Dr. Rhodes. Motion passes unanimously

Move to elect Mike Armstrong as Vice-chair of the Shad and River Herring Management Board.

Motion made by Mr. White and seconded by Mr. Boyles. Motion passes unanimously

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (FEBRUARY 1, 2017)

Meeting Summary

The ISFMP Policy Board met to discuss several issues. Under public comment, Luis Leandro from the Marine Mammal Commission informed the Board that the Marine mammal Commission's annual meeting will be in April and encouraged stakeholders to attend. The meeting will examine marine mammal issues within New England, as well as priority topics at the national and global levels.

Chairman Grout updated the ISFMP Policy Board on the actions of the Executive Committee (see Executive Committee meeting summary).

The Board reviewed issues related to how illegal harvest is accounted for within states and found that policies are not consistent across states. In addition, there are differences in how states count the illegal harvest for species with quotas and how they are accounted for in stock assessments. In order to have a better understanding of the issue, specific practices by the states will be collected and presented to the Board at the Spring Meeting.

Jim Gilmore presented guidelines New York has recently established regarding safe harbor transfers, after experiencing two issues when conducting safe harbor transfer requests. Through the Board's discussion, it was learned other states have also established protocols on the issue. The Board discussed the merits of having generic policies states can use for safe harbor transfer requests. The Board established a working group to address this issue and present its findings to the Board at the Summer Meeting.

Chairman Grout updated the Board on the progress of the Climate Change Working Group. The Working Group met earlier in the week to begin development recommendations for both science and policy strategies to address the Board's task (to develop policies to assist the Commission with adapting its management to changes in species abundance and distribution resulting from climate change). The Working Group will draft white paper(s) based on the group's discussions and present them to the Board for consideration in August.

The Board set a commercial retention limit of 8 blacknose sharks for all Atlantic shark limited access permit holders in the Atlantic region south of 34°00'N. This action mirrors action taken by NOAA Fisheries. The Board was also presented with information on the proposed listing of the oceanic whitetip

shark as threatened by NOAA Fisheries and what information NOAA is seeking with regards to comment on the proposed listing.

The Board approved a request from the Atlantic Herring Section to send a letter to NOAA Fisheries Greater Atlantic Regional Office to request the states of Maine, New Hampshire and Massachusetts be granted access to the VMS pre-landing report. Access to the VMS data will allow for timelier quota management.

The Risk and Uncertainty Policy Workgroup, which is developing a Commission policy to account for both scientific and management uncertainty in the Commission's decision making process, requested that scheduled spring workshop on the draft policy be delayed until the Summer or Annual Meeting. This will allow the working group additional time to finalize the details of the policy as well as receive feedback from both the Management and Science Committee and the Assessment Science Committee.

At the December Joint Meeting of the ASMFC Summer Flounder, Scup and Black Sea Bass Board and the Mid-Atlantic Fishery Management Council, the Board requested that a summer flounder stock assessment be conducted in 2017. The Policy Board discussed how this could fit into the current Commission assessment schedule. After a thoughtful discussion, the Board requested the Commission explore an external summer flounder stock assessment and peer review for management use in 2018. New Jersey has offered funds to help conduct the assessment and peer review, if needed. The Board recognized the need to collaborate with the Northeast Fisheries Science Center, which has been the lead on previous summer flounder assessments. The Board will raise the issue at its joint meeting with the Mid-Atlantic Fishery Management Council in February. In addition, Commission leadership will bring up the need to prioritize a summer flounder assessment at the Northeast Coordinating Council meeting this spring, where the Northeast Regional Stock Assessment Review Committee schedule is set.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org 703.842.0740.

Motions

Move to complement the NMFS implemented management measures with regard to the blacknose shark possession limit south of 34°00' N latitude for the 2017 fishing year.

Motion made by Dr. Duval and seconded by Mr. Geer. Motion passes with 2 abstentions.

On behalf of the Atlantic Herring Section, move that the Commission write a letter to the GARFO Office requesting that the states of Maine, New Hampshire, and Massachusetts be granted access to the VMS pre-landing report.

Motion made by Mr. White. Motion passes by unanimous consent.

Move that the ASMFC explore moving forward with an external stock assessment and peer review for summer flounder for 2018 management use.

Motion made by Mr. Nowalsky and seconded by Mr. Hasbrouck. Motion passes (13 in favor, 2 opposed, 3 abstentions).

ATLANTIC MENHADEN MANAGEMENT BOARD (FEBRUARY 1, 2017)

Meeting Summary

The Atlantic Menhaden Management Board reviewed public comment on the Amendment 3 Public Information Document (PID), provided guidance on the management alternatives that should be included in Draft Amendment 3, and heard a report outlining the results of the socio-economic study on the commercial fishery.

The Board reviewed a summary of public comments received on the Amendment 3 PID. Approximately 300 individuals, in total, attended the 14 public hearings held along the coast and 25,606 written comments were received from individuals and organizations. In response to the comments received, the Board provided guidance on the management alternatives which should be included in Draft Amendment 3. In regards to reference points, the Board recommended the BERP continue work on menhaden-specific ERPs and explore interim reference points, including single-species reference points and existing guidelines for forage fish. The Board maintained all allocation methods included in the PID; however, the Board specified five timeframes for further analysis: 2009-2011, 1985-1995, 1985-2016, 2012-2016, and a weighted allocation between 1985-1995 and 2012-2016. In regards to quota transfers, the Board recommended options be developed which explore quota reconciliation and a transfer process with greater guidelines. The Board also recommended Draft Amendment 3 explore quota rollovers, with options ranging from no rollovers to 100% of unused quota being rolled over into the subsequent year. In regards to incidental catch, the Board expressed the greatest interest in options which count all catch in the TAC, including an option which allows for a small-scale fishery set aside, as well as an option which maintains the current bycatch limit per vessel. The Board also expressed an interest in the maintenance of the episodic events program with New York included as a participant in the set aside. For the Chesapeake Bay reduction fishing cap, the Board recommended three options: the maintenance of the cap, the removal of the cap, and the reduction of the cap to a level which reflects the most recent 5-year average of reduction harvest in the Bay. Finally, the Board agreed to include a research set aside program as an adaptive management tool in Amendment 3.

The Board also heard a report from Dr. John Whitehead and Dr. Jane Harrison on results of the socio-economic conducted on the menhaden commercial fishery. The study, which was initiated in March 2016, looks to characterize the coastwide commercial fisheries, including the bait and reduction sectors and the fishing communities they support. As a part of the study, surveys and in-person interviews were conducted with fishermen, dealers, and end-users, and economic analysis was conducted on landings data to determine economic impacts that arise from changes in the Total Allowable Catch. While an Executive Summary of the study was included in meeting materials, a final report on the socio-economic study will be available in late March on the Commission's website.

In order to maintain the current management of the cast net fishery throughout the development of Amendment 3, the Board approved the continuation of the provision which manages the cast net fishery under the bycatch provision until implementation of Amendment 3. Finally, the Board approved Vincent Balzano (ME) to the Menhaden Advisory Panel.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to continue the management of cast nets under the bycatch provision until implementation of Amendment 3.

Motion made by Mr. Estes and seconded by Mr. Alexander. Motion passes unanimously.

Move to appoint Vincent Balzano to the Menhaden Advisory Panel.

Motion approved by consensus.

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (FEBRUARY 2, 2017)

Press Releases

ASMFC Summer Flounder, Scup, and Black Sea Bass Board Approves Regional Management for 2017 Recreational Summer Flounder Fisheries

Alexandria, VA –The Commission’s Summer Flounder, Scup and Black Sea Bass Management Board approved Addendum XXVIII to the Summer Flounder and Black Sea Bass Fishery Management Plan, maintaining regional management for the 2017 recreational summer flounder fishery. Specifically, the Addendum requires a one-inch increase in size limit and reduced possession limits to stay within the 2017 recreational harvest limit (RHL). These measures are broadly applied across all states to reduce harvest and provide for more coastwide consistency in regulations. The summer flounder regions, which are continued from 2016, are: Massachusetts; Rhode Island; Connecticut through New York; New Jersey; Delaware through Virginia; and North Carolina.

In August 2016, the Board and Mid-Atlantic Fishery Management Council approved an approximate 30% reduction in catch limits for both the commercial and recreational fisheries in response to the 2016 stock assessment update, which indicated the resource is experiencing overfishing but is not overfished. In order to not exceed the reduced 2017 RHL, a 41% reduction relative to the 2016 preliminary harvest estimates is needed. To achieve the reduction, the Addendum implements a one-inch increase in size limit from 2016 measures for all regions with the exception of North Carolina. Additionally, all regions are required to constrain their possession limits to 4 fish or less and maintain 2016 season lengths. The approved management program also allows for the continuation of the Delaware Bay specific management measures for New Jersey anglers west of the COLREGS line. In 2016, New Jersey had separate management measures for anglers east and west of the Delaware Bay COLREGS line.

“The Board’s decision took into account the findings of the 2015 and 2016 stock assessment updates, both of which found summer flounder abundance is declining and is experiencing overfishing; the need to take harvest reductions to end overfishing immediately through our joint management process with the Mid-Atlantic Council and as prescribed by the Magnuson-Stevens Act; and with the recognition that the confidence intervals around the harvest estimates limit our ability to precisely project the impacts of differing management measures,” stated Mike Luisi, Board Chair. “By our action, we struck a balance between the need to reduce harvest, while taking into account the socioeconomic impacts to our stakeholders. “

In its report to the Board, the Technical Committee (TC) supported the 2013 summer flounder benchmark stock assessment and its updates through 2016 as the best available science. Further, it agreed with the findings of the recent stock assessments, indicating the resource is declining in abundance and that associated management changes are needed to address this issue; in this case, a reduction in the RHL. The TC recommended uniform adjustments from 2016 management measures (as were approved in the Addendum) to reduce harvest and fishing mortality in an equitable manner.

Once the states have selected final management measures, the Commission will submit a letter to NOAA Fisheries detailing how the measures will constrain fishing to the 2017 RHL. The Commission annually submits this letter as part of the conservation equivalency process that allows for federal coastwide management measures to be waived and for state management measures to be applied in both state and federal waters.

Addendum XXVIII will be available on the Commission website, www.asmfc.org. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

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PR17-04

ASMFC Summer Flounder, Scup and Black Sea Bass Board Approves Scup Draft Addendum XXIX for Public Comment

Alexandria, VA – The Commission’s Summer Flounder, Scup and Black Sea Bass Management Board approved Draft Addendum XXIX to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan for public comment. The Draft Addendum proposes shortening the length of the commercial scup summer period and extending length of the winter period(s) to better allocate the commercial quota, which has been under-harvested since 2011. The quota allocation for each period is not being altered.

The Draft Addendum was initiated jointly with the Mid-Atlantic Fishery Management Council to address concerns raised by Advisory Panel members that commercial landings have been lower than the annual limits in recent years and the quota periods could be better utilized. The changes are intended to allow higher possession limits for a longer period of time each year, thus increasing the likelihood the commercial fishery will fully harvest the quota. The Draft Addendum proposes changes to the three scup commercial quota periods (Winter I, Summer, and Winter II), specifically a change in the start and end dates for the Summer Period. The options propose to shorten the summer period by 31 or 46 days.

The Draft Addendum also proposes options to continue allowing state permitted fishermen to begin fishing early in state waters when the Winter I quota closes prior to April 15. These options include extending the number of days the earlier fishing can occur as well as the start date when earlier fishing can occur. Allowing access prior to the start of the Summer period state permitted fishermen provides access to the resource when scup are highly available to nearshore (state) fisheries.

The Draft Addendum will be available on the Commission website, www.asmfc.org (under Public Input) by February 10. It is anticipated some states will be conducting public hearings; the details of those

hearings will be released in a subsequent press release. The Board will review submitted public comment and consider final action on the Draft Addendum at the Commission's Spring Meeting in May. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

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PR17-05

Motions

Move to postpone Addendum XXVIII until confirmation of a new Secretary of Commerce and NOAA Fisheries can submit new regulations directly to the federal register.

Motion made by Mr. Baum and seconded by Mr. Gary. Motion fails (Roll call Vote: In Favor – NJ, DE; Opposed – MA, RI, CT, NY, MD, PRFC, VA, NC, USFWS, NMFS).

Main Motion

Move to approve Option 5 (More Coastwide Consistency) from Section 3.2 with the removal of the following language: Of particular note, Option 5 is calculated to achieve a 28-32% coastwide reduction (depending on the sub-option), less than the required reduction of 41% that Options 1-4 are designed to address.

Motion made by Mr. Gilmore and seconded by Mr. Gates.

Motion to Substitute

Move to substitute to adopt Option 2, revised by substituting "one-inch minimum size increase" with "30% reduction." As revised, the option will require the regions of MA, RI, DE-VA, and NC to enact management measures for 2017 aimed at achieving a 30% reduction in harvest relative to 2016, and require the region of CT-NY and the region of NJ to enact management measures for 2017 aimed at achieving a 43% reduction in harvest relative to 2016, and that states within a region may adopt mode- or area-specific regulations as long as they are afforded to all states in the region.

Motion made by Mr. Ballou and seconded by Ms. Meserve. Motion fails (2 in favor, 8 opposed, 2 abstentions).

Main Motion

Move to approve Option 5 (More Coastwide Consistency) from Section 3.2 with the removal of the following language: Of particular note, Option 5 is calculated to achieve a 28-32% coastwide reduction (depending on the sub-option), less than the required reduction of 41% that Options 1-4 are designed to address.

Motion made by Mr. Gilmore and seconded by Mr. Gates. Motion carries (Roll Call Vote: In Favor – CT, NY, DE, MD, PRFC, VA, NC; Opposed – MA, RI, NJ; Abstentions – USFWS, NMFS).

Main Motion

Move to approve Section 3.3 Timeframe Option 2 for 2017 with the ability to extend through 2018.

Motion made by Mr. Gilmore and seconded by Mr. Batsavage.

Motion to Substitute

Move to substitute Section 3.3 Timeframe Option 1 for 2017.

Motion made by Mr. Nowalsky and seconded by Mr. Reid. Motion fails (4 in favor, 6 opposed, 2 abstentions).

Main Motion

Move to approve Section 3.3 Timeframe Option 2 for 2017 with the ability to extend through 2018.

Motion made by Mr. Gilmore and seconded by Mr. Batsavage. Motion carries (8 in favor, 2 opposed, 2 abstentions).

Main Motion

Move to approve Addendum XXVIII as modified today.

Motion made by Mr. Hasbrouck and seconded by Mr. Clark.

Motion to Postpone

Move to postpone final action on Addendum XXVIII until the joint meeting in Kitty Hawk.

Motion made by Mr. Nowalsky and seconded by Mr. Reid. Motion fails (2 in favor, 10 opposed).

Main Motion

Move to approve Addendum XXVIII as modified today.

Motion made by Mr. Hasbrouck and seconded by Mr. Clark. Motion carries (Roll Call Vote: In Favor – MA, CT, NY, DE, MD, PRFC, VA, NC, USFWS, NMFS).

Move to approve Addendum XXIX for public comment.

Motion made by Mr. Heins and seconded by Mr. Nowalsky. Motion carries unanimously.

ATLANTIC STRIPED MANAGEMENT BOARD (FEBRUARY 2, 2017)

Press Release

ASMFC Atlantic Striped Bass Management Board Initiates Development of Draft Addendum V to Liberalize Management Measures

Alexandria, VA – The Commission’s Atlantic Striped Bass Management Board initiated the development of Draft Addendum V to Amendment 6 to the Atlantic Striped Bass Fishery Management Plan (FMP) to consider liberalizing coastwide commercial and recreational regulations. The Board’s action responds to concerns raised by Chesapeake Bay jurisdictions regarding continued economic hardship endured by its stakeholders since the implementation of Addendum IV and information from the 2016 assessment update indicating fishing mortality is below the target.

Addendum IV, implemented for the 2015 fishing season, required coastwide harvest reductions to reduce fishing mortality (F) to a level at or below the target. Specifically, coastal fisheries implemented measures to reduce harvest by 25% compared to 2013 levels, and Chesapeake Bay fisheries implemented measures to reduce harvest by 20.5% compared to 2012 levels. Additionally, an objective of Addendum IV is to protect the 2011 year class.

According to the results of the 2016 stock assessment update, the Atlantic striped bass stock is not overfished and overfishing is not occurring. Furthermore, Addendum IV successfully reduced fishing mortality to a level below the target (F in 2015 is estimated at 0.16), and length-frequency data from the catch in 2015 indicates a strong presence of the 2011 year class which is anticipated to join the coastal spawning population this year.

A draft of the addendum will be presented for Board review in May. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703.842.0740.

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PR17-06

Motions

Main Motion

Move to initiate an addendum to the Atlantic Striped Bass Fishery Management Plan that considers a relaxation of the coastwide commercial and recreational regulations to bring fishing mortality to the target based on the 2016 stock assessment update.

Motion made by Mr. Luisi and seconded by Mr. O'Reilly.

Motion to Postpone

Motion to postpone until the May meeting.

Motion made by Mr. Train and seconded by Mr. White. Motion fails (Roll Call Vote: In Favor – ME, NH, MA, RI, PA, USFWS, NMFS; Opposed – CT, NJ, DE, MD, DC, PRFC, VA, NC; Null – NY).

Main Motion

Move to initiate an addendum to the Atlantic Striped Bass Fishery Management Plan that considers a relaxation of the coastwide commercial and recreational regulations to bring fishing mortality to the target based on the 2016 stock assessment update.

Motion made by Mr. Luisi and seconded by Mr. O'Reilly. Motion passes (Roll Call Vote: In Favor – CT, NY, NJ, DE, MD, DC, PRFC, VA; Opposed – ME, NH, MA, RI, PA, USFWS, NMFS; Null – NC).

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (FEBRUARY 2, 2017)

Meeting Summary

Cobia PID

The South Atlantic State/Federal Fisheries Management Board met to review public comment on the Public Information Document (PID) for the Interstate Fishery Management Plan (FMP) for Cobia and review the Red Drum Stock Assessment and Peer Review Reports.

Five public hearings were held throughout the Southeast during December 2016. Public hearings were attended by 60 non-staff participants and 16 written comments were submitted. Two issues that notably dominated concerns expressed about cobia management were the characterization of the recreational fishery by landings estimates from the Marine Recreational Information Program (MRIP) and the Atlantic Migratory Group (AMG) cobia stock definition (Georgia north).

The public expressed mixed opinions on a complementary management plan between the Commission and the South Atlantic Fishery Management Council (SAFMC), with supporters of complementary management focusing on the flexibility of state management through the Commission and detractors focusing on disagreement in the management unit and inability of the Commission to change allowable catch limits (ACL). The public expressed that objectives and goals of the management plan should include: long-term sustainability of the stock, state flexibility, prioritizing the recreational fishery, improved data collection, and a long-term management regime that would strive to avoid closures and make management changes, when necessary, in a fashion that would provide stakeholders an opportunity to plan for such changes. There was general supported state-by-state allocation options. The public expressed support for size and bag limits for the recreational fishery, definition of state *de minimis* qualifications, and maintenance of commercial bycatch provisions.

The South Atlantic Species Advisory Panel (AP) expressed support for development of a complementary FMP between the Commission and SAFMC. The AP provided similar comments to those of the public with respect to long-term management objectives that would avoid annual mid-season changes or closures. The AP also supported the development of biological sampling requirements to improve data collection.

The Board discussed public comments on the issues presented in the PID. Much of the discussion focused on a need for “equitable access” to the fishery. The Board expressed support of fishery independent monitoring requirements and *de minimis* qualifications being included in the Draft FMP. A work group was populated to address allocation options for the Draft FMP.

The Board directed staff to move forward with the development of a complementary fishery management plan for AMG cobia. The Board requested analyses that include examination of size and bag limits, various state-by-state allocation scenarios, seasons, and other measures aimed at managing the fishery within the ACLs established by the SAFMC.

Red Drum Stock Assessment & Peer Review

The Board also reviewed the 2017 Red Drum Stock Assessment and Peer Review Reports and approved them for management use. The reports indicate overfishing is not occurring for red drum in either the northern (North Carolina-New Jersey) or southern (South Carolina-Florida) stocks. The assessment estimates annual static spawning potential ratios (sSPR) measured against previously established sSPR reference points for red drum. Overfishing is occurring if the three-year average sSPR is less than a threshold of 30%, with a management target of 40% sSPR. sSPR is a measure of spawning stock biomass survival rates when fished at the current years fishing mortality rate relative to the spawning stock biomass survival rates if no fishing mortality was occurring. In the assessment’s terminal year of 2013, the three-year (2011-2013) average sSPR was 43.8% for the northern stock and 53.5% for the southern stock, both above the target and threshold values. The assessment was unable to determine an overfished/not overfished status because population abundance or biomass could not be reliably estimated due to limited available data for the older fish (ages 4+) that are not typically harvested due to the current fishery measures (the slot-limits).

Commercial harvests occur only from the northern stock with landings showing considerable fluctuation throughout the catch time series, and peaking in 1999 and 2013. Most of the commercial landings are caught using gill nets and beach seines, with North Carolina typically contributing over 90% of annual commercial landings.

The recreational fishery contributes the majority of total harvest for both stocks, in part because states in the southern portion of the fishery reserve red drum harvest strictly for recreational anglers. Recreational harvest of the northern stock has fluctuated throughout the time series from 1989-2013, with a large increase in harvest in 2013 and the majority of harvest occurring in North Carolina. Recreational discards from the northern stock have also fluctuated throughout the time series, though not always in conjunction with recreational harvest. An 8% mortality rate is assumed for recreational discards in both stocks.

Recreational harvest of the southern stock has shown a general increase throughout the time series with the majority of harvest occurring in Florida. Recreational discards from the southern stock generally increased throughout the time series, following similar fluctuations as recreational harvest.

The Board accepted the stock assessment and peer review report for management use. No management action was taken because reference points for red drum have already been established and overfishing is not occurring. A press release on the assessment results will be released on February 6.

Lastly, the Board accepted the 2016 Spot FMP Review and state compliance reports and approved Georgia's request for *de minimis*.

Please contact Dr. Louis Daniel at ldaniel@asmfc.org for information on cobia management and Mike Schmidtke, mschmidtke@asmfc.org for more information on the all other South Atlantic species.

Motions

Move to approve Deb Lambert to the Cobia Plan Development Team.

Motion made by Dr. McGovern and seconded by Dr. Laney. Motion passes without objection.

Motion to Postpone

Main Motion

Motion to postpone the approval of the stock assessment and peer review for management advice until the following tasks can be completed by the Technical Committee and Stock Assessment Subcommittee:

- Evaluate if current biological reference point types and values are appropriate for red drum given the specie's life history
- Investigate the feasibility of an F-based reference point for juvenile red drum
- Evaluate how red drum life history and fishery management measures affect the validity of age-based models
- Evaluate whether the South region continuity run of the statistical catch and age model can be made informative for management and, if yes, complete a continuity run
- Evaluate if a North region continuity run of the statistical catch at age model would be informative for management purposes and, if yes, complete a continuity run

- **Evaluate tag return rates for each region and determine if tag return data should be incorporated into a new run of the SS3 model**

Motion made by Mr. Boyles and seconded by Ms. Fegley.

Motion to Substitute

Move to substitute to accept the Red Drum Stock Assessment as presented today for management use.

Motion made by Mr. Boyles and seconded by Mr. Geer. Motion carries without objection.

Main Motion as Substituted

Move to accept the Red Drum Stock Assessment as presented today for management use.

Motion carries without objection.

Move to approve the 2016 Fishery Management Plan Review for Spot and approve *de minimis* status for Georgia.

Motion made by Mr. O'Reilly and seconded by Mr. Geer. Motion passes without objection.