



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

RIMFC: Molly Moran-Ogren, *Chair*; Coral Aiello; David Bethoney, Ph.D.; Andy Dangelo; Katie Eagan; Melva Treviño Peña, Ph.D.; Mike Roderick; Russell Sylvestre; Greg Vespe

MEETING NOTICE RI MARINE FISHERIES COUNCIL

November 5, 2025 – 6:00PM

In person:

URI Bay Campus, Corless Auditorium
215 South Ferry Road, Narragansett, RI

Zoom webinar:

<https://us02web.zoom.us/j/89271482795?pwd=RcJHfyCicREhjbWzn7R3PIXmCliHD.1>

Meeting ID: 892 7148 2795

Passcode: 888808

Dial in: 1-929-205-6099 (listen only)

AGENDA

Agenda item (<i>items italicized include links to meeting materials</i>)	Recommended action(s)
1. Tonight's agenda	Approval of agenda
2. Review/approval of minutes from last meeting <ul style="list-style-type: none"><i>October 20, 2025 minutes</i>	Approval of meeting minutes
3. Public comment on any matters not on the agenda	Discussion or recommendation for future action.
4. <u>Review/approval of Shellfish Advisory Panel (SAP) meeting minutes (10/1/2025 and 10/15/2025 Meetings)</u> <ul style="list-style-type: none"><i>Draft meeting minutes 10/1/2025</i><i>SAP presentation 10/1/2025</i><i>Draft meeting minutes 10/15/2025</i><i>SAP presentation 10/15/2025</i>	Approval of minutes
5. <u>Shellfish harvest schedule for Greenwich Bay Shellfish Management Area:</u> <ul style="list-style-type: none"><i>SAP recommendation (10/15/2025)</i>	Provide recommendations to the Director for proposed regulatory changes
6. Administrative Policies and Procedures of the RIMFC – update/revisions (<i>opportunity for public comment will be provided</i>) <ul style="list-style-type: none"><i>Current policy (adopted September 13, 2016)</i><i>Summary of proposed policy</i><i>Proposed updated draft policy</i><i>SAP comments received</i>	Possible action or recommendations for future development
7. 2024 RI Annual Fisheries Report	FYI or advice for future content

<ul style="list-style-type: none"> • 2024 final report • Guiding statute 	
8. 2024 Recreational Fishing Report <ul style="list-style-type: none"> • <i>2024 draft report</i> • Guiding statute 	FYI, discussion, or advice for future content
9. 2024 RIMFC Annual Report <ul style="list-style-type: none"> • <i>2024 draft report</i> • Guiding statute 	FYI or advice for content
10. Any other matters	FYI or recommendations for future action
11. Adjourn	

All RIMFC Meetings are open to the public

Posted to Sec. of State Open Meetings pursuant to [R.I. Gen. Laws § 42-46-6](#)



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MEETING SUMMARY

October 20, 2025

Chairperson: Molly Ogren

Council members: Ms. Eagan absent

Division of Marine Fisheries: S. Olszewski, J. Livermore, J. Lake, N. Costa, E. Schneider, C. Parkins, P. Duhamel

DEM Legal: Joe LoBianco

Division of Law Enforcement: Officer Josh Beuth

1. Approval of the agenda: Ms. Ogren inquired to any objections to approving the agenda or if there were any requests for modifications. Hearing no objections or requests for modifications from the Council members, the agenda was approved by consent.
2. Approval of minutes from last meeting on April 7, 2025: Ms. Ogren inquired to any objections to approving the minutes, or if there were any requests for modifications. Hearing none, the minutes were approved by consent.
3. Public comments regarding any other matters not on agenda: No comments were made.
4. Proposed regulations publicly noticed:
 - a. Electronic Negative Reporting Due Dates: Ms. Ogren inquired to any objections to recommending adoption of the proposed rule as noticed by consent. Hearing none, the Council recommended adoption of the proposed rule as noticed, by consent.
 - b. Reporting Requirements Upon Issuance (transfer) of a New License with Sale of a Vessel and/or Gear: Ms. Ogren inquired to any objections to recommending adoption of this proposed rule as noticed by consent. Hearing none, the Council recommended adoption of the proposed rule as noticed, by consent.
 - c. Prioritization Categories for the Issuance of New Licenses – Update with Revised Licensing Structure: Ms. Ogren inquired to any objections to recommending adoption of this proposed rule as noticed by consent. Hearing none, the Council recommended adoption of the proposed rule as noticed, by consent.
 - d. Clarification of Restricted Finfish Species: Ms. Ogren inquired to any objections to recommending adoption of this proposed rule as noticed by consent. Hearing none, the Council recommended adoption of the proposed rule as noticed, by consent.

- e. Lobster Trap Tag Transfer Application Period for State Vessels: No motion was made on this matter. The Division recommended not adopting the proposed rule at this time due to possible inconsistency with the ASMFC Fisheries Management Plan (FMP). The Division will look to re-notice the item in 2026 and ensure consistency with the FMP.
 - f. Horseshoe Crab Closure at New and Full Moons: Ms. Ogren inquired to any objections to recommending adoption of this proposed rule as noticed by consent. Hearing none, the Council recommended adoption of the proposed rule as noticed, by consent.
 - g. Biomedical Horseshoe Crab Harvest in Coastal Salt Ponds/Little Narr. Bay: Motion made by Mr. Vespe to recommend adoption of the proposed rule to prohibit biomedical horseshoe crab harvest in all coastal salt ponds and Little Narragansett Bay as noticed; 2nd by Mr. Dangelo. The motion passed 7-0.
 - h. Exit:Entry Ratio for the Unlimited Finfish Endorsement: Motion made by Mr. Vespe to recommend adoption of an exit:entry ratio of 2:1 (status quo) for the Unlimited Finfish Endorsement; 2nd by Dr. Bethoney. The motion passed 5-2 (Mr. Dangelo and Mr. Roderick opposed).
 - i. Commercial Green Crab License: Motion made by Dr. Bethoney to recommend adoption of the proposed rule to provide for a commercial green crab license as noticed; 2nd by Ms. Eagan. The motion passed 4-3 (Mr. Roderick, Mr. Dangelo, and Mr. Sylvestre opposed).
 - j. Jonah Crab Claw Possession Allowance:
 - Motion 1: Motion made by Mr. Sylvestre to recommend status quo; 2nd by Dr. Bethoney. The motion failed 2-4-1 (Mr. Roderick, Dr. Bethoney, Dr. Treviño Peña, and Ms. Aiello opposed; Mr. Dangelo recused)
 - Motion 2: Motion made by Dr. Bethoney to maintain status quo at this time and bring development of a Jonah crab claw possession limit and minimum size to the Spring regulatory cycle to solicit public comment on further defining the bycatch fishery; 2nd by Dr. Treviño Peña. The motion passed 6-1 (Mr. Sylvestre opposed)
 - k. Summer Flounder Exemption Certificate Expiration and Renewal: Motion made by Mr. Roderick to require the next renewal cycle in ten years (2035) rather than five years as noticed; 2nd by Mr. Dangelo. The motion passed 6-1 (Mr. Vespe opposed).
 - l. Summer Flounder Exemption Certificate Transfer Application Period After Sale of Vessel: Motion made by Mr. Vespe to recommend adoption of the proposed rule as noticed; 2nd by Mr. Roderick. The motion passed 7-0.
5. Bissell Cove/Fox Island Shellfish Management Area oyster harvest moratorium expiration: Motion made by Dr. Bethoney to recommend adoption of the proposed rule to allow the oyster harvest prohibition to expire on November 15, 2025 as recommended by the SAP; 2nd by Ms. Aiello. The motion passed 7-0.
 6. Quonochontaug Pond Shellfish Management Area oyster harvest moratorium expiration: Motion made by Mr. Vespe to recommend extending the oyster harvest prohibition until December 31, 2029 as recommended by the SAP; 2nd by Mr. Sylvestre. The motion passed 7-0.

7. Old business: The Division provided

- Division task from the September 2024 Council meeting to examine unintended consequences of transitioning from the Dockside Sales endorsement to the Direct Sales Dealer License: Mr. Olszewski offered that there were no unintended consequences, and that the transition from the Dockside Sales endorsement to the Direct Sales Dealer License was virtually seamless. He offered that many of the Dockside Sale Endorsement holders are federal dealers and were already reporting electronically.
- Division task from the April 2025 Council meeting that the ASMFC management regions for Cobia be reevaluated: Ms. Costa offered that a change to the current regions would have to go through ASMFC, and that data in Rhode Island, and the northern states, is very limited and did not support a northern region during the last addendum.
- Response to the Council regarding public comments made at the April 2025 Council meeting regarding the minimum size for black sea bass: Mr. Olszewski offered that the FMP does not allow for Conservation Equivalency for the commercial fishery and that any increase in minimum size would therefore not result in an increase in quota.

Mr. Vespe offered that he would like the Division to stay aware of FMP proposals where RI is part of a broader east coast region that could negatively impact RI, such that RI would not be included in broader regions which could limit management decisions applicable to RI.

- Response to the Council regarding public comments made at the April 2025 Council meeting regarding the management of commercial striped bass: Ms. Costa offered that a proposal was made to mimic how the state of New York manages their commercial fishery with an ITQ. Ms. Costa noted that a proposal for an ITQ system was discussed at the most recent public workshop and in general, stakeholders expressed interest but did not feel it was ready for 2026 implementation and should be continued to be developed.

8. Any other matters:

- Chair Ogren offered that proposed policy changes for the Council was provided to the SAP and that the proposed policy would be in the Council's ePacket for the next meeting on November 5, and that the Council members should review the proposed changes to be prepared for the next meeting.
- A public comment was offered that the prohibition of striped bass by gill net is discriminatory.

9. Adjournment: The meeting was adjourned by the Chair at 8:03pm.

Note: This document represents a meeting summary of the actions taken and/or future actions that will be addressed at subsequent meetings. The full video recording of the meeting is available at the Division of Marine Fisheries YouTube channel [here](#).

Shellfish Advisory Panel

October 1, 2025; 4:30PM

URI Bay Campus Hazard Room/

Virtual public meeting - Zoom webinar

MEETING SUMMARY

RIMFC members: K. Eagan (Chair)

DEM: A. Gerber-Williams, P. Barrett, D. Borkman, E. Schneider, S. Olszewski;

SAP members: D. Erkan, J. Gardner, D. Ghigliotty, J. Grant, J. McDonald, M. McGiveney, K. Murgo, G. Schey, J. McDonald, R. Tellier;

Public: J. Boyd, 1 additional attendee in person and 4 attendees online.

Link to meeting recording: <https://www.youtube.com/watch?v=ts8EP5Bs3co>

1. Bissell Cove/Fox Island and Quonochontaug Pond Shellfish Management Area oyster harvest moratorium expiration.

E. Schneider presented the Division's proposal to allow the current moratorium on oyster harvest in the Bissell Cove/Fox Island Shellfish Management Area (SMA) to expire on November 15, 2025, versus extending the closure through December 31, 2029. He explained that the restoration reefs outside the barrier island are no longer active and have shown little to no recruitment. In contrast, areas behind the barrier island remain protected by RIDEM Office of Water Resources water pollution closures and would not be impacted by the moratorium's expiration. The Division therefore recommended Option 1: allow the moratorium to expire and reopen the area to oyster harvest in approved waters.

Panel members discussed enforcement concerns and potential risk of harvesters crossing into unapproved waters to harvest. *E. Schneider* noted that recent monitoring showed no signs of unauthorized harvest and enforcement had not reported any violations in the area.

1. Motion made by M. McGiveney to recommend to the Marine Fisheries Council to adopt Option 1: Status Quo, Shellfish Management Area oyster harvest prohibition expires November 15, 2025.

2nd by J. McDonald; abstain by K. Murgo, Nay by D. Erkan, The motion passed 9 – 1 – 1.

E. Schneider presented the Division's overview of restoration work and ongoing monitoring within Quonochontaug Pond. He reviewed the history of the pond-wide oyster harvest moratorium, first enacted in 2010 following Division of Marine Fisheries surveys that found no remaining wild oysters. Since then, restoration work has occurred through the NRCS EQIP program. Restoration activities have included reef construction, cultch and spat-on-shell placement, reseeding of reefs and ongoing monitoring. Surveys throughout the time of restoration efforts have documented nine small natural recruitment sites, but most have densities below the 10 oysters/m² threshold for self-sustaining reefs. Two spawner sanctuaries and several oyster reserves were established to support EQIP and research activities, and approximately 2.5 million oysters have been deployed in total. Monitoring shows that while shell heights indicate healthy growth on restored reefs, densities have declined, and reseeding is needed to maintain biomass. *E. Schneider* explained that natural reefs outside of restoration areas remain sparse, and ongoing work is now focusing on using locally adapted broodstock (from Green Hill and Ninigret Ponds) based on lessons learned from genetic and performance studies. The Division recommended Option 2: extend the existing pond-wide moratorium for four additional years (through December 31, 2029) to allow restoration to continue and to evaluate recruitment from these improved local sources.

J. Gardner strongly supported continuing the closure, noting significant issues with oyster theft from private leases and illegal relocation of oysters into accessible areas before the open season. He described observing individuals moving oysters from aquaculture farms and stacking them in open portions of the pond to later claim as wild harvest, emphasizing that the moratorium assists enforcement and protects legitimate growers. *G. Schey* stated that aquaculturists are using the moratorium to police the farms.

Panel members discussed limited natural recruitment, potential causes (salinity, food availability, disease resistance, and broodstock origin), and questioned how long oyster restoration should continue if you don't see improvements to the oyster population. *E. Schneider* responded that local broodstock sources are now being prioritized, modeled after the successful Ninigret Pond approach, and that measurable recruitment could take three to four years.

D. Erkan and *M. McGiveney* raised questions about enforcement logistics, the difference between Shellfish Management Areas and moratoriums, and the public's understanding of boundaries. *E. Schneider* clarified that the pond-wide closure is the most effective approach for enforcement due to limited access points and visibility, and that most shellfishers contacted were aware of the moratorium.

- 1. Motion made by *J. Gardner* to recommend to the Marine Fisheries Council to adopt Option 2: Oyster harvest in Quonochontaug Pond is prohibited pond-wide until December 31, 2029 (4-year extension).**

2nd by *D. Erkan*; The motion passed 9 – 0 – 0.

2. Providence River Shellfish Management Area (Area E) 2025 harvest summary

A. *Gerber-Williams* presented a harvest summary comparing the two-hour winter openings (February – April 2025) and three-hour summer openings (May – October 2025). Average landings per day increased 110%, average participation 71%, and average catch per license 22% from two-hour to three-hour openings. The Division expects to complete a second stock assessment update using fisheries-independent dredge survey data, to update MSY estimates and to help guide the 2026 harvest schedule. Results are anticipated early 2026 for SAP review. *J. Grant* proposed adopting a January 1 through December 31 annual schedule to simplify management and avoid split-year cycles. Members discussed setting a consistent yearly framework while maintaining flexibility for winter openings and the Division dredge survey timing. *M. McGiveney* suggested adding more two-hour winter openings (every week instead of bi-weekly) to utilize unused days; the 2025 season may finish with 18 of 23 approved days used. *A. Gerber-Williams* and *E. Schneider* noted the tight timeline for Council approval but supported exploring the change for 2026 and aligning future surveys accordingly. The panel agreed to add the topic of a calendar-year harvest schedule to a future SAP agenda, and to discuss winter schedule modifications at the November meeting for Marine Fisheries Council consideration in December.

3. Office of Water Resources program updates

D. Borkman provided an update on the shellfish water quality program and recent revisions to conditional area management plans. He stated that their shellfish program samples 328 water quality monitoring stations, testing approximately 2,500 fecal coliform samples annually. Increased rainfall in recent decades (approximately 13.2 inches more annually since 1900) has led to more rain-related closures. However, revised conditional area closures (May 2025): based on 2014-2024 data analysis, smaller storms (< 1.2 inches) now require a 6-day closure instead of a 7-day closure, implemented for Area E and Greenwich Bay after FDA review. Analysis showed strong compliance in all Upper Bay areas; only a few prohibited stations near Buckeye Brook. Average open days in Area A increased from 150 to 264 per year after past adjustments. Localized pollution issues; Potter Pond, Winnapaug Pond, and Point Judith Pond shored isolated “high-flyer” bacteria events linked to stormwater and septic sources. There were no downgrades of approved growing areas statewide in 2024-2025. The DEM Pump-out program launched a self-service 1,000-gallon barge in Bullock’s Cove as a Clean Vessel Act pilot.

4. Any Other Matters

***J. Boyd* raised follow-up items that be requested to table for the next SAP meeting on October 15, 2025. These items were; 1) establishment of a permanent Quahog Advisory Committee Commission as recommended by the Joint Legislative Quahog Commission in their final report dated 5/31/2024, 2) communication updated between DMF and ACOE on Providence River dredging project and relocation of quahog resource to be impacted by dredging operations and CAD cell construction, 3) communication update between DMF and SouthCoast Wind on shellfish resource assessment in the Sakonnet River and Mt. Hope Bay and potential mitigation/compensation plans, and 4) Senators Whitehouse (RI-D) and Scott (SC-R) proposed legislation to form an East Coast Bivalve Research Task Force.**

A. Gerber-Williams confirmed that DEM is in communication with the ACOE regarding Providence River CAD site impacts, noting that the Corps agreed to revise cost estimates and reassess funding for clam relocation and testing.

J. Gardner requested that DEM distribute the Providence River ACOE dredging application materials and associated comment letters from the Division to all SAP members for review.

5. Adjourn

Adjourned at 7:15 PM.

Minutes prepared by Anna Gerber-Williams, the Division of Marine Fisheries

DRAFT

SHELLFISH ADVISORY PANEL

URI BAY CAMPUS/GSO
HAZARD ROOM (COASTAL INST. BUILDING)

October 1, 2025



Virtual Meeting Participation



1. All participants will be muted throughout the meeting.
2. To make a comment or ask a question you must use the Raise Hand feature in the zoom webinar.
3. The meeting facilitator will un-mute one participant at a time to make their comment or ask their question, the participant will then be re-muted.

Please minimize background noise while unmuted! – Thank you

AGENDA



1. **Bissel Cove/Fox Island and Quonochontaug Pond Shellfish Management Areas** oyster harvest moratorium expiration – *Action*
2. **Providence River Shellfish Management Area (Area E)**
 - 2024/2025 harvest summary – *FYI Only*
3. **Office of Water Resources program updates** – *FYI Only*
4. **Any other matters (public comment welcome)** – *FYI Only*
5. **Adjourn**

Bissel Cove/Fox Island Shellfish Management Area – Oyster Moratorium Expiration



Background

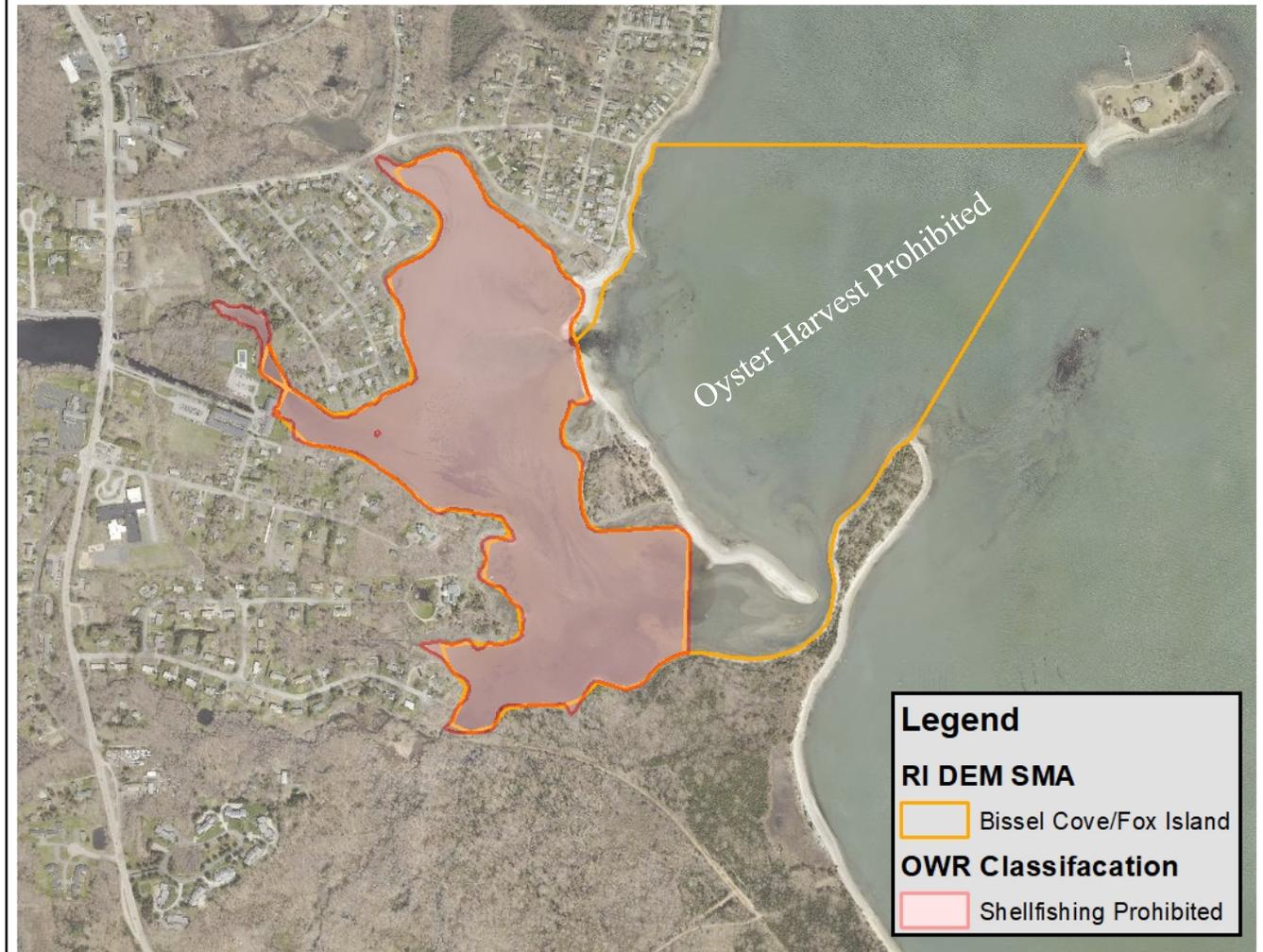
- **Closure**
 - 2010 – Bissel Cove / Fox Island SMA closed to oyster harvest
- **Restoration**
 - 2009 - 2011 (EQIP Phase I): Cultch and Spat-on-Shell (SOS)
 - 2015 - 2030 (EQIP Phase II): Cultch, SOS, Monitoring
- **Monitoring**
 - 2017 - present: Restored Reefs
 - 2007 - 2008; 2015 - 2016; 2022 - 2023: surveyed for wild oysters
- **Oyster Harvest Moratorium**
 - 2010, 2015, 2020, (SAP, RIMFC)
 - SAP, RIMFC recommended extension to protect resource and restoration activities.

Bissel Cove/Fox Island Shellfish Management Area – Oyster Moratorium Expiration



Status:

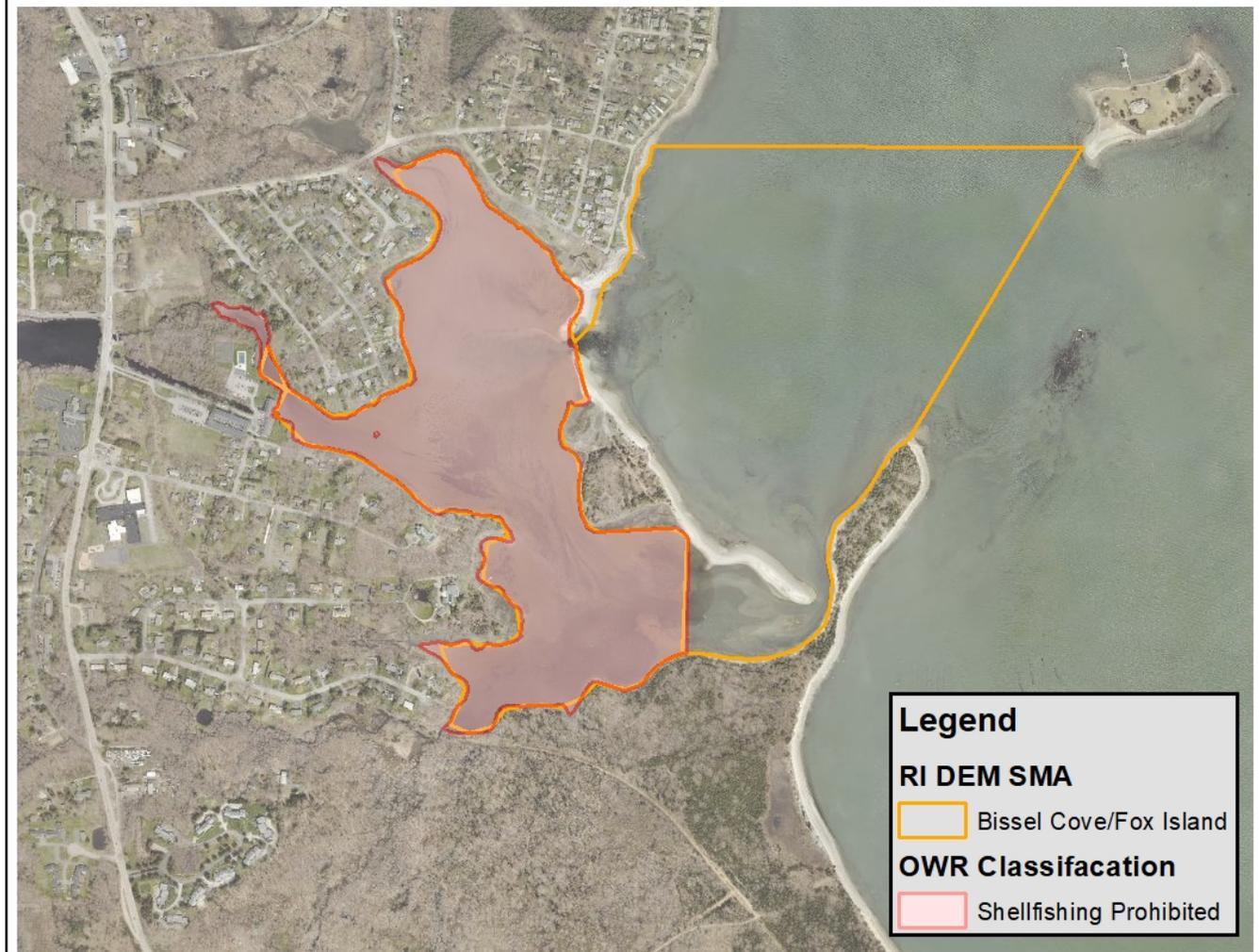
- Restoration has been conducted in areas inside and outside of the barrier island.
- Outside of the barrier island (i.e., area approved for shellfishing by OWR):
 - Restoration is no longer active,
 - Recruitment has not been observed in recent years,
 - Cultch habitat has silted over.



Bissel Cove/Fox Island Shellfish Management Area – Oyster Moratorium Expiration



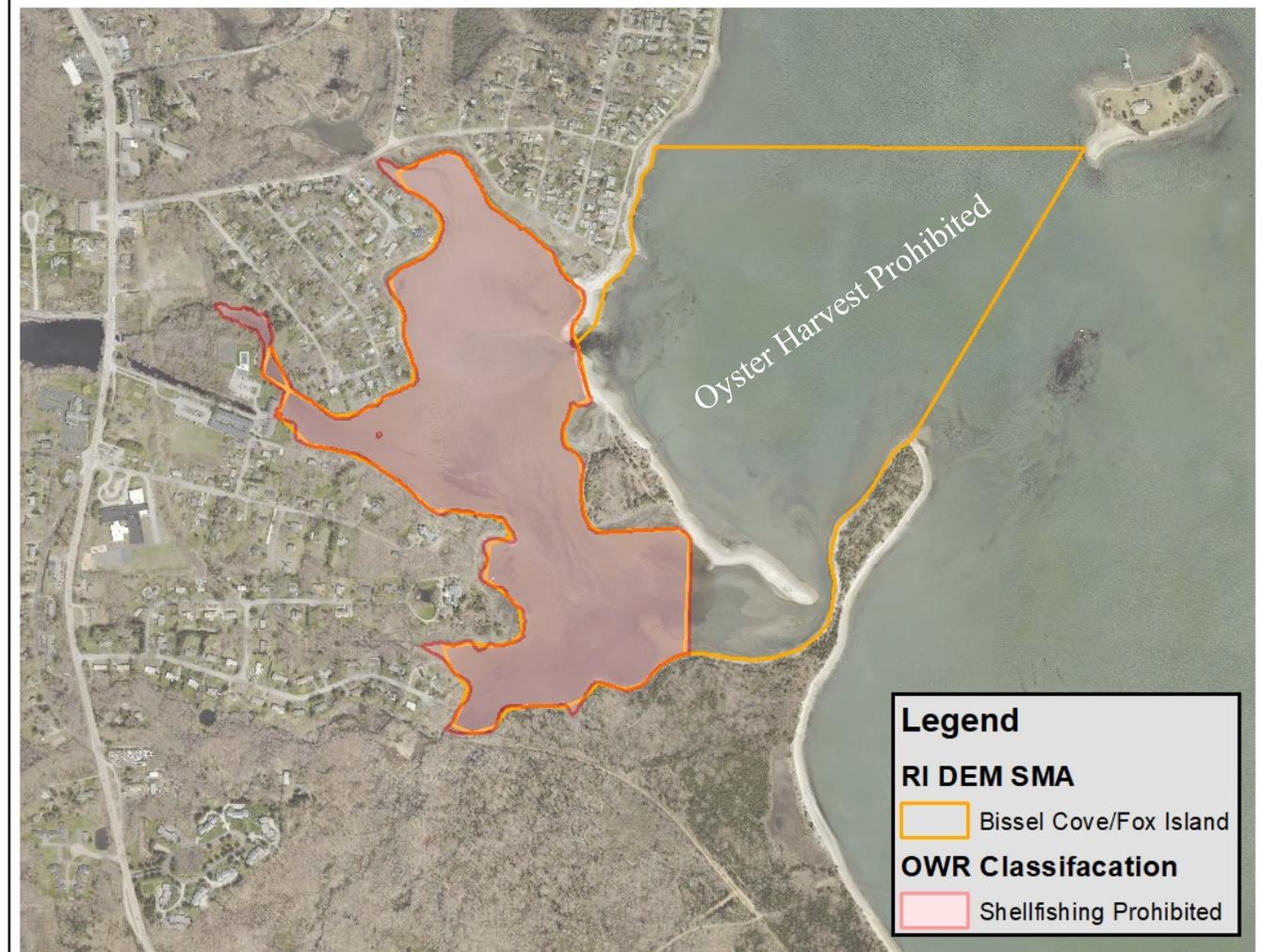
Option 1: Status Quo - SMA
oyster harvest prohibition expires
Nov 15, 2025.



Bissel Cove/Fox Island Shellfish Management Area – Oyster Moratorium Expiration



Option 2: SMA oyster harvest prohibition extended until Dec 31, 2029.



Bissel Cove/Fox Island Shellfish Management Area – Oyster Moratorium Expiration



Management Status: The harvest and possession of oysters in Bissel Cove / Fox Island SMA is prohibited until November 15, 2025.

DMF Recommendation: Allow the oyster moratorium to expire (Option 1).

Rationale:

- Outside of the barrier island (i.e., area approved for shellfishing by OWR):
 - Restoration is no longer active,
 - Recruitment has not been observed in recent years,
 - Cultch habitat created silted over.
- The existing OWR Shellfish Closure (in the area west of the Barrier Island) will allow current restoration activities to continue through at least 2030.

Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Background of Restoration and Management

- **2007 - 2008**
 - DMF conducted surveys in Quonnie found no wild oyster populations
 - 2010: Recommended pond-wide closure and restoration be initiated
- **Restoration**
 - 2009 - 2011 (EQIP Phase I): Cultch and Spat-on-Shell (SOS)
 - 2015 - 2029 (EQIP Phase II + DMF FHE): Cultch, SOS, Monitoring
- **Monitoring**
 - 2017 - 2025: Restored Reefs
 - 2007 - 2008, 2015 - 2016; 2022 - 2023: Pond-wide surveys for wild oysters
- **Pond-wide Oyster Harvest Moratorium**
 - 2010, 2013, 2016, 2021, 2023 (SAP, RIMFC)
 - Resource deemed not recovered. SAP, RIMFC recommended extension of pond-wide closure.

Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Closures



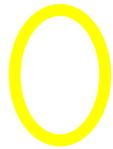
- Spawner Sanctuaries

Reserve Sites



- Protected by pond-wide oyster closure

Restoration and Enhancement



- Will continue through 2029 in the Eastern Closed Area and Oyster Reserve Sites



Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



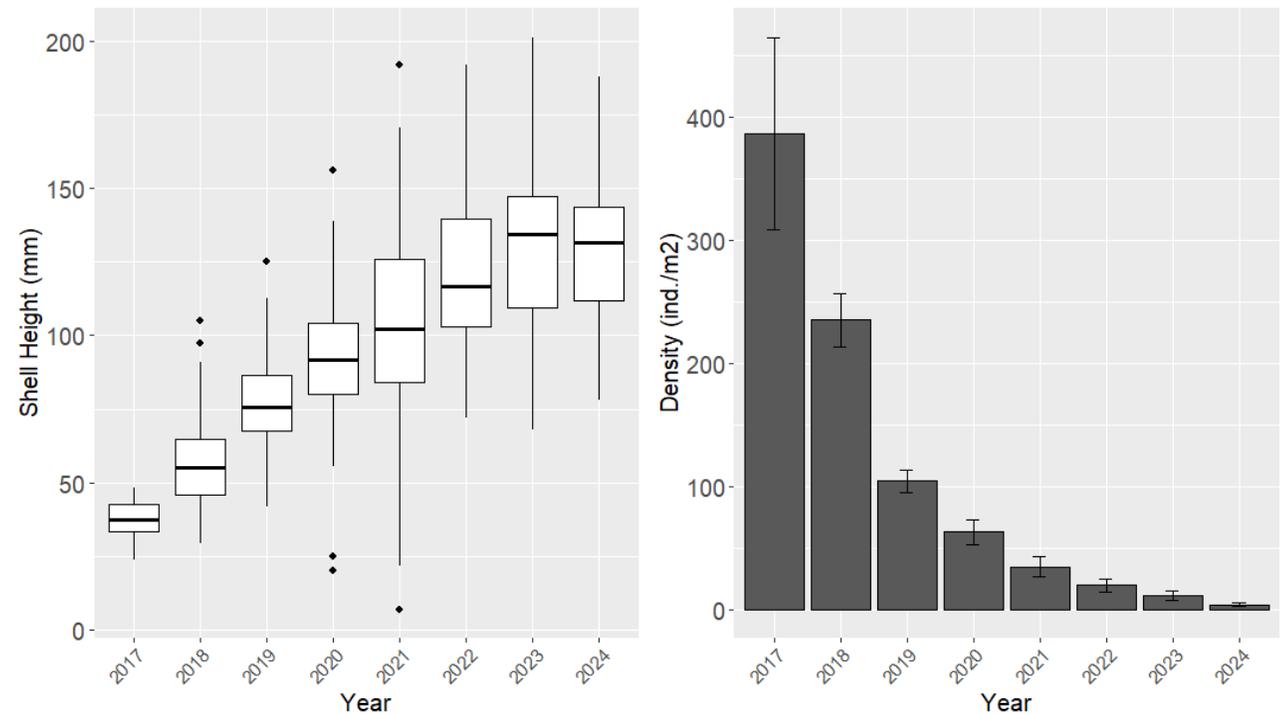
Status of oysters

Restoration Reefs - resumed in 2016

- Approx 2.5 million oysters seeded (EQIP and FHE)
- Reefs contain a mix of juvenile and mature oysters
- Restoration and Research is scheduled through 2029
 - Includes overseeding and reef creation



Mean oyster length and density at FHE reefs by year



Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Status of oysters

Restoration Reefs - resumed in 2016

- Approx 2.5 million oysters seeded (EQIP and FHE)
- Reefs contain a mix of juvenile and mature oysters
- Restoration and Research is scheduled through 2029
 - Includes overseeding and reef creation

Natural Reefs

- Surveyed ~150,000 ft² (3.4 acres) from 2021-2023
- Located 9 sites that have received recruitment since 2017
- 7 of these 9 sites have living oysters, but at low densities (<10 m²)
- Densities are not self-sustainable

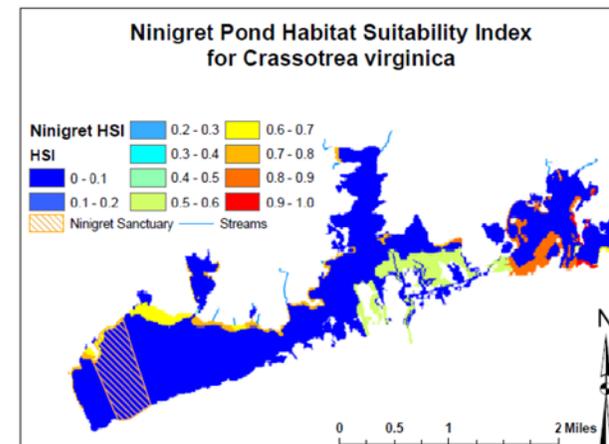


Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Future Restoration, Research, and Guidance

- Restoration (overseeding and reef creation) and research is scheduled to continue through 2029
- Oyster Habitat Suitability Index (HSI) model to be completed by June 2026
- Shellfish Restoration and Enhancement Plan (SREP) resuming in winter 2025 - 2026



Example of HSI for Ninigret

Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Summary

- Since 2017, restoration activities placed > 2.5 million oysters
- Current mix of juvenile and mature oysters
- Outside of restoration areas show limited recruitment and low densities (<10 m²), not sustainable
- Restoration and Research is scheduled through 2029
- New information will be developed over next few years
 - Oyster HSI model completed by June 2026
 - SREP in progress, next stakeholder meetings winter of 2025

Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Management Status: The harvest and possession of oysters in Quonochontaug Pond is prohibited until November 15, 2025.

DMF Recommendation: Continue pond-wide the oyster moratorium until Dec 31, 2029 (Option 2).

Rationale:

- Despite mature oysters at restoration sites, limited recruitment and low densities outside of restoration sites.
- Extension would:
 - Protect oyster restoration and enhancement work located in the Oyster Reserves, sited outside of the existing Closed Areas,
 - Provide 4 years of potential recruitment to natural reef sites, supported by mature oysters on restoration reefs and future restoration and overseeding,
 - Allows for information from additional survey work, HSI, and SREP to be considered in management.

Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



**Option 1: Status Quo - Pond-wide
closure expires Nov 15, 2025.**



Quonochontaug Pond Shellfish Management Area – Oyster Moratorium Expiration



Option 2: Oyster harvest in Quonnie is prohibited pond-wide until Dec 31, 2029 (4-year extension).



Providence River 2025 Harvest Summary



YEAR	2021	2022	2023	2024	2025 (Winter: 2-hr openings)	2025 (Summer: as of 9/16)
Days Open	15	28	15	16	6 out of 6	12 out of 23
Clams Harvested	4,727,196	10,553,571	5,645,317	4,977,293	853,198	3,844,545
(% Little Necks)	-83.54%	-85.10%	-83.12%	-84.92%	-83.22%	-83.55%
(% Top Necks)	-13.30%	-12.60%	-14.80%	-13.89%	-15.30%	-15.16%
(% Cherry)	-0.87%	-0.60%	-0.57%	-0.48%	-0.54%	-0.54%
(% Chowders)	-2.29%	-1.70%	-1.51%	-0.71%	-0.95%	-0.75%
Average landings per Day	312,530	376,680	372,323	318,117	141,795	319,937
Average Number of Harvesters per Day	151	176	184	163	95	163
Average number of Clams per license per day	2,048	2,131	2,052	1,955	1,493	1,962

***2025 Landings data as of 9/16/2025**



Any Other Matters?



Adjourn

Shellfish Advisory Panel

October 15, 2025; 4:30PM

URI Bay Campus Large Conference Room/

Virtual public meeting - Zoom webinar

MEETING SUMMARY

RIMFC members: K. Eagan (Chair)

DEM: A. Gerber-Williams, P. Barrett, D. Borkman, P. Duhamel, J. Livermore, J. Lake;

SAP members: B. Bica, D. Erkan, J. Gardner, D. Ghigliotty, J. Grant, J. McDonald, M. McGiveney, G. Schey, R. Tellier, E. Troiano;

Scientific Advisor: Dr. Rice

Public: J. Boyd, L. Soranno, T. Blank, B. Goetsch, J. Booth, R. Rheault, B. Boehringer, 1 additional attendee in person and 4 attendees online.

Link to meeting recording: https://www.youtube.com/watch?v=pg_V0-uOvxc

1. Aquaculture Applications

a. Aquaculture: 2025-06-013 Thomas Blank.

T. Blank presented his proposal to reconfigure and consolidate his existing aquaculture lease by combining two adjacent parcels into a single site composed entirely of floating gear. He explained that the realignment would maintain his currently permitted capacity of 300 floating cages, without increasing lease area, but would better conform to surrounding farms and improve navigational safety. *B. Goetsch* summarized that the revised plan was developed in response to neighbor concerns from shoreline property owners south of the lease footprint, who expressed mixed views about the orientation of gear in front of their property. Mr. Blank subsequently worked with CRMC staff, the town and RIDEM to rotate the layout approximately 90 degrees, which better aligns with existing farms in the area. The relinquished site area will return to the public trust.

B. Goetsch described the broader North Kingstown/Fox Island aquaculture area, noting that CRMC and the Town had previously agreed—through public workshops and local coordination—to limit future aquaculture expansion west of a line running from Fox Island due south to Green Point. That line delineates the extent of acceptable aquaculture development; any area east of that boundary would remain closed to new lease applications under current policy. This informal agreement arose from a series of public discussions and mapping exercises conducted by former

CRMC staff (including Dave Butel) and Town representatives in the early 2000s. The line and corresponding map remain on file within CRMC's project documentation.

Motion made by J. Gardner to recommend to the Marine Fisheries Council that the aquaculture activities proposed in the application is consistent with competing uses engaged in the exploitation of marine fisheries.

2nd by M. McGiveney; abstain by D. Erkan, The motion passed 8 – 0 – 1.

b. Aquaculture: 2025-06-048 Bradley Boehringer

B. Boehringer presented his application to expand his existing lease in Dutch Harbor, Jamestown by 3.5-acres to accommodate a new floating gear system (flip farm lines) requiring additional space while reducing visual impacts for coastal homeowners. The proposed layout extends further offshore to maintain safe recreational use near shore. He noted that a shellfish survey conducted by Matt Griffin recovered minimal shellfish within the area (six clams from twelve pulls) and no eelgrass or other submerged aquatic vegetation. *J. Gardner* while supportive of the applicant's efforts to adopt new gear types and improve visual compatibility, raised concerns regarding the density and layout of the proposed lines. he noted that 17 longlines within the proposed footprint (approximately 700 feet by 200 feet) would leave only about 11 feet between each line, questioning whether such close spacing would withstand high wind and wave conditions typical of Dutch Harbor. *D. Ghigliotty* voiced a broader concern about the appropriation of public trust waters for areas not yet in productive use. He stated that several leaseholders statewide had received approvals for expanded acreage but had not fully utilized that space for aquaculture operations, effectively excluding wild harvesters and other users from those waters while producing little or no yield. He characterized this as inconsistent with the intent of the "free and common fishery," noting that public waters should not be tied up indefinitely by partially developed leases. He emphasized that while the applicant's intent to modernize gear was commendable, the expansion as proposed could result in substantial portions of the site remaining idle during transition to the new system. He urged CRMC to ensure that lease expansions correspond to demonstrated operational need and that mechanisms remain in place to reclaim unused space if not brought into production within a reasonable timeframe. *B. Boehringer* acknowledged that the transition would occur in phases, beginning with a portion of the lease and gradually expanding as existing cage gear is retired. During this period, some of the authorized area might appear underutilized, but it would be part of a planned, active conversion process. He emphasized that his goal is to enhance operational efficiency and reduce shoreline visual impact, noting that the new gear floats low in the water, aligns neatly, and has been well received by neighboring property owners who previously expressed concerns about the visibility of traditional floating cages. *B. Goetsch* stated that approved leases must add gear to the lease within the first year and that they have three years to use the entire lease area otherwise they must relinquish the unused area back to the state.

Motion made by B. Bica to recommend to the Marine Fisheries Council that the aquaculture activities proposed in the application is consistent with competing uses engaged in the exploitation of marine fisheries.

2nd by E. Troiano; abstain by D. Erkan, J. Gardner, D. Ghigliotty, J. Grant, M. McGivney, G. Schey, The motion passed 3 – 1 – 6.

2. Shellfish Harvest Season for Greenwich Bay (sub-areas 1 & 2) Shellfish Management Areas

A. Gerber-Williams presented the default and proposed winter harvest schedules for Greenwich Bay Subareas 1 and 2. The panel discussed adding one more additional day to the proposed schedule.

Motion made by D. Ghigliotty to recommend to the Marine Fisheries Council to adopt the following schedule for Greenwich Bay Sub-Areas 1 & 2 for December 2025:

Open 8:00 A.M. to 12:00 P.M. on December 10, 12, 15, 17, 18, 19, 22, 23, 24, 26, 29, 30.

2nd by B. Bica; abstain by D. Erkan, The motion passed 9 – 0 – 1.

3. Shellfish Harvest Season for Bissel Cove/Fox Island Shellfish Management Areas

A. Gerber-Williams presented the default winter harvest schedule. No motion was made thus the areas will retain their default seasonal opening as described in current regulations.

4. Shellfish Harvest Season for Bristol Harbor Shellfish Management Area

A. Gerber-Williams presented the default winter harvest schedule. No motion was made thus the areas will retain their default seasonal opening as described in current regulations.

5. Council Policy Update – Advisory Panel and Aquaculture

P. Duhamel provided an overview of proposed revisions to the Marine Fisheries Council Advisory Panel Policy. The revisions aim to formalize existing practices for the Shellfish Advisory Panel (SAP), including: clarifying quorum requirements (majority of members), establishing a Vice Chair position, defining term limits (three years, renewable), and improving attendance and communication expectations. Discussion among panel members focused on maintaining balanced representation between aquaculture and wild harvest interests, ensuring consistent participation, and preserving institutional knowledge.

J. Gardner and M. McGivney expressed concern that requiring reapplication every three years could lead to unnecessary turnover and the loss of institutional knowledge accumulated by long-serving members. *M. McGivney* recalled that historically, advisory meetings continued even when a quorum was not met, and the minutes reflected that status for Council awareness. He suggested retaining flexibility to meet and deliberate informally if quorum is not achieved. *P. Duhamel* confirmed that under the revised draft, quorum is based on the total number of appointed members (currently 6 to 15), and official votes cannot occur without it. *B. Bica* and *K. Eagan* noted that meeting cancellations due to lack of quorum had been

problematic in past years, wasting effort and travel for industry members. They supported clearer attendance rules and the ability to dismiss inactive members. *J. Gardner* emphasized the importance of representation from both aquaculture and wild harvest sectors, citing that aquaculture had grown substantially but remained underrepresented with only one active member. They suggested that the policy should guarantee proportional representation of user groups. *K. Eagan* clarified that the Council intentionally allows flexibility in appointments to ensure a balance between experience and emerging perspectives, but that the Council—not the Division—ultimately decides membership composition. *P. Duhamel* responded to concerns about reappointment and turnover. They explained that the intent of term limits is to formalize participation, not to remove active members. Members who wish to continue serving can easily reapply and will be prioritized for reappointment if they remain active and engaged. The policy would also provide a mechanism to remove consistently inactive members after three unexcused absences, ensuring equitable participation opportunities.

Members further discussed the proposal to have the Chair drawn from the SAP membership rather than automatically being a RI Marine Fisheries Council (RIMFC) member. Some panelists, including *J. Gardner* and *D. Ghigliotti*, expressed concern that this change could reduce direct representation of shellfish issues at the Council level. The Division clarified that the SAP Chair would still attend Council meetings to present recommendations and minutes, maintaining representation even if not serving as a Council member.

Aquaculture Policy Discussion:

- *Dr. Rice* and *B. Goetsch* referenced statutory language under **RIGL §20-10-1** and **§20-10-5**, which outlines the Council’s authority to review aquaculture applications for consistency with the exploitation of marine fisheries. They reiterated that while the SAP’s mandate is narrow—focused on compatibility of aquaculture with existing fisheries—broader policy questions (such as coastal use conflicts and aquaculture planning) can be raised to the Council for consideration. *D. Erkan* and *D. Ghigliotti* questioned whether the presence or absence of shellfish alone should determine suitability, suggesting that habitat quality and potential use by wild fisheries should also be considered. *B. Goetsch* acknowledged that CRMC’s lease review focuses on habitat suitability, public navigation, and consistency with the “free and common fishery,” and agreed that these broader ecological factors warrant continued discussion. Several members urged that public comments submitted to CRMC be included in SAP materials before meetings to allow for more informed discussion. The Division agreed to incorporate that change moving forward. *Dr. Rice* emphasized the importance of maintaining clear roles: the SAP provides fisheries-use recommendations, CRMC evaluates environmental and navigational impacts, and DEM oversees resource management. *K. Eagan* reminded members that written comments on the draft policy should be submitted to the Division by October 21 for inclusion in the November 5 Council e-packet. The Council is expected to discuss but not vote on the policy at that meeting, leaving room for additional revisions and feedback.

6. Any Other Matters

- a. At the request of *M. McGiveney*, the panel agreed that the next SAP meeting would focus on potential modifications to the Providence River winter harvest schedule. The Division confirmed that the meeting would be held on Wednesday, November 12, 2025, to consider adding additional harvest days for the February–April period.

- b. Providence River Dredging and Shellfish Relocation (USACE DMMP Update):
A. Gerber-Williams provided an update on the Providence River Dredged Material Management Plan (DMMP), following ongoing coordination with the U.S. Army Corps of Engineers (USACE).

She reported that:

- The Corps acknowledged comments from RISA, DEM, and others regarding the high density of shellfish resources near the Edgewood Shoals CAD cell site;
- The Corps committed to performing relocation of hard clams from the Port Edgewood Basin and adjacent areas prior to dredging;
- The revised cost estimates now include funding contingencies to ensure adequate resources for full relocation and testing;
- Shellfish testing for metals and disease will be conducted once project funding is finalized.

J. Boyd and others emphasized the need to initiate testing well in advance of the 2026 dredge season to identify suitable transplant areas within open management zones. Several members suggested that DEM explore using existing transplant program funds as a bridge until federal funds are released. DEM staff agreed to consider that option and provide an update at the next meeting.

J. Boyd would like to further table his additional matters for the upcoming SAP on November 12, 2025.

7. Adjourn

Adjourned at 7:25 PM.

Minutes prepared by Anna Gerber-Williams, the Division of Marine Fisheries

SHELLFISH ADVISORY PANEL

URI BAY CAMPUS/GSO
HAZARD ROOM (COASTAL INST. BUILDING)

October 15, 2025



Virtual Meeting Participation



1. All participants will be muted throughout the meeting.
2. To make a comment or ask a question you must use the **Raise Hand** feature in the zoom webinar.
3. The meeting facilitator will un-mute one participant at a time to make their comment or ask their question, the participant will then be re-muted.

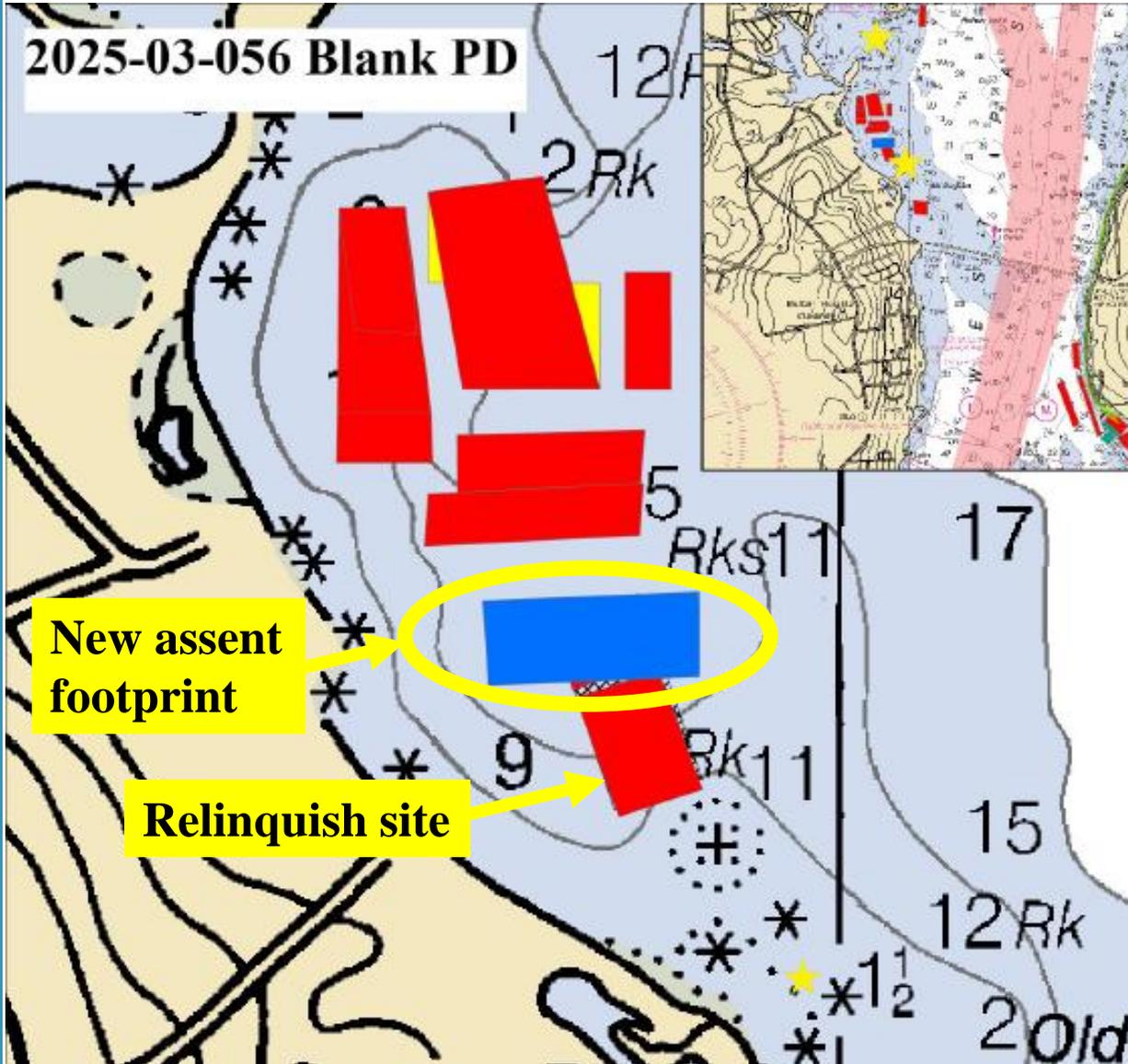
Please minimize background noise while unmuted! – Thank you

AGENDA



- 1. Aquaculture applications - Action**
 1. 2025-06-013, Thomas Blank
 2. 2025-06-048, Bradley Boehringer
- 2. Shellfish harvest season for Greenwich Bay (sub-areas 1 & 2) Shellfish Management Areas (aka “Winter Management Area”) – Action**
- 3. Shellfish harvest season for Bissel Cove/Fox Island Shellfish Management Areas - Action**
- 4. Shellfish harvest season for Bristol Harbor Shellfish Management Area – Action**
- 5. Council policy update - Advisory Panel and Aquaculture - FYI / Discussion**
- 6. Any Other Matters, Public Comment – FYI Only**
- 7. Adjourn**

Aquaculture: 2025-06-013 Thomas Blank



- **Location:** West Passage, North Kingstown – South of Rome Point
- **Purpose:** reconfiguration and modification of two current assents (2004-09-146 & 2019-10-057) into one combined 6.33- acre site.
 - Site re-oriented by 90⁰ perpendicular to shore
 - Floating cages for oysters
 - No request for additional acreage or floating cages beyond what is currently permitted between the two existing sites.

Aquaculture: 2025-06-013 Thomas Blank



Motion: To recommend to the Marine Fisheries Council that the aquaculture activities proposed in the application **is** consistent with competing uses engaged in the exploitation of marine fisheries.

Motion made by: J. Gardner

Motion 2nd by: M. McGiveney

Yea: JM, JG, MM, DG, GS, RT, ET, JG

Nay:

Abstain: DE

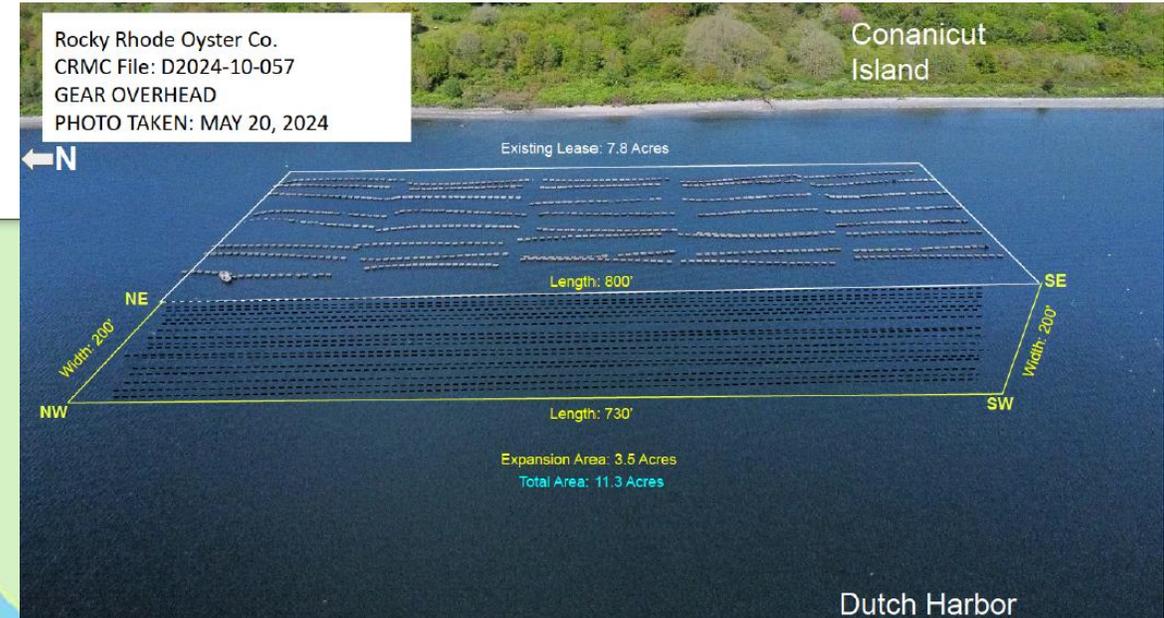
Vote: Pass 8-0-1

Aquaculture: 2025-06-048 Bradley Boehringer



- **Location:** Jamestown – Dutch Harbor
- **Purpose:** expansion of existing assent (2019-12-055) by 3.5-acres.

Rocky Rhode Oyster Co.
CRMC File: D2024-10-057:
AREA OVERVIEW
Edited: 02/13/25



- Cultivation of oysters and bay scallops
- Low profile floating baskets and bottom cages.
 - *Floating Gear:* 17 long lines, 500 baskets/line = 8,500 total baskets
 - *Bottom Gear:* 8 cage lines, 100 cages per line = 1,700 total cages.

Aquaculture: 2025-06-048 Bradley Boehringer



Motion: To recommend to the Marine Fisheries Council that the aquaculture activities proposed in the application **is** consistent with competing uses engaged in the exploitation of marine fisheries.

Motion made by: B.B.

Motion 2nd by: E.T.

Yea: BB, RT, ET

Nay: JM

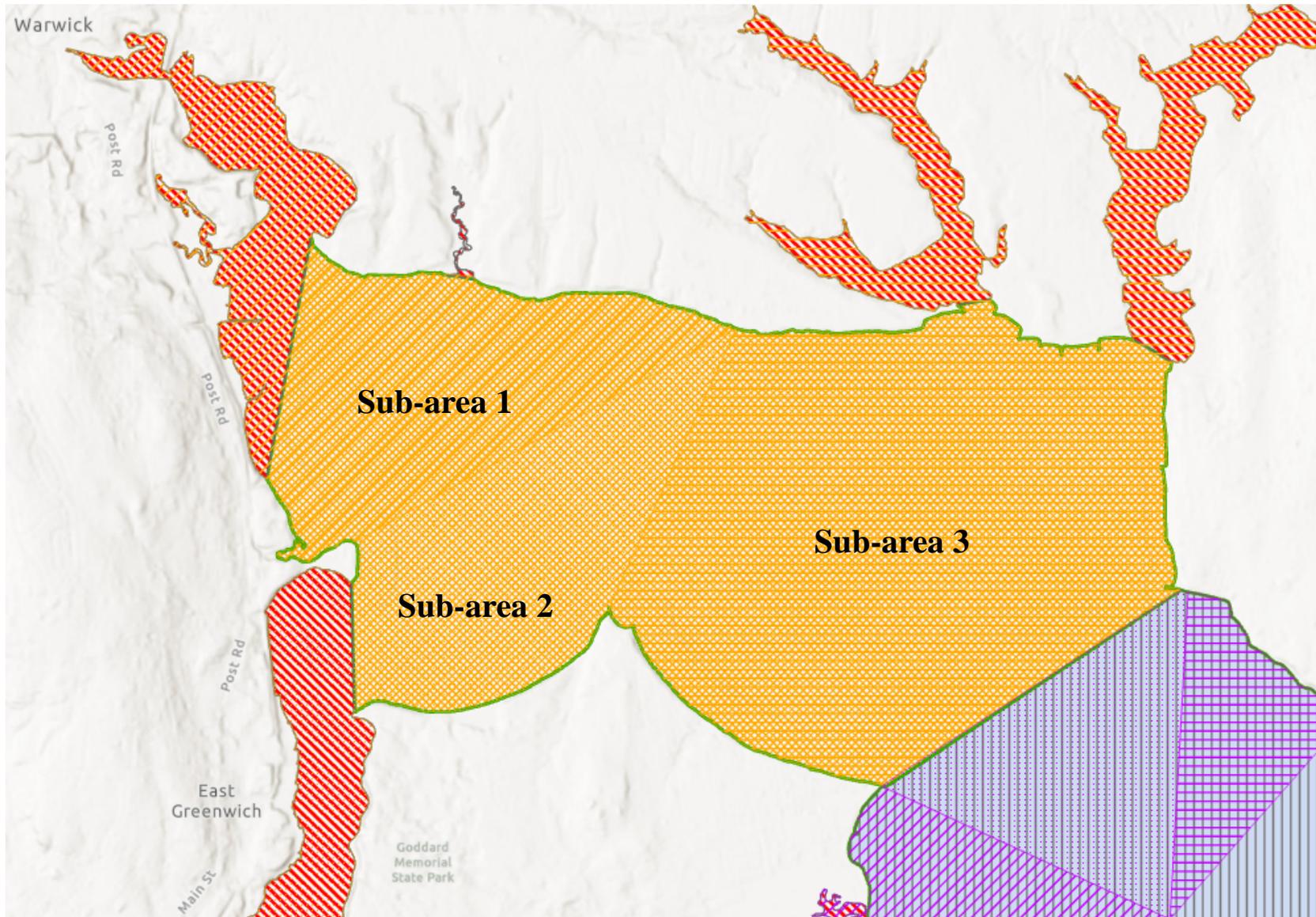
Abstain: DE, JG, DG, JG, MM, GS

Vote: 3 – 1 – 6

Greenwich Bay Sub Areas 1 & 2 Commercial Harvest Schedule



DEM
RHODE ISLAND



Greenwich Bay Sub Areas 1 & 2 Commercial Harvest Schedule



Default season currently in effect:

- Shoredigging: Open daily.
 - Boat Harvest: Open 8:00 A.M. to 12:00 P.M. only on Mondays, Wednesdays, and Fridays, beginning on the second (2nd) Wednesday of December through the end of April, excluding December 25 and January 1.
- **Proposal 1**: Open 8:00 A.M. to 12:00 P.M. on December 10, 12, 15, 17, 19, 22, 23, 24, 26, 29, 30 (11 days)

December schedule: Per rule, the schedule for the month of December may include up to 48 hours of permitted shellfishing, spread over any number of days during the month, excluding December 25.

Greenwich Bay Sub Areas 1 & 2 Commercial Harvest Schedule



Motion: To recommend to the Marine Fisheries Council to adopt the following schedule for Greenwich Bay Sub-Areas 1 & 2 for December 2025:

- **Open 8:00 A.M. to 12:00 P.M. on December 10, 12, 15, 17, 18, 19, 22, 23, 24, 26, 29, 30 (12 days)**

Motion made by: DG

Motion 2nd by: BB

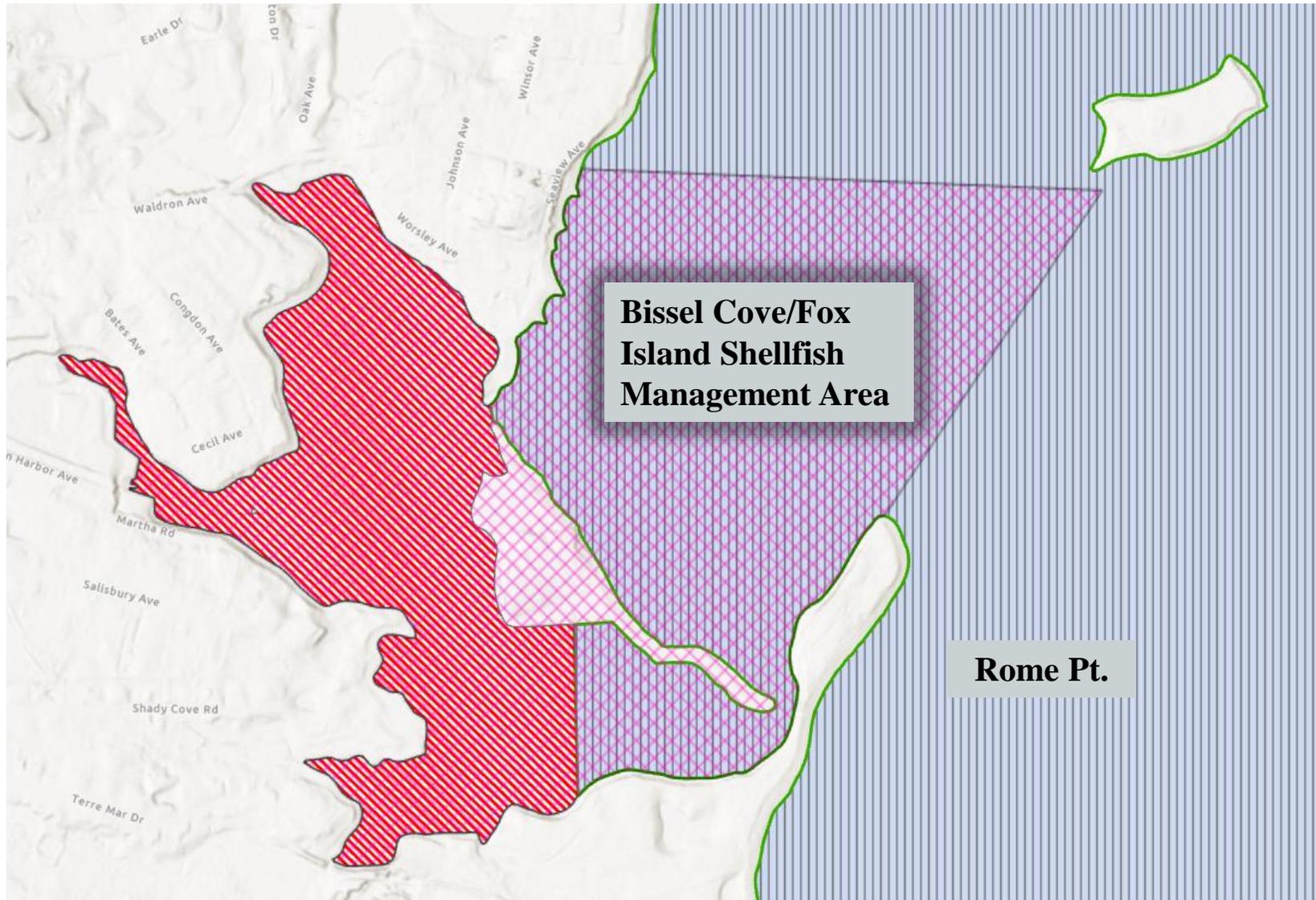
Yea: BB, JG, DG, JG, JM, MM, GS, RT, ET

Nay:

Abstain: DE

Vote: Pass 9 – 0 – 1

Bissel Cove/Fox Island Harvest Schedule



Bissel Cove/Fox Island Harvest Schedule



Default season currently in effect:

- Shoredigging: Open daily.
- Other than shoredigging (i.e., boat harvest): Open 8:00 A.M. to 12:00 P.M. only on Mondays, Wednesdays, and Fridays, beginning on the second (2nd) Wednesday of December through the end of April, excluding December 25 and January 1.

Bissel Cove/Fox Island Harvest Schedule



Motion: To recommend to the Marine Fisheries Council to adopt the following schedule for December 2025:

Motion made by:

Motion 2nd by:

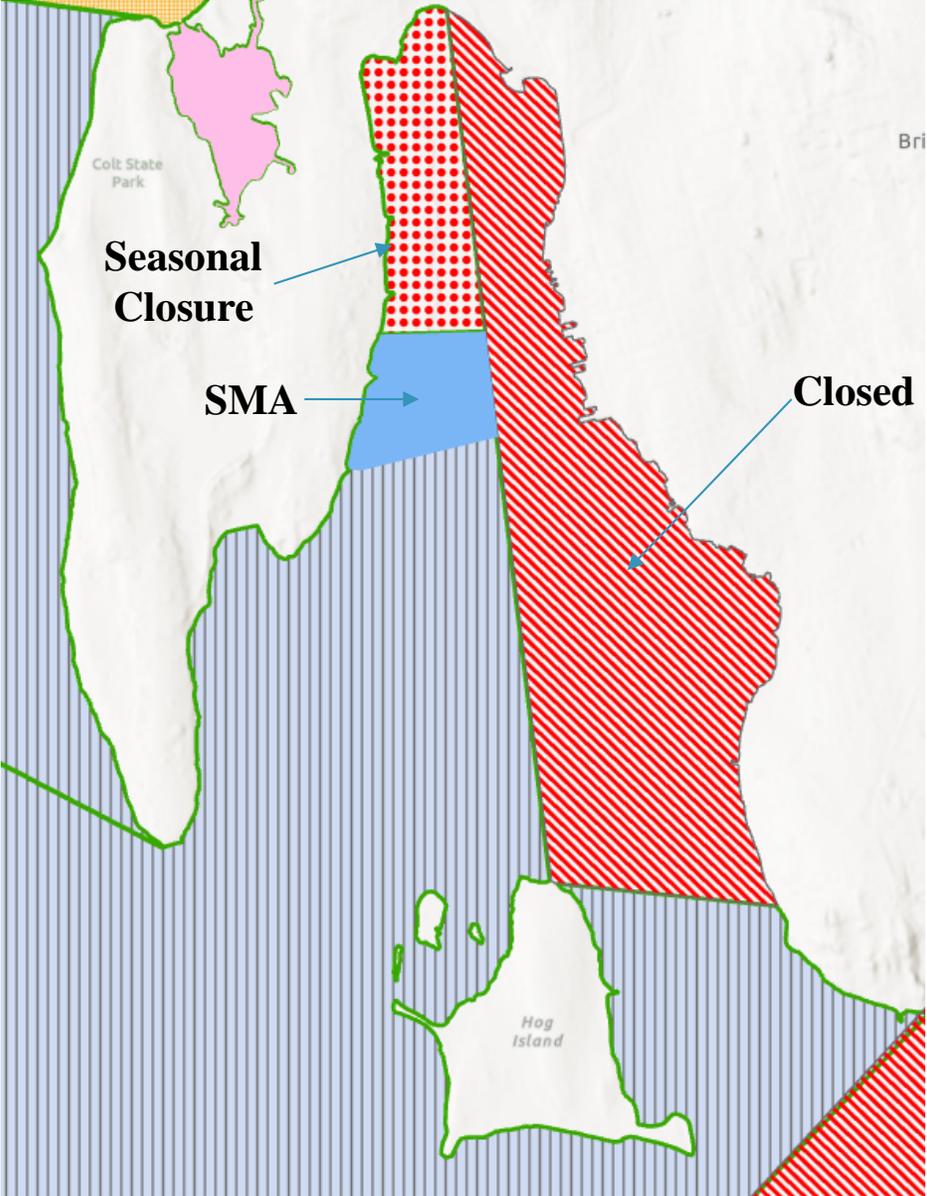
Yea:

Nay:

Abstain:

Vote:

Bristol Harbor Harvest Schedule



Bristol Harbor Harvest Schedule



Default season currently in effect:

- Shoredigging: Open daily.
- Other than shoredigging:
 - January 2 through January 31: Open 8:00 A.M. to 12:00 P.M. only on Mondays, Wednesdays, and Fridays.
 - February 1 through April 30: Open daily.
 - May 1 through January 1: Closed.

Bristol Harbor Harvest Schedule



Motion: To recommend to the Marine Fisheries Council to maintain the current default schedule for *Bissel Cove and Fox Island AND Bristol Harbor*

Motion made by:

Motion 2nd by:

Yea:

Nay:

Abstain:

Advisory Panel and Aquaculture Operating Policy Update



Background:

- AP and aquaculture operating policies provided as sections in the Council’s operating policy “Administrative Policies and Procedures of the Rhode Island Marine Fisheries Council”, adopted September 13, 2016
- The Division has been highlighting needs for revisions for several years, for several reasons

Advisory Panel and Aquaculture Operating Policy Update



Summary of Division proposal for changes for AP and Aquaculture policy:

➤ Advisory Panels:

- Panel chair: Panel chair to be selected by the panel (no longer a member of the Council). Chair would be part of the active membership of the panel, be included in attendance for quorum, and retain the ability to vote. 3-year term limit; no limit to the number of terms served.
- Vice-chair: Panel vice-chair to be elected by the panel to serve as chair when the chair unable to attend. 3-year term limit; no limit to the number of terms served.
- Quorum: Defines a quorum as a simple majority of the membership
- Member Term limits: Proposes a 3–year term limit. No limit to the number of terms served; persons terming out may re-apply.
- Current member term-out: Proposes that all existing membership expires in 2026. Upon expiration of current membership, solicit new applications.

Advisory Panel and Aquaculture Operating Policy Update



Summary of Division proposal for changes for AP and Aquaculture policy:

➤ Advisory Panels:

- Meeting materials: “ePacket” as the means to provide meeting materials
- Attendance and communication requirements: Attendance required unless unable to attend; communication with the chair regarding attendance required.
- Meeting preparation: Read meeting materials in advance of the meeting; form opinions/have an idea where you stand on prior to the meeting
- Meeting minutes: To be reviewed and approved by the panel, no longer the Council

Advisory Panel and Aquaculture Operating Policy Update



Summary of Division proposal for changes for AP and Aquaculture policy:

➤ Aquaculture Review:

- Remove administrative process details irrelevant to the Council
- All applications to go before the Council; SAP review before Council
- Materials to be provided for SAP/Council review:
 - The publicly noticed application
 - A survey documenting the biological resource and habitat information using a survey methodology approved by the CRMC and DEM, in consultation with the Council.
 - Public comments received.
 - Any other relevant information as the SAP or Council may require.

Advisory Panel and Aquaculture Operating Policy Update



Next steps:

- Proposed updated policy to be provided to the Council on November 5th
- Opportunity for comment: SAP meeting, Council meeting, submit written comments
- Seek direction from the Council regarding further revisions and approval



**Any Other Matters?
Public comment welcome**

Public Comment



1. Establishment of a Permanent Quahog Advisory Committee Commission as recommended by the Joint Legislative Quahog Commission in their final report dated 5/31/24;
2. Communication update between DMF and ACOE on Providence River dredging project and relocation of quahog resource to be impacted by dredging operations and Cad cell construction
3. Communication update between DMF and SouthCoast Wind on shellfish resource assessment in the Sakonnet River and Mt. Hope Bay and potential mitigation/compensation plans; and
4. Senators Whitehouse (RI-D) and Scott (SC-R) proposed legislation to form an East Coast Bivalve Research Task Force



Adjourn



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

Administrative Policies and Procedures of the Rhode Island Marine Fisheries Council

Adopted September 13, 2016

This document sets forth the administrative policies and procedures of the Rhode Island Marine Fisheries Council, with particular reference to the operations of the Council and its committees. This document updates and replaces the *Species Advisory Panel Policy*, adopted by the Council on June 4, 2007 and revised on January 5, 2009. It incorporates by reference the document titled *Shellfish Aquaculture Lease Proposals -- Policies and Procedures Governing RIMFC and DEM Reviews -- Adopted by the RI Marine Fisheries Council – August 3, 2009 -- As Amended September 2009*.

Part A – General

1. The RI Marine Fisheries Council (Council) is established in accordance with RIGL Section 20-3-1 to serve in an advisory capacity to the Director of the Rhode Island Department of Environmental Management (Director) and/or other state agencies on marine fisheries issues pertaining to the State of Rhode Island, particularly those involving the planning, management, and regulation of the State's marine fisheries.
2. 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. Members appointed to fill a seat vacated during a term serve the remainder of the term and are then eligible for reappointment to a full term. Members whose terms have expired may continue to serve until replaced or reappointed.
3. No person may serve on the Council if assessed a criminal or administrative penalty in the past 3 years for a violation of a marine fisheries law or regulation, including any suspension or revocation of a commercial or recreational fishing license or permit or dealer's license, or any fine, donation, probation, imprisonment, or other filing, imposed administratively or by a court of law.
4. The Director or his or her designee shall serve as the Council Chairperson (Chair).

5. The Chair's principal role is to manage the agenda for the meeting and provide for an orderly flow of the meeting. The Chair shall follow codes of parliamentary procedure (such as *Robert's Rules of Order* or the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*) to the extent necessary and appropriate. The Chair shall call meetings to order, call for final approval by the Council of the meeting agenda, ensure that meetings are conducted in a civil manner, and manage the dialogue by the Council and comments from the public. The Chair may inform the discussion, but should not advocate a position, nor vote, unless a vote is deemed necessary and appropriate for the purpose of breaking an otherwise tie vote. The Chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.
6. The Council shall elect a Vice-Chair, who shall serve as Acting Chair if the Chair is unable to attend all or part of a Council meeting, or opts not to participate in a given agenda item that is before the Council for consideration.
7. Meetings of the Council shall be held on an on-needed basis. All Council meetings are open to the public. Meeting agendas shall be prepared by the Chair in consultation with the Rhode Island Department of Environmental Management, Division of Fish & Wildlife, Marine Fisheries Program (Division) and Council members. Announcement of meetings and agendas will be noticed with the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings"), with hard copies posted at selected locations, and also noticed via the Division's listserve and website. In advance of Council meetings, meeting materials will be provided to the Council electronically, and made available to the public via the Division's website.
8. The Chair shall assure that a quorum is present at each meeting. In the event that a quorum is not present, the Chair shall decide whether to hold or cancel the meeting. No votes may be taken if a quorum is not present.
9. The Council shall deliberate and, by vote, provide recommendations to the Director on all proposed regulatory matters. The Council shall also deliberate and vote on any other matters brought before the Council for the purpose of rendering a recommendation to the Director, or another state agency. Such matters shall include, but are not limited to: commercial licensing; aquaculture lease proposals; annual plans for the allocation and use of funds from commercial license fees, tags, permits, and vessel fees; and the recreational saltwater fishing license program.
10. Agendas for all Council meetings shall include an opportunity for any member of the public to address the Council on any matter that is not on the agenda for that meeting. The Council may respond to any such comments, but shall not vote on the matter raised. The matter may be added to the agenda for a subsequent meeting of the Council, at the behest of the Council.
11. The Division shall provide a staff person to provide administrative support to the Chair and Council. Such support shall include, but not be limited to, the scheduling of meetings, the

preparation, distribution, and posting of meeting agendas and meeting materials, and the preparation of meeting minutes.

12. Draft minutes of each Council meeting shall be reviewed by the Council at a subsequent Council meeting. Minutes shall be subject to modification to ensure accuracy and shall be subject to approval by the Council. Division staff shall post approved minutes to the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 (“Open Meetings”).
13. The Council shall establish and maintain two standing committees of the Council: an Industry Advisory Committee (IAC) and Shellfish Advisory Panel (SAP), in accordance with Parts D and E herein. The Council may also establish ad-hoc committees as necessary and in accordance with applicable procedures (see Part F herein).
14. For each calendar year, the Council shall report annually, by March 1, to the Governor and the RI General Assembly with regard to: the advice it has given to state agencies, particularly DEM, on marine fisheries issues; the response it has received to such advice; any findings or position it may have with regard to the status and/or condition of marine fisheries; and any recommendations it may have for maintaining, improving, or changing laws, regulations, or management programs for marine fisheries.

Part B – Roles and Responsibilities of the Council Relative to the Administrative Procedures Act and Code of Ethics

1. In accordance with the Council’s statutory responsibility to provide recommendations to the Director on proposed regulatory matters, the Council’s role is intertwined with, and thus influenced by, the State’s *Administrative Procedures Act*, RIGL Chapter 42-35 (APA). The Division, on behalf of and in coordination with the Director, is responsible for conducting the regulatory process, pursuant to the APA. The regulatory process, and the Council’s role and responsibilities relative to it, are as follows:
 - A. A notice is posted by the Division advising the public of proposed regulatory action and soliciting written comments on the proposed action for a specified period of time, that being at least 30 days. All written comments received during the comment period will be included in the administrative record.
 - B. The notice also states that the Division will conduct a public workshop at a specified date and time prior to the hearing, at which interested parties will be afforded the opportunity to interact with Division staff and engage in discussion concerning the proposed regulatory action. Council members are encouraged to attend and participate in the workshop.
 - C. The notice also states that following the workshop, at a specified date and time, a public hearing will be held at which interested parties will be afforded the opportunity to offer oral and additional written comments concerning the proposal; said comments to be included in the administrative record. Council members are encouraged to attend the public hearing; however, members are dissuaded from commenting at the hearing due to their subsequent role in deliberating on and providing advice to the Director on the same

matter(s) being considered. Members who feel compelled to provide comment on a matter at a public hearing may do so, provided they recuse themselves from the subsequent Council deliberation and vote on the matter.

- D. The notice also states that, for a period extending at least 5 days following the public hearing, interested parties will be afforded the opportunity to submit written comments concerning the proposed regulatory action; said comments to be included in the administrative record.
 - E. At the end of the written comment period following the public hearing, the administrative record is closed.
 - F. After the close of the administrative record, the Division assembles the administrative record, i.e., a summary of the oral comments provided at the public hearing and copies of the written comments submitted during the written comment period. The Division then distributes the administrative record to the Council members with an agenda providing notice that the Council will be meeting, at a specified date and time, to deliberate and vote upon a recommendation to the Director regarding the proposed regulatory action.
 - G. Council members shall refrain from communicating with, or considering oral or written comments offered by, members of the public after the close of the administrative record.
 - H. The Council then meets to deliberate upon the administrative record and vote on a recommendation to the Director regarding the proposed regulatory action. In rendering its advice, the Council is bound by the notice, but not by the public comment portion of the record – i.e., the Council may render any recommendation that falls within the ambit of the notice, drawing upon public comment but not necessarily consistent with public comment. During its meeting, the Council may consider additional input from the Division and/or the public, but is not obligated to do so.
 - I. After the Council meeting, the Division forwards the administrative record, the recommendation of the Council, and its own recommendation to the Director for final consideration. The Director then renders a final decision. The Director’s decision shall be provided in writing and made available to the Council and the public via the Division’s website.
 - J. The final regulations are then filed with the RI Secretary of State, taking effect twenty (20) days from the date of filing. Concurrently, a link to the final regulations is posted on the Division’s website, coupled with an announcement provided via the Division’s listserv.
2. Recusals:
- A. Council members are subject to the provisions of the *Rhode Island Code of Ethics*, R.I. Gen. Laws Chapter 36-14 and the regulations promulgated by the Rhode Island Ethics Commission pursuant thereto. As such, a member may occasionally determine that he or she should recuse him or herself from voting on and otherwise participating in the

Council's consideration or disposition of a matter pending before the Council if the matter under consideration may potentially financially impact the member, or any person within member's family, or any business associate of the member, or any business entity in which the member or any person within the member's family or any business associate of the member has an equity interest. However, given the statutory obligation that the Council be composed of members who are actively engaged in certain commercial activities or operations pertaining to marine fishing, a financial interest, per se, should not be deemed to require a council member to recuse him/herself. Rather, the Rhode Island Ethics Commission applies what is referred to as a "class exception" pursuant to which a member is not required to recuse him/herself if the subject matter/regulation applies equally to the member and to all other participants in a large class that is subject to or impacted by the regulatory matter under consideration. For example, a member who is a commercial fisher and harvests summer flounder may vote on and otherwise participate in the Council's consideration and disposition of a matter pending before the Council involving the regulation of summer flounder if the matter's provisions apply equally to all commercial harvesters of summer flounder. However, if a member is a participant in a small group that would or might be impacted financially by a pending matter/regulation, the member should recuse him/herself. If a member is uncertain as to whether a given matter/regulation poses a potential conflict of interest, he/she should seek advice from the Council's legal counsel and exercise their best judgment in accordance with that advice. Ultimately, it is the individual responsibility of each Council member to assess their status relative to any conflict of interest and conduct themselves in a manner consistent with the *Rhode Island Code of Ethics*.

- B. If a Council member deems it appropriate to recuse him/herself, the member must notify the Chair prior to Council consideration of the matter. Ideally, such notification should occur in advance of the start of the meeting, and involve consultation with the Council's legal counsel. During the meeting, when the agenda item is reached, the member should note, for the record, that he/she is recusing him/herself and then leave the council table. The member is then barred from voting on and otherwise participating in the Council's consideration or disposition of the matter pending before the Council in his/her role as a Council member. If the member is so inclined, he/she may join the public in the gallery and, at the behest of the Chair, may be recognized and offer public comment on the same manner, with his/her status being the same as any other member of the public for that matter. In the event of recusal, the member is required to complete the recusal form of the Rhode Island Ethics Commission and, within twenty-four (24) hours of the recusal, hand deliver or mail the completed form to the Rhode Island Ethics Commission, with a copy to the Chair. The recusal form may be obtained from the Council's legal counsel or downloaded from the Rhode Island Ethics Commission's website.
- C. One or more recusals does not affect the Council's quorum, and thus does not affect the Council's ability to vote on any given matter, provided that a quorum exists at the time the matter in question is being considered. A member who recuses him/herself on a given matter continues to count toward the quorum, notwithstanding the member's inability to vote or otherwise participate in the Council's consideration and disposition of the matter.

Part C – Recommendations Regarding Aquaculture Lease Proposals

1. In accordance with RIGL 20-10-5(d), the Council is responsible for the review of aquaculture lease applications submitted to the RI Coastal Resources Management Council (CRMC) for the purpose of formulating recommendations to the CRMC as to whether the aquaculture activities proposed in each application are consistent with competing uses engaged in the exploitation of the marine fisheries.
2. The Council shall undertake this responsibility pursuant to the policies and procedures set forth in the document titled *Shellfish Aquaculture Lease Proposals -- Policies and Procedures Governing RIMFC and DEM Reviews -- Adopted by the RI Marine Fisheries Council – August 3, 2009 -- As Amended September 2009*.

Part D – Industry Advisory Committee

1. In accordance with RIGL 20-2.1-11, the Council is responsible for establishing an Industry Advisory Committee (IAC) to provide coordination among commercial fisheries sectors and to review plans and recommendations that affect more than one commercial fishery sector and to advise the Council and the Director on matters which affect commercial fishing as a whole – e.g., commercial licensing. The IAC is to be comprised of representatives of each commercial fisheries sector and of manners of commercial fishing.
2. The IAC shall consist of a minimum of six (6) and maximum of fifteen (15) members. Alternate members may be selected by the Council to serve in the event that a primary member cannot attend a meeting. In addition to broad commercial representation, the Council will appoint to the IAC at least one representative from the recreational fisheries sector and one from the for-hire fisheries sector, for the purpose of incorporating the perspectives of those sectors when considering commercial fisheries issues. Members are not subject to term limits; however, the Council shall review the IAC membership at least once every two (2) years. Members may be removed from service on the IAC, by vote of the Council, for failure to appear, without cause, at two (2) or more consecutive meetings or for disruptive behavior at two (2) or more meetings. New members may be solicited via any process that the Council wishes to employ, with assistance from the Division.
3. No person may serve on the IAC if assessed a criminal or administrative penalty in the past three (3) years for a violation of a marine fisheries law or regulation, including any suspension or revocation of a commercial or recreational fishing license or permit or dealer's license, or any fine, donation, probation, imprisonment, or other filing, imposed administratively or by a court of law.
4. The IAC shall deliberate and, by vote, provide recommendations to the Council on all matters that are brought before the committee for consideration.
5. At a minimum, the IAC shall meet annually prior to the Division's public notice on proposed amendments to DEM's *Commercial and Recreational Saltwater Fishing Licensing Regulations* to offer recommendations to the Council, and on behalf of the Council to the Division, relative to proposed amendments. At the same meeting, the IAC shall review and

offer recommendations to the Council, and on behalf of the Council to the Division, on the exit/entry ratios for each license endorsement category, in context with the Division's annually updated Sector Management Plans.

6. IAC members shall seek to be knowledgeable on the issues brought before the committee, drawing upon input sought from a broad cross-section of individuals from the fisheries sector or user group they represent.
7. The Council shall appoint one of its members to serve as IAC Chair. If the Chair is unable to attend a given meeting, the Chair shall call upon another Council member to serve as a substitute. The Chair's principal roles are to call the meeting to order, manage the agenda for the meeting, provide for an orderly flow of the meeting, and facilitate a broad and inclusive discussion of the issue(s) at hand, prioritizing dialogue by the Committee and allowing for comments from the public. The Chair shall follow codes of parliamentary procedure (such as *Robert's Rules of Order* or the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*) to the extent necessary and appropriate. For issues that lend themselves to recommendation or advice, the Chair shall advance any proposals offered by the Council or the Division, solicit additional proposals from those attending the meeting, subject each proposal to review and discussion, identify pros and cons, and seek consensus as to which proposal(s) should be forwarded to the Council, and through the Council to the Division, for further consideration. The Chair may inform the discussion, but should not advocate a position, nor vote, unless a vote is deemed necessary and appropriate for the purpose of breaking an otherwise tie vote. The Chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.
8. Meetings of the IAC shall be held on an on-needed basis. All IAC meetings are open to the public. Meeting agendas shall be prepared and approved by the IAC Chair, in consultation with the Division and Council. Announcement of meetings and agendas will be noticed with the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings"), with hard copies posted at selected locations, and also noticed via the Division's listserve and website. In advance of IAC meetings, meeting materials will be provided to the IAC electronically, and made available to the public via the Division's website.
9. The IAC Chair shall ensure that a quorum is present for each meeting of the IAC. In the event that a quorum is not present, the Chair shall decide whether to hold or cancel the meeting. No votes may be taken if a quorum is not present.
10. The Division shall provide a staff person to provide administrative support to the IAC. Such support shall include, but not be limited to, the scheduling of meetings, the preparation, distribution, and posting of meeting agendas and meeting materials, and the preparation of meeting minutes.
11. Draft minutes of each IAC meeting shall be reviewed by the Council at a subsequent Council meeting. Minutes shall be subject to modification to ensure accuracy and shall be

subject to approval by the Council. Division staff shall post approved minutes to the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 (“Open Meetings”).

Part E – Shellfish Advisory Panel

1. The SAP shall deliberate and, by vote, provide recommendations to the Council on all shellfish-related matters brought before the committee for consideration. At a minimum, such matters shall include the annual review of, and recommendations for, commercial winter shellfish harvest schedules in Shellfish Management Areas.
2. The SAP shall also be responsible for acting on behalf of the Council for the review of aquaculture lease applications submitted to the CRMC for the purpose of formulating recommendations to the CRMC as to whether the aquaculture activities proposed in each application are consistent with competing uses engaged in the exploitation of the marine fisheries, consistent with the document titled *Shellfish Aquaculture Lease Proposals -- Policies and Procedures Governing RIMFC and DEM Reviews -- Adopted by the RI Marine Fisheries Council – August 3, 2009 -- As Amended September 2009*. In the exercise of this responsibility, the SAP shall render its advice by vote.
3. The SAP shall consist of a minimum of six (6) and maximum of fifteen (15) members, appointed by the Council. Alternate members may be selected by the Council to serve in the event that a primary member cannot attend a meeting. Membership on the SAP shall include representation from a broad array of commercial and recreational shellfish interests in RI, including the various species harvested, gear types utilized, and areas fished. Membership may also include other relevant interests or user groups, as the Council sees fit. Recognizing that commercial aquaculture operations may compete with a range of marine fishery activities in addition to shellfishing, the Council may appoint SAP members who represent fishery interests other than shellfishing. Members are not subject to term limits; however, the Council shall review the SAP membership at least once every two (2) years. Members may be removed from service on the SAP, by vote of the Council, for failure to appear, without cause, at two (2) or more consecutive meetings or for disruptive behavior at two (2) or more meetings. New members may be solicited via any process that the Council wishes to employ, with assistance from the Division.
4. SAP members shall seek to be knowledgeable on the issues brought before the committee, drawing upon input sought from a broad cross-section of interests from the fisheries sector or user group they represent.
5. No person may serve on the SAP if assessed a criminal or administrative penalty in the past three (3) years or has more than one marine fisheries violation (including any suspension or revocation of a commercial or recreational fishing license or permit or dealer’s license, or any fine, donation, probation, imprisonment, or other filing, imposed administratively or by a court of law);
6. The Council shall appoint one of its members to serve as SAP Chair. If the Chair is unable to attend a given meeting, the Chair shall call upon another Council member to serve as a

substitute. The Chair's principal roles are to call the meeting to order, manage the agenda for the meeting, provide for an orderly flow of the meeting, and facilitate a broad and inclusive discussion of the issue(s) at hand, prioritizing dialogue by the Panel and allowing for comments from the public. The Chair shall follow codes of parliamentary procedure (such as *Robert's Rules of Order* or the *American Institute of Parliamentarians Standard Code of Parliamentary Procedure*) to the extent necessary and appropriate. For issues that lend themselves to recommendation or advice, the Chair shall advance any proposals offered by the Council or the Division, solicit additional proposals from those attending the meeting, subject each proposal to review and discussion, identify pros and cons, and seek consensus as to which proposal(s) should be forwarded to the Council, and through the Council to the Division, for further consideration. The Chair may inform the discussion, but should not advocate a position, nor vote, unless a vote is deemed necessary and appropriate for the purpose of breaking an otherwise tie vote. The Chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.

7. Meetings of the SAP shall be held on an on-needed basis. All SAP meetings are open to the public. Meeting agendas shall be prepared and approved by the SAP Chair, in consultation with the Division and Council. Announcement of meetings and agendas will be noticed with the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings"), with hard copies posted at selected locations, and also noticed via the Division's listserve and website. In advance of SAP meetings, meeting materials will be provided to the SAP electronically, and made available to the public via the Division's website.
8. The SAP Chair shall ensure that a quorum is present for each meeting of the SAP. In the event that a quorum is not present, the Chair shall decide whether to hold or cancel the meeting. No votes may be taken if a quorum is not present.
9. The Division shall provide a staff person to provide administrative support to the SAP. Such support shall include, but not be limited to, the scheduling of meetings, the preparation, distribution, and posting of meeting agendas and meeting materials, and the preparation of meeting minutes.
10. Draft minutes of each SAP meeting shall be reviewed by the Council at a subsequent Council meeting. Minutes shall be subject to modification to ensure accuracy and shall be subject to approval by the Council. Division staff shall post approved minutes to the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings").

Part F – Ad Hoc Committees

1. The Council may establish ad hoc committees, on an as-needed basis, to review and provide recommendations and/or advice to the Council, relative to any marine fishery issue which, in the opinion of the Council, warrants committee-based consideration.

2. The Council shall appoint one of its members to serve as Chair of each committee. If the Committee Chair is unable to attend a given meeting, the Chair shall call upon another Council member to serve as a substitute. The Chair's principal role is to manage the agenda for the meeting and provide for an orderly flow of the meeting. The Chair may inform the discussion, but should not advocate a position. The Chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.
3. The Council will not appoint members to ad-hoc committees; rather, in collaboration with the Division, the Council shall seek participation by a representative cross-section of individuals and user groups whose interests relate closely to the issue(s) being addressed by the committee.
4. All committee meetings will be open to the public. Meeting agendas shall be prepared by the Committee Chair, in consultation with the Division and Council. Announcement of meetings and agendas will be noticed with the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings"), posted at the Department's main office in Providence and the Division's office in Jamestown, and also noticed via the Division's listserv and website. In advance of committee meetings, meeting materials will be provided to the committee electronically, and made available to the public via the Division's website.
5. For each committee meeting, the Committee Chair shall manage the agenda, provide for an orderly flow, and facilitate a broad and inclusive discussion of the issue(s) at hand, prioritizing dialogue by the Committee and allowing for comments from the public. For issues that lend themselves to recommendation or advice, the Chair shall advance any proposals offered by the Council or the Division, solicit additional proposals from those attending the meeting, subject each proposal to review and discussion, identify pros and cons, and seek consensus as to which proposal(s) should be forwarded to the Council, and through the Council to the Division, for further consideration. The process may involve a single meeting, or span a series of meetings, as determined by the Chair.
6. The Division shall provide a staff person to provide administrative support to each committee. Such support shall include, but not be limited to, the scheduling of meetings, the preparation, distribution, and posting of meeting agendas and meeting materials, and the preparation of meeting minutes.
7. Draft minutes of each committee meeting shall be reviewed by the Council at a subsequent Council meeting. Minutes shall be subject to modification to ensure accuracy and shall be subject to approval by the Council. Division staff shall post approved minutes to the Office of the RI Secretary of State in accordance with RIGL Section 42-46-6 ("Open Meetings").

Shellfish Aquaculture Lease Proposals

Policies and Procedures Governing RIMFC and DEM Reviews

Adopted by the RI Marine Fisheries Council – August 3, 2009
As Amended September 2009

Policy #1:

The RI Marine Fisheries Council (RIMFC) authorizes the Council's Shellfish Advisory Panel (SAP) Chair to schedule SAP meetings, on an as-needed basis, for the purpose of reviewing applications for issuance of aquaculture leases that have been submitted to CRMC and that CRMC has referred to the RIMFC for review for the consideration of recommendations pursuant to R.I. Gen. Laws §20-10-5(b). The RIMFC hereby determines that it is procedurally unnecessary for the full RIMFC to conduct preliminary reviews of each of the individual aquaculture lease applications prior to designating them for consideration as SAP agenda items. The SAP Chair will provide updates to the full Council at every regularly scheduled Council meeting regarding any/all meetings or activities involving the SAP or the SAP Chair.

Policy #2:

In accordance with the procedures set forth below, the RIMFC will be provided with full and timely notification regarding all SAP recommendations pertaining to aquaculture lease applications. The RIMFC hereby delegates the SAP with the authority to prepare recommendations concerning individual aquaculture lease applications and to forward said SAP recommendations to the CRMC, with said SAP recommendations being deemed approved by the RIMFC, and reflective of the RIMFC's final recommendation pertaining to the application, unless, within ten (10) days of the receipt of said SAP recommendation, any member of the RIMFC notifies DEM of his/her desire to bring the SAP recommendation before the full RIMFC for further review and consideration, in which case the matter will be placed on the agenda for the next RIMFC meeting.

Policy #3:

Upon receipt of SAP recommendations pertaining to aquaculture lease applications, the CRMC will immediately forward said recommendations to the applicants. If any applicant wishes to bring the SAP recommendation(s) before the full RIMFC for further review and consideration, the applicant will so notify the CRMC who in turn will notify DEM, and the matter will be placed on the agenda for the next RIMFC meeting.

Procedures:

1. The CRMC receives an initial, draft proposal for a new or expanded aquaculture facility. In response, the CRMC Aquaculture Coordinator (AC) distributes the proposal to all interested parties and conducts a Preliminary Determination (PD) meeting, inviting: ACOE, NMFS, USCG, DEM, DOH, adjacent municipality(s), the RIMFC Shellfish Advisory Panel (SAP) Chair, commercial and recreational fishing industry representatives, and other interested parties.
 - DEM and the SAP Chair make every effort to respond to the draft proposal, via the PD process.
 - As part of the PD process, DEM and the SAP Chair identify information needs and key issues to be addressed by the applicant, in coordination with the AC.
2. The AC provides recommendations back to the applicant, drawing upon the comments provided through the PD process.
3. DEM and the SAP Chair remain available for consultation with the AC, as the applicant addresses preliminary suggested modifications to his/her lease application.
4. The applicant submits a lease application to the AC, which the AC, as an action in the 30 day public notice process, distributes to all interested parties, including DEM, the RIMFC, and all members of the SAP. (*In advance, DEM shall provide the AC with names and addresses of all SAP and Council members.) During the 30-day period:
 - The SAP Chair, in coordination with DEM, schedules a SAP meeting, with a target date within 15-20 days following the close of the 30-day period.
 - DEM conducts an internal preliminary review of the application, with a target date for completion of no more than 15-20 days following the close of the 30-day period (i.e., corresponding to the date of the SAP meeting).
 - The AC remains available for consultation with DEM and SAP Chair during the review process.
 - The AC helps ensure that key interests, including the applicant, as well as all other interested parties, are invited to attend and participate in the SAP meeting.
5. Upon completion of the 30-day notice period, the AC coordinates with the applicant regarding public comments and any potential modifications to lease application based thereupon.
6. The SAP meeting takes place. At the meeting, the AC, in coordination with the applicant, addresses any preliminary modifications to the application; DEM presents its preliminary comments on the application; and industry interests (among others) are given the opportunity to comment. Those unable to attend the meeting are encouraged to submit written comments. The SAP seeks consensus on a recommendation regarding the application, including any potential additional modifications thereto.

7. Within ten (10) days following the SAP meeting, the SAP Chair develops minutes of the meeting, with particular reference to the panel's recommendation(s). Upon completion of the minutes, they are submitted to the RIMFC, with a copy to DEM and the AC; the AC then forwards the recommendation(s) to the applicant. Simultaneously, DEM's preliminary comments on the application are submitted to the RIMFC, with a copy to the AC, who then forwards said comments to the applicant. Relevant application materials, provided by the AC, are included in the RIMFC submittal.
8. Within ten (10) days following receipt of the SAP meeting minutes, and all associated documents, and DEM's preliminary comments on the application, any RIMFC member may request that the matter be brought before the full RIMFC at the next regularly scheduled RIMFC meeting.
9. If no RIMFC member makes such a request, DEM notifies the AC, on behalf of the RIMFC, that the SAP recommendation(s) constitute(s) the RIMFC recommendation. That recommendation stands unless and until an applicant seeks further review and consideration by the full RIMFC, pursuant to #11 below.
10. If any RIMFC member does request that the matter be brought before the full RIMFC, the matter is scheduled for consideration at the next regularly scheduled RIMFC meeting. At that meeting, the RIMFC develops a recommendation to the AC, drawing upon the recommendations of the SAP, and in consideration of any other relevant issues, including DEM comments and any additional public comment offered at the RIMFC meeting. The RIMFC may continue any matter that requires additional review. The RIMFC recommendation is forwarded to the AC immediately following final adoption.
11. Notwithstanding the process outlined above, any applicant wishing to bring the SAP recommendation(s) pertaining to his/her lease application before the full RIMFC for further review and consideration may do so, at any time, by making that request to the AC, who in turn forwards the request to DEM. Upon receipt of such request, the matter is scheduled for consideration at the next regularly scheduled RIMFC meeting. At that meeting, the RIMFC develops a recommendation to the AC, drawing upon the recommendations of the SAP, and in consideration of any other relevant issues, including DEM comments and any additional public comment offered at the RIMFC meeting. The RIMFC may continue any matter that requires additional review. The RIMFC recommendation is forwarded to the AC immediately following final adoption.
12. Immediately following the SAP meeting, or, if the matter is brought before the RIMFC, immediately following adoption of their final recommendation, DEM submits its final written comments on the application to the AC.
13. The AC completes the regulatory review process pursuant to CRMC's programmatic requirements.

Summary of the proposed policy to replace “Administrative Policies and Procedures of the Rhode Island Marine Fisheries Council, Adopted September 13, 2016”

Draft presented to RI Marine Fisheries Council November 5, 2025

- A. Powers and duties of the Council: Describes the powers and duties of the Council pursuant to R.I. Gen. Laws §20-3-2 “*Powers and duties*”.
- B. Advice of the marine fisheries council: Describes the requirement of the Director pursuant to [R.I. Gen. Laws § 20-1-5.1 “Advice of the marine fisheries council”](#), shall request and consider in the record as applicable the advice of the council, and shall provide a written response to such advice.
- C. Quorum:
- Defines a quorum as a simple majority of the active membership
 - Describes that a quorum is required for voting to take place.
 - Describes that the chair is not part of the active membership.
- D. Chair: Describes that the chair is the DEM Director or the Director’s designee and outlines the chair’s role.
- E. Vice-chair: Describes that the Council shall elect a vice-chair, who shall serve as acting chair when the chair is unable to attend all or part of a Council meeting. When serving as chair, the vice-chair shall still be considered part of the active membership and retain the ability to vote at their discretion.
- F. Matters subject to a closed session: Describes that disciplinary matters will be addressed during a closed session.
- G. Meeting agenda/materials: Describes agenda development, standard agenda items, meeting notification, meeting materials/”ePacket”, and Open Meetings requirements
- H. Meeting preparation: Describes communication requirements, attendance requirements, meeting preparation requirements, preparation of motions, and voting requirements
- I. Role of the Division of Marine Fisheries: Describes the role of the Division in providing administrative support to the chair and Council. Provides that the Division will be provided opportunity for comment on all agenda items.
- J. Rulemaking Processes Pursuant to R.I. Gen. Laws Chapter 42-35 “Administrative Procedures”: Describes that the Division is responsible for conducting the regulatory process pursuant to [R.I. Gen. Laws Chapter 42-35 “Administrative Procedures”](#) for DMF regulations and describes that different regulatory processes utilized by the Division and the Council’s role in each process.
- K. Code of Ethics: Describes rules and policies of the RI Ethics Commission and the requirements of the Council members, including recusals, financial statements, prohibited activities, and disclosure of regulated business interests.

L. Advisory Panels:

- General: Describes that the Council may establish advisory panels, # of members, defines a quorum, membership qualifications, membership application, alternate membership, panel chair, panel vice-chair, term limits, attendance and communication requirements, development of the agenda, meeting materials/"ePacket", meeting preparation, role of the Division to provide administrative support, meeting minutes review and approval, and removal from the panel
- Panel chair: Describes that the panel chair shall be selected by the panel (no longer a member of the Council), and that the chair shall remain part of the active membership and retain the ability to vote. Provides for a 3-year term limit with no limit to the number of terms served.
- Vice-chair: Describes that the panel vice-chair shall be selected by the panel and retain ability to vote. Provides for a 3-year term limit, with no limit to the number of terms served.
- Membership term limits: Provides for 3-year term limits, with no limit to the number of terms served. All current panel memberships shall expire in 2026. The Division would solicit for new applications in the summer of 2026, with a full panel in place for the Shellfish Advisory Panel's annual meeting in August or September.

M. Shellfish Advisory Panel: Describes that the SAP is established for the purpose of providing recommendations to the Council on all shellfish-related matters and regulations brought before the panel for consideration.

M. Aquaculture application review:

1. Much of the administrative process deemed irrelevant to the Council has been removed
2. Describes the Council's review of applications pursuant to statute.
3. Describes that applications go to the SAP first, then Council
4. Describes materials to be provided to the SAP/Council

N. Annual report of the Council: Describes that the Division shall prepare the report, and provides for contents of the report



Rhode Island Marine Fisheries Council

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Administrative Policies and Procedures of the Rhode Island Marine Fisheries Council

Adopted DATE

A. Powers and duties of the Council

Pursuant to [R.I. Gen. Laws §20-3-2 “Powers and duties”](#), the RI Marine Fisheries Council (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 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 (except emergency rules adopted pursuant to [R.I. Gen. Laws §42-35-2.10](#)), including, but not limited to, the following:

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 fisheries sectors.
7. Reviewing applications to the Coastal Resources Management Council (CRMC) for permits to conduct aquaculture, and provide recommendations to CRMC on all such applications, in accordance with [R.I. Gen. Laws §20-10-5\(b\)](#).
8. Advise the director in the development of the rulemaking agenda for marine fisheries pursuant to [R.I. Gen. Laws §42-35-5.1 “Rulemaking agenda”](#).

B. Advice of the marine fisheries council

Pursuant to [R.I. Gen. Laws § 20-1-5.1 “Advice of the marine fisheries council”](#), 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 council, and shall provide a written response to such advice.

C. Quorum

A quorum shall comprise a simple majority of the active membership. A quorum is required for voting to take place. If a quorum is not present, the chair shall decide whether to cancel

the meeting or hold the meeting for informational purposes only. No voting may take place in instances of early departures and/or recusals that result in the loss of the quorum. The chair shall not be considered part of the active membership.

D. Chair

1. The Council chair shall be the DEM Director, or the Director's designee, pursuant to [R.I. Gen. Laws § 20-3-1](#).
2. The chair's principal role is to manage the agenda for the meeting and provide for an orderly flow of the meeting. The chair shall follow codes of parliamentary procedure (such as Robert's Rules of Order or the American Institute of Parliamentarians Standard Code of Parliamentary Procedure) to the extent necessary and appropriate.
3. The chair shall assure that a quorum is present at each meeting, call meetings to order, and manage the dialogue by the Council and comments from the public.
4. The chair shall inform the discussion only, and shall not advocate a position or vote.
5. The chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.

E. Vice-chair

The Council shall elect a vice-chair, who shall serve as acting chair when the chair is unable to attend all or part of a Council meeting. When serving as chair, the vice-chair shall still be considered part of the active membership and retain the ability to vote at their discretion.

F. Matters subject to a closed session

Any disciplinary matters or panel membership decisions to come before the Council will be addressed during a closed session. Closed session participation shall be limited to the Council, relevant RIDEM staff, and any person(s) subject to disciplinary matters. Members of the public will not be admitted to a closed session and no public record will be documented.

G. Meeting agenda/materials

1. Agendas shall be developed by the chair in consultation with the Division of Marine Fisheries (Division).
2. Each agenda shall include approval of the agenda and past meeting minutes.
3. Each agenda shall provide for public comment on marine fisheries matters not on the agenda for that meeting. The Council may respond to any such comments and may elect to address the matter at a subsequent meeting, but shall not vote on the matter raised.
4. Meeting dates shall be noticed on the Division's listserv and calendar a minimum of three (3) weeks prior to the meeting date. Meeting materials shall be provided in electronic format ("ePacket") and provided a minimum of two (2) weeks prior to the date of the meeting. If shorter than two (2) weeks, the Council shall be notified and provided with as much information as possible prior to receiving the ePacket.
5. All Council meetings are open to the public. Announcement of meetings and agendas shall be noticed with the Office of the RI Secretary of State in accordance with [R.I.](#)

[Gen. Laws §42-46-6 “Open Meetings”](#), as well the Division’s listserve and website. Paper copies of the agenda are posted at a minimum of two (2) locations.

H. Meeting preparation

1. Council members shall respond in a timely manner to correspondence relating to the Council, including meetings, information requests, and industry feedback.
2. Council members are expected to attend Council meetings well prepared, including reading the ePacket, conferring with constituents, and forming opinions and positions on matters on the agenda in advance of the meeting.
3. Council members are encouraged to attend workshops, advisory panel meetings, public hearings, and any public meetings to aid them in forming opinions and positions on matters on the agenda. It should be noted that many of the items heard before the Council are presented, rationalized, discussed, and edited at the workshops and could provide insight for Council members in forming their positions.
4. Council members are encouraged to provide motions and supporting rationale to the chair in advance of the meeting.
5. Council members are expected to vote on the items heard before them, except in instances where a conflict of interest or other need for abstention or recusal may occur.

I. Role of the Division of Marine Fisheries

1. The Division of Marine Fisheries (Division) shall provide administrative support to the chair and Council. Such support shall include, but not be limited to, the scheduling of meetings, preparing agendas and meeting materials, meeting announcements, preparing meeting minutes, data gathering and analysis, and preparing and presenting presentations.
2. Division staff shall assist Council members with drafting motions in advance of, and during meetings, in the best interest of efficiency. Pre-drafted motions reduces the chances of errors and allows Council members to focus on the intent of the motion.
3. The Division shall be provided opportunity for comment on all agenda items.
4. The Division, on behalf of and in coordination with the Director, is responsible for conducting the regulatory process pursuant to [R.I. Gen. Laws Chapter 42-35 “Administrative Procedures”](#) for all Division regulations.
5. The Division shall prepare the Council’s Annual Report pursuant to section (M) of this policy, and provide a draft for review and approval at a regularly scheduled meeting.
6. Division staff shall monitor advisory panel member attendance.
7. Division staff may make recommendations to the advisory panel regarding member removal based on disruptive behavior, poor attendance, or other reasons as appropriate.

J. Rulemaking Processes Pursuant to R.I. Gen. Laws Chapter 42-35 “Administrative Procedures”

The Division of Marine Fisheries, on behalf of and in coordination with the Director, is responsible for conducting the regulatory process pursuant to [R.I. Gen. Laws Chapter 42-35](#)

“Administrative Procedures” for DMF regulations. The following are the different regulatory processes utilized by the Division to adopt rules:

1. Regular rulemaking with a public hearing: Regular rulemaking with a public hearing is the most common method of rulemaking utilized by the Division, as follows:
 - a. A workshop and/or advisory panel meeting, as appropriate, is scheduled prior to publicly noticing proposed rules to solicit the public’s feedback on regulatory proposals being considered by the Division, or proposals that have been provided by the public or industry in advance of the meeting. Meetings shall be announced on the Division’s listserve a minimum of two (2) weeks prior to the meeting date. The Division shall provide for agenda revisions to allow for additional proposals to be received and considered at the workshop.
 - b. Upon conclusion of the advisory panel meeting or workshop, the Division will provide additional time, not to exceed five (5) days, for the public or industry to submit additional proposals to be considered for the public notice. The Division shall consider all proposals discussed at the workshop, and received subsequent to the workshop, and determine which proposals will be publicly noticed. The Division is not bound to noticing any proposal made. If a proposal is not noticed, the proposer shall be notified by Division staff with rationale provided.
 - c. Upon noticing a proposed rule, the public notice is announced to advise the public of proposed regulatory action, including the thirty (30) day public comment period and hearing date.
 - d. Council members are encouraged to attend the public hearing; however, members are dissuaded from commenting at the hearing due to their subsequent role in deliberating on and providing advice to the Director on the same matter(s) being considered. Members who feel compelled to provide comment on a matter at a public hearing may do so, provided they recuse themselves from the subsequent Council deliberation and vote on the matter.
 - e. Council members shall refrain from communicating with, or considering oral or written comments offered by, members of the public after the close of the administrative record.
 - f. A Council meeting is scheduled approximately two (2) weeks after the close of the public comment period.
 - g. At the discretion of the chair, public comment on proposed rules at Council meetings shall be limited to the following circumstances:
 - i. New and/or additional information has become available to the Department after issuance of the public notice.
 - ii. When a motion being considered by the Council includes rulemaking action different from the public notice.
 - iii. To provide the public opportunity to offer clarification on a motion being considered by the Council.
 - h. After the Council meeting, the Director renders the final decision, considering public comments, the Council recommendation, and staff recommendations. The Director’s decision shall be provided in writing and made available to the public consistent with R.I. Gen. Laws § 20-1-5.1 “Advice of the marine fisheries council”.

- i. Final regulations are filed with the RI Secretary of State, taking effect twenty (20) days from the date of the Director’s signature.
 - j. Lastly, a listserv is provided announcing the filing of the final rules.
2. Regular rulemaking without a public hearing: In limited instances, the Division may elect not to hold a public hearing, generally when timeliness is not critical and objections are not anticipated. The process is the same as regular rulemaking with a public hearing, however no hearing is held. A public hearing shall always be held if specifically requested by twenty-five (25) or more persons or an entity representing at least twenty-five (25) persons pursuant to [R.I. Gen. Laws §42-35-2.8 “Public participation”](#) if requested within ten (10) days of the date of the notice.
3. Direct Final Rule: A Direct Final Rule (DFR) filed pursuant to [R.I. Gen. Laws §42-35-2.11 “Direct final rule”](#) is an alternative to regular rulemaking, used in limited circumstances when matters are considered to be non-controversial or necessary for FMP compliance where timeliness to adopt the rule is important:
 - a. Public meetings (i.e., workshop, hearing, Council) are not held; however the proposed rules are publicly noticed including a 30-day public comment period, same as regular rulemaking. If during the comment period there is an objection made to the proposed rule, the DFR process is terminated, and the regular rulemaking process shall be initiated. In instances where an objection is received, the Division may elect to discuss the matter with the objector with the goal of withdrawal of the objection.
 - b. The proposed rule is noticed and the public is notified via the Division’s listserv. The Council is provided a separate notification (email) to assure they are aware of the proposed rule.
 - c. If no objection is received and upheld during the 30-day comment period, the rule is filed and becomes effective on the last day of the comment period (i.e., no additional 20 day “wait” period as with regular rulemaking). In lieu of a Council meeting and memo by the Director addressing the Council recommendations, the concise regulatory statement filed at the time of filing the final rule shall indicate that the Council did not object to the proposed rule.
4. Emergency rules: Pursuant to [R.I. Gen. Laws §42-35-2.10 “Emergency rule”](#), the Director may file an emergency rule if the agency finds that “an imminent peril to the public health, safety, or welfare or the loss of federal funding.”
 - a. Emergency rules must be first approved by the Governor’s Office.
 - b. The Council shall be notified of all emergency rules filed on or before their effective date, pursuant to [R.I. Gen. Laws §20-2.1-9\(1\)\(vi\)](#).
 - c. An emergency rule may be effective for a period not exceeding one hundred (120) days; renewable once for a period not exceeding sixty (60) days. If the rule is to be maintained beyond one hundred eighty (180) days, regular or DFR rulemaking must be initiated.

5. Rulemaking exempted from R.I. Gen. Laws Chapter 42-35 “Administrative Procedures”:
- a. Pursuant to [R.I. Gen. Laws §42-17.1-2](#)(38)(i), the Director has the authority to adopt rules and regulations in Shellfish and Marine Life Management Areas “*addressing restrictions on the quantities, types, or sizes of marine species which may be taken in any individual management area, the times during which marine species may be taken, the manner or manners in which marine species may be taken, the closure of such areas to the taking of marine species, or any other specific restriction deemed necessary.*” Such rulemaking is exempted from R.I. Gen. Laws §§[42-35-2.7](#) “*Notice of Proposed Rulemaking*”, [42-35-2.8](#) “*Public Participation*”, and [42-35.2.9](#) “*Regulatory Analysis*”, meaning there is no public noticing of proposed rules or official public comment period. Note that initial designation of any such area is by rule subject to Chapter 42-35; it is only subsequent rulemaking in the designated area that is exempt.
 - b. As no hearing or public comment period is provided for such proposed rules, opportunity for public comment shall be provided at the advisory panel and/or Council meeting. The chair may limit such public comment at their discretion.
 - c. After the Council meeting, the Director considers all public comments, the Council recommendation, and staff recommendations and renders a decision on the final rules to be filed. The Director’s decision shall be provided in writing and made available to the public pursuant to [R.I. Gen. Laws §20-1-5.1](#) “*Advice of the marine fisheries council*”.
 - d. Final regulations are filed with the RI Secretary of State, taking effect twenty (20) days from the date of the Director’s signature.
 - e. Lastly, a listserve is provided announcing the filing of the final rules.

K. Code of Ethics

1. Recusals: As a [state appointed official](#), Council members are subject to the provisions [R.I. Gen. Laws §36-14-7](#) “*Interest in conflict with discharge of duties*”. As such, a member may occasionally determine that he or she should recuse themselves from voting on and otherwise participating in the Council’s consideration or disposition of a matter pending before the Council.
 - a. Council members shall recuse themselves when it has been determined that the member or any person within the member’s family or any business associate of the member “*has an interest which is in substantial conflict with the proper discharge of his or her duties or employment in the public interest and of his or her responsibilities as prescribed in the laws of this state, if he or she has reason to believe or expect that he or she or any person within his or her family or any business associate, or any business by which the person is employed or which the person represents will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity*”. This section of the law outlines when such “*substantial conflict*” occurs and does not occur.
 - b. Class Exception: A Council member is not required to recuse him/herself if the subject matter/regulation impacts the Council member solely as a member of a

large group (or as a member of any significant class of persons within a group), and all persons within that group are impacted in the same way. For example, a Council member who is a commercial fisher and harvests summer flounder may participate and vote on a matter involving the regulation of summer flounder, as long as the provisions under consideration apply equally to all summer flounder harvesters. However, if the provisions under consideration affect the Council member's interest in a manner that is different from the rest of the group, then the exception doesn't apply, and the Council member should recuse him/herself. If a member is uncertain as to whether a given matter/regulation poses a potential conflict of interest, he/she should seek advice from the Council's legal counsel and exercise their best judgment in accordance with that advice.

- c. If a Council member deems it appropriate to recuse him/herself, the member must notify the Chair prior to Council consideration of the matter, ideally in advance of the start of the Council meeting, and in consultation with the Council's legal counsel.
 - d. During the meeting, when the agenda item is reached, the member should note, for the record, that he/she is recusing him/herself and will not vote on or otherwise participate in the Council's consideration or disposition of the matter.
 - e. If the Council member wishes to provide public comment on the matter, they may join the public in the audience and, at the behest of the Chair, may be recognized and offer public comment.
 - f. A Rhode Island Ethics Commission recusal form must be submitted within twenty-four (24) hours of the recusal, hand delivered or mailed to the Rhode Island Ethics Commission, with a copy to the Chair. The recusal form may be obtained from the Council's legal counsel or downloaded from the Rhode Island Ethics Commission's website.
 - g. A Council member recusal shall not affect the quorum of the meeting.
2. Financial statements required: Council members shall file with the Ethics Commission a financial statement complying with the requirements of [R.I. Gen. Laws §§36-14-16 "Financial statement to be filed"](#) and [36-14-17 "Content of financial statement"](#). Council members should receive notification directly from the Office of the RI Secretary of State when such statements are required to be provided.
 3. Prohibited activities: Council members are required to comply with [R.I. Gen. Laws §36-14-5 "Prohibited Activities"](#), which outlines those activities prohibited by Council members in the discharge of their duties as Council members.
 4. Disclosure of regulated business interests: Council members are required to comply with [R.I. Gen. Laws §36-14-18 "Disclosure of regulated business interests"](#).

L. Advisory Panels

1. General:
 - a. Pursuant to [R.I. Gen. Laws §20-3-8 "Establishment of advisory committees"](#), the Council may establish advisory panels as deemed appropriate to fulfill its responsibilities.
 - b. Advisory panels may be established as long term committees, or ad-hoc, as determined to be necessary.

- c. Panels shall consist of a minimum of six (6) and maximum of fifteen (15) members.
- d. A quorum shall comprise a simple majority of the active membership. A quorum is required for voting to take place. If a quorum is not present, the chair shall decide whether to cancel the meeting or hold the meeting for informational purposes only. No voting may take place in instances of early departures and/or recusals that result in the loss of the quorum.
- e. The Council may appoint membership composed of recreational and commercial fishermen, dealers, individuals from recognized fisheries organizations or user groups, or individuals from other organizations that represent the public interest.
- f. Council members shall not be eligible to serve as active membership on an advisory panel.
- g. Advisory panels may make recommendations to the Council regarding panel member removal.
- h. Any discussion regarding panel member removal to come before the advisory panel will be addressed during a closed session. Closed session participation shall be limited to the Advisory Panel, relevant RIDEM staff, and any person(s) subject to removal. Members of the public will not be admitted to a closed session and no public record will be documented.
- i. Application: Persons interested in membership on an advisory panel shall submit application to the Division on forms prescribed by the Director. Openings on advisory panels shall be announced on the Division's listserve. Applications shall be forwarded to the Council for their consideration at their next regularly scheduled meeting. No application shall be forwarded to the Council for their consideration unless an opening is announced.
- j. Alternate members: Advisory panel members may select an alternate member to serve in their stead when unable to attend a meeting. Interested persons seeking membership as an alternate shall provide application to the Division on forms prescribed by the Director. Applications shall be forwarded to the Council for their consideration at the next regularly scheduled meeting.
- k. The Division may interview prospective applicants with the goal of providing a recommendation to the Council.
- l. Panel chair:
 - i. The panel shall appoint one of its members to serve as the panel chair. If no panel member is able to serve, a member of the Council or Council chair may serve as the chair. If no panel member, Council member, or Council chair is able to serve, the Council may direct the Division to appoint a staff or other person, as appropriate, as the panel chair, in consultation with the Council.
 - ii. The panel chair's principal role is to manage the agenda for the meeting and provide for an orderly flow of the meeting. The chair shall follow codes of parliamentary procedure (such as Robert's Rules of Order or the American Institute of Parliamentarians Standard Code of Parliamentary Procedure) to the extent necessary and appropriate.
 - iii. The panel chair shall assure that a quorum is present at each meeting, call meetings to order, and manage the dialogue by the Council and comments from the public.

- iv. The panel chair shall remain part of the active membership and retain the ability to vote at their discretion.
- v. The panel chair may excuse any person(s) deemed disruptive and, in the case of serious disorder or some other emergency, adjourn a meeting prior to completion.
- m. Panel vice-chair:
 - i. The panel shall elect a vice-chair, who shall serve as acting chair when the chair is unable to attend all or part of an advisory panel meeting and/or Council meeting. When serving as panel chair, the panel vice-chair shall remain part of the active membership and retain the ability to vote at their discretion.
- n. Term limits:
 - i. Panel chair: Terms shall be for three (3) years. Upon conclusion of a term, the panel chair may re-apply to serve for an additional three (3) year term. There is no limit to the number of terms served.
 - ii. Panel vice-chair: Terms shall be for three (3) years. Typically, the vice-chair shall replace the chair upon conclusion of the chair's term. Upon conclusion of a term, the panel vice-chair may re-apply to serve for an additional three (3) year term. There is no limit to the number of terms served.
 - iii. Panel members: Terms shall be for three (3) years from the date of appointment. Upon conclusion of a term, members may re-apply to serve for an additional three (3) year term. There is no limit to the number of terms served. Panel openings shall be announced on the Division's listserv.
- o. Penalties: No person may serve on an advisory panel if assessed a marine fisheries criminal or administrative penalty in the past three (3) years or has more than one marine fisheries violation (including any suspension or revocation of a commercial or recreational fishing license or permit or dealer's license, or any fine, donation, probation, imprisonment, or other filing, imposed administratively or by a court of law).
- p. Attendance and communication: Advisory panel members are expected to attend each meeting unless unable to attend. Members shall be informed of prospective meeting dates a minimum of three (3) weeks in advance of the meeting. Members shall notify the chair in a timely manner if attending or not.
- q. Meeting agenda/materials:
 - i. Meeting dates shall be noticed on the Division's listserv and calendar a minimum of three (3) weeks prior to the meeting date. Meeting materials shall be provided in electronic format and provided a minimum of two (2) weeks prior to the date of the meeting. If shorter than two (2) weeks, the panel members shall be notified and provided with as much information as soon as possible. Meeting materials shall be posted to the Division's website to be made available to the public.
 - ii. Advisory panel meetings are open to the public. Announcement of meetings and agendas shall be noticed with the Office of the RI Secretary of State in accordance with [R.I. Gen. Laws §42-46-6](#) "*Open*

Meetings”, with hard copies posted at a minimum of two (2) locations, and also noticed via the Division’s listserv and website.

r. Meeting preparation:

- i. Panel members shall seek to be knowledgeable on the agenda items in advance of the meeting, and form opinions and positions prior to the meeting, drawing upon input sought from a broad cross-section of interests from the fisheries sector or user group they represent.
- ii. Panel members shall read meeting materials in advance of the meeting scheduled, with the goal of forming opinions and positions on matters on the agenda. Panel members are encouraged to confer with constituents in preparation of meetings and forming opinions and positions ahead of the meeting.
- iii. Panel members are encouraged to provide motions and supporting rationale to the chair in advance of the meeting.

s. Role of the Division:

- i. The Division shall provide administrative support to the Advisory Panel consistent with that of administrative support to the Council pursuant to section (H) of this policy.
- ii. Division staff shall assist members with drafting motions in advance of, and during meetings, in the best interest of efficiency. Pre-drafted motions reduces the chances of errors and allows members to focus on the intent of the motion.
- iii. The Division shall be provided opportunity for comment on all agenda items.

t. Meeting minutes: Draft meeting minutes of each advisory panel meeting shall be reviewed by the Panel at a subsequent meeting. Minutes shall be subject to modification to ensure accuracy and shall be subject to approval by the Panel. Division staff shall post approved minutes to the Office of the RI Secretary of State in accordance with RI Gen. Laws §42-46-6 “Open Meetings”.

u. Removal from panel: Members may be removed from the panel by vote of the Council, for failure to appear at two (2) or more meetings without due cause and prior notification, or for disruptive behavior.

2. Shellfish Advisory Panel:

a. The Shellfish Advisory Panel (SAP) is advisory panel established for the purpose of providing recommendations to the Council on all shellfish-related matters and regulations brought before the panel for consideration.

3. Population of the Advisory Panel:

a. Beginning in 2026 and every three years after, or when otherwise deemed necessary:

- i. A solicitation for advisory panel membership will be issued.
- ii. Existing advisory panel members who wish to continue must reapply for consideration.
- iii. A closed session of the Council will be held to approve advisory panel membership.
- iv. All advisory panel members shall be notified of their appointment within 30 days of membership approval.

M. Aquaculture application review

1. In accordance with [R.I. Gen. Laws § 20-10-5\(d\)](#), the Council is responsible for the review of publicly noticed aquaculture lease applications before the RI Coastal Resources Management Council (CRMC) for the purpose of providing a recommendation to the CRMC as to “*whether the aquaculture activities proposed in each application are consistent with competing uses engaged in the exploitation of the marine fisheries*”. No application shall be approved by the CRMC without consideration of recommendations by both the Director and the Council.
2. Prior to publicly noticing the application, CRMC will conduct a Preliminary Determination (PD) meeting to identify information needs and key issues to be addressed by the applicant. The DEM, Council, and SAP should make every effort to respond to the draft proposal during the PD process.
3. Prior to the Council’s review and recommendation, all shellfish aquaculture applications before the CRMC shall be first presented to the Council’s Shellfish Advisory Panel (SAP) for review and recommendation. SAP recommendations shall be provided to the Council and the Council shall provide a recommendation.
4. Applications shall be brought before the SAP and Council upon conclusion of the publicly noticed comment period. Materials to be provided to the SAP and Council necessary to render a recommendation include, but are not limited to, the following:
 - a. The publicly noticed application.
 - b. A survey quantifying the biological resources and habitat information using a methodology approved by the CRMC and DEM, in consultation with the Council.
 - c. Public comments received.
 - d. Any other relevant information as the SAP or Council may require.
5. The SAP and Council are not obligated to render a recommendation without the prerequisite information and may defer recommendation until such time that the information is provided.
6. The CRMC Aquaculture Coordinator shall be informed of the Council’s recommendation via written correspondence within fourteen (14) days of the date of the meeting where the recommendation was made.

N. Annual Report

Pursuant to [R.I. Gen. Laws §20-3-2 “Powers and duties”](#), the council shall 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 regarding:

1. The advice it has given to state agencies, including specifically the DEM, on marine fisheries issues.
2. The response it received to the advice it gave.
3. Any findings or position it may have regarding 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.

DRAFT

Response to the Shellfish Advisory Panel Meeting (October 15, 2025)

Response to the Shellfish Advisory Panel Meeting (October 15, 2025)

- I respectfully oppose several proposed changes to the Shellfish Advisory Panel's proposed restructure. Specifically, I do not support the introduction of a panel chair and vice chair, as these roles may add unnecessary complexity to a system that currently functions well.
- I recommend that the SAP chairperson, will also serve on the Marine Fisheries Council, and remain a non-voting, neutral party. This ensures unbiased reporting to the Council and prevents undue influence over panel decisions. I do believe there needs to be proper representation on the council for the shellfishing industry.
- Regarding attendance, I propose that any member with three consecutive unexcused absences be dismissed.
Any member with five excused absences triggers a Panel review of their future participation.
- I suggest that panel members vote on new applicants before final approval by the Marine Fisheries Council. This would help ensure that important discussions and insights are accurately represented. Final approval of applicant to be done by RI Marine Fisheries Council.
- I do not support the proposed three-year term limits with unlimited reappointments. Many panel members have served voluntarily for years and offer a wealth of historical insight to the industry, reapplication may disrupt the continuity and effectiveness of the group.
- In summary, I believe the current system functions well and maintains neutrality and professionalism. However, stricter attendance policies and a more participatory process for new member selections would further strengthen the panel.
- Panel remain at 15 participants.
- Open memberships immediately to fill open seats on the existing panel.

Thank you

David Ghigliotty

From: James Boyd
To: [Duhamel, Peter \(DEM\)](#); [GerberWilliams, Anna \(DEM\)](#)
Cc: [Michael Mcgivney](#); [Dave Ghigliotty](#); [Jeff Grant](#); [James Boyd](#)
Subject: SAP and Aquaculture Operating Policy Update
Date: Monday, October 20, 2025 2:08:28 PM

This Message Is From an External Sender

This message came from outside your organization.

[Report Suspicious](#)

Hi Pete and Anna,

As discussed during the October 15 SAP meeting, I'm providing the following comments, on behalf of RI Shellfisherman's Association (RISA), on the Division proposed SAP and Aquaculture Operating Policy Update. Thank you for your consideration.

RISA proposes the following alternative policy changes to address concerns expressed by current SAP members at the October 15 SAP meeting:

Assume the MFC adopts a SAP policy update in early 2026.

Amended

1. Currently appointed SAP members (12) are permanently appointed and do not have to reapply for 3-yr terms;
2. Current members serve on the SAP until they voluntarily resign (or are removed by the MFC for 3 unexcused absences);
3. 3-year terms apply only to any new members appointed after January 1, 2026;
4. No term limits on existing or new members;
5. MFC can remove any member with three (3) unexcused absences;
6. Establish SAP membership at 15 members, fill and maintain all seats; and
7. The Shellfish MFC member would continue be the Chairperson of the SAP.

Regards - Jim

**Rhode Island Saltwater Recreational
Fishing License Program**

Draft Annual Report

Fiscal Year 2025

**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 FY25, offers a brief review of the status of state-based recreational fishing assessments, and sets forth the FY26 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 between 2011 - 2017 was approximately 42,000 per year, generating average revenues of about \$270,000 gross and \$180,000 net. For the last two years (2018 and 2019) this figure has risen to approximately 50,000 licenses issued per year generating average revenues of about \$300,000 gross and \$200,000 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 resident license sold via a vendor, is used to cover the costs of administering the licensing program. Due to increased costs associated with RIO, an additional charge of \$3 per license is assessed if a non resident buys a license at a brick and mortar vendor. 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 administered the Rhode Island state government web portal, known as RI.gov. When the new RIO system was adopted the RII parent company TYLER TECHNOLOGIES took over administration of the program. Pursuant to the agreement, TYLER TECHNOLOGIES is responsible for developing and implementing the internet-based licensing system. TYLER TECHNOLOGIES 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. TYLER TECHNOLOGIES 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 TYLER TECHNOLOGIES to cover these service costs.

To cover the overall costs of administering the web-based license program, TYLER TECHNOLOGIES retains \$2 for each license sold via the internet. If a license is sold by a vendor, TYLER TECHNOLOGIES retains \$1 (resident license sales) and the vendor retains \$2 per resident license. If a non resident buys a license at a brick and mortar vendor TYLER TECHNOLOGIES retains an additional \$3. Neither TYLER TECHNOLOGIES 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.

TYLER TECHNOLOGIES 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.

In the FY2017 funding cycle the Division started funding an annual youth fishing camp administered by the Rhode Island Saltwater Anglers Association (RISAA) with oversight from the Division. The camp was a success enrolling 50 children for three days all centered around fishing. The popularity of the camp has prompted the Division and RISAA to continue the camp in FY2025, at Rocky Point. The future of the camp will be reevaluated in 2026. 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 state funding used to match the federal USFWS sportfish grant in the past has been derived almost entirely from credits derived from the donated time spent by the RISAA volunteers. The grant the volunteer time was matched to was the USFWS RI Aquatic Education grant. Future camps will continue to leverage volunteer hours to match federal funding. Future camps will use recreational saltwater license revue will be used to match the federal grant in the event that volunteer hours are not available.

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 which was Sunday, July 28th, 2024 in FY 2025.

e. Licenses Issued, Revenues Received: Fiscal Years 2011-2024

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 a costly alternative. In the years since FY11, license issued have increased to approximately 50,000 per year, generating an average gross revenue of about \$330,000, and average net revenue of about \$234,000. Despite the increases, the number of licenses sold and revenue generated fall well short of initial predictions from 2010, resulting in a much more constrained budget then originally envisioned. FY25 was an average year for license sales. The number of licenses is still decreased from the peak in 2020 and 2021. During FY25 49,933 licenses were issued resulting in \$325,344 in gross revenue and \$224,378 in net revenue. These values are right around the average for the time series. While sales fluctuate from year to it is still an indication that the recreational saltwater licensing program is fairly consistent from year to year. License sales did decrease during FY25. Although difficult to pin this on one factor it is likely that the roll out of the new RIDEM recreational outdoor license sales platform continues to be an issue. Rhode Island outdoors (RIO), replaced the RI Huntfish system in 2022, one of the major changes to the system is that a social security number is required to create an account in the system. This change was not embraced by the majority of the angling community in RI due to privacy concerns. As a result, it is assumed that issuance suffered

due to anglers deciding to forgo getting a saltwater fishing license to avoid disclosing their social security number. The issue made its way to the RI Governor's office which mandated that a solution be affected that allowed anglers to opt out of supplying a social security number. Those anglers could be issued a license at the RIDEM office of boating and registration in Providence as well as a limited number of coastal town halls. License sales did rebound slightly in FY25 but it is difficult to say if this can be attributed to the opt out change in the RIO system. Revenues went down due to an increasing number of anglers switching from fee licenses to the free over 65 license.

Table 1. RI Saltwater Recreational Fishing Licenses – Number Issued: FY11 through FY25

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17
Resident Full Year	18,658	26,556	25,864	25,938	26,084	29,335	28,605
Non-Resident Full Year	5,249	7,649	6,975	7,432	7,381	8,428	8,378
Resident 7-Day	60	122	107	144	134	159	158
Non-Resident 7 Day	1,310	2,505	2,730	2,958	3,055	3,141	3,221
Resident Over 65	3,635	4,613	4,653	4,667	4,704	5,078	5,613
Active Military Stationed in RI	703	993	996	1,055	992	1,006	971
Totals:	29,615	42,438	41,325	42,194	42,350	47,147	46,946

License Type	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Resident Full Year	31,576	30,155	37,664	33,888	29,501	30,503	30,654	30,322
Non-Resident Full Year	8,762	8,721	9,815	9,934	9,399	9,640	8,941	9,150
Resident 7-Day	167	135	185	237	147	145	119	143
Non-Resident 7 Day	3,436	3,430	3,395	2,948	3,285	2,746	2,778	2,952
Resident Over 65	5,879	5,489	5,858	6,154	5,782	6,067	6,462	6,746
Active Military Stationed in RI	975	807	815	708	643	686	546	620
Totals:	50,795	48,737	57,732	53,869	48,757	49,787	49,500	49,933

Table 2. RI Saltwater Recreational Fishing Licenses -- Gross Revenue: FY11 through FY25

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17
Resident Full Year	\$130,606	\$185,892	\$181,048	\$181,566	\$182,588	\$205,345	\$200,235
Non-Resident Full Year	\$52,490	\$76,490	\$69,750	\$74,320	\$73,810	\$84,280	\$83,780
Resident 7-Day	\$300	\$610	\$535	\$720	\$670	\$795	\$790
Non-Resident 7 Day	\$6,550	\$12,525	\$13,650	\$14,790	\$15,275	\$15,705	\$16,105
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$189,946	\$275,517	\$264,983	\$271,396	\$272,343	\$306,125	\$300,910

License Type	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Resident Full Year	\$221,032	\$211,085	\$263,648	\$237,216	\$206,500	\$213,521	\$214,578	\$212,317
Non-Resident Full Year	\$90,938	\$93,495	\$104,210	\$104,683	\$98,592	\$101,200	\$93,694	\$95,980
Resident 7-Day	\$835	\$675	\$925	\$1,185	\$735	\$725	\$595	\$715
Non-Resident 7 Day	\$17,639	\$19,562	\$19,018	\$15,601	\$17,685	\$14,945	\$15,342	\$2,952
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$330,444	\$324,817	\$387,801	\$358,685	\$323,512	\$330,391	\$324,209	\$325,344

Table 3. RI Saltwater Recreational Fishing Licenses -- Net Revenue: FY11 through FY25

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17
Resident Full Year	\$88,462	\$124,413	\$120,880	\$120,736	\$121,175	\$136,810	\$133,772
Non-Resident Full Year	\$40,702	\$58,566	\$53,340	\$56,970	\$56,682	\$64,923	\$64,664
Resident 7-Day	\$174	\$352	\$304	\$411	\$382	\$453	\$430
Non-Resident 7 Day	\$3,605	\$6,528	\$6,988	\$7,794	\$8,085	\$8,445	\$8,765
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$132,943	\$189,859	\$181,512	\$185,911	\$186,324	\$210,631	\$207,631

License Type	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Resident Full Year	\$155,040	\$140,853	\$177,714	\$169,440	\$140,352	\$144,836	\$153,270	\$143,799
Non-Resident Full Year	\$68,952	\$67,723	\$76,372	\$79,472	\$73,722	\$75,640	\$70,082	\$71,832
Resident 7-Day	\$477	\$384	\$541	\$711	\$434	\$426	\$357	\$415
Non-Resident 7 Day	\$9,465	\$9,488	\$9,504	\$8,844	\$9,435	\$7,837	\$7,847	\$8,332
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$233,934	\$218,448	\$264,131	\$258,467	\$223,943	\$228,739	\$231,556	\$224,378

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 intercepts for shore, private/rental, or party charter modes are collected in Rhode Island during wave 1 (January - February) due to low fishing activity. RIDMF does sample in Head boat mode during wave one as part of the add on sampling coverage. Samplers ride along on head boats twice per month in January and February to collect data on cod, tautog, and black sea bass winter fishing trips.

The portion of MRIP that collects recreational fishing effort data is currently being collected by the Fishing Effort Survey (FES) a mail based system which has replaced the Coastal Household Telephone Survey (CHTS). A benchmarking period during which data collection was conducted with both methodologies and was successful. The data collected during benchmarking period was used to calculate a conversion factor used to relate effort data collected in the past with the CHTS to the new effort data collected by the FES.

The FES methodology uses information provided by anglers when purchasing a Rhode Island Saltwater Recreational Fishing License as the sample frame for the surveys. The data is provided to MRIP to create a registry of anglers whose addresses are randomly drawn from to receive a mail survey concerning fishing effort. The new system has proven to be a better estimator of fishing activity than the CHTS, one outcome of which is higher angler effort statistics. The improved accuracy of the FES has provided a better understanding of the number of anglers and trips taking place and has shown that more anglers were making fishing trips than previously thought using CHTS data. The increased effort combined with the existing catch rates has highlighted that previous catch and harvest estimates were much lower than previously thought. Comparisons of catch and harvest estimates using the two methods are available on the MRIP website. Recently it has been revealed that the order of the questions particularly about past fishing history are a source of potential bias in the FES. This potential bias will continued to be studied in 2026 to determine its extent on the recreational estimates.

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 increasing rates during the winter months on head boat trips. 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 four 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 has increased 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 4a, 4b, 4c and 5. 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 is responsible for maintaining and scheduling personnel who will conduct angler intercepts throughout RI. In addition to staffing duties, the coordinator is responsible for QA/QC, validation, and disseminating of data collected to the Atlantic Coast Cooperative Statistics Survey (ACCSP). ACCSP is part of ASMFC and is coordinating the collection of data from state partners for delivery to NOAA Fisheries.

The Division has hired 2 full time field interviewers to perform angler intercepts during waves 2 -6 throughout Rhode Island. NOAA Fisheries provides funding for one staff via funding for APAIS and ~75% of the other staff via funding to conduct the For Hire Telephone Survey (FHTS). NOAA Fisheries provides funding as well as for three 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 employee also provides 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 three additional seasonal employees and three months of a full time staff member's time is provided by Rhode Island Recreational Saltwater License fees matched 3:1 with USFWS grant money. It is estimated that the four 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 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. Tables 4a and 4b, show the assignment statistics by wave and mode for 2024. Table 5 compares 2016- 2024 APAIS interview statistics. The results compare the years of RI State conduct of the survey. Notably the number of completed interviews has increased but refusal rates only slightly decreased. Staff will continue to develop strategies to reduce the number of refusals.

The higher number of completed interviews is a function of higher angler encounter rates. 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 have been accomplished and their effectiveness is reflected in a higher number of completed interviews between 2017 and 2024 relative to 2016. Field interviewer production rates continued to contribute to more completed interviews in 2024. Production rates remained steady between 2021 and 2024 with an average of ~ 6 interviews/assignment. The sustained high field interviewer production rates are the result of the experience gained in our first year of the program and a more refined training regimen. It is anticipated to maintain this increased production in 2026 as there are 2 field interviewers returning from 2025. These FI has one to four years of training under their belts, which should foster higher productivity.

Refusal rates had been decreasing slightly between 2016 and 2019 but increased slightly in 2020 and have remained steady in 2024. Some of this increase in refusals is can likely still be contributed to Covid – 19 and anglers social distancing/avoiding our interviewers. The Division will continue its outreach efforts to reduce this statistic. Most of the refusals continue to occur in Party/Charter mode. Staff has been focused on obtaining interviews from all clients from any given charter boat trip to bring this number down with some good preliminary results. In May of 2025 the RI APAIS staff had an

outreach event that specifically targeted Party Charter captains was held that drew approximately 15 captains. The event involved a casual presentation of the RI MRIP program with a social hour with food prior to the meeting. Since 2016, any angler that is not interviewed from a boat party from which at least one angler was interviewed is coded as an initial refusal, 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 procedural change has increased the number of refusals in this mode. The Division constructed a kiosk at the main charter boat dock in the state. The kiosk is meant to raise awareness to the survey and provide a central location from which our field interviewers may operate. It should also be noted that even though the percent of completed interviews has declined the number of eligible anglers has increased resulting in 2024 having the third highest number of completed interviews since the inception of the survey.

RIDMF has assumed the duties for maintaining the vessel registry, the For-Hire Telephone Survey (FHTS), and Large Pelagics Survey (LPS) for Party/Charter and Head Boats. The vessel registry is used to randomly select for hire vessels for inclusion in the FHTS as well as add them to the vessel good list. The good list is the list of vessels which are active in any given wave and are available to be interviewed as part of APAIS and surveyed via the FHTS. The FHTS is used instead of the FES to collect fishing effort data to be compiled with APAIS to create recreational harvest estimates for the for-hire fleet. The LPS is another telephone survey which collects fishing effort data but specific to large pelagic species of fish such as tunas and sharks. RIDMF received additional funds from NOAA Fisheries to provide for staff time to make these calls throughout the year. No recreational license fees have been used to run this survey. As mentioned above the Division hired an additional full-time staff member, that persons main focus is the FHTS. The three months funded by the RI Saltwater License Fees and USFWS Sportfish funding take place during the winter season to help with add on Head Boat rides, add on Fall interviews and preparation for spring each year.

The concept behind the state taking over the FHTS and LPS is that those surveys will now have a local brand associated with them which will in turn increase participation. Other states that have already taken over conduct of these two surveys have experienced better results since taking over the job from the federal contractor (Quantech). The increased participation can be credited to having the same core group of staff making the calls building a rapport with the for-hire captains as opposed to a random person calling them from week to week. RIDMF plans to continue these methods using the same two staff members to make all the calls to the RI for-hire fleet.

Table 4a. APAIS Interview Statistics from 2024 Assignments. (CH = Party/Charter, PR = Private/Rental Boat, SH = Shore, HB = Head Boat)

Year	Wave	Mode	Assignments	Completed	Initially Refused	Language Barrier	Missed Anglers	Productivity
2024	2	HB	4	32	13	5	0	8.00
2024	2	PR	24	119	39	43	32	4.96
2024	2	SH	26	59	3	14	25	2.27
2024	3	CH	46	282	488	25	110	6.13
2024	3	HB	12	212	127	16	0	17.67
2024	3	PR	66	344	190	124	104	5.21
2024	3	SH	58	263	136	205	97	4.53
2024	4	CH	82	634	681	48	270	7.73
2024	4	HB	17	319	392	24	0	18.76
2024	4	PR	105	738	380	180	238	7.03
2024	4	SH	44	236	105	179	65	5.36
2024	5	CH	49	134	363	77	53	2.73
2024	5	HB	12	190	113	42	0	15.83
2024	5	PR	72	329	115	96	124	4.57
2024	5	SH	39	149	78	64	52	3.82
2024	6	CH	15	48	156	9	56	3.20
2024	6	HB	6	81	62	18	0	13.50
2024	6	PR	16	12	3	0	0	0.75
2024	6	SH	28	86	21	16	19	3.07
2024			721	4267				5.92

Table 5. Summary of APAIS interview Statistics from 2016 – 2024 assignments by wave.

Year	Wave	Completed	Refused	Missed	Eligible Anglers	Percent Complete
2016	2	116	63	8	187	62.03%
2016	3	396	549	65	1010	39.21%
2016	4	857	1157	260	2274	37.69%
2016	5	665	557	143	1365	48.72%
2016	6	111	61	4	176	63.07%
2016		2145	2387	480	5012	42.80%
2017	2	124	15	13	152	81.58%
2017	3	759	579	146	1484	51.15%
2017	4	1908	1011	629	3548	53.78%
2017	5	901	518	267	1686	53.44%
2017	6	149	94	37	280	53.21%
2017		3841	2217	1092	7150	53.72%
2018	2	149	46	19	214	69.63%
2018	3	782	532	277	1591	49.15%
2018	4	1740	989	704	3433	50.68%
2018	5	1058	583	434	2075	50.99%
2018	6	199	147	87	433	45.96%
2018		3928	2297	1521	7746	50.71%
2019	2	199	63	31	293	67.92%
2019	3	1001	460	188	1649	60.70%
2019	4	1659	765	431	2855	58.11%
2019	5	1044	354	249	1647	63.39%
2019	6	140	75	10	225	62.22%
2019		4043	1717	909	6669	60.62%
2020	2	46	12	17	75	61.33%
2020	3	661	426	227	1314	50.30%
2020	4	1463	1082	486	3031	48.27%
2020	5	1115	522	261	1898	58.75%
2020	6	118	105	41	264	44.70%
2020		3403	2147	1032	6582	51.70%
2021	2	135	26	29	213	63.38%
2021	3	1142	745	386	2465	46.33%
2021	4	1628	1315	571	3771	43.17%
2021	5	988	720	287	2272	43.49%
2021	6	225	281	84	634	35.49%
2021		4118	3087	1357	9355	44.02%
2022	2	112	33	22	167	67.07%
2022	3	1015	619	218	1852	54.81%
2022	4	2263	2019	574	4856	46.60%
2022	5	889	1020	290	2199	40.43%
2022	6	192	236	50	478	40.17%
2022		4471	3927	1154	9552	46.81%
2023	2	295	73	48	442	66.74%
2023	3	1394	734	345	2657	52.46%
2023	4	2438	1713	754	5276	46.21%
2023	5	1184	659	337	2470	47.94%

2023	6	147	224	40	447	32.88%
2023		4748	3089	1524	10214	46.48%
2024	2	210	55	57	385	54.55%
2024	3	1101	941	311	2734	40.27%
2024	4	1927	1558	573	4503	42.79%
2024	5	802	669	229	1990	40.30%
2024	6	86	21	19	587	38.67%
2024		4126	3244	1189		40.45%

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 approximately 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 has exhausted its supply of computers.

In 2022 RIDEM successfully rolled out a new outdoor recreational licensing system which will allow saltwater, freshwater, and hunting licenses to be purchased over the internet at once. The new RIO system will also be used for boat registration and commercial licensing. By way of background, the saltwater and freshwater licenses were already available online, hunting licenses were still being issued via a paper system. In 2018, a new system (huntfish) provided both an online and agent module to allow both online and brick and mortar sales outlets. Combining all three licenses into one system has resulted in the saltwater license being available at more brick and mortar locations. Saltwater recreational fishing licenses are now sold at over 25 locations throughout the state including municipalities and the RIDEM Boating Registration office. This increased access to the fishing license and a sustained outreach campaign associated is the likely

contributed to license sales remained relative level in FY2020. As mentioned above, the requirement of a social security number for the RIO system in 2021 had a negative effect on license sales which has not fully recovered. The fact that license sales have flattened out while eligible anglers being sampled in the APAIS survey are rising indicates that there is still ground to gain back as far as license sales are concerned.

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 plans to pursue legislation to supplement the new combined online system to create a license that would cover saltwater, freshwater, and hunting licenses. This legislation would also address license fees and agent fees. It is not anticipated that saltwater license fees will increase, hunting license fees may need to be adjusted higher. 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 with the Recreational Saltwater License Study Group when necessary. This ad-hoc group worked closely with the Division on the development of the original saltwater recreational license bill. The purpose of these 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 TYLER TECHNOLOGIES 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. MRIP's current method is a mail based survey. This makes the address of the applicant the key data element.

It should be noted that the RI Huntfish online system took ease of license renewal into its design specification's. A new unique identifying number will be assigned to each license holder that will directly link to an account in the system. The user accounts will maintain a history of past transactions and store all demographic information. These changes have reduced the amount of time any given user spends renewing their recreational saltwater fishing license. Ease of renewal as well as other challenges are still being addressed in the RIO system.

f. Compliance

As mentioned above, the number of licenses issued for the past three years has remained static at approximately 42,000 until 2016. During the 2018 and 2019 fiscal cycles, this number increased to ~50,000 licenses. In 2020 the number increased further to ~57,000 licenses. Increases were seen in both the resident and non-resident demographic. 2022-2025 issuance levels have returned to the 2018-2019 values. The Division is still hopeful that the 2020 sales numbers will be achieved again, 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. These field checks are essential to the success of the program, the officer's invest numerous patrol hours checking for compliance and are the Department's hands on ambassadors. On average approximately 1,200 license checks take place annually. These results have yielded an approximate 90% compliance rate with the Saltwater Recreational License program. DLE states that this is similar to rates seen by other regional law enforcement agencies. While 90% 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 to recover the gains in sales from FY2020 into 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. The Division executed these email reminders beginning in 2017 and will continue to do so. The RIO licensing system may allow the Division to continue this functionally for all three types of recreational licenses types.

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

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 into 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 recreational fishing programs that work towards completing our goal.

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. FY25 Expenditures

During the 2025 fiscal year, a total \$266,111 of was spent on the Rhode Island Marine Recreational Fishing Program (Table 6). These funds were spent on the following initiatives:

- Hiring two additional seasonal field interviewers and part of a full time staff member to accomplish additional MRIP intercept interviews, as well as programmatic supplies. It should be noted that the small total spent on this category in FY24 is an artifact of the staff time being charged to a different coast center. The mistake has been corrected and the charges will come up for FY25.
- Management of the Marine Recreational Fisheries Program and Stock Assessment, equipment costs in support of the Division's finfish surveys for stock assessments. The majority of the costs in this category are for staff time. It should be noted that both state wide cost of living adjustments as well as paygrade increases for Marine Fisheries staff as increased the costs in this category significantly.
- Match to USFWS Sportfish funding to complete the rebuild the Main Street Westerly boat ramp, begun during FY23. Survey, engineering, and construction costs for the project were included in this figure.
- Hiring two seasonal employees to monitor the Camp Cronin fishing area. These employees helped coordinate parking, monitored for user conflicts, and picked up trash.
- Supporting the Division's boating/fishing access site maintenance program. Maintenance performed at marine ramps included mowing, brush removal, dead tree limbs and downed trees removal. Litter and trash is removed weekly, or biweekly as needed. Fishing line recycle boxes under our oversight are emptied of fishing line. Location and regulation

signs were inspected monthly at each fishing site and repaired or replaced as needed. Specifically:

- Supervised and provided oversight at annual float removal and winter storage of docks at Mt Hope, Haines Park, Galilee and Fort Adams boat ramps with contract vendor- Steel Giraffe. Assisted with the spring installation.
- Quonochontaug boat ramp graded roads, trim brush along access road; repair signage
- Colt Park-checked periodically, contracted dock services, remove rocks from ramp and install safety barrier at end of floating dock;
- Haines Park-contracted dock services, periodically inspect, remove trash, replace no parking signs, remove abandoned dock in vicinity of boat ramp;
- Regrade road, remove large trash items and move boulders at Camp Cronin; repair signage
- Mount Hope- remove sand from ramp, contracted dock services, repair dock pylons
- Goddard Park-contracted dock services and removed debris from ramp area;
- Narrow River Ramp- trash, trimming, graded parking area and ramp repairs;
- Weekapaug Fishing area maintain the new path clear brush and repair and fencing to the jetty which discourages passage over adjacent property owners land; repair signage
- Pasaconquois Cove-grade and repair ramp and lot areas;
- Sakonnet Point boat ramp-replaced signage and pick up trash, repair kiosk;
- Galilee Boat Ramp-repair and grade parking lot, contracted dock services, installed signage, and checked periodically;
- Charlestown Breachway- periodically checked, trim bushes, and frequent ramp repairs;
- Ft. Adams - transported gravel for repairs and contracted dock services;
- Gull Cove-install no parking signs, trash, grade access road and parking area.
- Removed trash from portajons at Quonochontaug.\
- Grade Fort Wetherill fishing area;
- Mow and trim Black Point trails,
- Open Quicksand Pond breachway
- Grade Kings Beach Fishing Area; clear brush and leaves, repair signage
- Grade Deep Hole Fishing area; install snow fencing
- Install trash barrier at Westerly Boat ramp. Repair signage.

- Staff time and supplies relative to public education, information, and outreach. This includes production of the sixth annual Rhode Island Recreational Saltwater Fishing Guide, the one page laminated fishing abstract, and other outreach materials.

Table 6. FY2024 Recreational Saltwater License Program budget.

Category	FY23 Carryover	FY24 Revenue	FY24 Available	FY24 Expended
Enhanced MRIP Data Collection	\$81,758	\$0	\$81,758	\$970
Boating/Fishing Access I	\$97,170	\$10,068	\$107,238	\$43,988
Boating/Fishing Access II	\$32,575	\$6,041	\$38,616	\$42,400
Fish Stock Assessment Support	(\$43,112)	\$215,448	\$172,336	\$173,453
Artificial Reef	\$32,502	\$0	\$32,502	\$0
Public Education, Information, and Outreach	\$31,422	\$0	\$31,422	\$5,301
TOTAL	\$232,313	\$231,556	\$428,925	\$266,112

a. FY25 Budget

The budget for FY25 is described in Table 7. It is anticipated that the restricted receipt account will receive another \$230,000 from FY25 license sales, and the estimated available funds for the FY25 Programmatic Budget, as set forth below, is based on that amount. The revenue will be allocated into each of the budget categories based on projected short- and long-term spending.

Table 7. FY2025 Recreational Saltwater License Program Budget

Category	FY24 Carryover	FY25 Revenue	FY25 Available
Enhanced MRIP Data Collection	\$80,788	\$0	\$80,788
Boating/Fishing Access I	\$63,250	\$6,000	\$69,250
Boating/Fishing Access II	(\$3,785)	\$10,000	\$6,215
Fish Stock Assessment Support	(\$1,117)	\$214,000	\$212,883
Artificial Reef	\$32,502	\$0	\$32,502
Public Education, Information, and Outreach	\$26,121	\$0	\$26,121
TOTAL	\$197,759	\$230,000	\$197,759

1. Enhanced MRIP Data Collection

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 Division will provide three months of full time interviewers time allow the hire of three additional seasonal field interviewers to staff additional samples ordered from NOAA Fisheries. The addition of these three staff members plus the full time coordinator, two full time field interviewers, and three seasonal field interviewers funded via NOAA Fisheries base MRIP grant bring the total number of staff working on the APAIS to nine. The Division has a contract with the Atlantic States Marine Fisheries Commission to provide staffing support for these employees.

2. Boating/Fishing Access I

Proposal. Major renovations at Charlestown Breachway boat ramp.

Rationale. It is anticipated that the next fishing access projects to be funded with recreational saltwater license funds will be the ramp located at the Charlestown Breachway boat ramp. This boat ramp is heavily used during the summer and fall. The ramp slab has been disintegrating and resulting in rebar being exposed as well as large

chunks of the rip rap missing. The damage is such that the existing ramp will need to be completely replaced and regraded. The project is currently in the planning phase. The funding provided by the Saltwater Recreational Fishing License and USFWS SFR will be used for design work and construction at the site.

3. Boating/Fishing Access II

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.

4. Fish Stock Assessment Support (\$150,000)

Proposal. Support the continuation of finfish stock assessment surveys of recreationally important species in Rhode Island waters as well as other recreational management initiatives and activities. Note this category is now combined with the old Recreational Fisheries Management Support category going forward.

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. As mentioned above staff pay increase and cost of living increases will require more funds be spent in this category going forward.

5. Artificial Reef Support

Proposal. The Division has successfully deployed a small scale artificial reef adjacent to the state fishing pier at Sabin Point. No new artificial reef projects have been proposed currently hence no budgeted expenditures for FY2025. The Division anticipates

more artificial reef work to in the future and will keep the \$32,502 in this budget category to be used as match for future projects.

Rationale. The Division is currently working on a fish habitat enhancement project with support from The Nature Conservancy and the USFWS SFR program. The project continues as a major investigation of fish habitat quality in upper Narragansett Bay. This information will be used to develop plans for habitat improvement opportunities as well as evaluate the most effective methodologies. A variety of habitat enhancement and restoration techniques are being considered, including “reef balls”. The reef balls are small low relief concrete domes with various holes to provide shelter for small fish. Now that Sabin Point is complete, the Division will evaluate other locations for deployment.

6. Public Education, Information, and Outreach

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 purchase new field interviewer uniforms. Additionally, RIDMF staff will be creating instructional videos on a range of saltwater fishing topics including safe handling practices, use of circle hooks, fish identification, as well as other relevant topics.

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 2024, the Division published the eleventh 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.

Since 2016, the Division has participated in the Rhode Island Saltwater Anglers Association's (RISSA) youth fishing camp. Prior to 2016, there were no dedicated Saltwater Fishing community based instructional programs in Rhode Island. Each year, RISSA has conducted a successful pilot youth fishing camp for 50 children between the ages of 7 and 12 at the end of June. The camp doesn'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 provided funding to RISAA in 2017 to keep the program going into future to fill this programmatic gap.

The 2017 camp began to be funded completely by the Division's Aquatic Education program via credits for volunteer hours spent by RISAA member's and USFWS Sportfish Aquatic Education grant. The Division proposes to continue to support and fund the camp into the future. While it is anticipated that volunteer hours will provide the match for the camp's federal funds, recreational saltwater license funds will be available to cover any shortfall.

A memorandum of understanding has been established with RISAA to conduct the camp. The day camp will be run by RISAA with RIDEM participation and oversight. The camp will continue to accommodate 50 children between the ages of 7 and 12. 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 2024 camp was a success although weather cancelled the fishing day on the Frances Fleet. The educational and member RISAA member boating day went as planned. The head boat cancellation saved some funds and should lower the cost of the camp for next year.

VII. Looking Ahead to FY25

There is cautious optimism that the increased revenue generated in FY16 – FY19 from Saltwater Recreational Licenses will hold steady into the future. The increase seen in FY2020 was likely an artifact of the large increase in outdoor related activities observed during the pandemic. The Division is hopefully that the decrease in license sales due to the RIO system will be recovered and revenue will increase. The Division is looking into other programs to enhance recreational fishing opportunities in Rhode Island in anticipation of pre-pandemic license issuances. One such program, mentioned above, is to place artificial reefs adjacent to state fishing piers. We plan to continue to evaluate fishing access points and make improvements at locations where needed. Also be sure to look out for us on social media as we have plans to increase our presence in the form of instructional videos and other educational topics relative to Marine Fisheries.

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.