

Rhode Island Marine Fisheries Council



Annual Report 2024

Approved by the RI Marine Fisheries Council on March 27, 2025

Introduction

The [Rhode Island Marine Fisheries Council](#) (Council) is established pursuant to [R.I. Gen Laws § 20-3-1](#) to serve in an advisory capacity to the state and agencies of the state, regarding marine fisheries issues and to the Director of the Department of Environmental Management (DEM) in the exercise of his or her authority under this title for the planning, management, and regulation of marine fisheries on matters.

Powers and Duties of the Council

Pursuant to [R.I. Gen Laws §20-3-2](#), the marine fisheries council shall serve in an advisory capacity only to the state and agencies of the state regarding marine fisheries issues and shall have the power and duty to advise the director of the DEM in the exercise of the director's authority under this title for the planning, management, and regulation of marine fisheries on matters (except emergency rules adopted pursuant to R.I. Gen Laws §42-35-2.10), including, but not limited to, the following activities:

- (1) The manner of taking marine species from the waters of the state
- (2) The legal size limits of marine species to be taken or possessed
- (3) The seasons and hours during which marine species may be taken or possessed
- (4) The numbers or quantities of marine species which may be taken or possessed
- (5) The opening and closing of areas within the coastal waters to the taking of any and all types of marine species
- (6) Marine fisheries licensing, including commercial, recreational and for-hire, necessary to implement the provisions of Title 20, Chapters [2 "Licensing"](#), [2.1 "Commercial Fishing Licenses"](#), and [2.2 "Commercial Fishing Licenses"](#)

The Council shall advise the director in the development of the rulemaking agenda for marine fisheries pursuant to [§42-35-5.1](#), and shall have the power to initiate rulemaking by petition as provided for by [§42-35-6](#)

The Council shall advise the department regarding development of annual plans for the allocation and use of the funds made available to the department from commercial fishing license fees, tags, permits, and vessel fees as provided in [§20-2-28.2](#).

The Council shall review applications to CRMC for permits to conduct aquaculture, and provide recommendations to CRMC on all such applications, in accordance with [§20-10-5\(d\)](#).

On an annual basis, the department shall prepare a report on recreational saltwater fishing licenses, pursuant to R.I. Gen. Laws [§ 20-2.2-10](#). 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.

Annual Report

Pursuant to [R.I. Gen Laws §20-3-2\(e\)](#), the Council is required to report annually by April 1 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.

Council Membership

Council members are appointed by the RI Governor, and subject to advice and consent by the RI Senate. Members serve four-year terms, and are eligible for reappointment once. The DEM Director or his or her designee serves as the Council Chair.

Three members serve as representatives of the commercial fishing industry; three serve as representatives of the sport (i.e., recreational) fishing industry; and two members have skill, knowledge, and experience in the conservation and management of fisheries resources and/or marine biology.

In 2024, the Council consisted of the following membership:

- Molly Moran-Ogren (DEM): Chair, DEM
- Travis Barao: Sport fishing industry (*term ended in 2024; last meeting April 1, 2024*)
- Dr. David Bethoney: Conservation and management of fisheries resources/marine biology
- Jasper Coutu: Sport fishing industry (*appointed April 2024 to replace Travis Barao; resigned October 2024; seat currently vacant, new appointment pending with the Governor's office*)
- Andrew Dangelo: Sport fishing industry
- Katie Eagan: Commercial fishing industry
- Dr. Melva Treviño Peña: Conservation and management of fisheries resources/marine biology (*appointed April 2024 to replace Dr. Michael Rice; first meeting September 9, 2024*)
- Dr. Michael Rice: Conservation and management of fisheries resources/marine biology (*term ended 2024; last meeting April 2024*)
- Michael Roderick: Commercial fishing industry
- Greg Vespe: Sport fishing industry

There are currently two vacant seats on the Council:

- Sport fishing industry (*to replace Jasper Coutu*)
- Commercial fishing industry (*to replace Jason Jarvis, who resigned October 2023*)

More information can be found on the RI Sec. of State's [website](#)

2024 Council Meetings

In 2024, the Council met on five occasions. Meeting minutes are posted to the Rhode Island [Secretary of State website](#) (*details of the meetings and voting can be found in the minutes; click on dates below and search “marine fisheries council”*). Matters discussed at each meeting are as follows:

1. [March 4:](#)

- Review/approval of meeting minutes of the Shellfish Advisory Panel (SAP) held on February 14, 2024 (see below).
- Providence River Area E 2024 shellfish harvest schedule: Provide a recommendation to the Director regarding prospective rule changes for the 2024 Shellfish harvest schedule for Providence River Shellfish Management Area (Area “E” conditional harvest area).
- Providence River Area E time restriction proposal from the Division of Law Enforcement: Provide a recommendation to the Director regarding prospective rule changes for the start/cessation of harvest and possession in the Providence River Shellfish Management Area (Area “E” conditional harvest area).

2. [April 1:](#)

- Provide recommendations to the DEM Director regarding proposed regulatory amendments publicly noticed:
 - Recreational striped bass filleting
 - 2024 commercial general category striped bass management
 - Striped bass floating fish trap operator reporting
 - 2024 commercial striped bass floating fish trap management
 - Commercial striped bass tagging
 - Commercial menhaden management
 - 2024 commercial bluefish management
 - 2024 recreational scup management
 - 2024 recreational summer flounder management
 - Possession limit clarification
 - Jonah crab dealer requirements
 - Electronic tracking requirements for federal lobster permit holders

3. [September 9:](#)

- New members - welcome!
- RIMFC 101: Training session for Council members regarding regulatory processes, parliamentary procedure, and roles and responsibilities of the Council
- Review of the Council policy “*Administrative Policies and Procedures of the RIMFC*” for prospective updates
- [2023 Annual Fisheries Report](#) prepared by the Division pursuant to [R.I. Gen. Laws § 20-2.1-9\(6\)](#).

- [2023 RIMFC Annual Report](#) prepared by the Division for the Council pursuant to [R.I. Gen. Laws § 20-3-2\(e\)](#).
4. [October 7:](#)
- Review/approval of meeting minutes of the SAP held on September 9, 2024.
 - Provide recommendations to the Director regarding prospective rule changes for the Shellfish harvest schedule for Greenwich Bay, Bristol Harbor, and Bissel Cove/Fox Is., Shellfish Management Areas (aka “winter” harvest areas).
 - SAP membership resignations
 - Provide recommendations to the DEM Director regarding proposed regulatory amendments publicly noticed:
 - Area of commercial netting prohibition in Upper Pt. Judith Pond
 - Area of commercial netting prohibition in the Narrow River
 - Area of fixed gear prohibition in the Foster Cove Channel
 - Area of fixed gear prohibition in the Narrows of Charlestown Pond
 - Landmark table - addition of new and/or amended landmark coordinates
 - Direct Sales Dealer License
 - Elimination of the Dockside Sales Endorsement
 - [2023 Recreational Fishing Report](#) prepared by the Division pursuant to [R.I. Gen. Laws § 20-2.2-10](#).
5. [December 2:](#)
- SAP membership – alternate member application
 - Review/approval of meeting minutes of the SAP held on November 13, 2024.
 - Review of aquaculture application 2023-10-067 (Wickford Seafood Co., Dutch Harbor). In this matter, Council member Greg Vespe requested that the application be placed on the Council agenda for further review due to objections to the application raised at the SAP meeting.
 - Provide recommendations to the Director regarding prospective rule changes for areas closed to harvest in Foster Cove (Ninigret Pond Shellfish Management Area) for the purposes of oyster restoration and enhancement.
 - Provide recommendations to the Director regarding prospective rule changes for Providence River Shellfish Management Area (Area “E” conditional harvest area) shellfish harvest schedule for the period January -April 2025.
 - Provide recommendations to the DEM Director regarding proposed regulatory amendments publicly noticed:
 - Commercial tautog management
 - Summer/Fall Aggregate Program
 - Blue crab management

Response to the Advice of the Council

Pursuant to R.I. Gen. Laws [§ 20-1-5.1](#), “The director, in exercising authority under this title for the planning, management, and regulation of marine fisheries, shall request and consider in the

record as applicable the advice of the marine fisheries council, and shall provide a written response to such advice of the marine fisheries council.” To meet this requirement, the Director provides [Decisions Memos](#), which are also filed with each rule filing so as to be included in the public record. In 2024, the Director concurred with the recommendation of the Council in 23 of 24 instances, or a 96 percent concurrence rate. Instances where concurrence did not occur include:

- Inclusion of Tautog into the Summer/Fall Aggregate program: In this matter the vote of the Council was split on a vote of 2 – 2. Without a clear recommendation from the Council, the Director’s decision was therefore to maintain status quo and not adopt new rule changes at this time.
- Summer/Fall Aggregate Program – Non-Compliance Provisions and General Clarifications: In this matter the recommendation of the Council was to amend the rule beyond the language that was publicly noticed. The Director therefore determined that the proposed rule as recommended by the Council should be re-noticed for additional public comment in accordance with the requirements of the Administrative Procedures Act.

2024 Shellfish Advisory Panel (SAP) meetings

The [Shellfish Advisory Panel](#), chaired by Council member Katie Eagan, in an advisory body of the Council that serves to provide advice to the Council on all matters related to shellfish. Meeting minutes are posted to the Rhode Island [Secretary of State website](#) (*details of the meetings and voting can be found in the minutes; click on dates below and search “marine fisheries council”*). Matters discussed at each meeting are as follows:

1. [February 14:](#)

- Aquaculture application # 2023-09-052, Saltbox Sea farm:
- Aquaculture application # 2023-10-006, West Passage Oyster Co.
- DMF update on the Providence River 2023 commercial landings data and dredge survey data.
- Providence River Area E 2024 shellfish harvest schedule: Provide a recommendation to the Council regarding prospective rule changes for the 2024 Shellfish harvest schedule for Providence River Shellfish Management Area (Area “E” conditional harvest area).
- Providence River Area E time restriction proposal from the Division of Law Enforcement: Provide a recommendation to the Council regarding prospective rule changes for the start/cessation of harvest and possession in the Providence River Shellfish Management Area (Area “E” conditional harvest area).
- Discussion of the shellfish transplant planned for 2024.
- Discussion of shellfish restoration and enhancement.

2. [September 18:](#)

- 2024 shellfish harvest seasons for Greenwich Bay, Bissel Cove/Fox Is., and Bristol Harbor Shellfish Management Areas (aka “Winter Harvest Areas”): Provide a recommendation to the Council regarding prospective rule changes.

- DEM Office of Water Resources, Shellfish Program water quality update.
- Providence River Shellfish Management Area (Conditional Area “E”) 2024 harvest summary update.
- Review of SAP policy regarding attendance requirements.

3. November 13:

- Aquaculture application # 2024-07-016; Kyle Reichman, Dutch Harbor, Jamestown.
- Aquaculture application # 2023-10-067; Wickford Oyster Co.; Dutch Island, Jamestown.
- Provide recommendations to the Council regarding prospective rule changes for areas closed to harvest in Foster Cove (Ninigret Pond Shellfish Management Area) for the purposes of oyster restoration and enhancement.
- Provide recommendations to the Council regarding prospective rule changes for Providence River Shellfish Management Area (Area “E” conditional harvest area) shellfish harvest schedule for the period January -April 2025.
- Council policy update: Review of information needed for SAP review of aquaculture applications.