



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

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

MEETING NOTICE RI MARINE FISHERIES COUNCIL

March 14, 2018 – 6:00 PM

URI Narragansett Bay Campus, Coastal Institute Building, Hazard Room
South Ferry Road, Narragansett, RI

AGENDA

Agenda item	ePacket Attachment(s)	Recommended action(s)
1. Approval of tonight's agenda	<ul style="list-style-type: none"> • March 14, 2018 meeting agenda 	Approval of agenda.
2. Approval of minutes from last meeting	<ul style="list-style-type: none"> • Meeting minutes from March 5, 2018 	Approval of meeting minutes.
3. Public comment	N/A	Discussion and/or recommendations for future action.
4. <u>Shellfish Advisory Panel meeting summary (2/7/2018): J. Grant</u>	<ul style="list-style-type: none"> • Agenda • Powerpoint presentation • Draft meeting minutes 	Approval of meeting minutes.
5. <u>Potter Pond/Perry Raso aquaculture lease application review: B. Ballou</u>	<ul style="list-style-type: none"> • Lease application • PD meeting summary • Letters from public • Letter from DEM to CRMC 	Recommendation to CRMC.
6. <u>Discussion re: mandatory reporting for state-permitted P/C vessels: B. Ballou/J. McNamee</u>	<ul style="list-style-type: none"> • http://www.mafmc.org/newsfeed/2018/for-hire-evtr-reminder-march12 	Discussion and/or recommendation for future action.
7. <u>Discussion re: transiting from Block Is. to mainland with federally regulated species: B. Ballou/J. McNamee</u>	N/A	Discussion and/or recommendation for future action.
8. <u>RI Saltwater Recreational Fishing License Program Report: J. Lake</u>	<ul style="list-style-type: none"> • Draft Report • RIGL 20-2.2-10 	Approval of report for submittal to GA.

9. RIMFC Annual Report: <i>B. Ballou</i>	<ul style="list-style-type: none"> • Draft report • RIGL §20-3-2 	Approval of report for submittal to the GA.
10. Discussion re: Federal Legislation Proposing to Amend Magnuson-Stevens Act: <i>B. Ballou</i>	<ul style="list-style-type: none"> • S. 1520: https://www.congress.gov/bill/115th-congress/house-bill/200 • H.R. 200: https://www.congress.gov/bill/115th-congress/house-bill/200 • 3/6/18 Email from D. Monti • Rhode Island Saltwater Anglers Association Draft MSA Action Agenda Talking Points • 2018 SNE Recreational Fishing Symposium Report. 	Discussion and/or recommendation for future action.
11. FYI: <ul style="list-style-type: none"> • Letter from Council to CRMC re: Aquaculture Lease application 2017-07-021 (Watson; Rome Point) • Letter from Council to CRMC re: Aquaculture Lease application 2017-01-051 (East Beach Farms; Quonochontaug Pond) 	<ul style="list-style-type: none"> • Letter to CRMC dated Dec. 18, 2017 • Letter to CRMC dated Feb. 28, 2017 	
12. Any other matters:	N/A	Discussion and/or recommendations for future action.
13. Adjourn		

All RIMFC Meetings are open to the public

Posted to Sec. of State Open Meetings on February 23, 2018
Revised/re-posted March 8, 2018



Rhode Island Marine Fisheries Council

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

MEETING SUMMARY

March 5, 2018

Chairperson: *B. Ballou (DEM)*

RIMFC Members: *M. Roderick, D. Monti, T. Barao, J. Grant, A. Dangelo, B. Mackintosh*

DMF: *J. McNamee, S. Olszewski, N. Lengyel, N. Ares, C. Parkins E. Schneider, J. Lake, M. Bucko, N. Andrews, P. Duhamel,*

DEM Enforcement: *Sgt. D. White*

DEM Legal: *C. Hoefsmit*

Public: Approximately 15-20 persons

1. **Approval of the Agenda:** The Chair inquired as to modifications to the agenda or objections to approving the agenda. Hearing none, the agenda was approved by consent.
2. **Approval of minutes from meeting on December 4, 2017:** The Chair inquired as to any proposed modifications or objections to approving the minutes. Hearing none, the minutes were approved by consent.
3. **Public comments regarding other matters not on agenda:** *B. Ballou* offered that two matters brought to the Council by *R. Bellavance* during the public comment portion of the last meeting at last meeting will be placed on the next meeting agenda (matters may be found in the minutes of the December 4, 2017 meeting). A gentleman, Spencer Bode, requested that the comment period for the public hearing that took place on February 19, 2018, be reopened for the menhaden regulations that were proposed. *B. Ballou* offered that Mr. Bode had submitted an alternative proposal, but the proposal was received after the close of the comment period. As such, he offered to Mr. Bode that the matter would be taken under advisement for consideration to bring forward at a subsequent public hearing.
4. **February 19 public hearing items:**
 - **Hearing item 1a. - Recreational Black Sea Bass:** *J. McNamee* offered that final specifications had still not been received by the ASMFC, and that negotiations are still taking place with other states. At this juncture he offered an alternative option that he believed would be acceptable to ASMFC: Season 7/1 – 8/31 @ 3 fish bag limit; and 9/1 – 12/15 @ 5 fish bag limit. He offered a response to the hearing comments regarding an earlier opening in the Spring rather than a later opening in the Fall: he offered that closing all of wave 6 would result in an earlier opening of only 4 days in the Spring, and asked that the Council consider such when making their recommendation. Without knowing specifics from the ASMFC, and therefore not

being able to provide exact parameters for the Council's consideration, he specifically requested that the Council provide preference for an earlier Spring opening or later fall season. He offered that an increase in minimum size is not recommended due to biological/lifecycle considerations of the species. *D. Monti* expressed concern that opening later in the Spring would result in a significant loss of fishing opportunity for shore anglers, including many children, that fish in the upper bay (e.g., Rocky Point) in the Spring when the fish are present in those areas. He offered that the data shows that shore angling for black sea bass is most significant at this time of year. He offered that he did not support the loss of fishing in June. *A. Dangelo* offered that 4 days of fishing opportunity in June is not worth giving up all of November and December. *J. McNamee* offered that wave 5 would also be impacted if opening earlier as being discussed. *B. Macintosh* offered the possibility of creating special exemption areas including reduced minimum size for females, in order to remove some of the smaller females from the biomass. *J. McNamee* responded that special shore sites for black sea bass could be investigated for the 2019 season. *T. Barao* inquired as to the removal of the closed period in the Fall (i.e., 9/22-10/21) and its impact on the rest of the year; to which *J. McNamee* responded that this closed period was extremely unpopular. Motion made by *A. Dangelo* to recommend the following season and possession limit: Season 7/1 – 8/31 @ 3 fish; 9/1 – 12/15 @ 5 fish; 2nd by *B. Macintosh*. *T. Barao* inquired about reducing the bag limit from 3 to 2 fish; to which *J. McNamee* responded that while some benefit could be achieved with season length, reducing to less than 3 has been very unpopular for the Spring season and was therefore not considered. *D. Monti* strongly re-iterated the season proposed will result in the complete loss of private shore angling and bay fishing in the Spring season. The motion passed 4-2 (*D. Monti* and *T. Barao* opposed).

- **Hearing item 1b. - Recreational Scup:** *J. McNamee* offered support for either option proposed, but suggested option 2 as the more favorable option as consistent with the rest of the northern region states. Motion made by *D. Monti* to recommend adoption of option 2 as proposed; 2nd by *B. Macintosh*. The motion passed 6-0.
- **Hearing item 1c. - Commercial Scup:** Motion made by *D. Monti* to recommend adoption of option 1 as proposed; 2nd by *T. Barao*. The motion passed 6-0.
- **Hearing item 1d. - Recreational Striped Bass:** *B. Ballou* inquired as to the Division looking into the possibility of a CE proposal for next season in response to several public hearing comments supporting a 2-fish bag limit. *J. McNamee* offered that he would seek Council guidance before looking into further, as such a proposal would require some work to calculate. He offered that this option would not be available for the 2018 season but could be looked into for 2019. Motion made by *A. Dangelo* to recommend status quo (no change to regulation) and to look into a 2-fish bag limit for 2019; 2nd by *B. Macintosh*. The motion passed 6-0.
- **Commercial Striped Bass General Category – proposal to delete duplicative language (section 3.9.2(2)(d)(5)) regarding catch rate adjustments (note: this item inaccurately included as part of option 1 proposal; however this issue is a stand-**

alone item not specifically related to the general category striped bass options being considered: *N. Lengyel* explained that the language proposed for deletion is duplicative with Part 1, section 1.6(B), which provides more comprehensive language regarding the Director's authority to adjust possession limits to avoid quota overages. Motion made by *J. Grant* to recommend support as proposed; 2nd by *D. Monti*. The motion passed 6-0.

- **Hearing item 1e. - Commercial Striped Bass General Category**: Motion (motion #1) made by *D. Monti* to recommend support of option 3 (5/15 – 8/23, closed Fri/Sat, 70% of quota; and 8/24 – 12/31, closed Fri/Sat, 30% of quota); 2nd by *T. Barao*. *T. Barao* offered that he was hearing from people a desire to not change significantly, and that option 3 represents the closest to status quo. He offered support for including Memorial Day weekend in the season. *A. Dangelo* offered support for a later Spring opening in order to preserve quota later in year. An amended motion (motion #2) was made by *J. Grant* to adjust the opening date for the second sub-period from 8/24 to 8/5; 2nd by *T. Barao*. The amended motion (motion #2) passed 6-0. Another motion (motion #3) to amend was made by *M. Roderick* to revise the 70/30% sub-period quota allocations to 60/40%. This motion (motion #3) failed for lack of a 2nd. Another motion to amend (motion #4) was made by *A. Dangelo* to adjust the opening date for the first sub-period from 5/15 to 5/20; 2nd by *B. Macintosh*. *B. Macintosh* offered that the opening date of 5/28 for 2017 was a compromise date to provide equity for both Bay and Block Island fishermen, and that an earlier opening date will favor one camp at the expense of the other; to which *J. McNamee* concurred that there were 2 camps vying for better access to the quota. *B. Macintosh* offered support to maintain the 5/28 opening date. *D. Monti* offered that the proposed earlier Spring opening date is offset by the earlier closing date of the sub-period, and earlier opening date of the 2nd sub-period. *D. Monti* offered that any changes to dates in the Spring sub-period should be matched by similar changes to the second sub-period. *J. McNamee* offered that the sub-periods historically close much sooner than the actual end of the sub-period, therefore the sub-period closing dates are not a factor. The motion (motion #4) passed 4-2 (*D. Monti* and *T. Barao* opposed). The Council then voted on the final, amended motion (motion #1, as amended: 5/20 – 8/4, closed Fri/Sat, 70% of quota; 8/5-12/31, closed Fri/Sat, 30% of quota). The motion passed 6-0.
- **Hearing item 1f. - Proposed amendment to remove the October 15th date from the floating fish trap allocation transfer provision**: *J. McNamee* offered that the item was not accurately presented at the hearing. As the matter is not time-sensitive, he recommended that the matter be brought back to hearing for reconsideration later in year. The Council provided no recommendation.
- **Hearing item 1g. - Commercial Striped Bass Floating Fish Traps**: *J. McNamee* offered support for the public comment (*T. Hoxsie*) to increase the possession limit to 500 lbs/day, from current 200 lbs/day, when the 70% trigger is reached. *J. Grant* recused himself as a floating fish trap owner. Motion made by *B. Macintosh* to recommend maintaining current parameters, but to increase the possession limit to 500 lbs/day at the 70% trigger; 2nd by *A. Dangelo*. *J. McNamee* offered that the 500 lb

limit being considered provides a greater allowance which could result in less discards. He offered support of the increase as manageable by the Division. The motion passed 5-0 (J. Grant recused).

- **Hearing item 1h. - Recreational summer flounder:** *J. McNamee* offered that the quota liberalization has provided for an increase in the bag limit from 4 to 6 fish. He offered that he also calculated decreasing the minimum size by both ½” and 1”, but that neither was determined to be a viable option (i.e., would result in overages). Motion made by D. Monti to recommend adoption of option 2 as positive for both private and the P/C industry; 2nd by A. Dangelo. T. Barao inquired as to regulations for neighboring states; to which *J. McNamee* replied that he was not currently aware of final regulations but that such information should be available soon. The motion passed 6-0.
- **Hearing item 1i. - Recreational Tautog:** *J. McNamee* offered that the proposed option is for ASMFC compliance. He noted that minimal harvest is occurring during the extra days proposed to be added to the early and late seasons. He offered that it was his observation that the mid-season closure was still looked upon favorably. He noted that Massachusetts is open at 1 fish during this time, and that negotiations had taken place to sync RI with Mass. as closely as possible. *B. Ballou* inquired if status quo was a viable option, in that several public hearing comments were made in support this option; to which *J. McNamee* responded that a CE proposal could be developed, but that he is unaware if status quo would meet the criteria, and any such proposal would need time to be developed and reviewed. Motion made by A. Dangelo to recommend status quo (no change to regulation); the motion died for lack of a 2nd. A motion was then made by D. Monti to recommend adoption of option 1 as proposed; 2nd by M. Roderick. J. Grant requested that the Division look into opening the mid-season closure at 1 fish for the 2019 season, as equitable with Massachusetts. The motion passed 5-1 (A. Dangelo opposed).
- **Hearing item 1j. - Commercial Tautog:** *J. McNamee* offered that option 2 was developed as a means to sync rec. and comm. fisheries. He offered Division support for any of the options proposed. Motion made by B. Macintosh to recommend adoption of option 2 as presented; 2nd by D. Monti. J. Grant offered support for the motion as equitable, and also offered that option 3 would result in increased discards and other negative outcomes. The motion passed 6 – 0.
- **Hearing item 1k. - Recreational Bluefish:** Motion made by B. Macintosh to recommend status quo (no change to regulation); 2nd by A. Dangelo. The motion passed 6 – 0.
- **Hearing item 1l. - Commercial Bluefish:** *J. McNamee* offered Division support for either option. Motion made by T. Barao to recommend adoption of option 2 as proposed; 2nd by M. Roderick. The motion passed 6 – 0.
- **Hearing item 1m. - Commercial Menhaden:** *J. McNamee* offered Division support for proposal as ASMFC compliant. *B. Ballou* inquired about the

Saturday/Sunday/holiday closure; to which *N. Lengyel* responded that the proposal is not a compliance matter, but is necessary to correct the regulation so that it applies only to purse seines, which was the original intent. She offered due to its location in regulation, it was overly broad and applied to also to non-directed and small-scale gear. She offered that the proposal was only to re-locate the language so that it applies only to purse seine operations. Motion made by *D. Monti* to recommend adoption as proposed as ASMFC compliant; 2nd by *J. Grant*. The motion passed 6 – 0.

- **Hearing item 1n. Commercial Skate Bait Fishery:** Motion made by *D. Monti* to recommend adoption as proposed; 2nd by *T. Barao*. The motion passed 5 – 0 (*J. Grant* abstained).
- **Hearing item 2. - Proposed Jacob’s Point Shellfish Management Area (town of Warren):** *J. McNamee* offered that the development of the proposed SMA was a collaboration between the Division, industry, and the town of Warren. *D. Monti* noted that the area being proposed was modified and significantly reduced in size in response to discussions with industry. Motion made by *D. Monti* to recommend adoption as proposed; 2nd by *A. Dangelo*. *J. Grant* inquired if the jurisdiction would remain with DEM or the town; to which *J. McNamee* replied that all management of the area would remain with DEM. The motion passed 6 – 0.
- **Hearing Item 3a. – Proposal to broaden the floating buoy line prohibition within eight (8) feet of the surface of the water to all pots:** *B. Macintosh* noted that sinking line is required in federal waters and offered support of the proposal for state waters. *J. Grant* offered that proposed regulation was unclear with floating fish traps and use of language “fixed gear” as proposed. He offered support, but that rule should apply to all buoy lines rather than all fixed gear. *J. Grant* offered that following revision: “*The use of floating line within eight (8) feet of the surface of the water, that is attached to any fixed fishing gear **buoy**, is prohibited*”. Discussion ensued that rule should not apply to all net float lines. Motion made by *J. Grant* to recommend adoption of the proposal with the language modification as provided; 2nd by *A. Dangelo*. The motion passed 6 – 0.
- **Hearing Item 3b. – Proposal to broaden the buoy and vessel color scheme requirement to all pots:** *B. Macintosh* inquired as to how buoys/vessel colors are enforced when several fishermen might have the same colors; to which *S. Olszewski* replied that the requirement is that the colors specified on the license must match the colors on the vessel, so that the Division of Enforcement can match the colors. Motion made by *D. Monti* to recommend adoption as proposed; 2nd by *J. Grant*. The motion passed 6 – 0.

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



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Panel Chair:

Jeff Grant

DEM Coordinator:

Conor McManus

Scientific Advisor:

Dale Leavitt

Membership:

Jeff Gardner

Aquaculture

Bob Rheault

Alternate for J. Gardner

David Ghigliotty

Comm. Bullrake

Mike McGiveney

Comm. Bullrake

Martin McGiveney

Alternate for Mike McGiveney

Gerald Schey

Comm. Bullrake

Bob Bercaw

Comm. Bullrake

Manuel Sousa

Comm. Bullrake

Katie Eagan

Comm. East Bay

Bob Smith

Dealer

Roger Tellier

Recreational Rod & Reel

Richard Pastore

Recreational Rod & Reel

Edward Troiano

Recreational Shellfish

Meeting Notice

Shellfish Advisory Panel

February 7, 2018, 4:30PM

URI Bay Campus Coastal Institute, Small Conference Room

218 S Ferry Road, Narragansett, RI 02874

AGENDA

1. Introduction of New SAP Members (**non-voting item**)
2. Review of Aquaculture Applications sent to Public Notice
 - a. 2017-11-051, East Beach Farms LLC, Quonochontaug Pond
 - b. 2017-11-061, Keeley, Quonochontaug Pond
 - c. 2017-11-086, Raso, Potter Pond
3. Discussion of Fish Habitat Enhancement Sites and Oyster Reef Creation in the Pt. Judith Pond Shellfish Management Area (**non-voting item**)
4. Update on Timelines related to Providence River Fisheries Management (**non-voting item**)

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

For more information please contact Conor McManus at (401) 423-1941.

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

Shellfish Advisory Panel
February 7, 2018, 4:30PM
URI Bay Campus Coastal Institute Building
Large Conference Room
215 S Ferry Road, Narragansett, RI 02882

AGENDA

1. Introduction of New SAP Members*
2. Review of Aquaculture Applications sent to Public Notice
 - a. 2017-11-051, East Beach Farms LLC - Quonochontaug
 - b. 2017-12-086, Raso - Potter Pond
3. Fish Habitat Enhancement in the Pt. Judith Pond Shellfish Management Area*
4. Update on Timelines related to Providence River Fisheries Management*

*non-voting item

1. Introduction of New SAP Members (non-voting item)

New Members

Manuel Sousa (Commercial Bullraker)

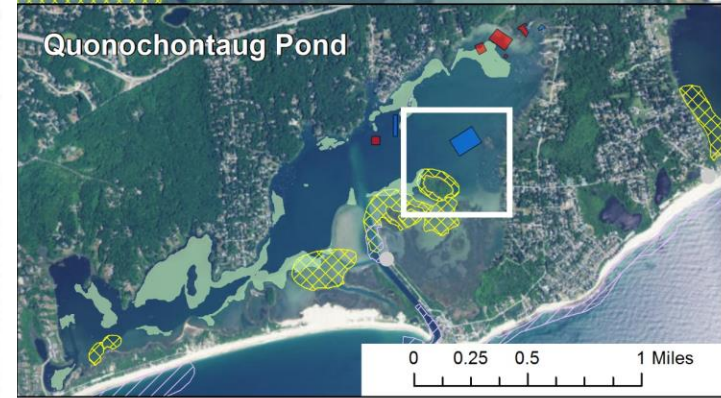
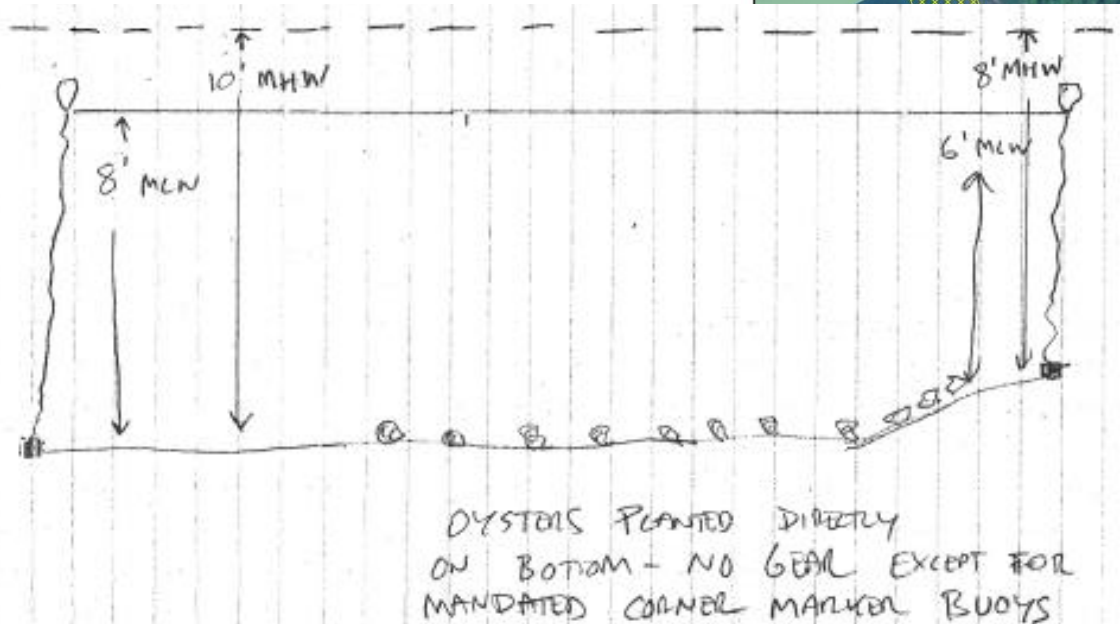
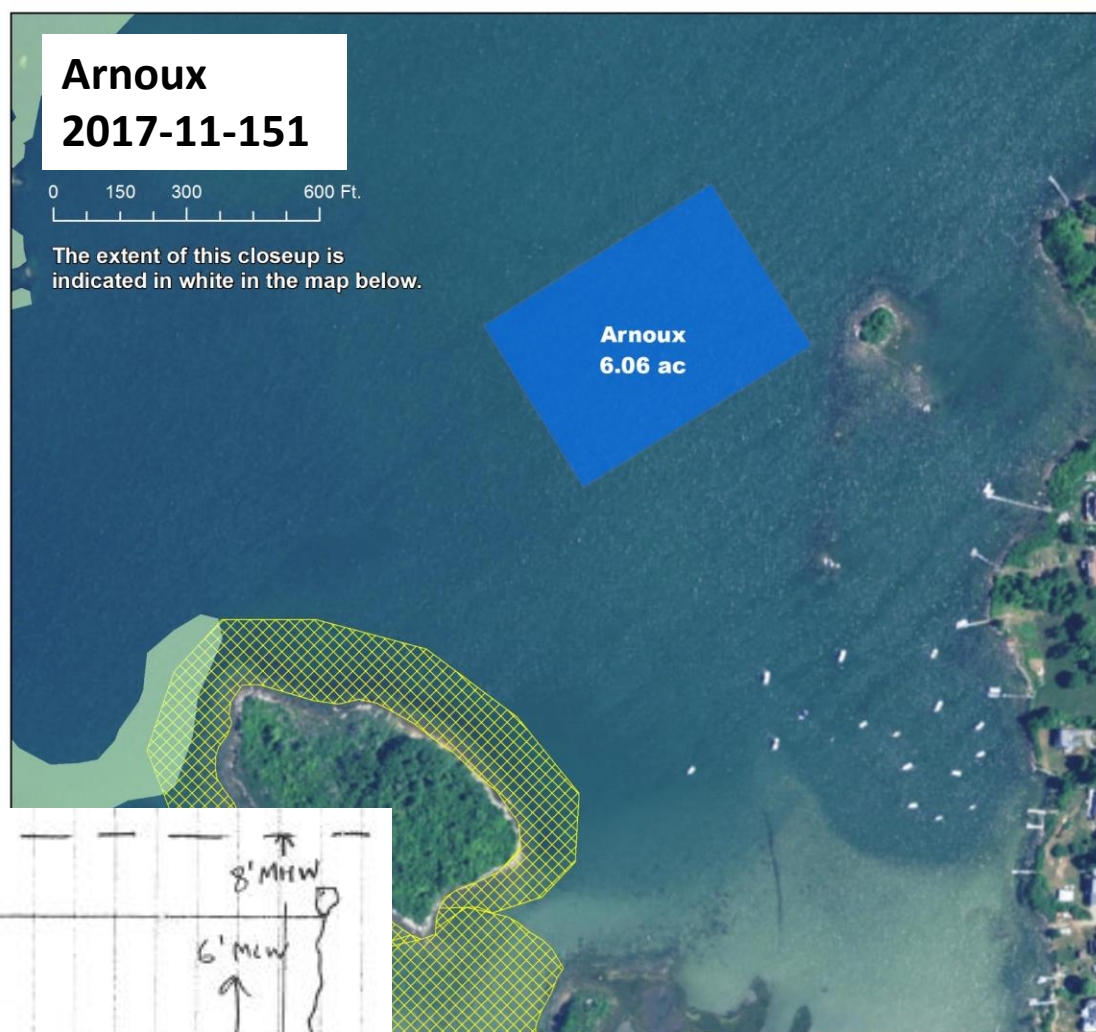
Ed Troiano (Recreational Shellfishing)

11 SAP Members (2 alternates)

2. Aquaculture Leases

2017-11-051, East Beach Farms LLC Quonochontaug

- 6 acre lease
- Oysters
- Bottom plant



2. Aquaculture Leases

2017-12-086, Raso Potter Pond

- 3 acre lease
- Oysters and bay scallops
- Floating and suspended gear
 - Floating cages
 - Submerged spat bags
 - Submerged lantern nets



Legend

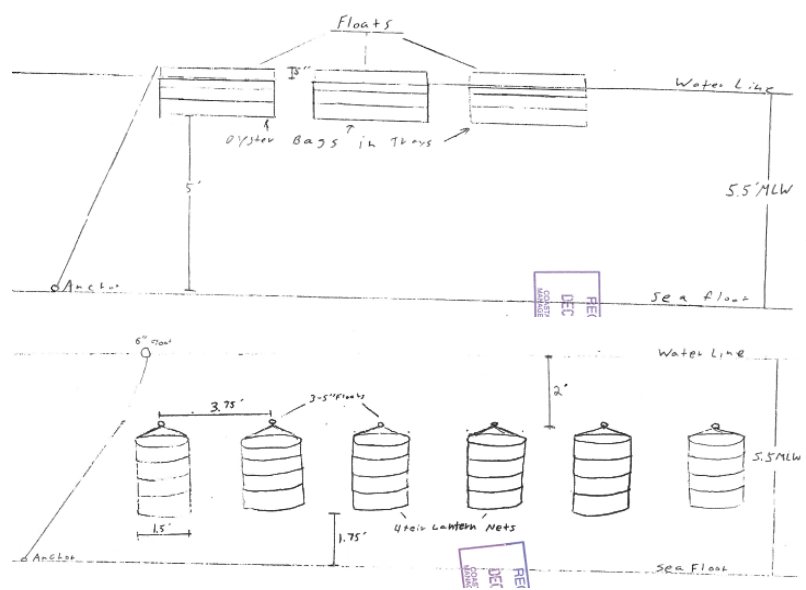
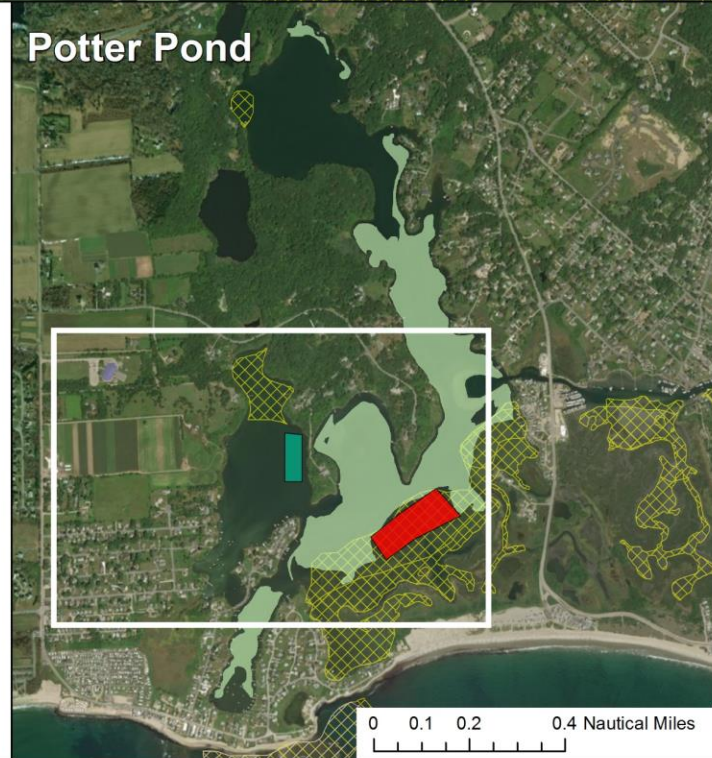
- SAV
- Rec. Shellfishing
- Rec. Finfishing

Aquaculture Sites

Assent Status

- Approved
- PN App
- PD App

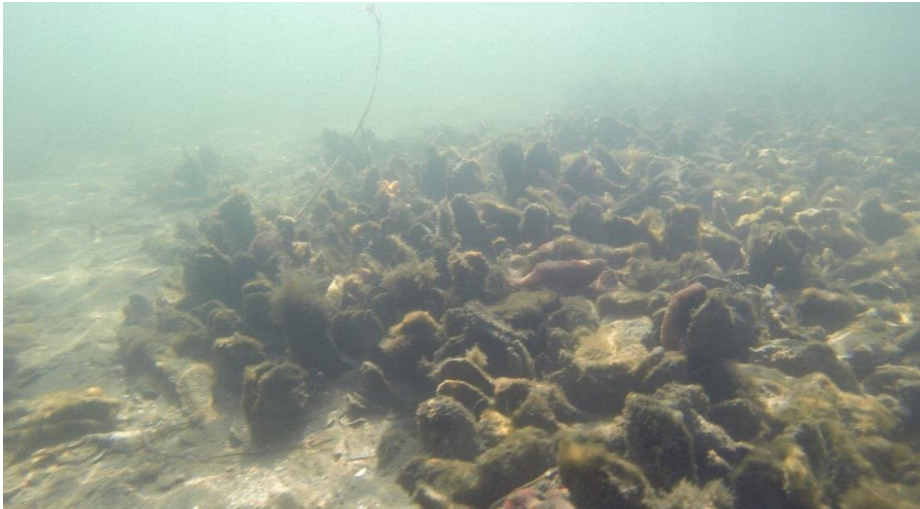
Coordinate System: NAD 1983
StatePlane Rhode Island FIPS 3800 Feet



3. Discussion of Fish Habitat Enhancement Sites and Oyster Reef Creation in the Pt. Judith Pond Shellfish Management Area (non-voting item)

Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



- This work is part of a larger multi-year, multi-system project that aims to positively affect local fish populations by enhancing fish habitat.
 - Partnership between DEM & TNC
 - Scientific Advisers: Drs. Jon Grabowski and R. Hughes of Northeastern Univ.
 - additional support from RWU
 - US FWS Sport Fish Restoration Program (SFR) funded project
- **Primary Goal:** Evaluate if construction of oyster reefs is a viable method for improving juvenile populations of important species of sportfish
 - Previous work in the mid-Atlantic and Gulf of Mexico has shown these techniques to be successful(e.g., Grabowski et al. 2005); however, they have not yet been evaluated in a temperate region of the Atlantic.

Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



Approach

1. Determine the appropriate location for reef establishment considering a number of factors, including oyster suitability modeling, human uses (recreation, navigation, fishing, shellfishing, etc.), present habitat quality and value, and connectivity to adjacent fish habitat.
2. Submit permit applications and conduct pre-enhancement evaluation to establish baselines
3. Create and establish oyster reefs; and
4. Conduct post-enhancement evaluation to determine if there are changes in abundance and species composition of early life stages of recreationally important fish.

- Oyster monitoring 2 x annually
- Fish monitoring monthly (May-Oct)



Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



• Status

- To date, we've conducted baseline monitoring, constructed reefs, and continue post-construction fish and oyster monitoring in Ninigret and Quonochontaug Ponds.
- Pt Judith represents the final phase of this work.
- We're about to begin the permitting process and wanted to provide the SAP on update prior to submission.



Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



General Siting Info

- Reefs will be located in upper Pt Judith Pond, which is:
 - a duly promulgated Shellfish Management Area (RI General Law § 20-3-4, RI Marine Regs 4.12.2-K), and
 - unapproved for shellfishing;
 - thus, there will not be conflicts with com/rec shellfishing or aquaculture.
 - In turn, the harvest prohibition allows for oyster propagation and growth, protecting the oyster reefs and the fish habitat they provide.
- Based on our analysis and discussions with stakeholders, we believe there are no conflicts with current uses at these locations.

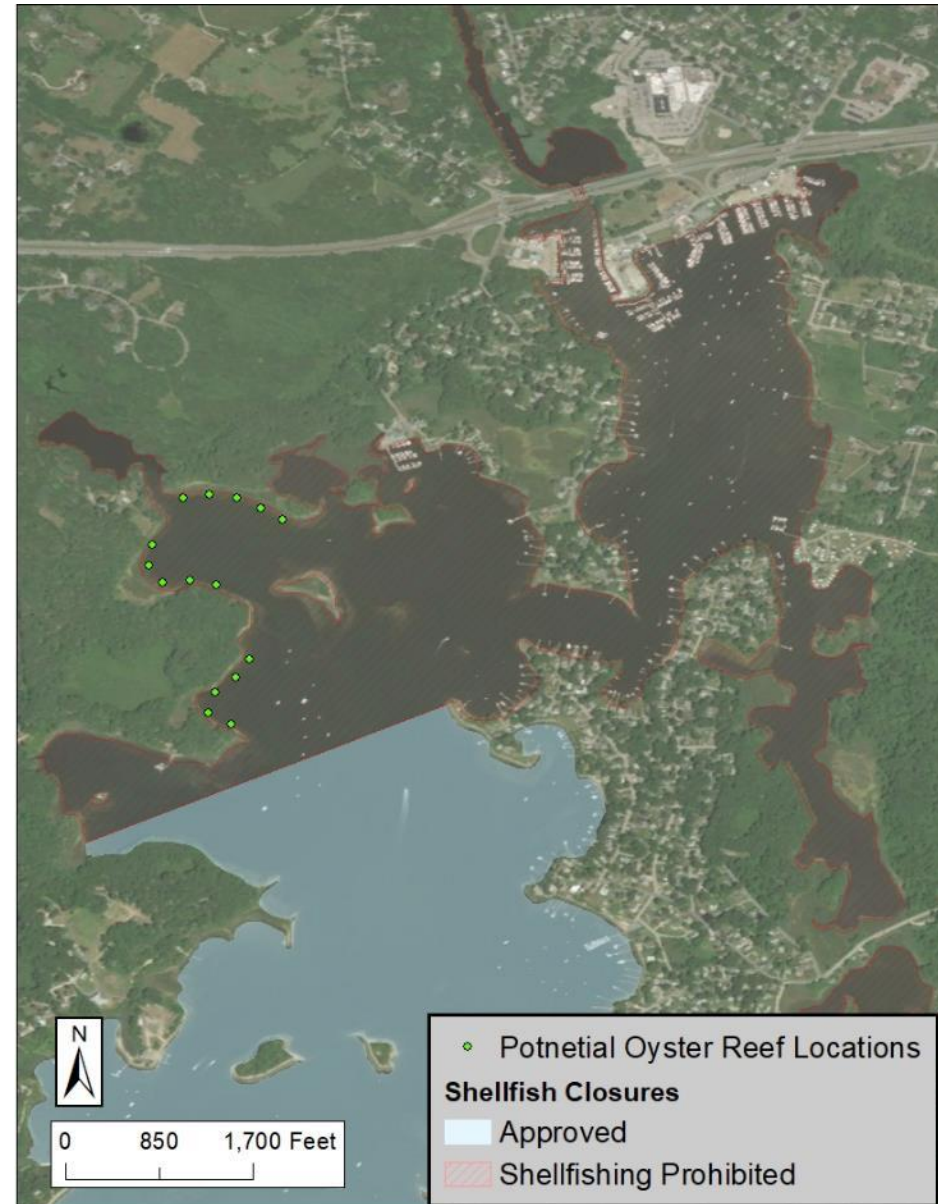
Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



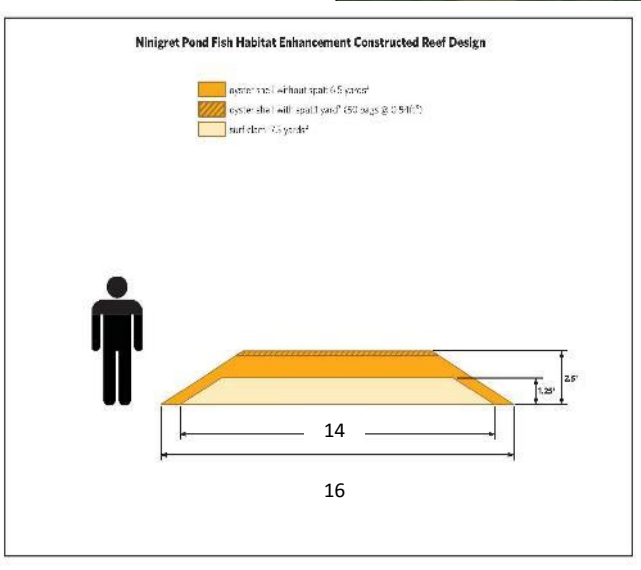
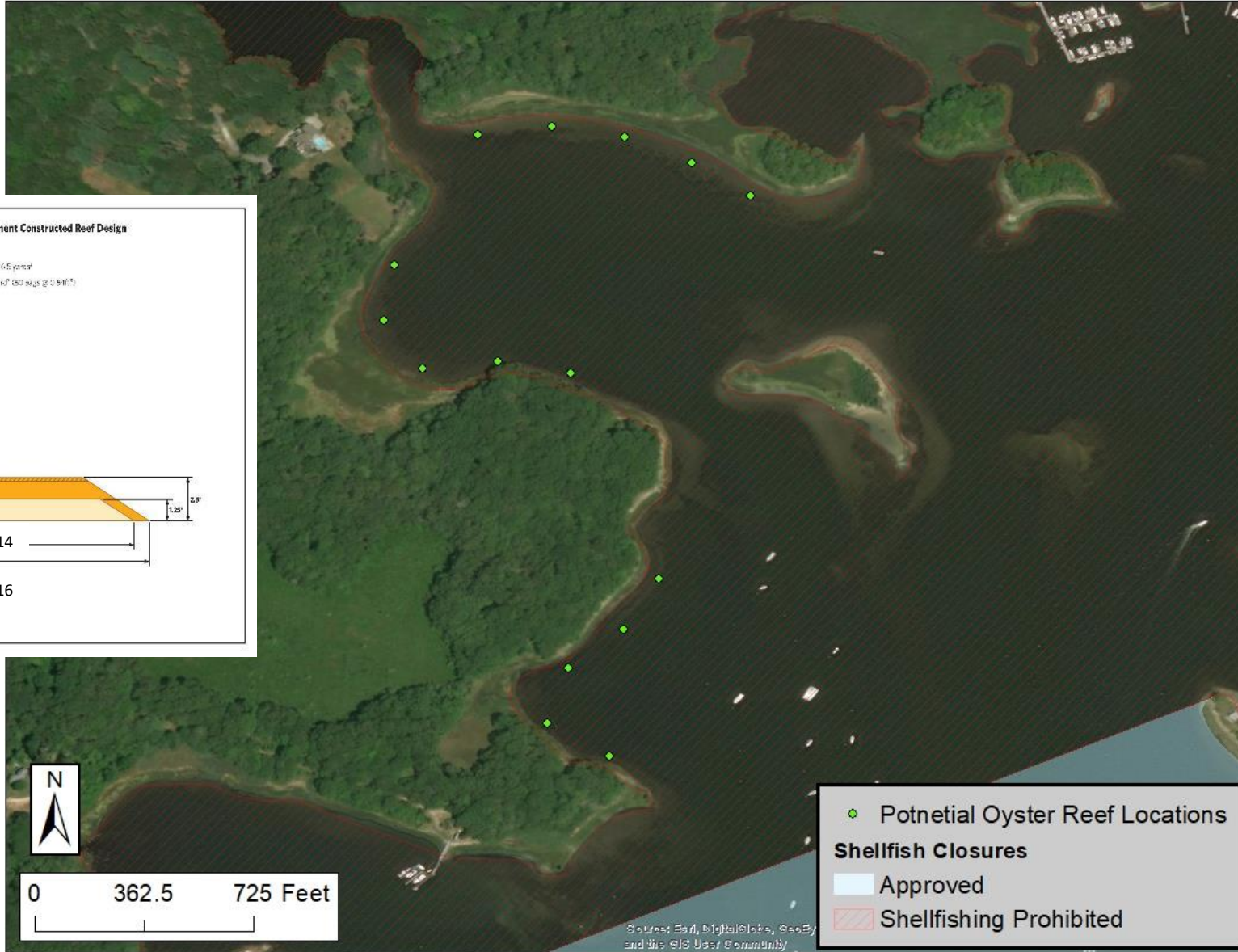
Experimental Design

- 3 replicates, each containing:
 - 5 potential reef sites
 - (4 treatments (reefs) + 1 control)
 - Treatments are:
 - ARC,
 - Green Hill,
 - Narrow River, and
 - Poly, (e.g., a mix of all 3)
- 12 reefs and 3 controls in all



Fish Habitat Enhancement Project

Pt Judith Pond, South Kingstown, RI



Sources: Esri, DigitalGlobe, GeoEye, and the GIS User Community

Shellfish Advisory Panel

February 7, 2018; 4:30PM

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

MEETING SUMMARY

RIMFC members: J. Grant (Chair)

DEM: C. McManus; E. Schneider; P. Barret; S. Olszewski; P. Duhamel; C. Hannus (Water Resources)

SAP members: K. Eagan; M. McGiveney; R. Tellier; D. Ghigliotty; M. Sousa, R. Rheault (alt. for J. Gardner), G. Schey, R. Pastore, E. Troiano

CRMC: D. Beutel

Public: P. Rasso, J. Arnoux, P. Capaldi, W. Helt, O. Kelly

1. **Introduction of new members:** New members Manuel Sousa and Ed Troiano were introduced and welcomed.
2. **Review of aquaculture lease applications sent to public notice by CRMC:**
 - a. 2017-11-051, East Beach Farms LLC, Quonochontaug Pond:

The Chair reminded members their aquaculture lease application review criteria as specified in RI Gen. Laws section 20-10-5. *D. Beutel* provided a brief overview of the proposal. He offered that a shellfish survey revealed a density of < 1 shellfish/sq. meter. He offered that of the 30 samples, there were no quahaugs found. He offered that from a CRMC perspective there are “little to no issues” with this site being suitable for aquaculture “in terms of fisheries and user conflicts”. **Motion made by *R. Rheault* to recommend no objection to the application; 2nd by *R. Pastore*. The motion passed 9-0.**

- b. 2017-11-086, Raso, Potter Pond:

D. Beutel provided a brief overview of the proposal. He offered that multiple objections were received. He offered that the RISSA Kayak committee objected due to conflict with use of waters for striped bass fishing during the Spring cinder-worm hatch. He offered that several objections were received from neighbors. He then offered that he has also received “one letter of support for every objection”. He offered that a shellfish survey revealed a density of 0.88 shellfish/sq. meter. *M. Sousa* offered that he cannot support any lease that uses floating gear; that he can only support bottom culture. *C. McManus* offered that DEM was in receipt of several objections due to conflict with recreational harvest (letters will be provided as an attachment to the minutes). *Mr. Raso* offered that

he chose the site due its depth, and that recreational harvest from shore was not occurring at the site. *D. Beutel* offered that eelgrass was not present at the site. *C. McManus* inquired to *D. Beutel* the number of support and objection letters received; to which *D. Beutel* replied there were 100 letters of objection and 12 letters of support. *M. McGiveney* inquired if the application would also be reviewed by the RI Marine Fisheries Council; to which *D. Beutel* and *J. Grant* replied that it most likely would be. **Motion made by *G. Schey* to recommend no objection to the application; 2nd by *R. Rheault*.** *D. Pastore* noted that the floating gear would impact fly fishing for striped bass during the Spring cinder-worm hatch. *R. Rheault* noted that you could not fish in the lease when the floating gear is suspended. *R. Rheault* offered support for the application due to the small amount of area currently occupied by aquaculture in Potters Pond, and the area of the pond remaining available for striped bass fishing. *D. Pastore* noted that the state lacks an initiative with respect to the state looking at competing uses, making review difficult. It was discussed that the lease would include the entire water column in addition to the bottom. **The motion passed 7-2 (*M. Sousa* and *R. Tellier* dissenting votes).**

3. **Discussion of Fish Habitat Enhancement Sites and Oyster Reef Creation in Pt. Judith Pond Shellfish Management Area (non-voting item):** *E. Schneider* provided an overview of the project, which was provided to the SAP for informational purposes. Presentation slides describing the project are available on the Division's website.
4. **Update on timelines related to Providence River Fisheries Management (non-voting item):** *C. McManus* provided status on the Division's stock assessment efforts, and that the current plan is to make such information available to the SAP and/or interested shellfishermen next month. Discussion ensued regarding the potential future opening. *C. Hannus* offered that the Office of Water Resources (OWR) is only looking at waters below Gaspee Point for possible opening in May, and cautioned that several aspects are still being assessed, any of which could affect opening. *C. McManus* offered that if this area was approved for shellfishing, and fisherman were interested in opening for harvest, regulations would need to be filed 20 days in advance of the opening date. Discussion ensued regarding the Council meeting date, and the possibility of pushing the date out to provide the SAP with additional time to review the data and provide a recommendation. *C. McManus* offered that a SAP or Quahog Workshop meeting date would be scheduled to present the Divisions stock assessment, and possibly a subsequent SAP meeting where a vote on an industry harvest schedule proposal would take place.

Prepared by: P. Duhamel and C. McManus



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900

(401) 783-3370
 Fax (401) 783-2069

PUBLIC NOTICE

File Number: 2017-12-086 Date: January 3, 2018

This office has under consideration the application of:

Perry Raso
 629 Succotash Road
 Wakefield, RI 02879

for a State of Rhode Island Assent to create and maintain: a three acre oyster and bay scallop farm using floating and suspended gear in Potter Pond.

Project Location:	Potter Pond
City/Town:	South Kingstown
Plat/Lot:	/
Waterway:	Potter Pond

Plans of the proposed work may be seen at the CRMC office in Wakefield. An electronic copy of this application can be sent upon e-mail request to the CRMC Aquaculture Coordinator.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (**with your correct mailing address, e-mail address and valid contact number**) and be received at this office on or before February 2, 2018.



State of Rhode Island and Providence Plantations
 Coastal Resources Management Council
 Oliver H. Stedman Government Center
 4808 Tower Hill Road, Suite 3
 Wakefield, RI 02879-1900



APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Applicant's Name: <u>Perry Raso.</u>	File No (CRMC use only): <u>2017-12-086</u>
Mailing Address: <u>629 Succotash Rd</u>	Res. Tel. # _____
City/Town: <u>Wakefield</u> State: <u>RI</u> Zip Code <u>02879</u>	Bus. Tel. # _____
Waterway: <u>Potter Pond</u> Est. Project Cost \$ <u>10,000</u>	Fee/Costs: \$ _____
Longitude/latitude of all corners of Proposed Aquaculture Project Location (preferably in decimal degrees): <u>NW 41.384204 N, 71.53831 W SE 41.382496 N, 71.53753 W</u> <u>NE 41.384133 N, 71.53753 W SW 41.382496 N, 71.53831 W</u>	

Have you or any previous owner filed an application for and/or received an assent for any activity on this site? (If so please provide the file and/or assent numbers).
no

Is this application being submitted in response to a coastal violation?
 Yes _____ No +

If yes, you must indicate NOV or C&D Number _____

Is this site within a designated historic district? no

[Signature] Perry Raso
 Owner's Signature (sign and print)

STORMTOOLS (<http://www.beachsamp.org/resources/stormtools/>) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.


NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 01/17

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES

The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the applicant's submission or in determining the fee to be paid, the applicant understands that additional fees may be assessed by the Coastal Resources Management Council. These fees must be paid prior to the issuance of any assent by the Coastal Resources Management Council.

The applicant understands the above conditions and agrees to comply with them.



Signature

12-27-17
Date

Perry Raso
Print Name and Mailing Address

629 S Wiscotash Rd
Wakefield RI 02879

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DEC 29 2017

COASTAL RESOURCES
MANAGEMENT COUNCIL

Coastal Resources Management Program Section 300.1
Category B Requirements

All persons applying for a Category B Assent are required to:

- (1) demonstrate the need for the proposed activity or alteration;
To produce Rhode Island farm raised shellfish to meet an increasing demand.

- (2) demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met; local approvals are required for activities as specifically prescribed for nontidal portions of a project in Sections 300.2, 300.3, 300.6, 300.8, 300.9, 300.11, 300.13, 300.15 and 300.17; for projects on state land, the state building official, for the purposes of this section, is the building official, N/A

- (3) describe the boundaries of the coastal waters and land area that are anticipated to be affected; The 3 acre area of Potter Pond is removed from boat traffic, away from the navigational channel. The seafloor in the proposed area is soft sediment. The long lines and floating cages will not interfere with boat traffic as there is no commercial assemblages of shellfish in the proposed area and no recreational attraction on the adjacent shoreline. The shoreline adjacent to the lease is very rocky and drops off to 5ft – 7ft within a short distance (approximately 10 ft) of mean low water.
The coordinates of the corner are listed below:
NW corner: 41.384204N, 71.53831W
NE corner: 41.384133N, 71.53753W
SE corner: 41.382496N, 71.53753W
SW corner: 41.382496N, 71.53831W

- (4) The shellfish aquaculture proposed will not effect erosion or deposition along the shore.

- (5) demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life. Shellfish aquaculture increases biodiversity within the boundaries of the site. Native avian species are not negatively impacted by shellfish farms in terms of number of colonies or amount of habitat area including breeding and moulting areas (Booth and Rueggeberg, 1989). In fact studies have shown that native species are usually more abundant in areas that contain long line systems (Connolly and Colwell, 2005) similar to the proposed system.
Three dimensional structure from submerged structures similar to the shellfish growing apparatus proposed can serve as an artificial reefs and can increase the productivity of fish and macroinvertebrates (Clyncik, McKindsey and Archambault, 2008). In Rhode Island, studies have concluded that gear similar to that proposed have greater habitat value than seafloor without aquatic vegetation and is more and has equal or greater habitat value than eel grass (DeAlteris, Kilpatrick, Rheault, 2004). Shellfish farms have also shown to increase the abundance of eel grass in and around farms in Rhode Island.

(6) demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore; The 3 acre area of Potter Pond is removed from boat traffic, away from the navigational channel. The site is positioned north of the inlet into Segar Cove there are three docks in the north part of the cove, one dock is approximately 150 yards north of the proposed lease and the other two approximately 250 yards north of the proposed lease. The narrowness of the lease prevent the possibility of the gear within the lease to interfere with navigation from those three docks to the Segar Cove inlet and the location of the proposed lease prevent it from interfering with navigation between those three docks and the other docks in the south side of the cove.

(7) demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation; The proposed gear will allow for water to move through and around it. Shellfish aquaculture can control turbidity and sedimentation in an estuary like Potter Pond (Cranford, Dowd, Grant, Hargrave and McGiaddery, 2003). Studies have proven that oysters actually reduce the amount of total suspended solids including chlorophyll a (Nelson et al 2004) in turn making more dissolved oxygen available to other organisms in the estuary.

The feeding process of suspension is extremely important in regulating water column processes as the feeding process reduces turbidity (Newell 2004) allowing more light to penetrate to the sea floor promoting aquatic vegetation which is essential fish habitat which does not currently exist in the proposed site.

(8) demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM; Shellfish aquaculture improves water quality.

(9) demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance; There are no historic or archaeological areas in the vicinity of the proposed site.

(10) demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and; The 3 acre area of Potter Pond is removed from boat traffic, away from the navigational channel. The site is positioned north of the inlet into Segar Cove there are three docks in the north part of the cove, one dock is approximately 150 yards north of the proposed lease and the other two approximately 250 yards north of the proposed lease. The narrowness of the lease prevent the possibility of the gear within the lease to interfere with navigation from those three docks to the Segar Cove inlet and the location of the proposed lease prevent it from interfering with navigation between those three docks and the other docks in the south side of the cove. The area is not listed designated recreational fishing or recreational shellfishing by RIDEM (map attached) In 1998 I began to commercially harvest shellfish in Potter Pond specifically in the area around the docks in the southern half of Segar Cove, I would pass the proposed site daily. For 6 years I lived in Segar Cove commuting back and forth to work via boat passing the proposed area several times a day throughout the year including the summer months. I have lived and worked on the Pond continuously for the last 19 years and over those



years I have seen only a occasional paddle craft in the proposed lease which will not be impeded if the lease is granted. I have never seen anyone fishing or shellfishing either commercially or recreationally in the proposed area. The seafloor in the proposed area is soft and not ideal for steamers or clams, there is no aquatic vegetation and no other habitat for finfish.

The long lines and floating cages will not interfere with boat traffic as there is no commercial assemblages of shellfish in the proposed area and no recreational attraction on the adjacent shoreline.

While the ecological carrying capacity of shellfish aquaculture in Potter Pond or any RI estuary would be well over 50% of surface area the social carrying capacity of RI estuaries has been studied and understood to be at 5% (Byron et al 2011), just a fraction of the actual biological capacity of the salt ponds. This 5% limit for aquaculture in RI ponds was established by the State after several meetings and input from RIDEM, CRMC, Shellfishermans Association, Salt Ponds Coalition and members of the public. Currently Potter Pond is at 2.1% of surface area being used for aquaculture, if the proposed lease is granted this would bring the total percentage of aquaculture in the ponds to 3.1%.

(11) demonstrate that measures have been taken to minimize any adverse scenic impact. The floating gear will be positioned nearest to the coast and out of direct view of any home owner on the pond to minimize scenic impact. The submerged longlines will only be visible by the floats at the end of the lines to minimize scenic impact. The floats being proposed have reduced in size to 5 inch x 5 inch floats in order to reduce visibility of the gear.

(see Section 330). Each topic shall be addressed in writing. Additional requirements are listed for specific Category B activities and alterations in the sections that follow

Cited:

Booth, J. and H. Ruedgeberg. 1989. Marine birds and aquaculture in British Columbia: assessment of geographical overlap. Technical Report Series No. 73. Wildlife Service, Pacific and Yukon Region, British Columbia. 53 p.

Byron, C.J, Bengtson, D., Costa-Pierce, B., Calanni, J. 2011. Integrating science into management: carrying capacity of bivalve shellfish aquaculture. *Marine Policy* 35:363-370

Cranford, P., M. Dowd, J. Grant, B. Hargrave, and S. McGladdery. 2003. Ecosystem level effects of marine bivalve aquaculture. *In*, Fisheries and Oceans Canada. A Scientific Review of the Potential Environmental Effects of Aquaculture in Aquatic Ecosystems – Vol 1. Can. Tech. Rep. Fish. Aquat. Sci. 2450: ix + 131 p.

Crawford, C.M., C.K.A. Macleod, and I.M. Mitchell. 2003). Effects of shellfish farming on the benthic environment. *Aquaculture* 224:117-140.

DeAlteris, J.T., B.D. Kilpatrick, R.B. Rheault. 2004. A comparative evaluation of the habitat value of shellfish aquaculture gear, submerged aquatic vegetation, and a non-vegetated seabed. *Journal of Shellfish Research*, Vol. 23, no. 3, 867-874.

Nelson, K.A., Leonard, L.A., Posey H., Alphin, T.D. and M.A. Mallin. 2004. Using transplanted oyster (*Crassostrea virginica*) beds to improve water quality in small tidal creeks: a pilot study. *J.Exp.Mar.Biol.Ecol.* 298(2):347-368.

Newell, R.I.E., 2004. Ecosystem influences of natural and cultivated populations of suspension-feeding bivalve molluscs: A review. *J. Shellfish Res.* 23(1) 51-61



Raso

12/17

1. Perry Raso
629 Succotash rd
Wakefield RI 2879
2. File #
3. DEM Aquaculture license # Aqua 000020Rpot
4. Commercial lease site
5. South Kingstown, Potter Pond
NW corner: 41.384204N, 71.53831W
NE corner: 41.384133N, 71.53753W
SE corner: 41.382496N, 71.53753W
SW corner: 41.382496N, 71.53831W

6. Species will include, Eastern Oyster (*Crassostrea virginica*) and Bay Scallops (*Argopectin irradians*). Biosecurity Board seed protocols will be followed for importing seed into the proposed site.

7. Operation Plan and Project description:

To establish a 3 acre shellfish lease South West of Ram Point and north of the inlet into Segar Cove, Potter Pond. The proposed site is removed from any navigation channel and is not in a commercially or recreationally used area for shellfishing. The proposed site is not between residential docks and it is not between any dock and the inlet of the cove. There is no eel grass or aquatic vegetation in the proposed site.

The nearest edge of the proposed site to land is the north east side towards the center and the north east corner where the lease at these points is 20 to 40 feet from shore. The distance between the proposed lease and the land from the eastern center of the lease to the south east corner ranges from 20 to 45 feet.

12 rows of 50 lantern nets will be set out in each of three of the western most sections of the farm. Lantern nets will be 4 tiers and the bottom of the lantern nets will be 1.5 ft above the sea floor at low tide. Spat bags to hold scallop seed will be attached to these submerged long lines when the scallops are in their juvenile stage, the spat bags are fine mesh soft nylon bags and have a plastic mesh inside the bag for the juvenile scallops to byss (attach). Each line will hold 100 spat bags when they are being used. All lines will not be used for the spat bags when the scallops are in the juvenile stages, as the scallops grow they will be moved to the lantern nets, a proven method of growing bay scallops.

The three adjacent sections of the farm, the eastern most sections closes to land, will have 12 rows of 30 cages in each of the three sections. Each of the three sections are 107 ft x 206 ft. The cages are 30 inches wide x 70 inches long and 12 inches deep. Fastened to the top of the cage, two or three (depending on weight) black plastic floats that are 5 inches x 5 inches square and extend the width of the cage 30 inches.

The low profile floats will minimize visual impact as they will protrude out of the water 3 to 4 inches. 8 plastic mesh oyster growing bags (2ft x 3ft) will be inserted into each cage. The 12 rows of 30 cages will be assembled north to south in rows. The ends of the lines that the cages will be fastened to will be anchored at the end of each section.

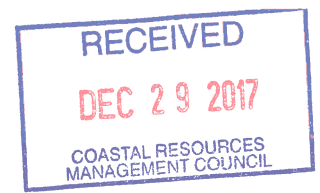
Bay scallops will be purchased from at 1mm and put into the spat bags containing plastic mesh for substrate for the scallops to attach to. The scallops will graduate into larger mesh spat bags twice before being taken out of the spat bags and placed into lantern nets at a volume of 30-50 animals per tier. Bay scallops will also be purchased from Muscongus Bay Aquaculture or another approved source. In order to control macro algae growth, lantern nets and oyster bags will be rotate out as the animals are sorted. The animals will be removed from on net or bag and put into a net or bag that is clean. The sorting and harvesting of oysters will be done onboard the boat which accesses the farm. Bags of oysters and scallops may be brought to the work platform at the existing farm in Potter Pond for general maintenance.

In order to reduce interference with migratory birds in the area, maintenance of the farm will be limited to the hours of 9am and 3pm from November 15 to March 15.

8. 6" inch cylyder floats will mark the ends of each of the rows, 14 inch lobster pot floats will be used to mark the corners of the entire lease. 5 inch floats may be used to keep the scallop spat bags suspended and 6 inch floats may be fixed to the long line to keep the line from sinking as gear increases in weigh via growth of animals and biofouling.
9. The proposed area is currently classified as "open to shellfishing".
10. Oyster seed will be purchased from Muscongus Bay Aquacultrue (Maine) or another approved source and put into existing upwellers in Point Judith Pond. After 2.5 to 4 months the oyster seed will be stocked into ADPI oyster bags (2'x3') will be stocked in cages 8 or 11 bags per cage. Smaller oysters will be stocked at a higher number of individuals per bag (1500 - 2500) and larger oysters will be stocked at a lower density (200 - 500) of oysters in each bag. During the grow out period the animals will be culled and sorted for size on deck within the farm, to remove biofouling bags will be air dried off site and switched out with new bags.

When animals have reached market size and have been on the lease for at least one year they will be harvested and the product will be sold locally and regionally. Harvesting methods, storage and transportation of the product will follow all guidelines in accordance with ISSC, RIDEM, CRMC and RIDOH. Animals will be transported to market either directly by boat or combination of boat and truck.

11. All records will be kept at 629 Succotash rd. Seed that is acquired from out of state will not be brought in until permission to due so is granted by the aquaculture coordinator. Documentation of permission as well as associated



documents such as pathology reports will be saved electronically and hard copy. The aquaculture coordinator will be asked for permission to bring in seed no less than 7 days from bringing in seed and disease certificates will be provided as necessary. The seed will be tagged until it is deployed at the farm.

12. All records will be kept at 629 Succotash rd. Upweller seed will be brought from upwellers in Potter Pond or Pt Judith Pond at a size of 31mm or less. The date that the seed is brought to the farm will be documented and tracked in order to ensure that the oysters are kept on the farm for a minimum of 12 months.
13. All records will be kept at 629 Succotash rd. Seed will not be purchased from a third party however for seed that is brought in from upwellers in Potter Pond and/or Pt Judith Pond: Upweller seed will be brought from upwellers in Potter Pond or Pt Judith Pond at a size of 31mm or less. The date that the seed is brought to the farm will be documented and tracked in order to ensure that the oysters are kept on the farm for a minimum of 12 months by keeping track of planting date through out the grow out period.

Point Judith Harbor of Refuge (41°22'N/71°29'W)	3.5	3.2	0.1	3.0
----------------------------------------------------	-----	-----	-----	-----

(801) Latest information available.
 ABBREVIATIONS (For complete list of Symbols and Abbreviations, see Chart No. 1)
 Aids to Navigation (lights are white unless otherwise indicated):

- | | | | |
|-------------------|--------------------------|------------------|--------------------|
| AERO aeronautical | G green | Mo mores code | R TR radio tower |
| Ai alternating | IQ interrupted quick | N nun | Ro rotating |
| B black | iso isophase | OBSC obscured | s seconds |
| Bn beacon | LT HO lighthouse | Oc occulting | SEC sector |
| C can | M nautical mile | Or orange | St M statute miles |
| DIA diaphone | m minutes | Q quick | VQ very quick |
| F flood | MICRO TR microwave tower | R red | W white |
| F flashing | Mkr marker | Ra Ref reflector | WHS whistle |
| | | R Bn radiobeacon | Y yellow |

- Bottom characteristics:
- | | | | | |
|--------------|----------|---------|-------------|-----------|
| Bls boulders | Co coral | gy gray | Oys oysters | so soft |
| bk broken | G gravel | h hard | Rk rock | Sh shells |
| Cy clay | Gr grass | M mud | S sand | sy sticky |

- Miscellaneous:
- | | | | |
|-----------------------|-------------------------|----------------------|----------------|
| AUTH authorized | Obstn obstruction | PD position doubtful | Subm submerged |
| ED existence doubtful | PA position approximate | Rep reported | |
- (1) Wreck, rock, obstruction, or shoal swept clear to the depth indicated.
 (2) Rocks that cover and uncover, with heights in feet above datum of soundings.

HEIGHTS
 Heights in feet above Mean High Water.

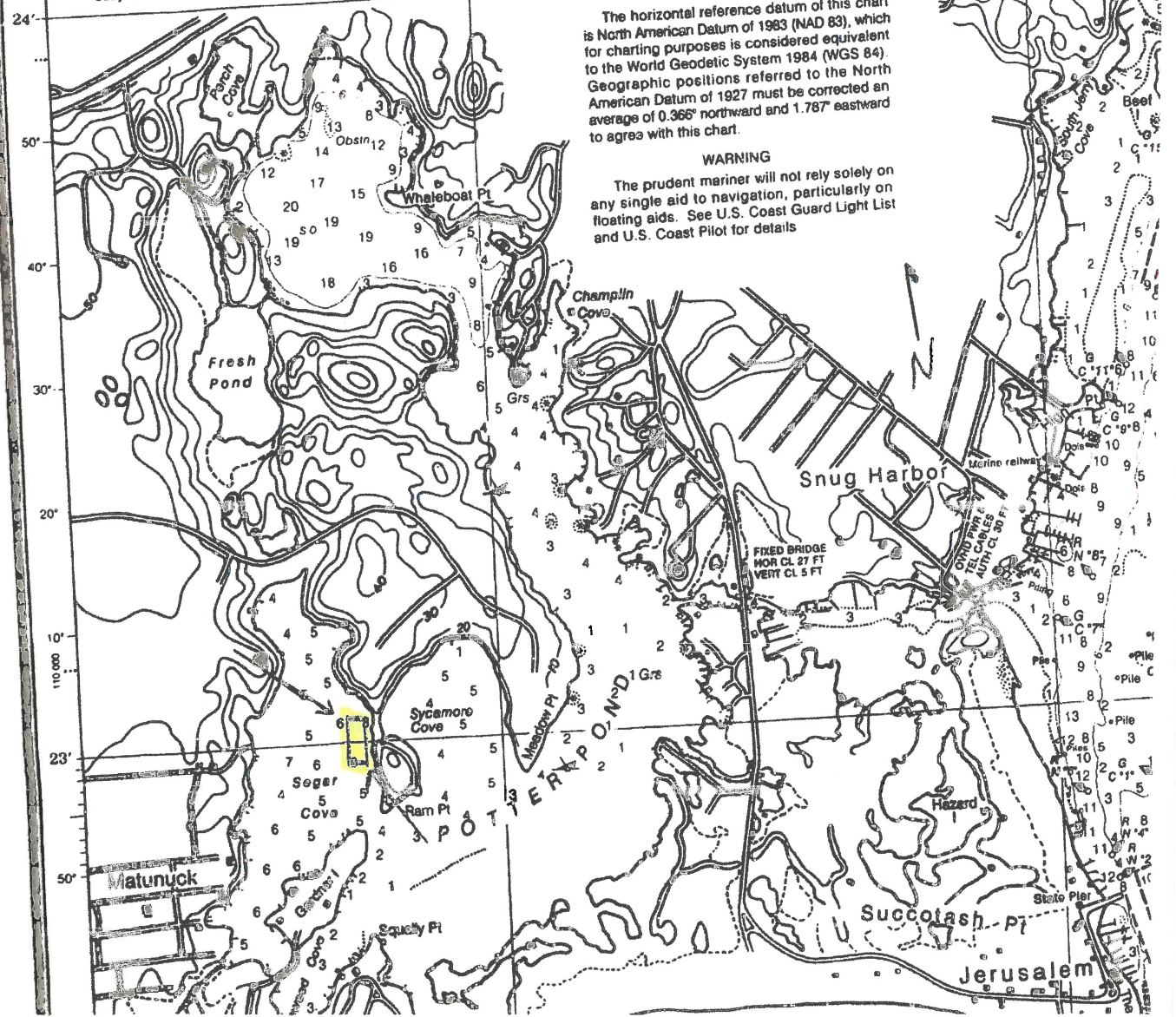
AUTHORITIES
 Hydrography and topography by the National Ocean Service, Coast Survey, with additional data from the Corps of Engineers, Geological Survey, and U.S. Coast Guard.

CAUTION
 Improved channels shown by broken lines are subject to shoaling, particularly at the edges.

AIDS TO NAVIGATION
 Consult U.S. Coast Guard Light List for supplemental information concerning aids to navigation.

HORIZONTAL DATUM
 The horizontal reference datum of this chart is North American Datum of 1983 (NAD 83), which for charting purposes is considered equivalent to the World Geodetic System 1984 (WGS 84). Geographic positions referred to the North American Datum of 1927 must be corrected an average of 0.366" northward and 1.787" eastward to agree with this chart.

WARNING
 The prudent mariner will not rely solely on any single aid to navigation, particularly on floating aids. See U.S. Coast Guard Light List and U.S. Coast Pilot for details.



The extent of this closeup is indicated in white in the map below.

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DEC 29 2017
COASTAL RESOURCES
MANAGEMENT COUNCIL

Raso
3.0 ac

Raso
2017-09-018

0 62.5 125 250 Ft.

Corrected Coordinates
NW: 41.384204 N, 71.53831 W
NE: 41.384133 N, 71.53753 W
SE: 41.382496 N, 71.53753 W
SW: 41.382496 N, 71.53831 W

Legend

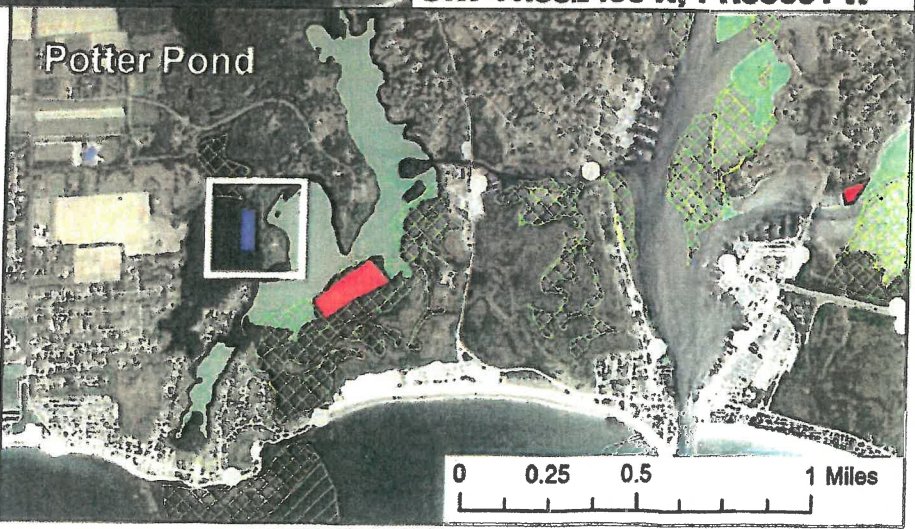
- Aquaculture_Sites
- GPS_Source
- Approved
- PN App
- PD App



- Submerged Aquatic Vegetation
- Recreational Shellfishing
- Shoreline Access
- Recreational Finfishing



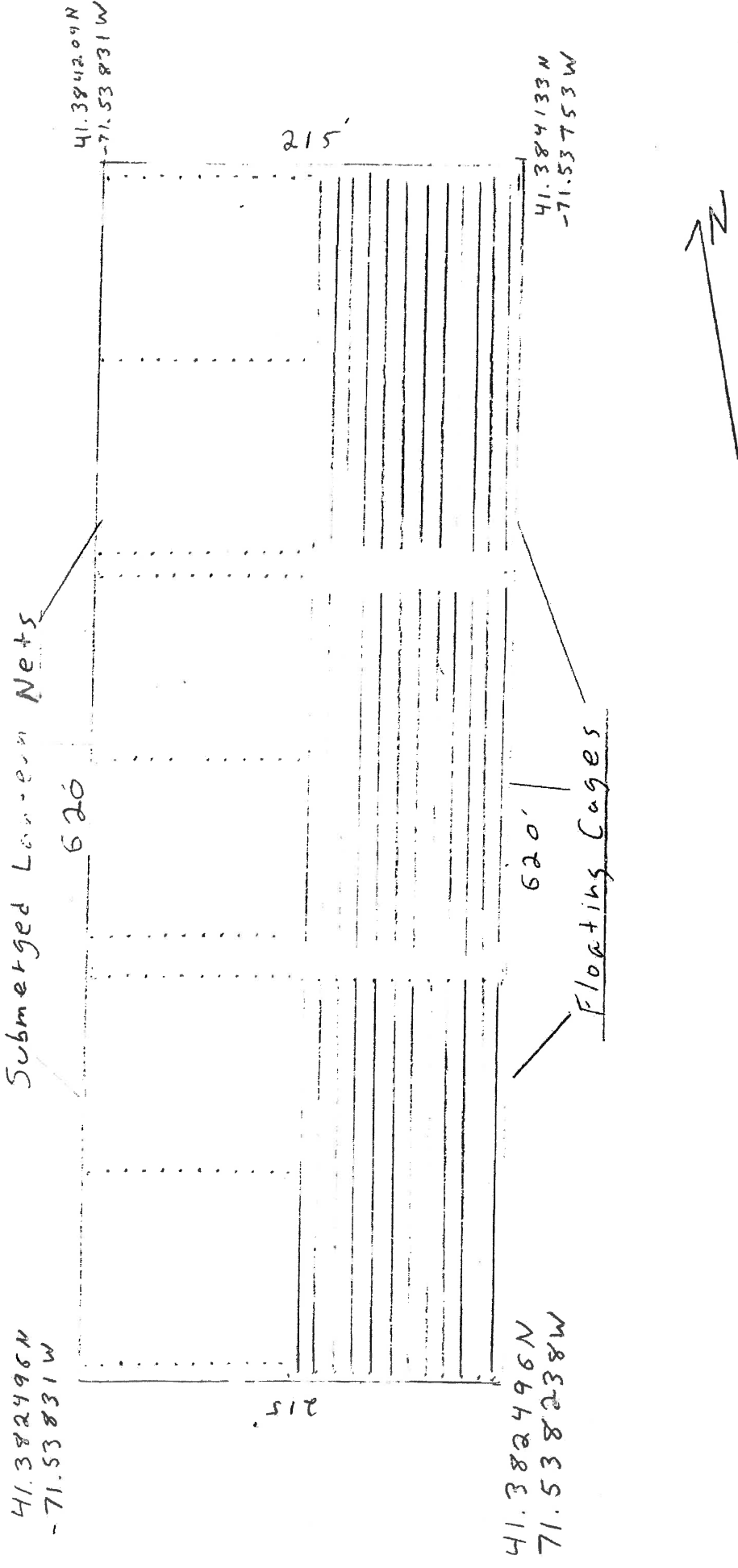
Coordinate System: NAD 1983
StatePlane Rhode Island FIPS 3800 Feet



K 250

Farm Plan View

9/17

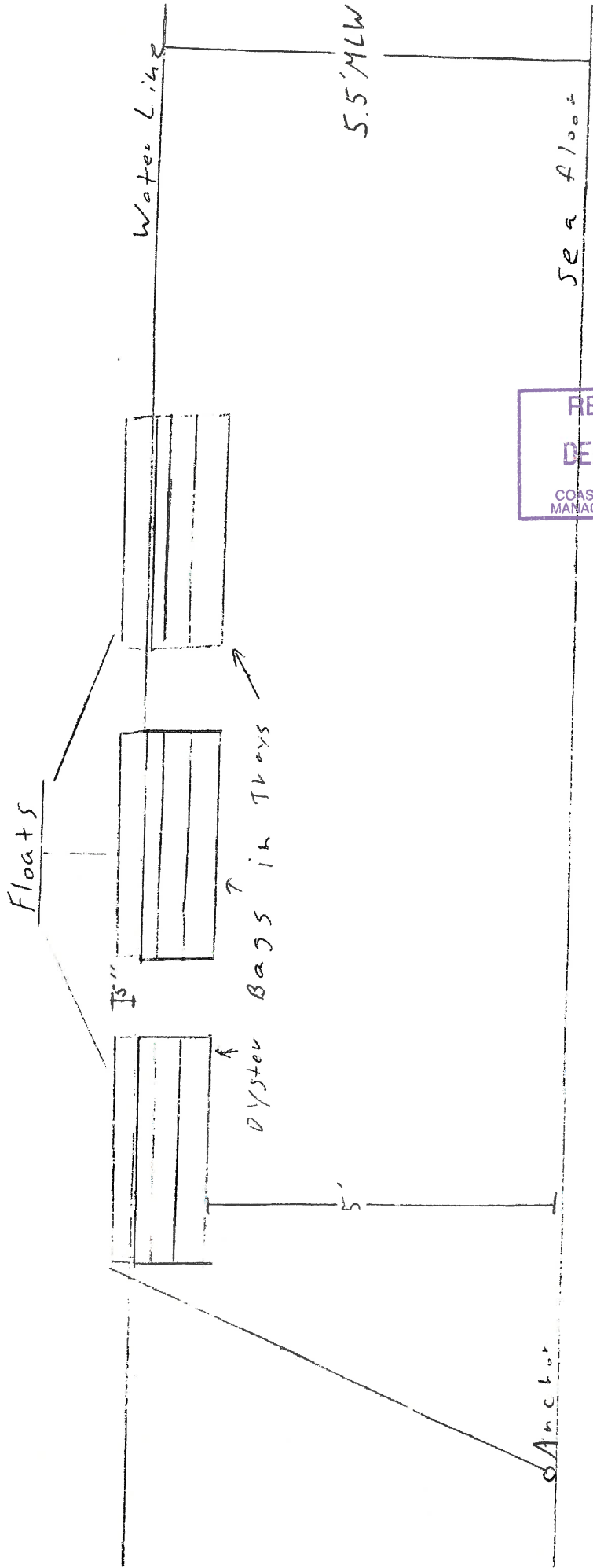


75'

Kaso

Floating Cage Side View

9/17



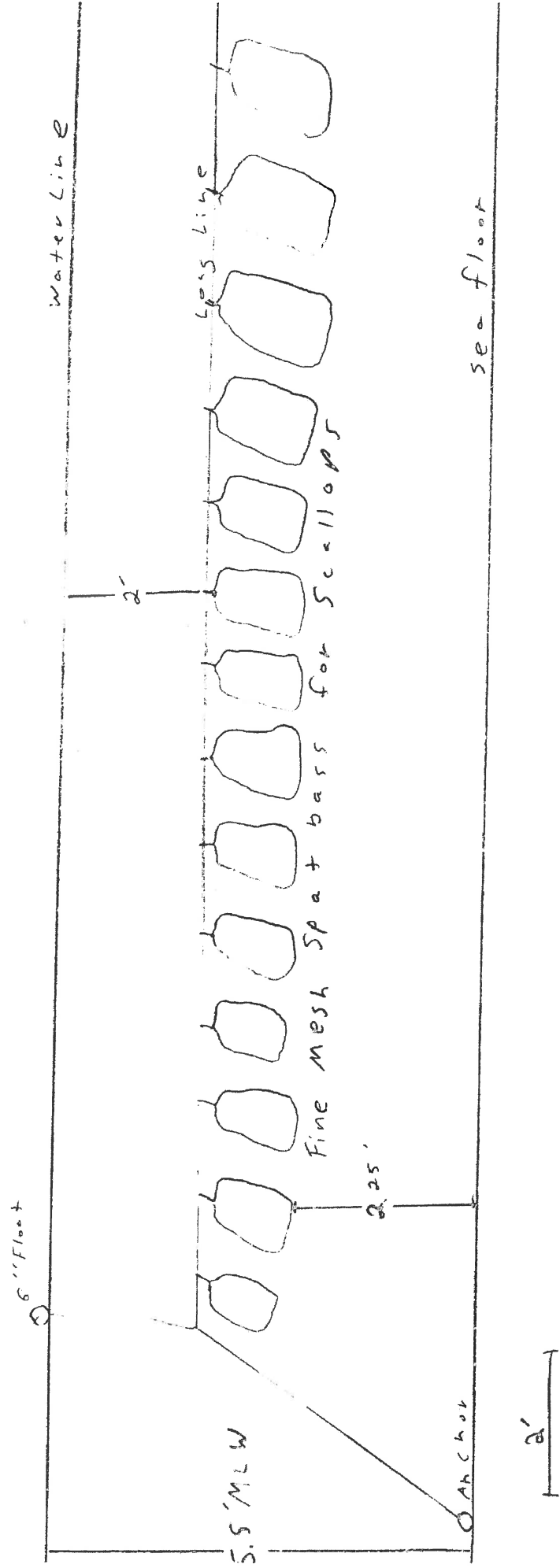
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Raso

Submerged Spar Bags Side View

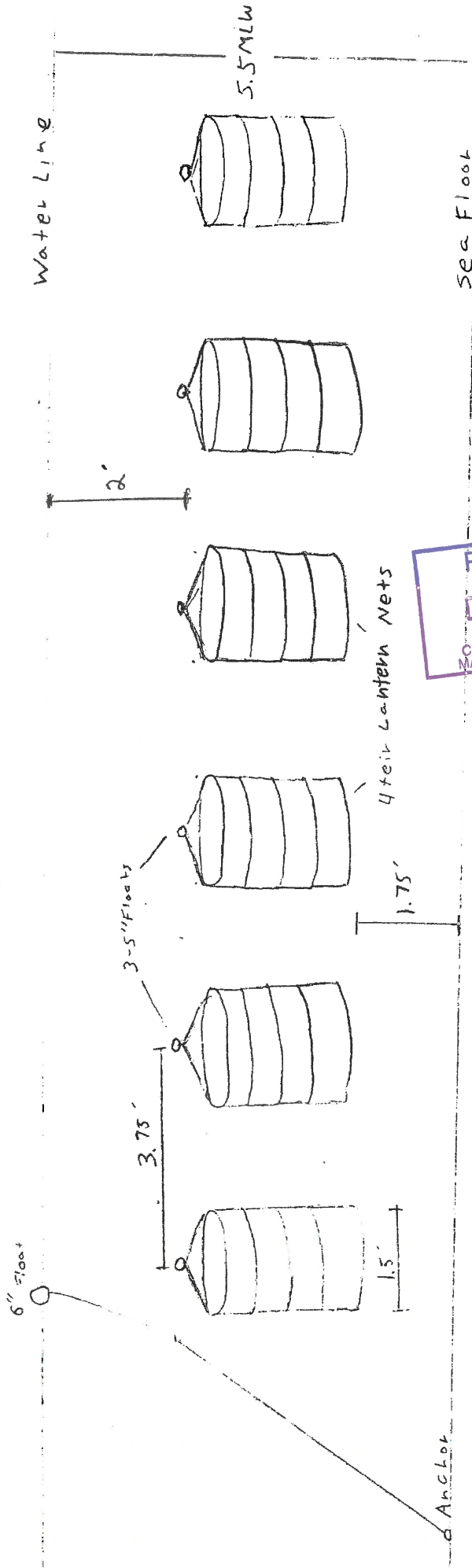
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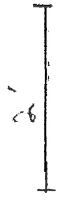
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Submerged Lantern Nets Side View

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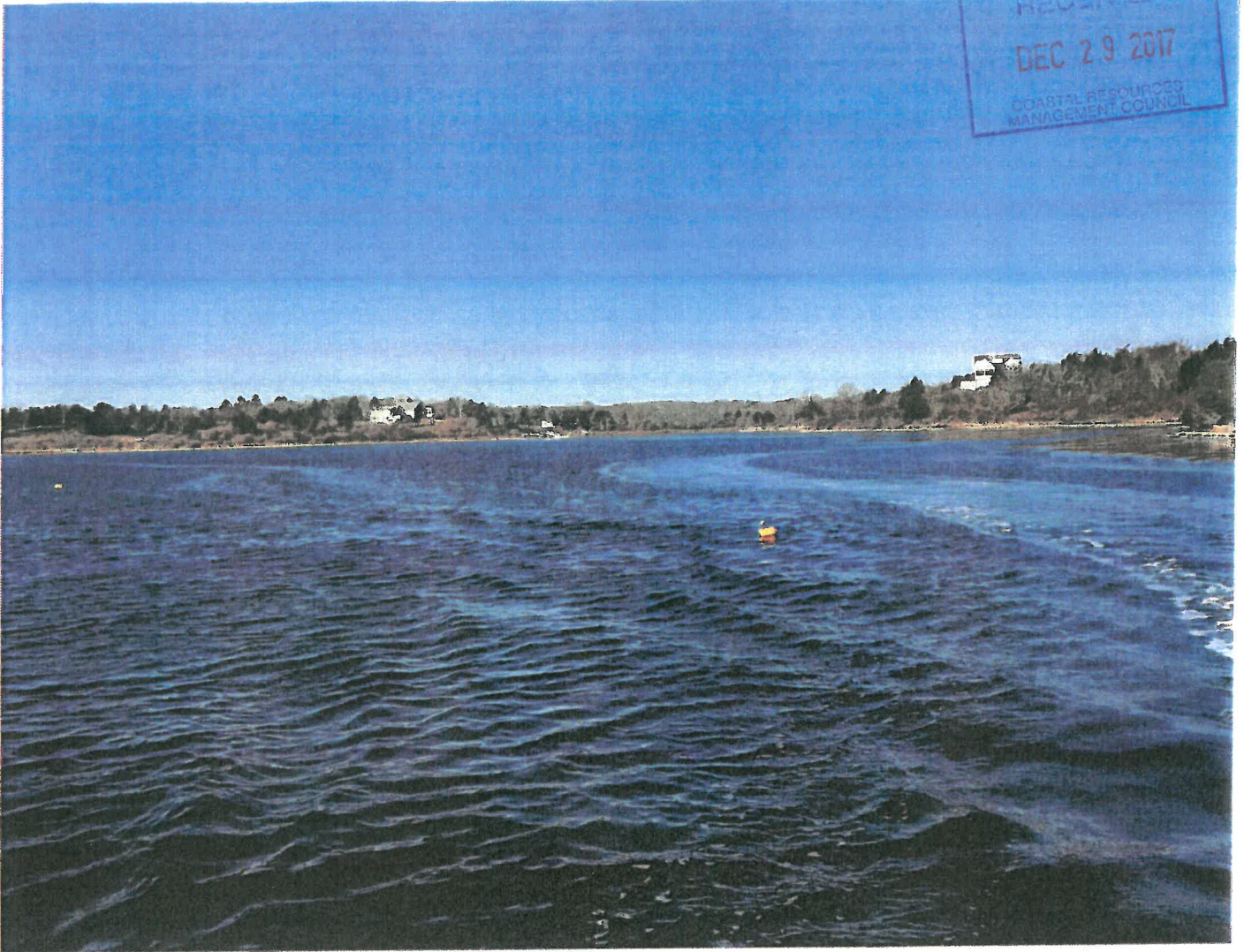




Facing West

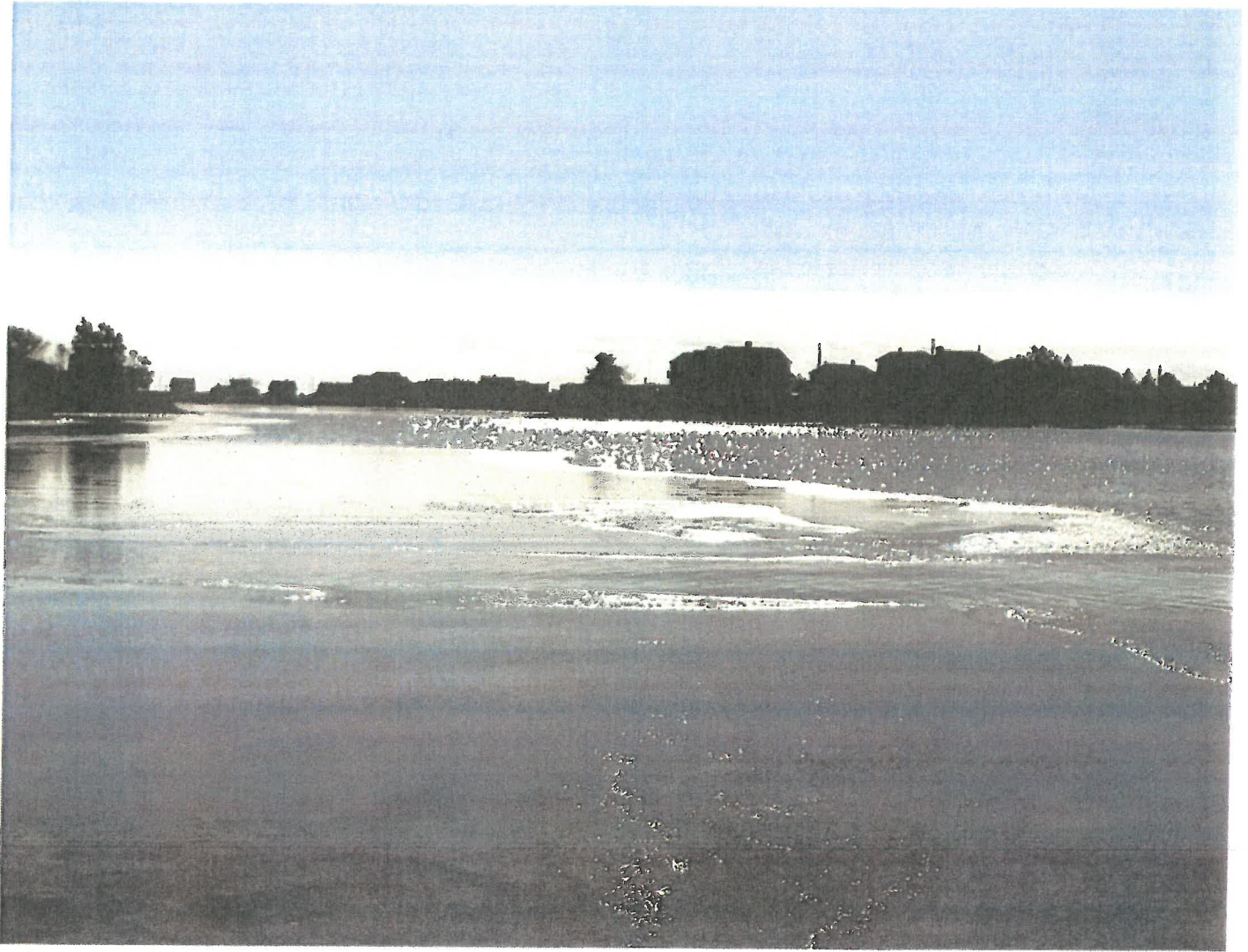
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Facing NORTH

Raso 12/17



Facing South

Rosa 1/17

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Facing East

Raso 12/17



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

December 1, 2017

Perry Raso
650 Succotash Road
Wakefield, RI 02879

RE: Preliminary Determination Meeting, CRMC File No. 2017-09-018
Site Location: Potter Pond, South Kingstown

Dear Mr. Raso:

Enclosed is the report from the Preliminary Determination Meeting held on October 16, 2017 at the South Kingstown Town Hall. Your patience in waiting for the comments from the South Kingstown Waterfront Advisory Commission is appreciated. Please review the report and incorporate the recommendations into a full application for assent if you choose to submit one. Please contact me at 401-783-3370 with any questions.

Sincerely,

David Beutel, Aquaculture Coordinator
Coastal Resources Management Council

DB/lat

cc: Douglas McLean, South Kingstown Planning Office
Julia Livermore, RI DEM
Josh Beuth, RI DEM
Conor McManus, RI DEM

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
REPORT OF FINDINGS -- PRELIMINARY DETERMINATION

STATEMENT OF LIMITATIONS

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is neither an approval nor denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of December 1, 2017 as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

APPLICANT INFORMATION

NAME: Perry Raso **CRMC FILE NO.** D2017-09-018
LOCATION/POLE: Potter Pond
CITY/TOWN: South Kingstown **PLAT:** **LOT:**

CONTACT PERSON(S) & ADDRESS:

Perry Raso

650 Succotash Road

Wakefield, RI 02879

PRELIMINARY REVIEW INFORMATION

PROPOSAL: 3 acre shellfish farm

PLAN(S) REVIEWED: Raso September 2017

INVESTIGATOR Beutel **DATE** October 16, 2017 **TIME** 4:30 pm

MEASUREMENTS & OBSERVATIONS:

PREVIOUS CRMC ACTIONS FOR SITE:

Preliminary Buffer and Setback Requirements:

SETBACK (ref. Section 1.1.7 CRMP)

BUFFER (ref. Section 1.1.9 CRMP)

Note: **Setbacks** apply to "construction related activities" including filling, removing, and grading (ref. Section 1.3.1(B) CRMP). The coastal program requires a minimum setback of either 50', or the buffer zone width plus 25' (whichever is greater). Work within this minimum setback will require a variance per Section 1.1.5 of the CRMP. All variances must be requested in writing. No construction or construction related work shall occur within the required setback (exemptions include structural shoreline protection, outfalls and water dependant uses). Work within the required setback may require a Category "B" review (public notice and decision by the full coastal council) and would likely result in adverse CRMC staff recommendations to the Coastal Council during the review process.

NAME: **Raso**

CRMC FILE NUMBER: **D 2017-09-018**

Buffer zones are areas that must be retained in, or allowed to revert to, “an undisturbed natural condition.” All structures (excluding accessory structures) should be setback a minimum of 25’ from the buffer zone to allow for access, fire protection and maintenance without infringement into the buffer.

If applicable, the plan must show “area of land within 50 feet” in accordance with Rule 5.04 of The Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (the Rules), and label this area as a “buffer zone” in accordance with Rule 5.14. In addition, no activities (such as: drainage, grading, filling, etc.) may affect the freshwater wetland or the buffer zone. Where such alterations occur, or are proposed, an application shall be submitted in accordance with CRMC’s Freshwater Wetland Rules.

Coastal feature verification shall be valid for one-year from the date of this Determination or until an erosion event (e.g., due to storm event, landslide, man-induced alteration, etc.) occurs that alters the coastal feature.

SUMMARY OF FINDINGS

CRMC JURISDICTION: YES

TYPE WATER: 2; Low Intensity Use

For the purpose of this review the coastal feature(s) shall be and the inland edge of coastal(s) feature shall be

Applicability of CRMP and SAM Plans (as amended):

CRMP Sections: 1.1.6.E; 1.2.1(B); 1.3.1(K); 1.3.1(R);* please note the RICRMP format changed on November 29, 2017

SAMP:

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

The preliminary determination meeting for this application was held on October 16, 2017. The applicant, two representatives from RI Department of Environmental Management (DEM), a representative from the South Kingstown Planning Department and CRMC staff were in attendance. The application is for a three acre area in Type 2 waters to grow oysters and bay scallops using floating gear and suspended gear (lantern nets).

The town of South Kingstown Conservation Commission reviewed the application on October 4, 2017 and submitted a letter recommending denial of the application based upon these concerns:

- Three acres is an excessive size and the area should be reduced to minimize impacts
- The boundaries of the area affected was not adequately described
- The significance of the impacts on the abundance and diversity of plant and animal life was not adequately described
- It was not demonstrated that water quality would not be negatively impacted
- It was not demonstrated that affects on water circulation, turbidity, flushing, and sedimentation were adequately addressed
- It was not demonstrated that the site would not have negative impacts on fishing, swimming,

NAME: **Raso**

CRMC FILE NUMBER: **D 2017-09-018**

boating, navigation and other water dependent activities.

The letter shows that the CRMC process is not understood because the letter recommends denial of an application that receives no decision.

The South Kingstown Waterfront Advisory Commission (WAC) provided unwritten comments of objection because of the location of the site without actually reviewing the application. CRMC provided opportunity for six weeks for the WAC to review the application and submit comments but none have been received from review of the application.

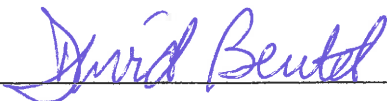
RI DEM stated that a site assessment would occur to determine the density of soft-shelled clams on the proposed site. Oral communications after the survey indicated that no soft-shelled clams were found. The CRMC site survey found a low density of quahogs at the proposed area (0.88 quahogs/square meter). RI DEM requested reduced work hours for the winter season to minimize impacts on migratory waterfowl. Hunting is not allowed in the proposed area so the work hours may be different than the 10:00 am 2:00 pm hours in hunting areas.

RI DEM Office of Water Quality provided a letter stating that this site would not need a water quality certificate. The RI Historical and Preservation Commission provided a letter stating that no historic or cultural resources would be negatively impacted.

CRMC staff assessment of the site is that the area may be appropriate for the proposed activities. CRMC staff will expect objections to this site from South Kingstown residents and town commissions if a full application is submitted. In a full application CRMC recommends:

- Clarify and reference the Category B Section 300.1 responses numbered 3, 5, 7, and 10. The letter from the RI DEM Office of Water Quality has already answered the response for 8.
- Provide a darker copy of the drawings so that a scanned copy is easier and clearer to review
- Use the coordinates and map provided by RI DEM
- Include winter operation hours as requested by RI DEM
- Use floating gear that has the floats attached to the sides of the bags rather than the top to minimize visual impact

SIGNATURE: _____



Aquaculture Coordinator

The extent of this closeup is indicated in white in the map below.

Raso
3.0 ac



Corrected Coordinates	
NW:	41.384204 N, 71.53831 W
NE:	41.384133 N, 71.53753 W
SE:	41.382496 N, 71.53753 W
SW:	41.382496 N, 71.53831 W

Raso
2017-09-018

Legend

Aquaculture_Sites

GPS_Source

Approved

PN App

PD App

Submerged Aquatic Vegetation

Recreational Shellfishing

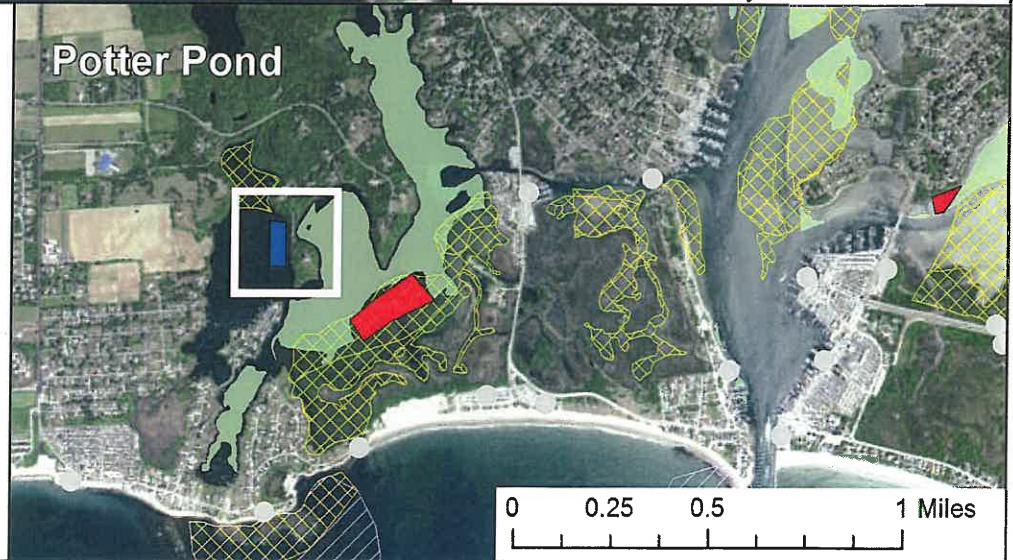
Shoreline Access

Recreational Finfishing



Coordinate System: NAD 1983
StatePlane Rhode Island FIPS 3800 Feet

Potter Pond



From: Joel Thomson <thomsonje@comcast.net>
Sent: Wednesday, February 7, 2018 11:38 AM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : 2017-11-086 P. Raso Request for Approval of Scallop and Oyster Farm - Segar Cove, South Kingstown

Mr. McManus,

It is noted the subject application will be reviewed at today's meeting of the Shellfish Advisory Panel. Please note we have concerns regarding the impact of the application on fin fishing and shell fishing in the designated area.

The area under review is used by many local fishermen, as well as for small commercial and recreational shell fishing. The restriction of use for this area will negatively impact the recreational and small commercial use of the Segar Cove area. This includes serious financial impact to small commercial shellfish operators who constantly face a diminishing access to safe, clean areas for their harvest. Please also consider that the placement of fixed, below surface gear will create a safety hazard for night fishing in the area.

Segar Cove is a resource which is not limited to waterfront homeowners, but is open to and used by the surrounding Matunuck community. It is also used by many others who enter from Point Judith Pond. I ask that you seriously consider the major, long term negative impact of placing a large, fixed commercial operation in Segar Cove and recognize its harm to all users of it.

Joel E. Thomson
Jane D. Thomson

288 Prospect Road
Wakefield, RI 02879

From: Ann Marie Hitchery <aml69@live.com>
Sent: Tuesday, February 6, 2018 7:16 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Aquaculture Application 2017-11-086, Raso, Potter Pond

Dear Mr. McManus,

We write in opposition of Aquaculture Application 2017-11-086, Raso, Potter Pond.

We own two boats and frequently use the area of Segar Cove where Mr. Raso proposes to expand his farming operation. It is a popular spot and heavily used by our family, as well as numerous others, for a variety of recreational purposes, including fishing - from early season

striped bass and snapper blues later in the summer, to clamming along the cove's shorelines.

The entrance to Segar Cove is narrow. With the additional workboat traffic that will be generated by the farm, along with the consumption of three acres of water space, the area will become hazardous for all parties.

Navigational charts aside, Potter Pond has very, very limited deep water areas for recreational use, including fishing and shell fishing. Please do not allow any further reduction of this open water space.

Sincerely,

Steve and Ann Marie Hitchery
92 Peninsula Road
Matunuck, RI
401-783-4615

From: gene corl <geneacorl@aol.com>
Sent: Tuesday, February 6, 2018 1:40 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Comments re proposed Perry Raso second oyster farm

Hate to see this Segar Cove quohog spot be taken away as well. The sandy bottom area where Mr Raso's current 9 plus acre oyster farm is, was a good area to easily rake - and take clams. Been gone for several years now.

Now his proposed second spot inside Segar is also a very good clean spot - well flushed, with more rocks. But still loaded with quohogs. You have to worker a little harder, rake a little deeper, but can get a nice reward.

Gene Corl
210 Washington St
Segar Cove
Matunuck

From: Walter Magee <mageewl@gmail.com>
Sent: Tuesday, February 6, 2018 2:13 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Enviromental impact of oyster farming

Dear Mr. McManus:

The environmental impact of oyster farming is well documented. I urge you to prove to the public that the limited food supply for the salt water pond area near Mantunuck has not already been

exceeded. Further expansion demand of this limited resource may be catastrophic for the residents. I have already observed decreasing clam and mussel populations. I am sure that the Department of Natural Resources maintains data on this critical information. Please delay further expansion of this oyster field until it is clear that further damage to Potter's Pond can be avoided. Please review the information in this website:

<https://www.omicsonline.org/open-access/ecological-consequences-of-oysters-culture-2332-2608-1000198.php?aid=83576>

Dr. Walter L. Magee Jr.
263 Osprey
Wakefield, RI
02879
401-788-3108
Mageewl@gmail.com

From: RICHARD MCCURDY <ram721@verizon.net>
Sent: Wednesday, February 7, 2018 11:36 AM
To: Mcmanus, Conor (DEM)
Cc: townccouncil@southkingstownri.com
Subject:[EXTERNAL] : File #2017-12-086, Raso Application

File # 2017-12-086
DEM Coordinator, Mr Conor McManus

Richard McCurdy
6 Sunset View Blvd
Wakefield RI 02879
401-789-4825

Dear Sir

Mr Raso's proposed oyster farm expansion (file #2017-12-086) should not be allowed. Not only will it effectively close off (or at least hinder) access to an area that many people have used for years (my own family for the past 56 years) to clam and fish, I believe it would also be a hazard for boating.

This proposed site, some 200'X625', extends out from shore about 300' and around 300' from the "gap" leading into the pond. This may seem adequate, but as a long time user of the pond I can assure you that in the warmer months traffic can be quite heavy and that area provides for a safety buffer when needed.

Mr Raso has already been given a substantial area of Potter Pond to use for his business, and I applaud him for it. But expanding his business into Segar Cove is a step too far.

Thank you for your time,
Richard McCurdy 401-789-4825

Please feel free to contact me
ram721@verizon.net

From: Joe Emidy <jpemidy@aol.com>
Sent: Wednesday, February 7, 2018 1:38 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Objection to Raso application for Segar Cove

Good day Mr. McManus, I write today in objection to any expansion of the oyster farm in Segar Cove / Potters Pond. More farming in the cove / pond will limit the recreational fishing and clamming in the area, also it will inhibit the safe navigation to boaters. As you probably well know that area of the pond produces a perfect habitat to the worm hatch that is essential to sustaining the growth of native fin fish (striped bass etc.)

With increased commercial oyster boats / barges that are very wide transversing the narrow channel and whirlpool area there is a significant safety risk to anyone trying to navigate that already dangerous stretch of water, it's an accident waiting to happen with increased traffic.

There are many families who enjoy clamming in the shallow area of the pond, including mine...these families and their memories to make should be respected over a commercial entity that has already encroached enough on the pond.

I also believe that if this application was being presented in any other time than the dead of winter, many more objections would be presented. Best Regards, Joseph Emidy

From: Margaret Schwab <mas7614@verizon.net>
Sent: Tuesday, February 6, 2018 2:27 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Application

Dear Mr. McManus,

I am opposed to the Raso Application.

Perry Raso has been given a sufficient area of Potter Pond to develop his very successful business.

Potter Pond is a natural resource given to the people of Rhode Island.

It is used in a variety of ways by those who live in our beautiful state.

This is not a commercial area.Segar Cove will be changed forever if this application is approved.

Please do not let this happen.

Sincerely,

Margaret A. Schwab

150 Lake Avenue
Matunuck, Rhode Island 02879-6627
401-783-8322

From: Patty Brown <pattyann27@me.com>
Sent: Tuesday, February 6, 2018 5:37 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Application

Dear Mr McManus.. I am emailing to express my concerns regarding the expansion of oyster farming into Segar cove. I have kayaked and clammed in the area of the present working farm in the adjoining cove. It is very noisy and busy with workers all day. To see this same operation move into the northern part of Segar cove is very disturbing. When kayaking in that area, it is like another world... pristine and silent. There is also much wildlife inhabiting that area with several osprey nests to enjoy observing. This would all be taken away by allowing a working oyster farm that area.

I hope further study is given to the impact of this oyster farm approval. Mr Raso already has a big operation in place. How much is enough? Others should be able to enjoy our beautiful resources, too.
Sincerely ,
Patricia Brown

Sent from my iPhone

From: Gary Wetmore <garywmore@yahoo.com>
Sent: Tuesday, February 6, 2018 7:59 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso Lease Application, Segar Cove, Potter Pond

Mr. Conor McManus,

I am writing to you to input my feeling on the Raso application for a 3 acre shellfish lease in Segar Cove on Potter Pond. I am opposed to the granting of this lease for numerous reasons some of which I understand do not have any bearing on the final decision for this lease. These include the lease being unsightly and noise created by workers and equipment in a location that is a quiet residential neighborhood would have a negative impact on our lives.

I fish and recreationally boat on Segar Cove in the immediate area of the lease regularly. Further the lease area is in direct site of my house and I see the activity there daily. There is a significant amount of recreational fishermen in the immediate area as well as Jet skiers, kayakers, paddle boarders, waterskiers and tubers and every other type of vessel imaginable. There are also commercial and recreational shellfish harvesters of natural set clams in Segar Cove in the area of the lease if not directly on it.

I have concerns that the area where the lease is requested as well as all of Segar Cove is a very important shared resource currently utilized by hundreds of people on a daily basis. Restricting the use of

the lease area to one business simply for financial gain in an area that is already seasonally crowded with multiple users does not seem like the proper use of our resources. Further I am concerned That closing down this area to boaters and condensing those users of the pond creates safety issues for the current users particularly towed devices and night time boaters. From an environmental standpoint I have concerns that crowding these three acres with stacked cages of shellfish will create pollution issues. I understand that oysters are filter feeders and to a large extent are beneficial to the water but at what density? They consume nutrients but they also deposit waste. The density of this method of shellfish aquaculture is many times what the natural density would be. Segar Cove does not flush well with the tide. Has this been considered? What is the potential risk of this operation. What does the waste from the oysters do to the immediate area? Will the other shellfish and aquatic life in the pond be impacted in a negative way?

While I appreciate the efforts of Mr. Raso in his aquaculture business I do not feel that the taking of this well utilized area from many people for the benefit of one business is in the public interest.

Thank you for your time and consideration on this matter. I understand this is not a simple decision and I am sure all of my concerns are already under consideration. if a site visit will help at all you and any other official is welcome to visit my house at 282 Prospect Road, South Kingstown any time.

Unfortunately, I am out of town on February 7, 2018 and will not be able to attend the meeting where this matter is being discussed. I ask that you accept this e mail from me in lieu of my attendance. If you have any need to communicate with me I check my email dilly and am available on my cell phone at 203-313-9220

Respectfully,

Gary K. Wetmore
282 Prospect Rd.
South Kingstown, RI
203-313-9220

From: Diane Rodriguez <dyrodriguezrn@yahoo.com>
Sent: Wednesday, February 7, 2018 12:01 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Raso/Segar Cove

Dear Mr McManus,

My husband and I are homeowners on Prospect Rd in Matunuck. I am writing to object to Perry Raso's application for another oyster farm in Segar Cove. My family and I use Segar Cove for recreational fishing, crabbing, and clamming, and we feel that another oyster farm will adversely effect our use of the pond. Thank you.

Diane and Pablo Rodriguez
860 Curtis Corner Rd
Wakefield, RI 02879
email: dyrodriguezrn@yahoo.com

From: Jennifer Lubic <jlubic@nssk12.org>

Sent: Tuesday, February 6, 2018 2:21 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

Dear Sir,

I am very concerned about the proposed shellfishing farm in Segar Cove. My four children and I spend a lot of time kayaking, fishing, clamming and boating in that pond. The cove becomes a very busy place in the summer and with much less space available, I am fearful that summer fun will become "an accident waiting to happen."

I take issue with Mr. Raso's assertion that there is not much going on in the cove. There are many clambers and kayakers and people fishing and boating in that pond from Memorial Day until Labor Day and beyond.

I hope Segar Cove can remain open for all to enjoy!

Best,

Jen Lubic

--

Jennifer Lubic
Reading Specialist/consultant
Narragansett Elementary School

Jlubic@NSSK12.org

From: Paul Hooper <paul@portaphone.com>
Sent: Wednesday, February 7, 2018 10:01 AM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove Oyster Application

Good Morning Mc Manus,

My name is Paul Hooper and have lived on Potter Pond channel for over 50 years now.

I write you this morning to object to the Segar Cove application for a new oyster farm in Potter's.

An avid fisherman of the pond, I fish it all year. Even the other day I was breaking ice with my 14' Carolina skiff fishing for hold over stripped bass. If this new license is approved it will deny all access

not only a great hold over fishery but one of the prime spots for the "worm hatch" in the Spring. Once the hatchery goes in it will be off limits to fish and then will come the kelp floaters that will take a beautiful cove and turn it into noisy commercial eyesore.

Besides that, I have found Segar Cove to be one of the few places that is very productive for trot lining for blue claw crabs in the latter Summer months. For some reason the brackish water seems to attract the crabs and if you allow the farm to go in it will deny me access to lay my line on the on the West side of the peninsula.

Not taking into account there is very few areas that boaters can use channel free it is one of the few areas in Potters Pond that has consistent deep water.

Before Mr Raso was allowed to monopolize the South Coast of Potters, those flats were a pristine area to sight fish for stripped bass. It was a great area to walk the flats to stalk fish. Today it is a jungle of floating debris and impossible to fish. Gone is an estuary that all could enjoy. Please do let that happen up in back. Too many will loose for a few to benefit!

Amazing his applications always go in during the Winter months when the majority of the population who enjoy the area are gone to voice their opinion.

Thank you for your time!
Sincerely, Paul

Paul Hooper
636 Succotash Rd
Wakefield RI
C: 864-1544

From: Brett Cicchese <jcicchese@verizon.net>
Sent: Tuesday, February 6, 2018 7:40 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

The purpose of this letter is to provide opposition to the Referenced application for a three acre oyster/scallop farm in Segar Cove.

My wife and I just recently purchased land on Segar Cove and are beginning the construction of our year round home. We are exited about the location for use of the pond for recreational purposes. We have applied for a mooring and will apply for a dock in the future. Living in Matunuck has been our life long dream. We were surprised when we heard of the application request to expand aquaculture into Segar Cove. We have yet to fully enjoy the benefits of Segar Cove only to find this application request to

consume three acres (likely more) of prime recreational waters. Further aquaculture farming beyond what currently exists in the ponds will exacerbate the already congested recreational waters.

While we enjoy Matunuck Oyster Bar, appreciate the economic boon his restaurant provides and wish him all the success, there needs to be a limit to how many acres of aquaculture farming should be allowed in the ponds.

Please do not approve this application.

Sincerely,

Brett Cicchese
bcicchese@verizon.net

From: Kate Mercurio <kmercurio@gordonschool.org>
Sent: Tuesday, February 6, 2018 10:44 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cove

Dear Mr. McManus,

I am writing to share my objections to the expansion of Mr. Raso's oyster farm into Segar Cove. My family has been summering in Matunuck for 50 years, now with grandchildren enjoying the pond and the water activities associated with it. We know the pond inside and out after years of waterskiing, swimming and clamming in Segar Cove . We have fallen in love with kayaking and enjoy bird watching, including the osprey family that has its nest right in front of the proposed oyster farm. We feel the expansion will greatly curb water activities and put residents at risk for accidents as the acreage he is seeking is a considerable amount of space. Mr. Raso has 7 acres presently in the area near the gut and I read in recent material it is more like ten acres. So the seven acres he is seeking in Segar Cove will only expand and cut our access even more. Residents in Segar Cove and in the general area pay taxes just like Mr. Raso; why does one business have the right to capitalize on this precious gift over many families who have been enjoying the pond for decades?

Thank you for your consideration.

Sincerely,
Catherine Carey Mercurio

--

Kate Mercurio
Second Grade Teacher
Gordon School

45 Maxfield Avenue
East Providence, RI 02914
401-434-3833

kmercurio@gordonschool.org
<http://www.gordonschool.org/2ndgrade>
<http://kidblog.org/class/mrs-mercurios-class>

Gordon School
Education with impact

From: Gloria Latham <glrlatham@yahoo.com>
Sent: Tuesday, February 6, 2018 4:22 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : Segar Cover, Potter Pond File #2017-1-086

Dear Mr. McManus:

I would like to let the SAP know why me and my family object to the building of an oyster farm in Segar Cove, Potter Pond. File #2017-1-086, Proposed Raso Oyster Farm.

Our family has been at 298 Prospect Road for the past 50 years. My husband taught our seven children how to fish, clam, crab, etc. in this pond and now my children are doing the same with their families and friends. We all enjoy this pond for all kinds of recreational purposes.

This pond has always been the perfect and safe spot for everyone to learn all the wonderful sports it has to offer. Fishing for skipjacks and striped bass, clamming, water skiing, tubing, sailing, etc. All my children became excellent fishermen because of their learning experiences in Potter Pond.

All of this would be destroyed with the building of an oyster farm in an area that is used and enjoyed by hundreds of friends and neighbors.

I am sure there must be dozens of other spots these people could find that would not cause such a terrible and sad impact in our area.

Please help us in denying this oyster farm request. Thank you.
Latham

Gloria R.

From: Cawoski, Julie <Julie.Cawoski@wfspa.org>
Sent: Tuesday, February 6, 2018 2:14 PM
To: Mcmanus, Conor (DEM)
Subject:[EXTERNAL] : The Shellfish Advisory Council and the Raso application for Segar Cove.

Dear Mr. McManus,

I am not a resident of RI but I visit my parents each summer for 1 to 2 weeks and they live on Segar Cove. For the past 20 years, my family has enjoyed the cove. We fish, clam(buy our licenses at Benneys), boat, waterski, tube, kayak, canoe and swim in this beautiful pond. My children learned about the salt pond ecosystems and even presented a science project with pictures at their elementary school in Greensburg PA. We used to tether the kids to the dock so they could learn to kayak. They caught crabs, eel, fish and dug clams while learning so much about nature. We challenge each other to swim across the pond each summer. If Mr. Raso builds this oyster farm on Segar Cove, I am concerned we will not be safe while clamming, swimming, water skiing, or kayaking. I also worry that the enjoyment we get from fishing and clamming will be lost as well. We love oysters and have enjoyed wonderful meals at the Matunuck Oyster Bar but Mr. Raso already has 9 acres in the wetlands for his oysters and no one can clam there anymore. Please reconsider allowing Mr. Raso to take more water for his oysters. The pond serves as a safe recreational area for water sports and fishing. Thank you. Julie Cawoski, Vacationer from Greensburg PA,

Julie Cawoski
Associate Director of Community Partnerships

521 Plymouth Street ? Greensburg, PA 15601
PHONE: 724-217-8304 ? FAX: 724 837-8828
EMAIL: CAWOSKI@FSWP.ORG ? WEBSITE: WWW.WFSPA.ORG

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File # 2017-12-086

Deb and Terry McCurdy
264 Prospect Road
Wakefield, RI 02879
401-783-4731
deborahannmccurdy@gmail.com

Dear Sir/Madam,

We (Deborah and Terrence McCurdy) would like to object with Mr. Raso's expansion of 3 additional acres of his Oyster farm in Segar Cove (File # 2017-12-086). The proposed alteration will result in significant conflict of the rights of people who have used this portion of the cove for gathering shellfish, fishing for school bass and releasing, fishing eels. Many of us have ventured to this area (proposed site) to gather dinner as well as commercially harvesting clams, hard and soft shells. Segar Cove has seen many commercial shellfishermen since word got out several years ago about the gold mine of clams here in the cove, especially areas near docks and shallow water, the cove has been harvested to the max. There are still a few commercial shellfishermen in the cove, but due to lack of abundance the numbers have decreased. Many of us will go to areas that are more difficult to harvest because there are plenty of shellfish here. Although it is rocky in spots and deeper water we just move a rock and work the tides and we reap what our cove has provided us for years, dinner and maybe a small paycheck. Although it is said we have the right to continue to use the site, we see that we cannot use all the area that Mr. Raso has commercially developed nearby. This area was also used by many for shellfishing, but now is almost impossible to access this area due to boats, platforms, bags, racks, bouy's and of course the feeling of trespassing.

Our other objection is safety. The proposed site is used by so many who boat in the area. The water activity in Segar Cove is always busy in the warmer months. The channel to get into the cove is only big enough for one boat (rocks on both sides) and if you have a boat entering and one leaving you need this area to move to and wait your turn. A vessel with a water skier or towing a tuber needs to swing into this area if unable to go straight through. If forced to take a quick left there are docks, also it is very difficult to see immediately what who else is coming down that side. What does a boater do when having to take the left after the channel and coming head on with a swimmer off the dock? We ask all parties to please consider the public's use of this area for enjoyment to be continued and not jeopardize our safety and ability to gather a dinner or make a small paycheck.

Thank you for your time and consideration,
Deb and Terry McCurdy

January 15, 2018

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

Dear Sirs,

We just received an email concerning the application of Mr. Perry Raso for an expansion of his oyster farm in Potter's Pond (currently located on the eastern Succotash Road side) to include three acres in the Segar Cove area.(public notice 2017-12-086).

We have been residents on 94 Ocean Avenue in the Matunuck Point neighborhood for thirty years now. We believe that the pond should be openly available to all residents for recreational use, including boating and clamming, and that a commercial enterprise should not be permitted to intrude into these activities and onto people's views from their backyards on the western side of the pond. Whenever we make even a minor improvement in our homestead, we need approval from the coastal commission, which is dedicated to preserving the shore. Even cutting down weeds requires a permit and legal work, not to mention putting in railings on stairs or an AC unit, or digging up an oil tank. We can't understand how a big application like this can be approved, especially since it was snuck into your agenda in the middle of winter, when most of us are not at our Rhode Island summer homes.

We enjoy eating at Mr. Raso's Matunuck Oyster Bar, but we don't believe our neighborhood should be turned into an aquatic farm to allow his business to expand and thrive.

Thank you,

Stephen Firshein, M.D.
Evelyn Smith Firshein M.D.

Christian F. Capizzo
(401) 861-8247
cfc@psh.com

February 7, 2018

VIA E-MAIL TO:

conor.mcmanus@dem.ri.gov
jeffgrant19@cox.net

Chairman Grant and Members of the
Shellfish Advisory Panel
RI Marine Fisheries Council
3 Fort Wetherill Road
Jamestown, RI 02835
Attn: Mr. Conor McManus, DEM Director

Re: Shellfish Advisory Panel (SAP) review of CRMC File # 2017-12-086 – Proposed
Expansion of Aquaculture

Dear Chairman and Panel Members:

On behalf of my clients, Mr. Hunt, Ms. Cooney, Mr. Quigley and Mr. Latham, please allow this letter to serve as a formal objection to the Rhode Island Marine Fisheries Shellfish Advisory Panel (the “SAP”) hearing and/or providing a recommendation on Mr. Raso’s (the “Applicant”) proposed CRMC aquaculture application (the “Application”) that appears on the Panel’s agenda this afternoon as Item 2(c) 2017-11-086, Raso, Potter Pond.

In addition, we are requesting that the SAP vote to object to a review of the Application and send the application to the full Council of the Rhode Island Marine Fisheries (the “RIMFC”) for a hearing, for the reasons set forth below.

Specifically, we believe the Application submitted to CRMC is materially incomplete as it neglects to address the substantial interference that the proposed farm will have with the existing public trust uses, including but not limited to recreational activities in Segar Cove. In addition, the Application is not consistent with the competing uses engaged in the exploitation of marine fisheries. The location of a commercial multi-acre aquaculture operation in a small cove heavily used for recreational activities significantly increases conflicts with recreational uses and effectively reduces many of those legitimate historical uses including the harvest of marine resources. The town of South Kingstown’s own Harbor Management Plan clearly recognizes the importance of avoiding such use conflicts and recognizes the issues which arise from these competing uses. (See South Kingstown Harbor Management Plan, 2010,

Section 1(B), Section 4(D) (2) Biological Resources, Shellfish, Issues, Goal, Policies and Recommended Action #10.)

Based on the Application submitted to the CRMC and to the SAP, we do not believe there is sufficient information or evidence to allow the SAP to review this matter or provide a positive recommendation to the RIMFC until the Application has been more fully vetted by CRMC and the RIMFC.

My clients', along with many others, want to preserve the existing public trust uses of Segar Cove and have filed their objections to the Application with the CRMC. These objections include but are not limited to the fact that the proposed aquaculture farm will:

1. Result in direct loss of property rights at the site in question;
2. Not meet all of the policies, prerequisites, and standards contained in the applicable sections of CRMC's Management Program; and
3. Have a significant adverse impact on: circulation and/or flushing patterns; sediment deposition and erosion; biological communities, including vegetation, shellfish and finfish resources, and wildlife habitat; areas of historic and archaeological significance; scenic and/or recreation values; water quality; public access to and along the shore; shoreline erosion and flood hazards; or evidence that the proposed activity or alteration does not conform to state or duly adopted municipal development plans, ordinances, or regulations.

In addition, based on a review of Application, there does not appear to be sufficient supporting evidence filed with CRMC to meet the requirements under Section 1.3.1 (a-k) of CRMC's Management Program. The Applicant has failed to demonstrate that the proposed aquaculture farm will not unreasonably interfere with, impair or significantly impact the public access or public use of the Segar Cove and Potters Pond and does not significantly conflict with water dependent uses and activities such as recreational shellfishing, boating, fin fishing, swimming, navigation and commerce of the same.

My clients have submitted letters of objection (attached hereto for the record) and requested a hearing before the CRMC in order to oppose the Application and to present testimony and evidence of significant conflict with the existing uses of public trust resources in contravention of the statute authorizing such Assents. Moreover, it should be noted that in addition to my clients' objections filed with the CRMC, numerous written objections from the general public have also been filed with the CRMC and the South Kingstown Waterfront Advisory Commission (the "Commission"). As you may know, the Commission serves a similar role as the SAP in that it serves in an advisory capacity to the South Kingstown Council on matters concerning the management of recreational and commercial waterfront activities. On February 1, 2018, the Application came before the Commission. The Commission tabled their vote on making a recommendation until they received additional information to make an informed vote.

Chairman Grant and Members of the
February 7, 2018
Page 3

In closing, we are requesting, for the purposes of this afternoon's SAP meeting, that the SAP vote to object to review Agenda Item 2 (c), 2017-11-086, Raso, Potter Pond, pending a full review of the Application before the CRMC and the RIMFC.

Should you or other members of the SAP have any questions or concerns please feel free to contact me at the number and/or via email at cfc@psh.com.

Sincerely,



Christian F. Capizzo

CFC:dad

Enclosures

cc: Ms. Christina Hoefsmit, DEM Legal Counsel - Christina.Hoefsmit@DEM.RI.GOV
Mr. Dave Beutel, CRMC Aquaculture - dbeutel@crmc.ri.gov
Mr. Anthony Desisto, CRMC Legal Counsel - adlawllc@gmail.com
Mr. Michael Ursillo, South Kingstown Solicitor - mikeursillo@utrlaw.com

3248978.1/10373-3

95 Segar Court
Matunuck, RI 02879
C/o 12 Chestnut Street
Boston, MA 02108

January 27, 2018

Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

File Number 2017-12-086, Raso Application, Segar Cove, Potter Pond

Dear Sirs/Madams:

Our names are:

Stephen Quigley

Alicia M Cooney

We reside at: 95 Segar Court, Matunuck, RI 02879

September-May we can be reached at:

12 Chestnut Street, Boston, MA 02108

Email: Alicia@monumentgroup.com Cell phone 617-827-8895

Stephen.quigley@reverejournal.com Cell phone 671-372-6360

Winter Home Phone: 617-918-9857

We are sending by certified mail an objection to the above proposal and a request for a hearing. We strongly believe that the approval of this proposal will negatively impact the traditional recreational, fishing and shellfishing use of that section of Segar Cove and create safety and navigational issues for the many watercraft that frequent this area. We are also concerned with the effect of the proposed oyster farm on the wildlife in the specific area. Our other concern is that the specific view from our house and patio will be impaired, specifically in the view corridor which was determined for us by CMRC.

We are direct abutters of the proposed oyster farm site requested by Perry Raso of the Matunuck Oyster Bar. Our house is visible on the top right of the photo attached as part of the permit, directly to the north of the proposed oyster farm site. Our dock is just out of sight of the photograph, but in a larger photo it would be visible right at the top left of center of this photo perimeter. At the dock, in season, we have a 17' Boston Whaler, a paddle board and three kayaks. In addition, we use the dock for our 15' wooden Maine Dory equipped with sails, depending on the wind.

My husband, our two teenage sons, multiple guests and relatives rely on water sport activities on the pond as a main component of our enjoyment of our home. In fact, having resided summers since 1954 in Matunuck, we expressly purchased this property and built a new home at 95 Segar Court solely for its unique location and existing dock. Prior to the purchase of our current home with dock, we regularly launched our smaller row boats and sail boats at the end of Lake Avenue. Our family, and the extended Cooney family including my father and grandfather, has been regular recreational users of this section of Potter Pond for over 90 years. I have attached just a few photos taken with the last two years of our family and friends either on the exact section of the Pond under discussion or clearly having just been using the Pond. These represent only a few occasions when we have been using the pond, as we do not take photos of ourselves every time we recreate there.

TO SPECIFICALLY ADDRESS THE LEGAL CRITERIA AS DELINEATED FROM THE CRA APPLICATION REVIEW SHEET FOR THE PROPOSEAL, WE NOTE THE FOLLOWING:

The specific conditions with which we take issue with in terms of whether they meet the CRMC legal criteria are as follows:

(5) Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life.

We disagree that this condition will be fulfilled, as there is extensive animal life that calls that area of the pond home, and that will be disrupted by the human activity associated with the harvesting of the oysters. If anything like the workers at Mr. Raso's other farm, the workers are out on the platform for lengthy periods of time, working, talking continuously and playing their music. The swans, osprey, minks and other semi-aquatic mammals do not do well with constant human interference.

(6) Demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore.

We disagree that this condition will be fulfilled, as the location of the proposed oyster farm acreage does actually impact the access to the passageway to the larger pond for kayaks, paddleboards, and other non-motorized water vehicles. As a 65 year old kayaker, I need to hug the coast, passing directly over the proposed acreage, in order to avoid the motor boats going in circles with their children on skis, boards, and in tubes. Also we ask our paddle boarders to stay in the same area close to shore for the same safety reasons.

(10) Demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation, and ...

We disagree that this condition will be fulfilled and strongly disagree with Mr. Raso's impression that he has "seen only an occasional paddle craft in the proposed lease." On summer days, there is constant boating activity, shellfishing and fishing from early morning through sundown, and on weekends, sometimes later. Boating during the evening will be extremely unsafe, particularly if boaters are visitors and are not aware there is a restricted area. Mr. Raso notes that there are few docks in the area. He is correct, but the boating activity is a combination of those of us with docks, those with moorings and docks on the southern end of the pond abutting Washington St, Lake Ave, Park Ave, Atlantic Avenue as well as the Gardiner Island/Prospect area. In addition, while out boating ourselves, we see any number of visiting boaters and shellfishers that arrive from Salt Pond under Succotash Road in order to enjoy our area. One of the most frequent areas for shellfishing is almost exactly at the lower right (Southeast) corner of Mr. Raso's proposed site. The shellfishers seem to come in small motor boats or rafts from other areas of the pond, land their boats at the edge of the pond, and spend multiple hours shellfishing.

(11) Demonstrate that measures have been taken to minimize any adverse scenic impact.

We disagree that this condition will be fulfilled, as our view corridor, which was granted to us by CRMC, looks directly out at the proposed site. Item (11) notes that "the floating gear will be positioned nearest to the coast and out of direct view of any homeowner on the pond." That would be practically impossible given that from our backyard, where our patio and grill are, we can see the entire site. We are happy to send photos to show this visually

Given our major concerns as to whether Mr. Raso's proposal 2017-12-086 meets the legal requirements for CRMC's granting of his application to create and maintain a three acre farm at the noted location in Potter Pond, we request a hearing to consider our objections. We look forward to hearing a response from our protest, at our email addresses, mailing addresses, and/or phone numbers noted above.

Thank you for your consideration,

Sincerely,

Stephen Quigley

Alicia M Cooney

January 23, 2018

Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, Rhode Island 02879-1900

Re: File # 2017-12- 086

To Whom This May Concern;

Our names are:

Kevin Martin Hunt

Christine S Hunt

We reside at:

98 Segar Court, Wakefield, RI 02879

February-April we can be reached at:

720 17th Avenue South, Naples, Florida 34102

Email: kmhunt42@gmail.com

christinehunt53@gmail.com

Phone: 617-416-8409

- We are sending by certified mail an objection to the above referenced proposal and a request for a hearing. I strongly believe that the approval of this proposal will negatively impact the traditional recreational, fishing and shellfishing use of that section of Segar Cove and create safety and navigational issues for the many watercraft that frequent this area. Our home is very remote by land and I fear the an industrial area feet from our property could also create a security issue.

My wife Christine and I have resided at 98 Segar Court since 2002. I first fished and "clammed" on Potter Pond in 1957 with my father. I represent

the third generation of Matunuck residents enjoying the Pond and now take great joy in sharing it with my children. We are fortunate to have a registered dock on the property, a registered 17' Key West motorboat, a kayak, paddle board and rowboat. The proposed commercial use changes and presents conflict to these continued uses.

Our property is a point of land on the eastern section of Segar Cove. Perry Raso's current oyster farm is directly across from our property to the south east. This proposed aquafarm will parallel the western side of our property. Based on the scale of the application map, though difficult to read, the proposed farm will hug over 600 feet of that side our property, as close as 10 feet from our shore and stretch well into the open cove.

CONCERNS AND DISCREPANCIES WITH THE APPLICATION

ITEM 3: "The 3 acre area of Potter Pond is removed from boat traffic, away from the navigational channel."

There are only 2 areas of the Pond that have the open width and depth to safely tube and water ski. Segar Cove is one of those places. There are a constant stream of power boats pulling skiers and tubers. They share the space with vulnerable kayakers, paddle boarders, sailers, canoers, jet skiers, fishermen, clambers, bird watchers and leisure craft who navigate those waters daily. It is already a tight squeeze and many hug the shore to safely avoid the traffic in the channel. It is important to note that because the equipment on the proposed farm will be above water, the large service barges will have to be on the western side of the farm toward the middle of the channel further restricting traffic and expanding the footprint of the farm. The proposed changes will dramatically alter the current Pond use and require small craft, kayaks, paddle boards, canoes etc, into the more active channel of the Cove. These use changes will represent a significant increase to the risk of human safety.

ITEM 6:

As stated above in Item 3, the proposed lease would restrict the traditional recreational use of Segar Cove. As well, the narrow mouth of the Cove already has considerable traffic from the 26 docks and twenty moorings within the Cove. Just around the point in Seaweed Cove there are 39 docks and numerous moorings that host watercraft that utilize Segar Cove. This increased industrial traffic of large service barges required to service the new lease will magnify the navigational hazard.

ITEM 7:

Residents should be provided with a study that shows that a 3 acre fixed farm on a tidal pond will not impede the flow of water and cleansing tides near the important mouth of Segar Cove. We the Hunt family would be particularly concerned with the riparian areas immediately adjacent to our land.

ITEM 10: "I have seen only an occasional paddle craft in the proposed lease..... I have never seen anyone fishing or shell fishing either commercially or recreationally in the proposed area."

As a resident since 2002, that simply is not true. Segar Cove is one of the most active and popular areas of the Pond. Fishing in the southern section of the proposed lease is particularly popular when the bass are running in the spring. At least 2 days a week we see people shellfishing in the proposed site, particularly in the northeast segment. One group uses air hoses to reach the deeper clams.

ITEM 11: Scenic impact and direct view of homeowners

The proposed site is in full view of my home and of that of many of my neighbors. Ironically, CRMC has granted my property 2 view corridors. Those corridors allow us to lower the level of the brush so we can enjoy the

views. Presently one of our corridors looks directly at Perry's oyster farm business. Our second corridor will overlook his new venture.

WILDLIFE

The shoreline and land adjacent to the proposed lease is unspoiled and home to a diverse population of wildlife. It is one of the few places we are aware of where one can view otters, mink, and red fox. As well this pristine peaceful oasis secures both a safe migrating and nesting area to great blue heron, great horned owls, hawks, humming birds, and egrets. At our request the DEM and National Grid erected a platform for Osprey that has been the home to a family of Osprey and five new chicks over the last two years. This nest is on our causeway, just feet from the proposed lease. Numerous boaters and kayaks travel to view the Osprey. We fear this new aquafarm with its industrial activity and noise will disrupt this rare ecosystem and prevent access of boaters to view the Osprey nest. The Council required in our assent to maintain a contiguous green buffer in this zone to enhance and encourage habitat. So we are troubled by the potential of a commercial use conflicting with the previous Council position and restrictions on our property.

ACCESS TO OUR PROPERTY

Access to our west shore is by boat only due to CRMC compliance regulations. We are prohibited from cutting heavy brush outside our view corridor and there is no existing grandfathered path to that area. To check our shoreline, check erosion, remove debris, i.e.: dock remnants, planks, plastic, etc., or simply to view our osprey nest, fish or paddle board, Perry's equipment, raised structures, platforms, ropes and workmen will block our ability to bring our boat to shore.

PEACEFUL ENJOYMENT OF OUR PROPERTY

- We supported and did not oppose Perry's current oyster farm which is 200 yards from our property. We have watched it grow from a small underwater project that he serviced from a small craft with his dog to a 7 acre multi million dollar enterprise with raised visible acres of track, floating rafts and constant traffic manned 7 days a week. The constant music, shouting and colorful language travel over the water and have become part of our lives. The additional proposed three acre farm will be within feet of the other side of our property and will magnify all the issues stated above.

Unfortunately, Perry is not always available to supervise his crew. We have had issues with this in the past when their behavior has made both my wife and daughter uncomfortable. We complained to Perry at that time and to his credit, we have had few issues over the past several years. Upon viewing this proposal, my wife and I were concerned that a daily unsupervised crew so close to our remote home would create safety concerns for ourselves and our family. We believe that that the past behavior and comments could increase and further diminish our peaceful enjoyment and use of our property.

We are saddened to think of the loss of space, safety and enjoyment the implementation of this proposal will create. For all the families who enjoy and respect this special Pond, we request a hearing. After an objective hearing, the impact of the proposed operation will be revealed as adverse and inconsistent with the intentions of RI GL laws and the rules and regulations regarding the aquaculture industry. Thank you for your consideration of this matter.

Sincerely,

Kevin Martin Hunt
Christine S Hunt

January 18, 2018

State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: File # 2017-12-086
Raso application, Segar Cove, Potter Pond

Ladies and Gentlemen:

Per your Public Notice dated January 3, 2017, I write to object to the proposal and request a hearing.

Our family has been at 298 Prospect Road for the better part of a half-century. I strongly object to the applicant's contention that the farm will have very little impact on the recreational uses of Segar Cove. It will have a transformative **NEGATIVE** impact on how our family, and the general public, recreate on Segar Cove and Potter Pond.

The elimination of those three acres of water for public usage and recreation will have a cascading negative effect on other activities and lead to dangerous conditions for all concerned. While looked at in isolation, it would seem that the proposal would have limited impact, but, viewed **in the proper context** (busy summer season, hot day, pond full of boats, etc.) it would significantly alter the dynamic of how Segar Cove can actually be safely used.

Of primary concern are motorized watersports – skiing, wakeboarding, tubing, etc. In all of those cases, boats use that area of the cove to **TURN AROUND**. If they can't turn around there, they'll be forced out into the middle of the pond, the precise location where other boats will be attempting to do the same. This will lead to dangerous congestion and perilous conditions for anybody being dragged behind a boat on skis or a tube. This is especially true during the busy summer months. From the deck at 298 Prospect, it's not unusual to see 4 or 5 boats tubing and skiing at the same time in Segar Cove. Even without the proposed farm, this can be tricky, and requires constant vigilance and caution on the part of the boat's captain. Anytime we take the kids or visiting friends tubing or skiing, we pay special attention to instructing them on what to do if they fall – raise arms, splash hands, etc. – all to make certain they remain visible to the numerous other watercraft on the cove. The removal of that acreage from the useable water will only increase the likelihood of somebody being accidentally run over by another boat or jet ski, the growing popularity of which and extreme rates of speed only add further risk.

Many of the issues raised above will also be applicable to non-motorized watersports, like paddle boarding, kayaking, swimming, etc., as the same danger of congestion and potential accidents will apply. My nieces and nephews like to swim around the pond, on a boogie boards and rafts, frequently exploring the shore and area in and around the proposed site. If the farm is placed there, they, too, will be forced to move further to center of the pond, putting them at increased risk. This is also true for kayakers and all other recreational users.

One more note...The applicant's statement that he has "...seen only occasional paddle craft " and has "...never seen anyone fishing or shell fishing" in the proposed site is, on its face, demonstrably FALSE, revealing on his part a willingness to bend the truth to suit his business goals. One wonders what other parts of his application suffer from similar myopia....

In sum, the proposed oyster/scallop farm will have a significant deleterious effect on the recreational use of Segar Cove and will create significant and potentially dangerous conflicts with existing boating, swimming, etc. I urge the CRMC to deny the application.

With kind regards and thanks for your consideration,

Sincerely,

David Latham

David Latham
1915 8th Avenue
Brooklyn, NY 11215

and

2464 F Commodore Perry Highway
Matunuck, RI 02879

917-647-1792
davidclatham@gmail.com

January 23, 2018

Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, Rhode Island 02879-1900

Re: File # 2017-12- 086

To Whom This May Concern;

Our names are:

Kevin Martin Hunt

Christine S Hunt

We reside at:

98 Segar Court, Wakefield, RI 02879

February-April we can be reached at:

720 17th Avenue South, Naples, Florida 34102

Email: kmhunt42@gmail.com

christinehunt53@gmail.com

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Access to our west shore is by boat only due to CRMC compliance regulations. We are prohibited from cutting heavy brush outside our view corridor and there is no existing grandfathered path to that area. To check our shoreline, check erosion, remove debris, i.e.: dock remnants, planks, plastic, etc., or simply to view our osprey nest, fish or paddle board, Perry's equipment, raised structures, platforms, ropes and workmen will block our ability to bring our boat to shore.

PEACEFUL ENJOYMENT OF OUR PROPERTY

- We supported and did not oppose Perry's current oyster farm which is 200 yards from our property. We have watched it grow from a small underwater project that he serviced from a small craft with his dog to a 7 acre multi million dollar enterprise with raised visible acres of track, floating rafts and constant traffic manned 7 days a week. The constant music, shouting and colorful language travel over the water and have become part of our lives. The additional proposed three acre farm will be within feet of the other side of our property and will magnify all the issues stated above.

Unfortunately, Perry is not always available to supervise his crew. We have had issues with this in the past when their behavior has made both my wife and daughter uncomfortable. We complained to Perry at that time and to his credit, we have had few issues over the past several years. Upon viewing this proposal, my wife and I were concerned that a daily unsupervised crew so close to our remote home would create safety concerns for ourselves and our family. We believe that that the past behavior and comments could increase and further diminish our peaceful enjoyment and use of our property.

We are saddened to think of the loss of space, safety and enjoyment the implementation of this proposal will create. For all the families who enjoy and respect this special Pond, we request a hearing. After an objective hearing, the impact of the proposed operation will be revealed as adverse and inconsistent with the intentions of RI GL laws and the rules and regulations regarding the aquaculture industry. Thank you for your consideration of this matter.

Sincerely,

Kevin Martin Hunt
Christine S Hunt



Theresa Murphy
Director of Leisure Services

Town of South Kingstown, Rhode Island

Leisure Services

Parks and Recreation

Neighborhood Guild

325 Columbia St
Peace Dale RI 02879
(401) 789-9301

Recreation Center

30 St Dominic Rd
Wakefield RI 02879
(401) 284-1975

Senior Services

The Center

25 St Dominic Rd
Wakefield RI 02879
(401) 789-0268

Adult Day Services

283 Post Rd
Wakefield RI 02879
(401) 783-8736

www.southkingstownri.com

February 15, 2018

Mr. David Beutel
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Rd.
Wakefield, RI 02879-1900

Dear Mr. Beutel,

At a meeting of the South Kingstown Waterfront Advisory Commission on Wednesday, February 14, 2018, CRMC Public Notice re: file #2017-12-86, was taken under consideration.

The Commission unanimously passed a motion (5-0) to file an objection to the proposed three acre oyster and bay scallop farm in Segar Cove as detailed in CRMC file #2017-12-086; noting that it would pose significant negative impact on public recreational activity in that area. Please accept this letter as notice of said objection.

Thank you to CRMC for extending the response period for the Waterfront Advisory Commission to thoroughly review and consider the application. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Theresa Murphy
Director of Leisure Services

cc: Grover Fugate, Executive Director, CRMC
Robert C. Zarnetske, Town Manager
South Kingstown Town Council
South Kingstown Waterfront Advisory Commission

-----Original Message-----

From: Philip Morton [<mailto:phil-morton@comcast.net>]

Sent: Wednesday, February 28, 2018 1:30 PM

To: Ballou, Robert (DEM) <robert.ballou@dem.ri.gov>

Subject: [EXTERNAL] : Segar Cove

Robert,

My wife and I have owned a home/cottage on Potter Pond in SK for the past six+ years and have just recently learned about the new aquaculture license request by the owner of Matunuck Oyster Bar. Although we are fans of aquaculture and the restaurant itself we are very opposed to Perry Raso or anyone else acquiring more of the pond for commercial farming. The beauty of Potter Pond has always been enhanced by how serene and un-spoiled it is.

Having an oyster farm in Potter Pond has increased year-round boat traffic significantly and taken precious acreage of nature away from all of us. I am also an active recreational fisherman on Potter Pond mainly from my kayak and it is very disturbing to lose more of our incredible fishing area intended for all to use to the benefit of only a few.

Please do not support this license application.

Phil & Nancy Morton
64 Windswept Drive
Champlin's Cove

January 24, 2018

State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield RI 02879-1900

Ref file No. 2017-12-086, Raso Application, Segar Cove, Potter Pond

To Whom It May Concern:

I have lived at 500 Sycamore Lane since 1998. My property abuts Potter Pond but not Segar Cove. I am opposed to this application for a 3 acre oyster and bay scallop farm. I believe it will unreasonably interfere with, impair or significantly impact existing public access to, or use of, tidal waters and/or the shore. I also believe the proposed use will result in significant conflicts with water-dependent uses and activities such a recreational boating, fishing, swimming and navigation.

My husband and I own 3 kayaks and have a dock. At our ages we do not kayak anymore but children, grandchildren and friends do kayak in the pond and enjoy exploring the coves, such as Segar Cove. I believe many of my neighbors on Segar Cove have docks and enjoy regular boating activities. Because of limited access Potter Pond is particularly attractive to small boat use - kayaks, canoes, rowing shells and paddleboards. Any commercial use of Segar Cove would negatively impact these activities.

I am requesting a hearing.

Very truly yours,

Patricia D. Moore
500 Sycamore Lane
Wakefield RI 02879
401-783-2055
patmoore25@aol.com



Rhode Island
Department of Environmental Management

DIVISION OF MARINE FISHERIES

3 Fort Wetherill Road
Jamestown, RI 02835

401 423-1920
FAX 401 423-1925
TDD 401 831-5508

February 2, 2018

David Beutel
Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: Perry Raso Lease Application # 2017-12-086

Dear Mr. Beutel:

The Rhode Island Department of Environmental Management (Department), through the Division of Fish and Wildlife (DFW) and Division of Marine Fisheries (DMF), has received and reviewed the application submitted by Perry Raso for a proposed 2.98-acre aquaculture lease in Potter Pond for cultivating eastern oysters (*Crassostrea virginica*) and bay scallops (*Argopecten irradians*) using floating cages, lantern nets, and suspended longlines with spat bags.

The DMF and DFW believe that the adverse impacts to marine fisheries and wildlife and their habitat from this prospective site would be minimal. Based on historical survey data demonstrating a large abundance of soft-shell clams (*Mya arenaria*) in Seger Cove (Erkan and Gibson 2005), DMF staff initially had concerns regarding possible impacts to soft-shell clam habitat within the lease area. Staff conducted a soft-shell clam and quahog survey on November 2, 2017 using both a bull rake and a suction device. No soft-shell clams and very few quahogs (<1 quahog/m²) were caught. Additionally, there is no submerged aquatic vegetation within or near the proposed lease area at present, or in historical data (Figure 1). As such, the DFW and DMF do not have objections to this application on the basis of impacts to benthic habitats utilized by shellfish and/or finfish.

The DFW notes that the applicant has included time of day work restrictions of between the hours of 9 AM and 3 PM for the period November 15 - March 15 annually to reduce interference with migratory waterfowl that use Segar cove as a roost site during winter. The DFW proposed these dates and times during the preliminary determination meeting and appreciates the applicant's incorporation of this request into the application submitted for public notice. The DFW's acceptance of these hours and dates is specific to this location as it is primarily used as a roost site and not a feeding area for migratory waterfowl.

While DMF staff do not have any data indicating recreational fishing is present within the proposed lease area, staff acknowledge that this area may be heavily utilized for recreational finfishing and anticipate that there may be public opposition to the proposed location. Shellfishing activity regularly occurs north of the proposed site based on information collected as part of the Shellfish Management Plan (Shellfish Management Plan Team 2014; see Figure 1), but this data source does not indicate regular activity within the proposed site. The proposed lease area itself is over 25 feet from the shoreline (allowing for recreational clamming inshore) and is situated in 5.5 feet of water (at mean low water) above a mud and gravel substrate. Therefore, the site is unlikely to support significant recreational clamming activity. Hence, the DFW and DMF do not have objections to this application.

The Department's acceptance of the current proposal is specific to the location and specifications outlined in the application.

Sincerely,



Dean Hoxsie,
Acting Associate Director for Natural Resources

References:

Erkan, DE and Gibson, MR. 2006. 2005 Shellfish Survey of Potter Pond, South Kingstown, Rhode Island. RI Department of Environmental Management, Division of Fish and Wildlife, Marine Fisheries Section

Shellfish Management Plan Team. 2014. Rhode Island Shellfish Management Plan, Version II. http://www.rismp.org/wp-content/uploads/2014/04/smp_version_2_11.18.pdf

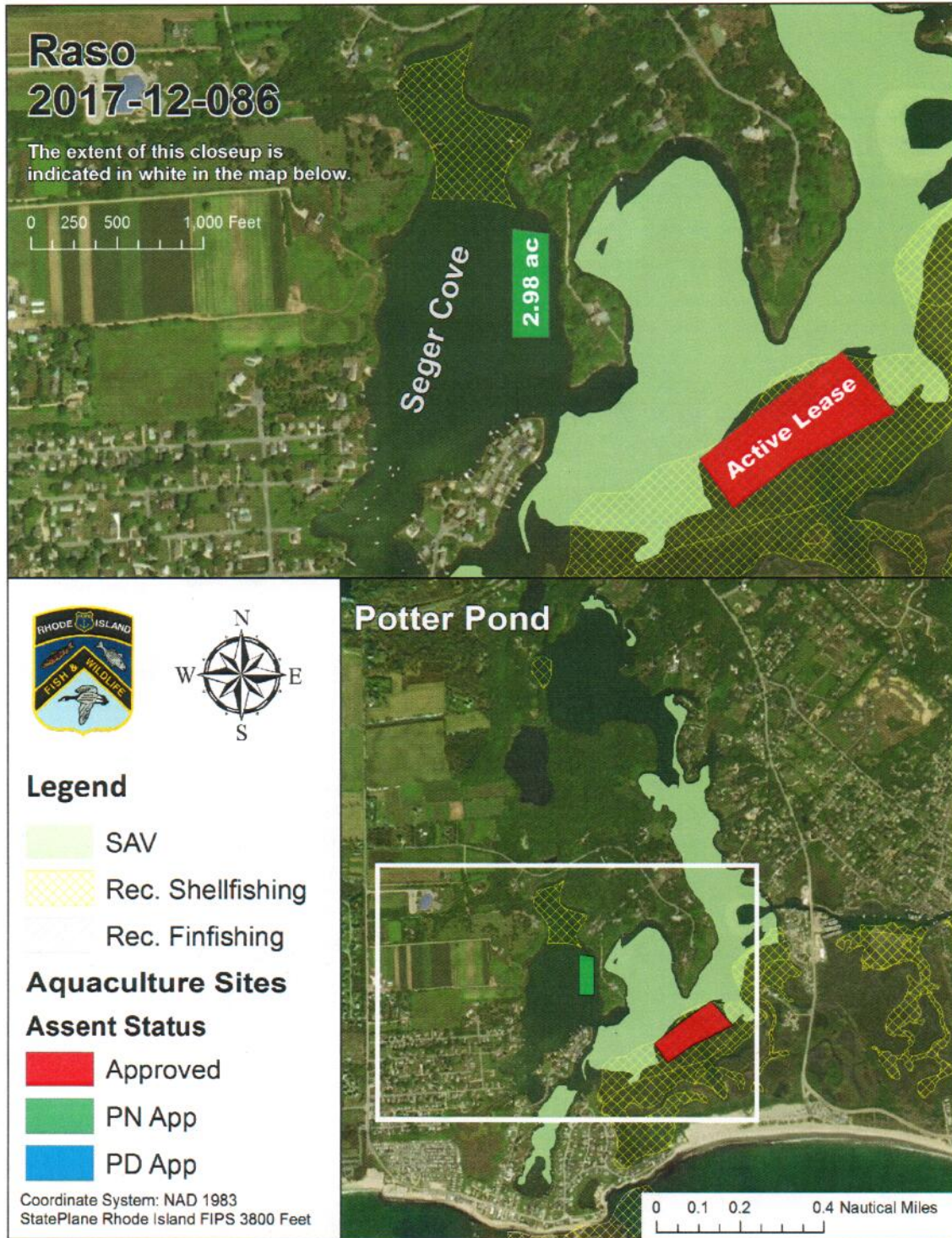


Figure 1. Proposed lease area in Segger Cove of Potter Pond

RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF MARINE FISHERIES



**Rhode Island Saltwater Recreational
Fishing License Program**

Annual Report

Fiscal Year 2017

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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 FY17, offers a brief review of the status of state-based recreational fishing assessments, and sets forth the FY18 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:

- 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”).
- 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 - 2015 was approximately 42,000 per year, generating average revenues of about \$270,000 gross and \$180,000 net. For the last two years (2016 and 2017) this figure has risen to approximately 47,000 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 license sold via a vendor, is used to cover the costs of administering the licensing program. This money goes directly to the vendors who administer the program, and are not revenues received by the state. In this way, the program covers its own costs and is self-sustaining.

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

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

d. Implementation:

- Internet Based System & Local Vendors:

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

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

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

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

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

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

- Information & Outreach:

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

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

access sites, and commonly caught species. It also provides information on the license program. The guide has emerged as a popular, widely circulated annual publication that serves to both promote recreational saltwater fishing in RI and inform the angling community on saltwater license revenue supported programs and regulations.

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

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

For the FY2017 funding cycle the Division 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 51 children for three days all centered around fishing. The popularity of the camp has prompted the Division and RISAA to continue the camp in FY2018, at Rocky Point. 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 was 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. In the event that source of

match comes up short, recreational saltwater license revue will be used to match the shortfall.

- Free Fishing Day:

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

e. Licenses Issued, Revenues Received: Fiscal Years 2011-2017:

Tables 1-3 summarize licenses issued and revenue generated since the inception of the license program. For the purposes of this report gross revenue is the total amount of fees paid to RIDEM for the saltwater recreational license. Net revenue is the balance of fees deposited into the restricted account after the administrative costs are paid to the internet portal contractor and other brick and mortar vendors. License numbers and revenues increased after FY11, as expected, as the federal registry switched from being a free alternative to being a more costly alternative. In the five years since FY11, license issued have plateaued at approximately 42,000 per year, generating an average gross revenue of about \$270,000, and average net revenue of about \$186,000. The number of licenses sold and revenue generated fall well short of initial predictions, resulting in a much more constrained budget then originally envisioned. FY17 continued the upward trend of FY16 with increased license sales above the recent average. During FY17 46,946 licenses were issued resulting in \$300,910 in gross revenue and \$207,631 in net revenue.

Table 1. Number of RI Saltwater Recreational Fishing Licenses Issued: FY11 through FY17

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	703	993	996	1,055	992	1,006	971

Stationed in RI							
Totals:	29,615	42,438	41,325	42,194	42,350	47,147	46,946

DRAFT

Table 2. RI Saltwater Recreational Fishing Licenses -- Gross Revenue: FY11 through FY17

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

Table 3. RI Saltwater Recreational Fishing Licenses -- Net Revenue: FY11 through FY17

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

III. Status of State-Based Fishing Assessments

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

The portion of MRIP that collects recreational fishing effort data is currently being collected by the Coastal Household Telephone Survey (CHTS) and the mail based Fishing Effort Survey (FES). The dual data collection methodology is in the end stage of a transition from a phone to a mail based survey. Both methodologies use information provided by anglers when purchasing a Rhode Island Saltwater Recreational Fishing License as the sample frame for the surveys. ICF International is the federally approved contractor that currently conducts the effort survey. Throughout the year, the data collected by the contractor is presented to the Division for review; once approved by the Division, the data is provided to MRIP. The results of the CHTS are displayed, by calendar year, in Tables 4 - 6 respectively. Note that the data is presented by calendar year, not fiscal year, and that 2017 phone data is only for waves 2-5.

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

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

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

To further add to the above-described improvements, the Division is increasing the number of sample draws across all months using revenues from Rhode Island Saltwater Recreational Fishing License matched 3:1 with USFWS federal grant money. The funds are being used to hire 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 7a, 7b and 8. Recreational Saltwater License funds were not used to make this transition; it was a federally funded initiative. Agreements have been forged between NOAA Fisheries and the Atlantic States Marine Fisheries Commission (ASMFC) outlining the duties and responsibilities the Division must accomplish to successfully transition and run the program. To accomplish this transition the Division hired a full-time coordinator to administer the program. The funding for this position is provided annually by NOAA Fisheries. The MRIP coordinator will be responsible for maintaining and scheduling personnel who will conduct angler intercepts throughout RI. In addition to staffing duties, the coordinator will be responsible for QA/QC, validation, and disseminating of data collected to the Atlantic Coast Cooperative Statistics Survey (ACCSP). ACCSP is part of ASMFC and will be coordinating the collection of data from state partners for delivery to NOAA Fisheries.

The Division has hired two full time field interviewers to perform angler intercepts during waves 2 -6 throughout Rhode Island. NOAA Fisheries provides funding for one-time staff as well as for four seasonal employees each year. These employees travel to shore based sites and ride on board head boats to conduct angler interviews routinely as prescribed by APAIS. The full-time employees also provide back office support to the MRIP coordinator. As mentioned above, Recreational Saltwater License funds will be used each year to increase the number of interviews beyond the base number funded by NOAA Fisheries. These additional interviews are accomplished by hiring additional seasonal employees during peak fishing waves. The funding for the four additional seasonal employees 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. Table 8 compares 2016 and 2017 APAIS interview statistics. The results compare the first two 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 in 2017 relative to 2016. Field interviewer production rates also contributed to more completed interviews in 2017. Production rates increased from an average of 5.4 interviews/assignment to 7.2 interviews/assignment between 2016 and 2017. The increased field interviewer production rates are the result of the experience gained in our first year of the program and a more refined training regimen.

Refusal rates decreased level between 2016 and 2017. The Division will continue its outreach efforts to reduce this statistic. Most of the refusals 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. 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. Last year 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.

Table 4. RI phone Surveys conducted by ICF International: 2011 through 2017

Category	2011	2012	2013	2014	2015	2016	2017 (w 2-5)
Successful Phone Interviews	254	244	252	222	232	205	210
Total Phone Calls	72834	74753	90769	108055	116660	143358	180176

Table 5. 2016 RI Phone Interviews Conducted by ICF International

Disposition	WAVE 2		WAVE 3		WAVE 4		WAVE 5		WAVE 6		TOTAL	
	#	% of total	#	% of total	#	% of total	#	% of total	#	% of total	#	% of total
Total Numbers Attempted	10110	7.05%	30776	21.47%	52562	36.66%	38398	26.78%	11512	8.03%	143358	100.00%
Non-Response	7590	75.10%	18424	59.90%	23342	44.40%	15231	39.70%	3572	31.00%	68159	47.54%
No Contact	7251	71.70%	17113	55.60%	21356	40.60%	14040	36.60%	3079	26.70%	62839	43.83%
Busy	48	0.50%	32	0.10%	22	0.00%	390	1.00%	4	0.00%	496	0.35%
No Answer	3124	30.90%	5582	18.10%	7010	13.30%	4132	10.80%	562	4.90%	20410	14.24%
Not Available for Screening	3907	38.60%	7942	25.80%	12619	24.00%	8492	22.10%	2276	19.80%	35236	24.58%
Answering Machine	172	1.70%	3557	11.60%	1705	3.20%	1026	2.70%	237	2.10%	6697	4.67%
Contacted Non-Respondents	339	3.40%	1311	4.30%	1986	3.80%	1191	3.10%	493	4.30%	5320	3.71%
Language Problem	16	0.20%	72	0.20%	101	0.20%	78	0.20%	16	0.10%	283	0.20%
Refused	323	3.20%	1239	4.00%	1885	3.60%	1113	2.90%	477	4.10%	5037	3.51%
Response	2520	24.90%	12352	40.10%	29220	55.60%	23167	60.30%	7940	69.00%	75199	52.46%
Respondent Ineligible	2212	21.90%	11373	37.00%	27649	52.60%	21948	57.20%	7574	65.80%	70756	49.36%
Failed Prescreening	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Not in Service	1391	13.80%	8721	28.30%	23159	44.10%	18522	48.20%	6539	56.80%	58332	40.69%
Business Phone	774	7.70%	2417	7.90%	4101	7.80%	3168	8.30%	965	8.40%	11425	7.97%
Wrong Number	0	0.00%	1	0.00%	6	0.00%	4	0.00%	0	0.00%	11	0.01%
Wrong County	28	0.30%	145	0.50%	250	0.50%	158	0.40%	53	0.50%	634	0.44%
Not Permanent Resident	19	0.20%	89	0.30%	133	0.30%	96	0.30%	17	0.10%	354	0.25%
Eligible Non-Fishing Households	299	3.00%	930	3.00%	1483	2.80%	1170	3.00%	356	3.10%	4238	2.96%
No Fishing Last 12 Months	255	2.50%	883	2.90%	1431	2.70%	1117	2.90%	325	2.80%	4011	2.80%
No Fishing Last 2 Months	43	0.40%	45	0.10%	47	0.10%	49	0.10%	30	0.30%	214	0.15%
First-Time Contact/Non-Fishing	1	0.00%	2	0.00%	5	0.00%	4	0.00%	1	0.00%	13	0.01%
Eligible Fishing Households	9	0.10%	49	0.20%	88	0.20%	49	0.10%	10	0.10%	205	0.14%

Table 6. 2017 RI Phone Interviews Conducted by ICF International

Disposition	WAVE 2		WAVE 3		WAVE 4		WAVE 5		WAVE 6		TOTAL	
	#	% of total	#	% of total	#	% of total	#	% of total	#	% of total	#	% of total
Total Numbers Attempted	9878	5.48%	53231	29.54%	60272	33.45%	56795	31.52%			180176	100.00%
Non-Response	3334	33.80%	17046	32.00%	20649	34.30%	17955	31.60%			58984	32.74%
No Contact	2953	29.90%	14936	28.10%	19378	32.20%	16044	28.20%			53311	29.59%
Busy	22	0.20%	92	0.20%	118	0.20%	36	0.10%			268	0.15%
No Answer	426	4.30%	3176	6.00%	6367	10.60%	4870	8.60%			14839	8.24%
Not Available for Screening	1878	19.00%	9823	18.50%	11504	19.10%	8421	14.80%			31626	17.55%
Answering Machine	627	6.30%	1845	3.50%	1389	2.30%	2717	4.80%			6578	3.65%
Contacted Non-Respondents	381	3.90%	2110	4.00%	1271	2.10%	1911	3.40%			5673	3.15%
Language Problem	17	0.20%	100	0.20%	79	0.10%	95	0.20%			291	0.16%
Refused	364	3.70%	2010	3.80%	1192	2.00%	1816	3.20%			5382	2.99%
Response	6544	66.20%	36185	68.00%	39623	65.70%	38840	68.40%			121192	67.26%
Respondent Ineligible	6301	63.80%	34990	65.70%	38046	63.10%	37453	65.90%			116790	64.82%
Failed Prescreening	0	0.00%	0	0.00%	0	0.00%	0	0.00%			0	0.00%
Not in Service	5489	55.60%	30812	57.90%	34381	57.00%	33086	58.30%			103768	57.59%
Business Phone	772	7.80%	3834	7.20%	3416	5.70%	4076	7.20%			12098	6.71%
Wrong Number	0	0.00%	1	0.00%	1	0.00%	0	0.00%			2	0.00%
Wrong County	28	0.30%	215	0.40%	127	0.20%	204	0.40%			574	0.32%
Not Permanent Resident	12	0.10%	128	0.20%	121	0.20%	87	0.20%			348	0.19%
Eligible Non-Fishing Households	236	2.40%	1133	2.10%	1519	2.50%	1304	2.30%			4192	2.33%
No Fishing Last 12 Months	211	2.10%	1078	2.00%	1473	2.40%	1252	2.20%			4014	2.23%
No Fishing Last 2 Months	25	0.30%	54	0.10%	30	0.00%	47	0.10%			156	0.09%
First-Time Contact/Non-Fishing	0	0.00%	1	0.00%	16	0.00%	5	0.00%			22	0.01%
Eligible Fishing Households	7	0.10%	62	0.10%	58	0.10%	83	0.10%			210	0.12%

Table 7a. APAIS Interview Statistics from 2016 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
2016	2	CH	18	0	0	0	0	0
2016	2	HB	6	103	53	2	0	17.17
2016	2	PR	18	3	7	0	1	0.17
2016	2	SH	18	10	3	1	7	0.56
2016	3	CH	28	94	343	24	11	3.36
2016	3	HB	13	161	101	20	0	12.38
2016	3	PR	43	89	89	7	25	2.07
2016	3	SH	31	52	16	15	29	1.68
2016	4	CH	30	168	573	22	80	5.6
2016	4	HB	18	308	313	54	0	17.11
2016	4	PR	63	225	168	40	111	3.57
2016	4	SH	42	156	103	74	69	3.71
2016	5	CH	28	146	327	27	53	5.21
2016	5	HB	12	168	65	32	0	14
2016	5	PR	43	274	137	23	62	6.37
2016	5	SH	29	77	28	19	28	2.66
2016	6	CH	10	29	33	0	0	2.9
2016	6	HB	5	45	16	34	0	9
2016	6	PR	30	17	10	0	1	0.57
2016	6	SH	25	20	2	7	3	0.8
2016			510	2145	2387	401	480	5.44

Table 7b. APAIS Interview Statistics from 2017 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
2017	2	CH	11	0	0	0	0	0
2017	2	HB	4	59	5	3	0	14.75
2017	2	PR	14	27	2	5	5	1.93
2017	2	SH	14	38	8	0	8	2.71
2017	3	CH	38	164	260	2	29	4.32
2017	3	HB	12	192	130	43	0	16
2017	3	PR	52	229	90	24	40	4.4
2017	3	SH	35	174	99	59	77	4.97
2017	4	CH	34	596	422	18	250	17.53
2017	4	HB	17	319	218	32	0	18.76
2017	4	PR	69	609	235	67	251	8.83
2017	4	SH	52	384	136	100	128	7.38
2017	5	CH	37	279	306	1	105	7.54
2017	5	HB	11	118	50	5	0	10.73
2017	5	PR	58	335	126	10	103	5.78
2017	5	SH	39	169	36	21	59	4.33
2017	6	CH	10	20	28	0	8	2
2017	6	HB	6	56	36	10	0	9.33
2017	6	PR	29	46	24	4	8	1.59
2017	6	SH	18	27	6	12	21	1.5
2017			560	3841	2217	416	1092	7.22

Table 8. Summary of APAIS interview Statistics from 2016 – 2017 assignments by wave.

Year	Wave	Completed	Refused	Missed	Percent Refused	Ratio Refused/Missed
2016	2	116	63	8	35.20%	7.88
2016	3	396	549	65	58.10%	8.45
2016	4	857	1157	260	57.45%	4.45
2016	5	665	557	143	45.58%	3.90
2016	6	111	61	4	35.47%	15.25
2016		2145	2387	480	53.00%	4.97
2017	2	124	15	13	10.79%	1.15
2017	3	759	579	146	43.27%	3.97
2017	4	1908	1011	629	34.64%	1.61
2017	5	901	518	267	36.50%	1.94
2017	6	149	94	37	38.68%	2.54
2017		3841	2217	1092	36.60%	2.03

IV. Issues & Initiatives

a. Increasing the Number of Local Vendors:

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

To date, there are twenty 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 2018 RIDEM is rolling out a new outdoor recreational licensing system which will allow saltwater, freshwater, and hunting licenses to be purchased over the internet at once. By way of background, the saltwater and freshwater licenses were already available online, hunting licenses were still being issued via a paper system. The new

system has both an online and agent module to allow both online and brick and mortar sales outlets. Combining all three licenses into one system should result in the saltwater license being available at more brick and mortar locations. There are several agents throughout the state that in past only sold freshwater and/or hunting licenses, the new system will allow saltwater license sales at these locations, notably Wal-Mart.

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

d. Allowing Volunteer Contributions to the Restricted Receipt Account:

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

e. Streamlining the Online License Renewal Process:

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

It should be noted that the new 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 should reduce the amount of time any given user spends renewing their recreational saltwater fishing license.

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 2017 and 2016 fiscal cycles, this number increased to 47,000 licenses. Increases were seen in both the resident and non-resident demographic. Although it is too soon to predict whether these sales numbers will be sustained, it is a positive sign that general awareness to the licensing program has increased. It is speculated that the presence of APAIS field interviewers dressed in RIDFW uniforms was also a factor in raising awareness of the program or perception that an angler's license may be checked more frequently. The Division is vested in providing outreach and education to the public, this positive sign is encouraging and fosters a belief that the outreach funds are well spent.

It is important to know how closely the number of licenses tracks the actual number of anglers in order to assess the effectiveness of the saltwater license program. RIDEM Division of Law Enforcement (DLE) conducts field checks of the recreational license to ensure compliance with the saltwater license requirement with good results. 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 continue to foster the gains in sales from FY2017 in to the future.

The Division will continue working to increase compliance as well as prevent license sales from eroding. Several ideas provided by the Saltwater Recreational License advisory group will be pursued to this end. The Division collects email addresses from license applicants; these email addresses will be used in the future to send an electronic reminder to renew their licenses annually. The Division initiated the first of these email reminders in 2017. The new online recreational licensing system will 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 in to the future. Robust fishing opportunities coupled with modern, well thought out, and convenient fishing access is ultimately the best strategy to increase awareness of the license to ensure that all Rhode Islanders are participating in the program equally. To this end the saltwater recreational license program will continue to direct funding towards 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. FY17 Expenditures:

During the 2017 fiscal year, a total of \$214,858 was spent on the Rhode Island Marine Recreational Fishing Program (Table 8). This amount is up from the \$161,213 expended in FY2016. Of that total:

- \$20,821 was used to hire two additional seasonal field interviewers to accomplish additional MRIP intercept interviews.
- \$80,000 was used to provide funding for the new ramp installation at Goddard Memorial State Park.
- \$92,357 was used for personnel and equipment costs in support of the Division's finfish surveys for stock assessments.
- \$6,672 was used for the management of the Marine Recreational Fisheries Program.
- \$5,898 was used to support the Division's boating/fishing access site maintenance program.
 - Mount Hope- regrade ramp area and remove old dock and gangway
 - Narrow River Ramp- graded parking area and replaced handicap only signs
 - Pawcatuck River Boat Ramp, Westerly- removed debris and trash reported by enforcement and made temporary repairs to the broken section of the ramp on several occasions

- Sakonnet Point boat ramp-replaced signs
- Galilee Boat Ramp-checked periodically and replaced signs
- Charlestown Breachway- signs and graded road
- Ft. Adams - transported gravel for fill
- Gull Cove-picked up trash from citizen cleanup
- All ramps - posted signs for no parking and trailers only
- Camp Cronin – Installed signs and trash removal following reopening
- Contracted portable sanitary facilities at Quonochontaug, Camp Cronin, Galilee, and Deep Hole salt water fishing access areas from April through October
- Removed trash from portajons at Cronin, Deep Hole and Quonochontaug
- Weekapaug fishing access-grade road and parking area- signage and trash. Removed trash following volunteer cleanup
- Charlestown Breachway-repair and regrade boat ramp. Removed PWC signs
- Quonochontaug- signs replaced and trash removal. Removed PWC signs
- Seapowet- habitat improvement work and relocation of parking area
- Deep Hole fishing area- grade parking lot and road
- Kings Beach Fishing access- install new signs and delivered gravel
- Black Point-replaced damaged signs
- \$9,110 was used for public education, information, and outreach, including production of the fifth annual Rhode Island Recreational Saltwater Fishing Guide (\$3,240), the one-page laminated fishing abstract (\$1,233) and new kiosk at the Galilee charter boat dock (\$4,637).

Table 8. FY2017 Recreational Saltwater License Program budget.

Category	FY16 Carryover	FY17 Revenue	FY17 Available	FY17 Expended
Enhanced MRIP Data Collection	\$99,524	\$0	\$99,524	\$20,821
Boating/Fishing Access I	\$106,339	\$41,526	\$147,865	\$80,000
Boating/Fishing Access II	\$23,062	\$20,763	\$43,825	\$5,898
Rec Fisheries Support	\$7,722	\$20,763	\$28,485	\$6,672
Fish Stock Assessment Support	\$0	\$124,579	\$124,579	\$92,357
Artificial Reef	\$0	\$0	\$0	\$0
Public Education, Information, and Outreach	\$32,569	\$0	\$32,569	\$9,110
TOTAL	\$269,225	\$207,631	\$476,856	\$214,858

c. FY18 Budget:

The budget for FY18 is described in Table 9. It is anticipated that the restricted receipt account will receive another \$200,000 from FY18 license sales, and the

proposed FY18 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 9. FY2018 Recreational Saltwater License Program budget.

Category	FY17 Carryover	FY18 Revenue	FY 18 Available	FY18 Budgeted
Enhanced MRIP Data Collection	\$78,703	\$10,000	\$88,703	(\$10,000)
Boating/Fishing Access I	\$67,865	\$40,000	\$107,865	(\$75,000)
Boating/Fishing Access II	\$37,927	\$10,000	\$47,927	(\$10,000)
Rec Fisheries Support	\$21,813	\$10,000	\$31,813	(\$10,000)
Fish Stock Assessment Support	\$32,221	\$100,000	\$132,222	(\$100,000)
Artificial Reef	\$0	\$10,000	\$10,000	\$0
Public Education, Information, and Outreach	\$23,459	\$20,000	\$43,459	(\$7,740)
TOTAL	\$229,767	\$200,000	\$461,989	(\$212,740)

- **Enhanced MRIP Data Collection (\$10,000):**

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 \$10,000 investment will leverage an additional \$30,000 in federal (SFR) funds to provide \$40,000 in total programmatic benefits. The \$40,000 will allow the Division to hire four additional seasonal field interviewers to staff additional samples ordered from NOAA Fisheries. The addition of these two staff members plus the full-time coordinator, one full time field interviewers, and four seasonal field interviewers funded via NOAA Fisheries base MRIP grant bring the total number of staff working on the APAIS to seven. The Division has a contract with the Atlantic States Marine Fisheries Commission to provide staffing support for these employees. The \$10,000 figure was derived from personnel costs incurred in 2017.

- **Boating/Fishing Access I (\$75,000):**

Proposal: Major renovations at Charlestown Breachway and Quonochontaug boat ramps.

Rationale: The next fishing access projects to be funded with recreational saltwater license funds will be the ramps located at Charlestown Breachway campground, and the Quonochontaug fishing area. The Godard Memorial State Park boat ramp is complete and Rocky Point fishing pier has secure funding. Both boat ramps are heavily used during the summer and fall. During the winter of 2017 both ramps sustained significant erosional damage and need repair. The damage is such that the existing ramps will need to be completely replaced and regraded. The funding provided by the Saltwater Recreational Fishing License and USFWS SFR will begin once the construction has started at both sites. Using \$75,000 in licensing to leverage \$225,000 in SFR funds frees up \$300,000 to be used on these selected projects, expediting the public access program as a whole.

- **Boating/Fishing Access II (\$10,000):**

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

Rationale: The Division is responsible for maintaining 60 state-owned and operated boating/ fishing access sites used by an estimated 28,000 boats that are less than 24 feet in length. In order to foster compliance and repeat participation in the saltwater recreational license program, it is as important to keep our public access points clean and functional as it is to build new ones. The Division lacks adequate resources to undertake all of the work that's needed to maintain these sites on a regular basis. The allocation of these funds from the license fee account, leveraged with federal funds, supports the Division's ability to properly maintain state-owned boating/fishing access sites throughout Rhode Island. The \$10,000 investment will leverage an additional \$30,000 in federal (SFR) funds to provide \$40,000 in total programmatic benefits. This amount was estimated based on past years costs.

- **Recreational Fisheries Management Support (\$10,000):**

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

Rationale: In the past, the Division has never had staff time completely dedicated to marine recreational fishing programs. The \$10,000 investment will leverage an additional \$30,000 in federal (SFR) funds to provide \$40,000 for staff support. The Division requires staff dedicated to RI's marine recreational fisheries program and proposes maintaining an FTE equivalent to focus on the following issues:

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

- **Fish Stock Assessment Support (\$100,000):**

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

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

- **Artificial Reef Support (\$0):**

Proposal: The Division is exploring the installation of small scale artificial reefs adjacent to state fishing pier at locations throughout the state. The Division does not anticipate any artificial reef work beginning in 2018 but will set aside \$10,000 in this budget category in anticipation of projects in 2019.

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 is in the early stages of a major investigation of fish habitat quality in upper Narragansett Bay over the next two years. This information will be used to develop plans for habitat improvement opportunities 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. The Division is planning to place an array of these reef balls at the Rocky Point fishing pier under construction. Once complete the Division will evaluate other locations for deployment.

- **Public Education, Information, and Outreach (\$7,740):**

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.

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 2017, the Division published the fifth 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.

During both 2016 and 2017, the Division 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. During 2016, RISSA conducted a successful pilot youth fishing camp for 50 children between the ages of 7 and 14 on June 28-30. The camp didn't just focus on fishing techniques but additionally taught the attendees about fishing regulations, ecology and sustainable practices. Youth programs have been recognized as important to keeping vitality in the recreational fishing industry as well as developing a more informed and responsible fishing populace. (1) This educational program was a pilot

program intended to show proof of concept, funding is required to keep it going into the future. The Division provided funding to RISAA in 2017 to keep the program going into future to fill this programmatic gap.

The 2017 camp was 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 camps 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 14. The camp will be planned, coordinated, and implemented by a hired camp coordinator. The base location for the camp will be Rocky Point State Park, Warwick, RI. Part of the camp will involve children fishing on boats launched at local marinas for two of the camp days. These two days will require the use of a bus to transport children to and from Rocky Point State Park. Vessel captains will be provided by RISAA. The camp will last for three days include but is not limited to the following activities:

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

The proposed outreach budget would spend \$7,740 of Recreational Saltwater Fishing License funds to leverage additional \$23,220 in USFWS SFR funding resulting in \$30,960 used for outreach and education pertaining to the recreational fishing license.

VI. Looking Ahead to FY19:

There is cautious optimism that the increased revenue generated in FY16 – FY17 from Saltwater Recreational Licenses will hold steady into the future, as such we are looking into other programs to enhance recreational fishing opportunities in Rhode Island. One such program, mentioned above, is to place artificial reefs adjacent to state fishing piers. The Division is in the process of planning the design and purchase of a new research vessel. This vessel would be used to survey sportfish species and specifically be used to conduct the Black Sea Bass pot survey (among other activities). It is anticipated that

recreational saltwater license fees will be used to partially match the federal funding required for this purchase.

DRAFT

Rhode Island Marine Fisheries Council

2017 Annual Report



Approved by the Council on DATE, 2018

Submitted to the Governor and Rhode Island General Assembly on DATE.

Introduction

In accordance with RIGL Section 20-3-2(b), the Rhode Island Marine Fisheries Council (hereafter, RIMFC or Council) is charged with reporting annually, by March 1, to the Governor and the RI General Assembly for the preceding calendar year, with regard to: the advice it has given to state agencies, particularly the RI Department of Environmental Management (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.

This is the Council's report for calendar year 2017.

Council Responsibility

The Council is established in accordance with RIGL Section 20-3-1 to serve in an advisory capacity to the DEM 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.

In accordance with RIGL Sections 20-10-5(d), the Council is also 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.

In accordance with RIGL Section 20-2.1-10, the Council is also responsible for advising DEM concerning the 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 RIGL Section 20-2-28.2.

In accordance with RIGL section 20-2.2-10, the Council is also responsible for reviewing DEM's annual report on the RI Saltwater Recreational Fishing License Program, and rendering its opinion as to whether the program is continuing to meet its intended purpose.

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 recreational fishing industry; and two members have skill, knowledge, and experience in the conservation and management of fisheries resources and/or marine biology.

In 2017, the Council membership was as follows:

Robert Ballou, Assistant to the Director, DEM – Chair
David Monti – Vice-Chair
Travis Barao
Andrew Dangelo
Jeff Grant
William Mackintosh III
Christopher Rein
Dr. Michael Rice
Michael Roderick

Council Meetings

In 2017, the Council met on four occasions: February 28, June 26, October 2, and December 4.

Additionally, the Council's Industry Advisory Committee met once, on August 10, and the Council's Shellfish Advisory Panel met on four occasions: January 11, February 2, July 26, and October 11.

The minutes for all of the above-referenced meetings are posted on the Council's website at: <http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/rimfc/index.php>

Council Advice – Regulatory Proposals

In 2017 the Council provided recommendations to DEM Director Coit on a total of 44 regulatory issues pertaining to:

- Recreational Summer Flounder management
- Recreational Tautog management
- Commercial Tautog management
- Recreational Scup management
- Recreational Black Sea Bass management
- Recreational Striped Bass management
- Commercial Striped Bass management
- Commercial Menhaden management
- Recreational Menhaden management
- Commercial Monkfish management
- Proposed new Shellfish Management Areas
- Revised boundary for the Bristol harbor Shellfish Management Area
- Block Island gill net regulations
- Gill net tagging regulations
- Fyke net registration requirements
- Use of seine nets in coastal ponds
- Seafood dealer regulations
- Seafood dealer's record of sales/transactions
- Dealer transaction recordkeeping

- Dealer wet storage of shellfish
- Consistency between DEM Seafood dealer regulations and Dept. of Health Shellfish regulations
- Commercial Licensing
- Commercial Summer Flounder management
- Commercial Scup management
- Commercial Black Sea Bass management
- Commercial Spiny Dogfish management
- Definition of “resident”
- Regulations Governing Education Certification for Commercial Shellfish Harvesters
- Shellfish Management Areas – Harvest Schedules

The Director concurred with the Council’s recommendations on all but five issues, those being:

- Commercial monkfish aggregate program
- Gill net tagging location requirements

The Director’s rationale for not following the Council’s recommendations on those five issues are set forth in decision memos, provided to the Council, and posted on the Council’s website at: <http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/rimfc/dirdecsn.php>

Council Advice – Aquaculture Lease Proposals

The Council provided recommendations to the CRMC on a total of seven aquaculture lease applications. In the opinion of the Council, all but one of the seven applications were found to be consistent with competing uses engaged in the exploitation of marine fisheries in the respective areas.

Council Advice -- RI Saltwater Recreational Fishing License Program

At their February meeting, the Council reviewed the Annual Report for the RI Saltwater Recreational Fishing Program for Fiscal Year 2016, and found that the program is continuing to meet its intended purposes. The Report, which includes an Addendum addressing the Council’s review, is posted on the DEM website at:

<http://www.dem.ri.gov/programs/bnatres/fishwild/pdf/rlcrep16.pdf>

Other Major Activities Undertaken by the Council

- Advisory Panel (Shellfish Advisory Panel and Industry Advisory Committee) membership: Comprehensive review of membership, solicitation of new membership, removal of delinquent members
- Aquaculture: Recommendation to the CRMC to develop updated use maps of Narragansett Bay and coastal ponds as part of the CRMC’s Narragansett Bay Special Area Management Plan (SMAP), in order to assist in the proper siting and review of aquaculture leases

Hello all:

Last month 60 fish managers from RI and MA, private recreational anglers and for-hire charter captains met to discuss the Magnuson Stevens Act at the 2018 Southern New England Recreational Fishing Symposium.

This is the third Symposium sponsored by the RI Saltwater Anglers Association, the first in 2013 focused on the economic impact of recreational fishing and the second in 2015 focused on ecosystem-based management.

The aim of this Symposium was to discuss how MSA could better serve recreational fishing, and not necessarily any one bill. More of a focus on key elements that may exist and should be improved and/or created to relate better to recreational fishing.

Attached is a detailed report that includes highlights from panelist presentations as well as the output from a two hour group work session where participants discussed MSA recreational fishing components they would like enhanced or created.

Also attached are the seven key recommendations that rose to the top. Some of them are not MSA issues at all but rather issues that could be addressed in state waters.

I would be happy to share my personal perspective at our next council meeting. Hope this helps.

Best, Dave Monti

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From: Dave Monti [<mailto:dmonti@rdwgroup.com>]

Sent: Monday, February 26, 2018 6:54 AM

To: Coit, Janet (DEM) <janet.coit@dem.ri.gov>; McNamee, Jason (DEM) <jason.mcnamee@dem.ri.gov>; russell.dunn@noaa.gov; cmacaluso@trcp.org; 'dnixon@uri.edu' <dnixon@uri.edu>; 'charleswitek@gmail.com' <charleswitek@gmail.com>; Benjamin Bulis (ben@affta.org) <ben@affta.org>; john@nycflyfishing.com; 'Tom Sadler' <tsadler@conservefish.org>; 'jswift@uri.edu' <jswift@uri.edu>; Rob Vandermark <rvandermark@conservefish.org>

Cc: recsym@yahogroups.com

Subject: [EXTERNAL] : Report from the 2018 Southern New England Recreational Fishing Symposium

Thank you for your support and partnership in helping us produce the 2018 Southern New England Recreational Fishing Symposium. Attached is a copy of the Symposium report. We have some solid recommendations as to how MSA can be improved to enhance recreational fishing.

If in the area, please consider being our guest at the RISAA sponsored New England Saltwater Fishing Show March 9th-11th at the Rhode Island Convention Center. It is the largest show of its type in the Northeast.

Once again, on behalf of RISAA and the Symposium Committee, thank you for your participation and support.

Sincerely,
Symposium Committee

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Rhode Island Saltwater Anglers Association Draft MSA Action Agenda Talking Points

Background

Based on the attached 2018 Southern New England Recreational Symposium report the Rhode Island Saltwater Anglers Association's board of directors has developed the following action agenda talking points for the Magnuson-Stevens Act in 2018. The Symposium report was developed with input from the regions recreational fishing community leaders including private anglers, the party & charter industry, fish managers, government and political leaders as well as MSA experts presenting at the Symposium.

Conservation is of prime importance

First, the overall message is that conservation and sustainable access is important to recreational anglers and coastal communities alike. Recreational fishing has a major economic impact in southern New England, in fact in some states it is equal to commercial fishing's impact. So being conservation minded, is important to recreational anglers. The aim is to grown fish to abundance so there are more fish in the water for all to catch & release or catch and eat.

Our national fishing law needs to be improved to better recognize the needs of recreational fishing, so commercial and recreational fishing can continue to thrive together.

The Magnuson-Stevens Act provides conservation standards and a structure that allows for effective fisheries management, however, it needs to be improved to recognize the experiential difference between recreational and commercial fishing.

The RISAA supports strong conservation measures in our national fishing law and opposes fisheries bills that threaten central conservation provisions of MSA.

MSA talking point recommendations

Here are key recreational community MSA tenants and initiatives that were recommended at the 2018 Southern New England Recreational Fishing Symposium.

1. **Improving recreational stock assessment data as well as catch and effort harvest data with more funding for these initiatives.** Recreational anglers want the quality of existing data enhanced and want new improved data sources, creating avenues to accommodate electronic reporting in the recreational sector. Recreational anglers would like to see a dual path of both enhancing existing data sources with more funding and surveying as well as explore electronic recording of catch and effort. Federal criteria and standards should be developed for reporting, not state or regional criteria. The aim of 'better data' recommendations is to accommodate more timely data to impact regulation. Regulations should also put a value on 'the fish left in the water' from catch & release.
2. **Protecting forage fish and promoting ecosystem-based management is** another top priority. More funding for forage fish and ecosystem-based management model development and research is critical. The forage fish complex should be defined and managed separately from non-forage species exempt from optimal yield. Forage fish and ecosystem-based management are linked, they should be addressed together.
3. **Ending the redistribution of quota** from the recreational to commercial sector is important to stop as unused quota in the recreational sector is a good conservation practice.
4. **In regard to gear conflicts between trawl and rod & reel fishing,** many felt buffer zones should be established or explore restructuring commercial vessel traffic in-shore where feasible to reduce large vessels from operating close to the shore or in estuaries.
5. **Redistribution of fish quotas due to biomass movement and climate change.** A redistribution of recreational harvest limits based on current distribution, catch and value (both recreational and commercial) is necessary. The black sea bass dilemma in the northeast is a good example of a species where redistribution is critical.
6. **Add council seats in neighboring regions** to accommodate fish movement as well as recreational seats. Require recreational representation on all Regional Councils possibly a minimum of one private recreational angler representative with no commercial fishing

interests and a second from the party and charter sector. Two RI seats on MAFMC is an example.

7. **Add transiting provision to MSA to accommodate a Block Island to Mainland corridor.**

Other transient provisions occur in New England and throughout the county so this is not an unusual request. Due to a gap between Block Island and mainland Rhode Island, a transit provision should be added to MSA.

Report

2018 Southern New England Recreational Fishing Symposium *The Magnuson-Stevens Act: How To Make It Work For Recreational Fishing*

Co-sponsored by



Rhode Island
Saltwater Anglers
Foundation



Crowne Plaza Hotel Warwick, RI, January 26, 2018

Prepared by the Rhode Island Saltwater Anglers Association

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Executive summary

Recreational saltwater fishing plays an important role in Southern New England's ecology and economy as well as throughout the United States.

According to NOAA, recreational fishing in Rhode Island and Massachusetts has an economic impact that surpasses commercial fishing. Commercial fishers provide a nutritious food source for people who have no access to fish, however, both recreational and commercial fishing are important to our economy.

The ['Fisheries Economics of the United States'](#) report published by the Department of Commerce and NOAA relates that recreational fishing in Rhode Island had sales of \$332-million in 2015. The report says commercial fishing had sales of \$290- million in Rhode Island and a total of \$338-million once imported fish were added. Massachusetts' situation is similar. Recreational sales were at \$986-million and commercial sales at \$861-million with sales of \$1,129-million once imports are added.

2018 Southern New England Recreational Fishing Symposium

But what most people do not realize is that according to the National Oceanic and Atmospheric Administration (NOAA), that although recreational fishing accounts for only 2% of the landings nationwide it has a far reaching and sustainable impact on our society. Nationally recreational fishing represents over \$89.5-billion in sales and value added to the economy and 439,242 jobs.

With this economic impact it is vitally important that the nation and Southern New England manage this resource to abundance so recreational fishing can continue to thrive in a highly sustainable way and continue to serve as a primary economic engine of growth. To continue economic growth in the recreational fishing sector our national fishing law, the Magnuson-Stevens Act, needs to better address recreational fishing.

The economic impact of recreational fishing was the theme of the 2013 RISAA Symposium and growing fish to abundance through ecosystem-based management was the theme of the 2015 RISAA Symposium. Building on these symposia, the 2018 Southern New England Recreational Fishing Symposium theme was the Magnuson-Stevens Act reauthorization and how to make it work better for recreational fishing. Our national fishing law needs to be improved to better recognize the needs of recreational fishing, so commercial and recreational fishing can continue to thrive together.

The Symposium brought together local, regional and national anglers, fish managers and scientists to discuss the drivers that impact recreational fishing, the ecosystem, and parts of MSA that should remain as they are and those that should be improved to better accommodate recreational fishing.

Speakers and panelists (see attached speaker guide and agenda) first addressed participants and then had an open panel discussion with questions from other panelists, the facilitator, as well as participants attending the Symposium.

Participants then broke into eight work groups of 6 to 8 people in each group and were asked for their input on what they might recommend to enhance the Magnuson-Stevens Act for recreational anglers.

The three top recommendations from each work group were posted in the front of the room, each one was read with duplicates deleted and then each participant was given four 'voting' dots. Attendees could put all four on one recommendation or vote for four different recommendations or anything in-between. 55 attendees voted on issues.

Key points from panelists

2018 Southern New England Recreational Fishing Symposium

Key points from speaker presentations appear on page 9. Full presentations will appear at www.risaa.org once the 2018 Symposium section of the website is completed. Ten highlights from panelist presentations:

1. MSA is working because Number 1, it's rooted in best available science; Number 2, it requires accountability for everyone who fishes to stay within sustainable quotas; and Number 3, it drives recovery of depleted stocks in a timely manner.
2. Before the MSA state and regional managers would often set catch levels above sustainable levels to address short-term economics, or they would exceed sustainable quotas, but there was no accountability for those overages (such was the case of cod fish in New England).
3. The Morris-Deal report suggested the nation develop a national recreational fishing policy and that we revise our recreational fishing management approach to change stock rebuilding timelines and allocation of marine fishery resources for the greatest benefit of the nation.
4. Recreational and commercial fishing are fundamentally different activities that require different management approaches, however federal laws and policies have attempted to shove recreational fishing into management approaches designed just for commercial fishing.
5. The ten national standards of MSA serve as the guiding principles for managing fishing under MSA. In the past nine years the percentage of stocks not overfished increased from about 83% to 91%... and fish stocks not subject to overfishing increased from about 76% to 84%.
6. MSA has successfully managed stocks with annual catch limits so overfishing does not occur. However, MSA is not perfect: some challenges include the quality of data from the recreational sector, regulatory stability, access and opportunity.
7. Some believe recreational and commercial fishing are essentially different (experiential vs pounds of fish), however species caught for consumption (or meat vs catch & release) that are dominated by recreational fishers could be easily damaged if overfishing is allowed with no allowable catch limits (ACL). Species dominated by the

2018 Southern New England Recreational Fishing Symposium

recreational sector include 74% of black sea bass, 90% of south Atlantic dolphin, 74% of bluefish, 70% of red snapper in the Gulf, etc.

8. The ability of regional councils to use recreational management measures other than catch limits are already permitted by MSA. MSA currently allows alternative management measures allowing numbers of fish rather than pounds. It is just a mathematical calculation so this ability already exists in Magnuson.
9. The aim of MSA was precautionary management to grow fish to abundance and provide for Maximum Sustainable Yield or more recently Optimum Yield. MSA=Precautionary Management=Abundance=Angler Opportunity.
10. Over 40 recreationally and commercially important species have been rebuilt under MSA. It has been good for the fish, as well as those of us who depend on healthy and abundant fish stocks. It's important that we preserve and enhance conservation measures in our national fishing law. We need regulations that aim to grow fish to abundance for all rather than taking more fish to fulfill short term economic gains of a few.



Top scoring directions from group work

Six directions offered by participants floated to the top for future action plan developed including:

1. **Improving recreational stock assessment data as well as catch and effort harvest data** were top scoring recommendations. Participants wanted the quality of existing data enhanced and wanted improved new

data sources, creating avenues to accommodate electronic reporting in the recreational sector. Some participants wanted to both enhance existing data sources with more funding and surveying as well as explore electronic recording of catch and effort.

The key in both cases was development of federal criteria and standards for reporting, not state or regional criteria for reporting. The aim of 'better data' recommendations was to accommodate the collection and reporting of data in a timely manner to impact regulation.

Verbatim comments from groups:

"Improve quality of recreational harvest & socio-economic data"

"Timely and accurate data on assessments and fishermen fishing results"

"Add 'best available science' to standard SEC.301 (6) of the MSA"

"Develop Federal criteria and standards for reporting electronically in recreational sector"

"Create a timeframe for data innovation"

"Implement 200 person Rhode Island study using cellphone app."

"Science based funding for data collection, incentivize and educate anglers"

2. **Protect forage fish and promote ecosystem-based management** was another top recommendation with a total of 35 votes. 12 participants felt that the forage fish complex should be defined and managed separately from non-forage species exempt from optimal yield. Many participants (23 votes) felt that forage fish and ecosystem-based management were linked and should be addressed at the same time.

Verbatim comments from groups:

"Forage and non-forage fish should be managed separately"

"Forage fish should be exempt from optimal yield"

"Ecosystem based management with focus on forage species to support recreational fishing"

3. **Ending the redistribution of quota** from the recreational to commercial sector received 20 participant votes. Many felt that leaving unused quota in the recreational sector was a good conservation practice. Additionally, participants felt the regulation should put a value on 'the fish left in the water' from catch & release. In regard to gear conflicts between trawl and rod & reel fishing, many felt buffer zones should be

established or explore restructuring commercial vessel traffic in-shore where feasible to reduce large vessels from operating close to the shore or in estuaries.

Verbatim comments from groups:

"Consider underutilization of allocation <should be seen> as a conservation benefit"

"Avoid transfer of recreational underage to commercial quota."

"End the redistribution of unused quota from recreational to commercial sector"

"Put a value on fish left in water via catch & release"

"Restructure commercial vessel traffic in-shore where feasible to avoid gear conflicts"

"Better understanding of recreational fishing discard mortality."

4. **Redistribution of fish quotas due to biomass movement and climate change** (14 votes). Participants felt a redistribution of fish harvest quotas based on current distribution, catch and value (both recreational and commercial) is necessary.

Verbatim comments from groups:

"Recalculate specie allocation on distribution, catch and value."

"Change law to shift management to where fish are"

"Require special distribution based on new data."

5. **Add council seats in neighboring regions** to accommodate fish movement as well as recreational seats (19 votes). Require recreational representation on all Regional Councils possibly a minimum of one private recreational angler representative with no commercial fishing interests and a second from the party and charter sector.

Verbatim comments from groups:

"Require private recreational anglers on all Councils"

"Private angler should not have any commercial fishing interests."

"Add council seats on neighboring regions to facilitate fish movement changes"

"Add two Rhode Island seats to the Mid-Atlantic Council"

6. **Add transiting provision to MSA to accommodate a Block Island to Mainland corridor** (12 votes). Other transient provisions occur in New England and throughout the county. Due to a mile or two state water gap between Block Island and mainland Rhode Island, a transit provision should be added to MSA.

Verbatim comments from groups:

“Add a transiting provision between BI and mainland RI.”



Speaker highlights. Visit www.risaa.org for full speaker/panelist presentations.

Ben Bulis, President, America Fly Fishing Trade Association. “MSA is working because Number 1, it’s rooted in best available science; Number 2, it requires accountability for everyone who fishes to stay within sustainable quotas; and Number 3, it drives recovery of depleted stocks in a timely manner.” said Bulis.

“The concepts of science-based management, putting an end to overfishing, and recovering stocks were established when the law was first passed back in 1976. However, we still saw declining fish populations and rampant overfishing well into the 2000s, and this was because managers, due to political pressure, would often set catch levels above sustainable levels to address short-term economics, or they would exceed sustainable quotas, but there was no accountability for those overages.”

2018 Southern New England Recreational Fishing Symposium

MSA, the fishing law of this nation, insulates our federal fisheries managers from the pressure to put short-term economics before conservation. We believe MSA is working, and we oppose any measures that would undermine those three core tenets of conservation.

Science must guide fishery management decisions, and data collection efforts must meet scientific integrity standards. Science-based annual catch limits and accountability measures that are responsible for the progress toward ending and preventing overfishing must be preserved.

‘The MSA isn’t perfect. It needs to do a better job protecting habitat. The health and abundance of forage fish – or bait fish – need to be managed appropriately.’ said Bulis. We also need to accommodate for climate change, rising ocean temperatures and fish movement I.e. dolphin and cobia as well as summer flounder and black sea bass in the north. We also need improved data collection methods and tools like smart phone apps that record catch in real-time, and that are subject to peer-review and science-based standards, are an important tool.

Janet Coit, Director, RI Department of Environmental Management, kicked off the conference with opening remarks relating how important MSA has been to rebuilding fish stocks in Rhode Island and the Nation.

Director Coit said, “The ease of access and reputation for good fishing lures both residents and tourists to our shores every year. The MSA has helped to fortify our fisheries by mandating a better understanding of our marine resources, rebuilding depleted fish stocks, and holding fishermen accountable for their catch. We look forward to working with RISAA and Rhode Island’s congressional delegation to ensure that our federal laws support recreational fishing as we pursue sustainable management of our incredible marine resources.”

Russel Dunn, NOAA National Policy Advisor for Recreational Fishing, gave an overview of the MSA, its challenges and opportunities and discussed the National Saltwater Recreational Fisheries Policy and Implementation Plans.

Highlights included a review of saltwater trips and catch. 57% of recreational fish are caught on the Atlantic coast with only 3% caught on the Pacific coast and 39% caught off the Gulf of Mexico Coast.

The MSA originally passed in 1976 establishing the 200-mile Exclusive Economic Zone and eight Regional Fishery Management Councils. The Act was reauthorized in 1996 adding sustainable fisheries provisions and reauthorized again in 2007 which ended overfishing immediately adding science-based annual catch limits and accountability measures to prevent overfishing from occurring.

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“The ten national standards (see attachments) of MSA serve as the guiding principles for managing fishing under MSA. Under MSA in the past nine years the percentage of stocks not overfished increased from about 83% to 91%... and fish stocks not subject to overfishing increased from about 76% to 84%.” said Dunn.

MSA has successfully managed stocks with recreational annual catch limits so overfishing does not occur. However, MSA is not perfect some challenges include data, regulatory stability, access and opportunity.

Rich Hittinger, 1st vice president of the RI Saltwater Anglers Association, welcomed participants and provided highlights of the 2013 and 2015 Southern New England Recreational Fishing Symposia. “The purpose of the symposia series is to highlight the importance of recreational fishing and discuss how to advance and improve recreational fishing for the future.” said Hittinger.

“The 2013 theme, the economic impact of recreational fishing and the 2015 theme, growing fish to abundance and ecosystem-based management identified concerns that should be addressed during MSA reauthorization.” Issues that were discussed at previous Symposia include access to fishing locations and access to fish that can be caught. Climate change and its impact on fish and fish movement are having an important impact on fish populations.

Key points from the 2013 and 2015 symposia that are relative to MSA reauthorization and recreational fishing include: the economic importance of recreational fishing and its need for better representation; access to fishing; population shifts and the need to account for them in ACL; management by estimating pounds of harvest is difficult; and enforcement needs to be strong.

Chris Macaluso, Director, Center for Marine Fisheries for the Theodore Roosevelt Conservation Partnership, shared the 2014 Marine vision “Morris-Deal” Report and its key tenets including the formation of a national policy for recreational fishing and a revised approach to management that aimed to change stock rebuilding timelines and the allocation of marine fishery resources for the greatest benefit of the nation as well as the managing of forage base and a process for cooperative management.

Mr. Macaluso relayed that most of his coalition’s concerns have been rolled into bill HR 200 including an examination of alternative management, reallocation in mixed use fisheries, and a process for cooperative management between states and NOAA.

“Recreational and commercial fishing are fundamentally different activities that require different management approaches, however federal laws and policies have attempted to shove recreational fishing into management approaches designed just for commercial fishing. Fishing laws in this nation need to be revised to better reflect the conservation goals and cultural needs as well as the economic benefits of recreational fishing.” said Macaluso.

John McMurray, charter fishing captain and guide, author and member of the Atlantic States Marine Fisheries

Commission. Putting conservation first was the title of John McMurray's presentation noting that the aim of the MSA was precautionary management to grow fish to abundance and angler opportunity to catch fish. He shared the equation: MSA=Precautionary Management=Abundance=Angler Opportunity.

"Conservation is paramount... you shouldn't throw out the good with the bad. While it hasn't been easy, MSA has done a good job rebuilding fish stocks. Over 40 recreationally and commercially important species have been rebuilt under this law. So MSA has been good for the fish, as well as those of us who depend on healthy and abundant fish stocks. It's important that we preserve and enhance conservation measures in our national fishing law." said Capt. John McMurray "We need regulations that aim to grow fish to abundance for all rather than taking more fish to fulfill short term economic gains of a few."

Jason McNamee, Chief, Marine Resources Management, RI Division of Marine Fisheries, spoke about Ecosystem management and the state of what is going on in jurisdictions that impact Southern New England fisheries. Examples of ecosystem-based management approaches in the Mid-Atlantic and New England Fishery Management Councils as well as the Atlantic States Marine Fisheries Commission were reviewed.

Ecosystem Approach to Fisheries Management (EAFM) and Ecosystem Based Fisheries Management (EBFM) both aim to increase the information being used when making fisheries management decisions including predator-prey relationships, climate and habitat information.

Through comparing approaches now employed, McNamee came up with three conclusions. First, progress has been made on ecosystem management as set forth in the previous MSA reauthorizations. Second the different approaches being used all have the goal of doing a better job of synthesizing available information beyond the current single-species models. And third, as we successfully incorporate this information, management success and performance will likely be enhanced.

Charles Witek, Esq., fish advocate, writer and recreational fisherman. "Some say that recreational fishing is essentially different than commercial fishing, that the MSA was a law intended to manage commercial fisheries and this needs to be amended to accommodate the recreational fishing needs. I disagree with that underlying premise."

Both recreational and commercial fishing are activities that remove fish from wild populations and both can harm wild populations if not adequately controlled. "In some high-value fisheries that attract recreational fishermen, recreational landings can equal and sometimes far exceed those of commercial fishing." So, given recreational fishing's significant

2018 Southern New England Recreational Fishing Symposium

impact on the health of many fisheries, it is in appropriated to make recreational fishing exempt from the discipline imposed by annual catch limits and accountability measures while delaying the rebuilding of overfished stocks.

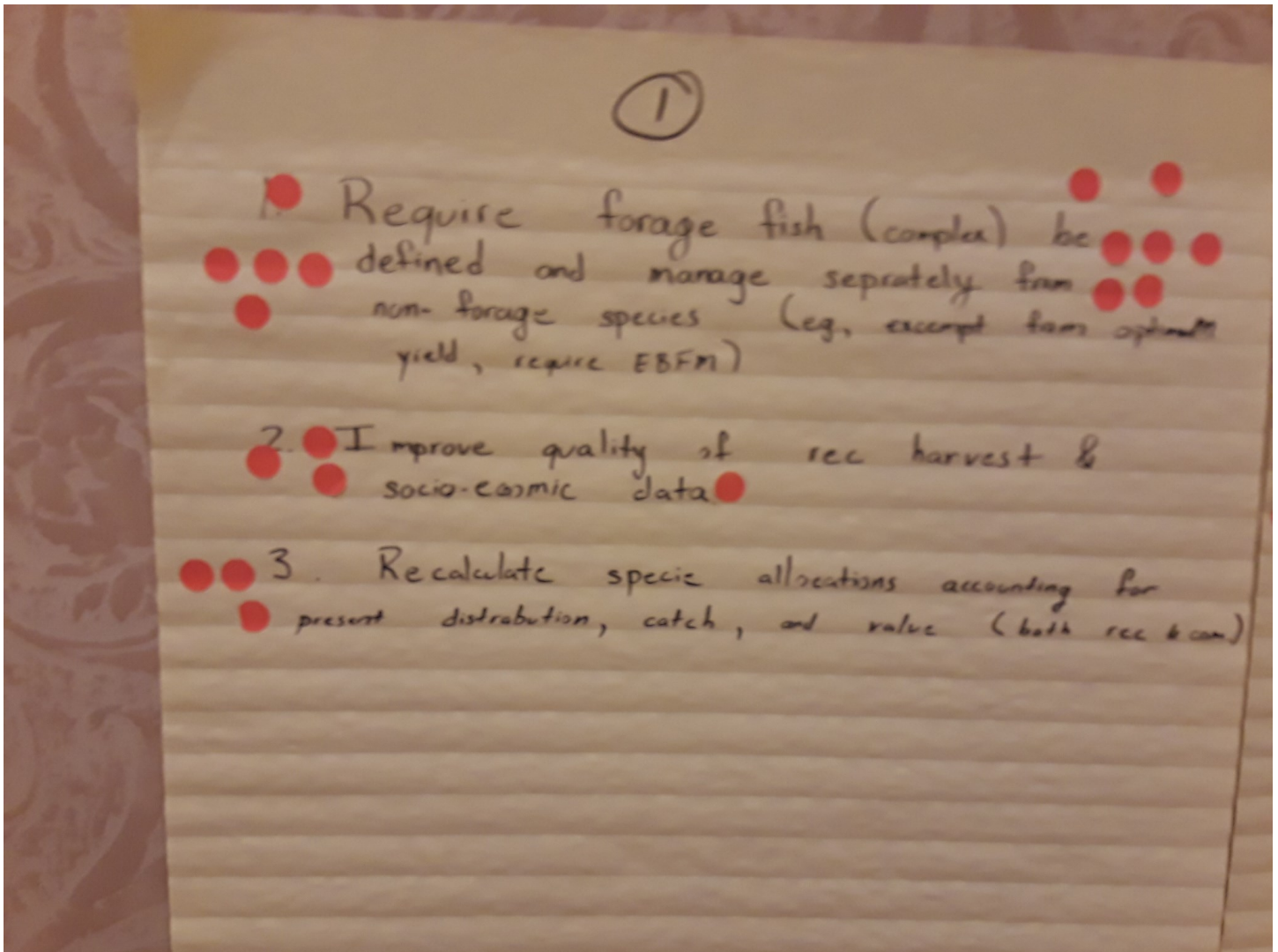
“The ability of regional councils to use recreational management measures other than catch limits are already permitted by MSA. MSA is more flexible than you think as national standard 1 guideline permit alternative management measures. MSA allows for regulations that use numbers of fish rather than pounds. It is just a mathematical calculation converting pounds to numbers of fish and fish to pounds. So this ability already exists in Magnuson.”

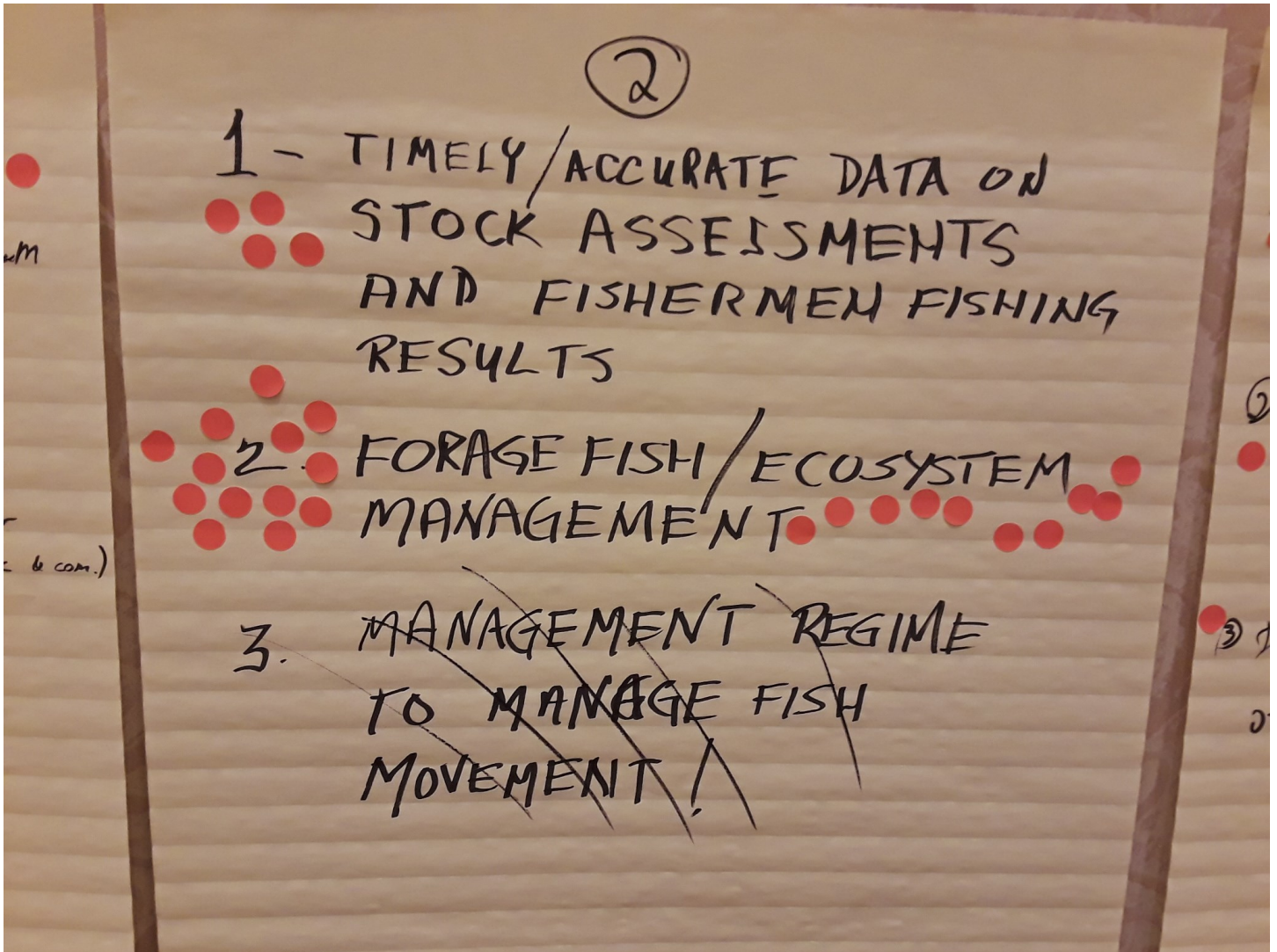
“In regard to catch... we need to account for the recreational fish we catch and release as they are just as valid as catch and kill.” said Witek.

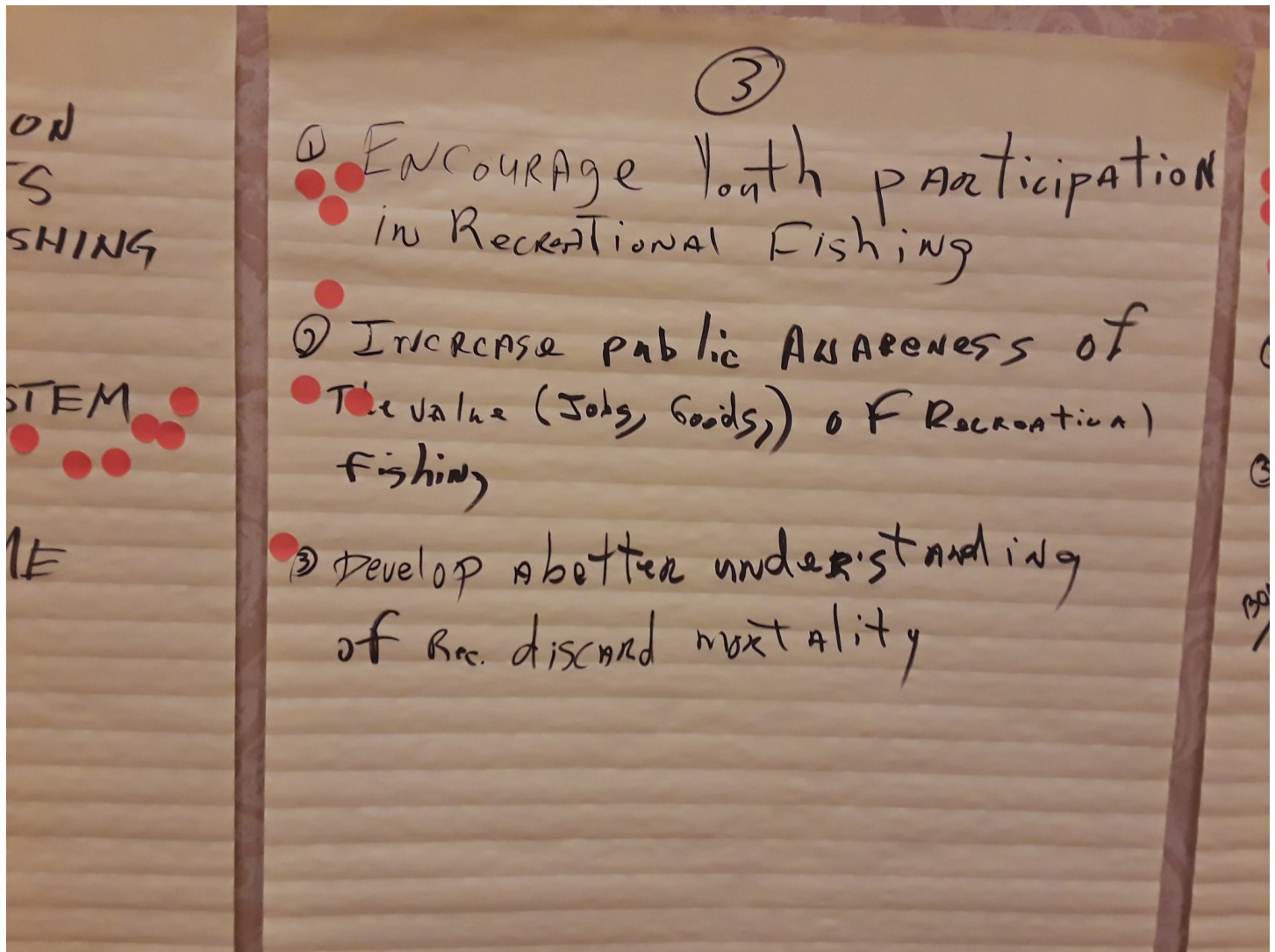
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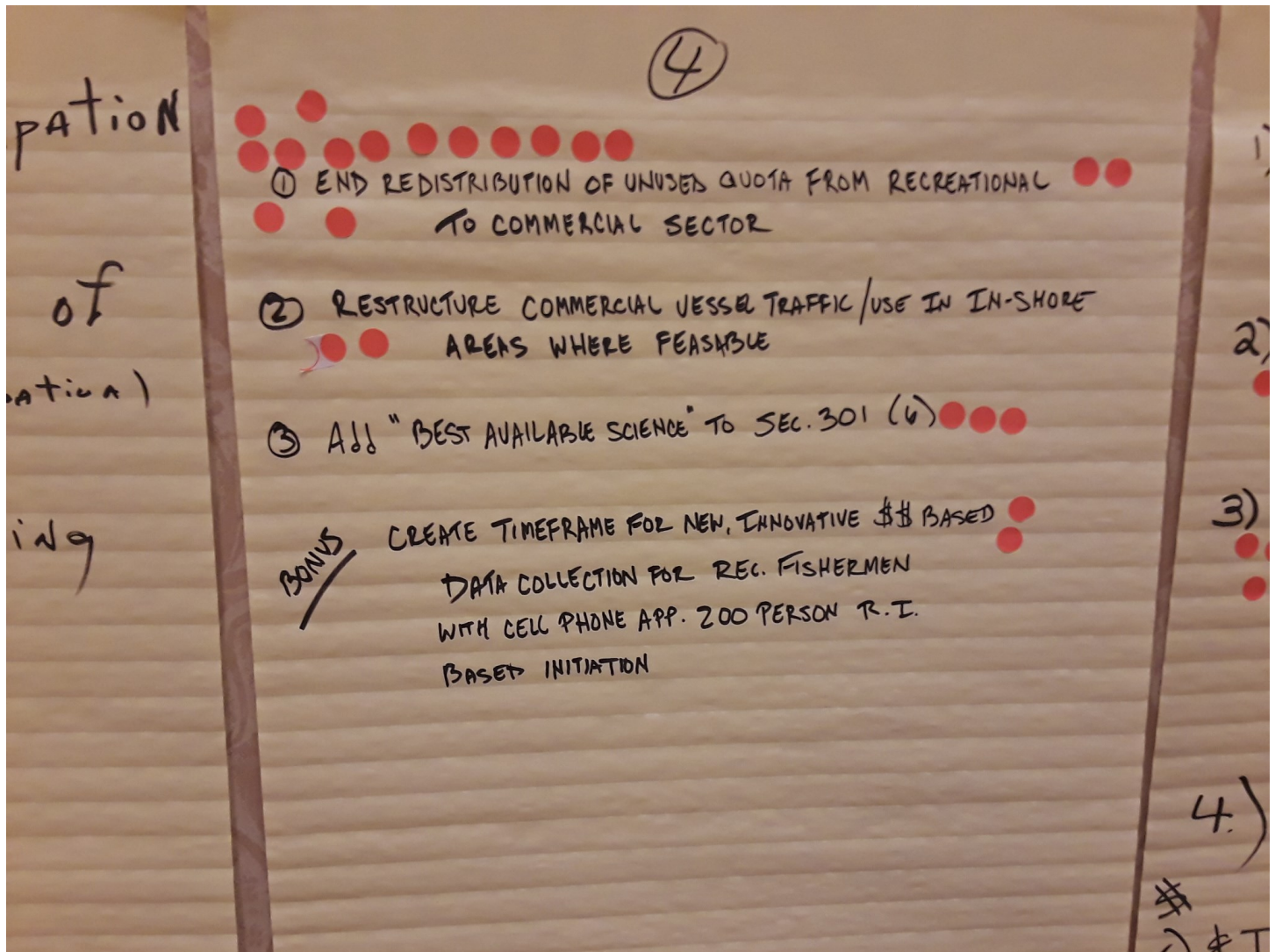
The Rhode Island Saltwater Anglers Association will develop a public policy action agenda on the Magnuson-Stevens Act using input obtained from the Symposium along with Board input and approval in February, 2018. The MSA action agenda will be shared with RISSA members, political leaders, fish mangers and the community.

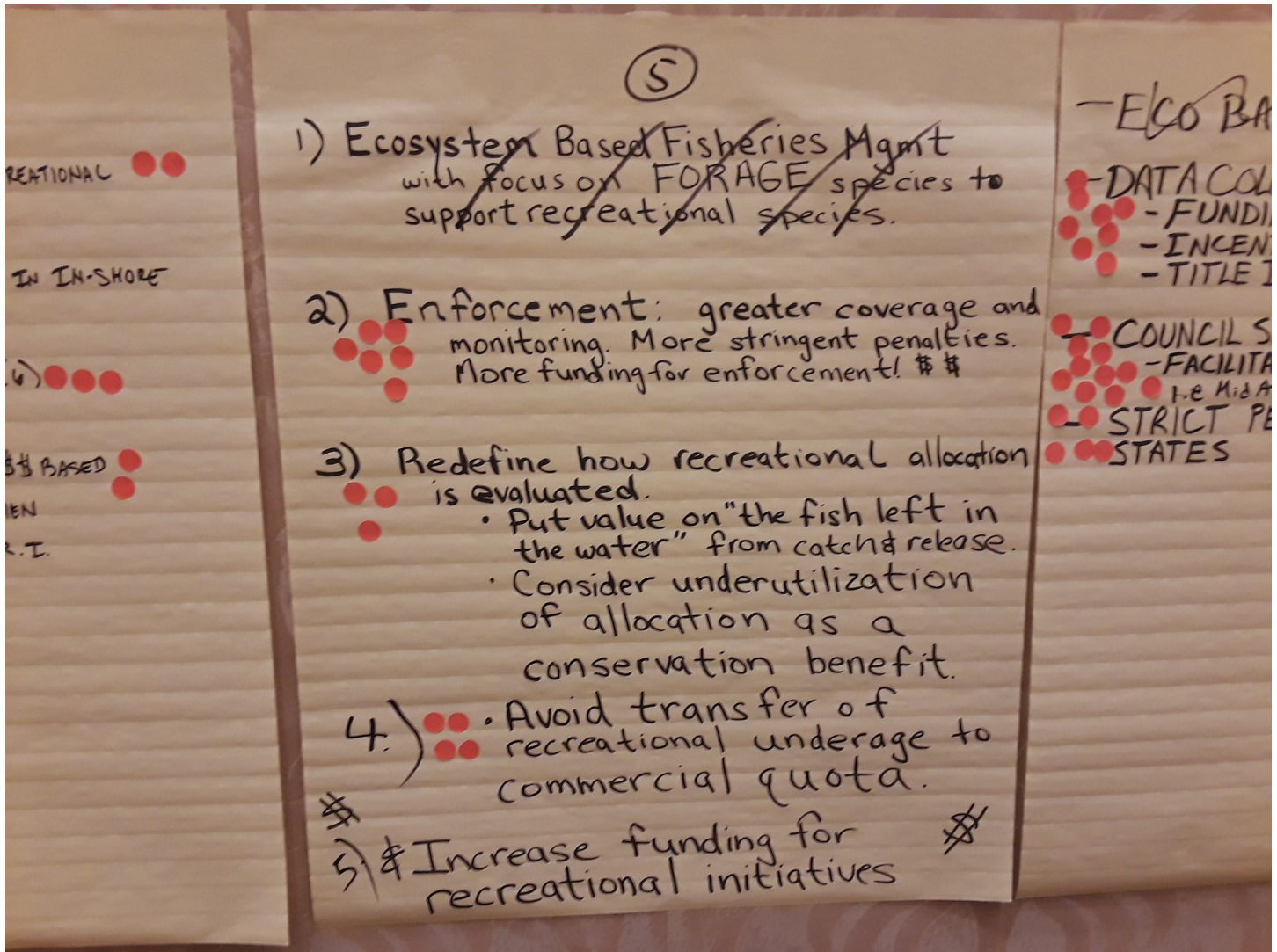
Photos of group work charts and issue voting

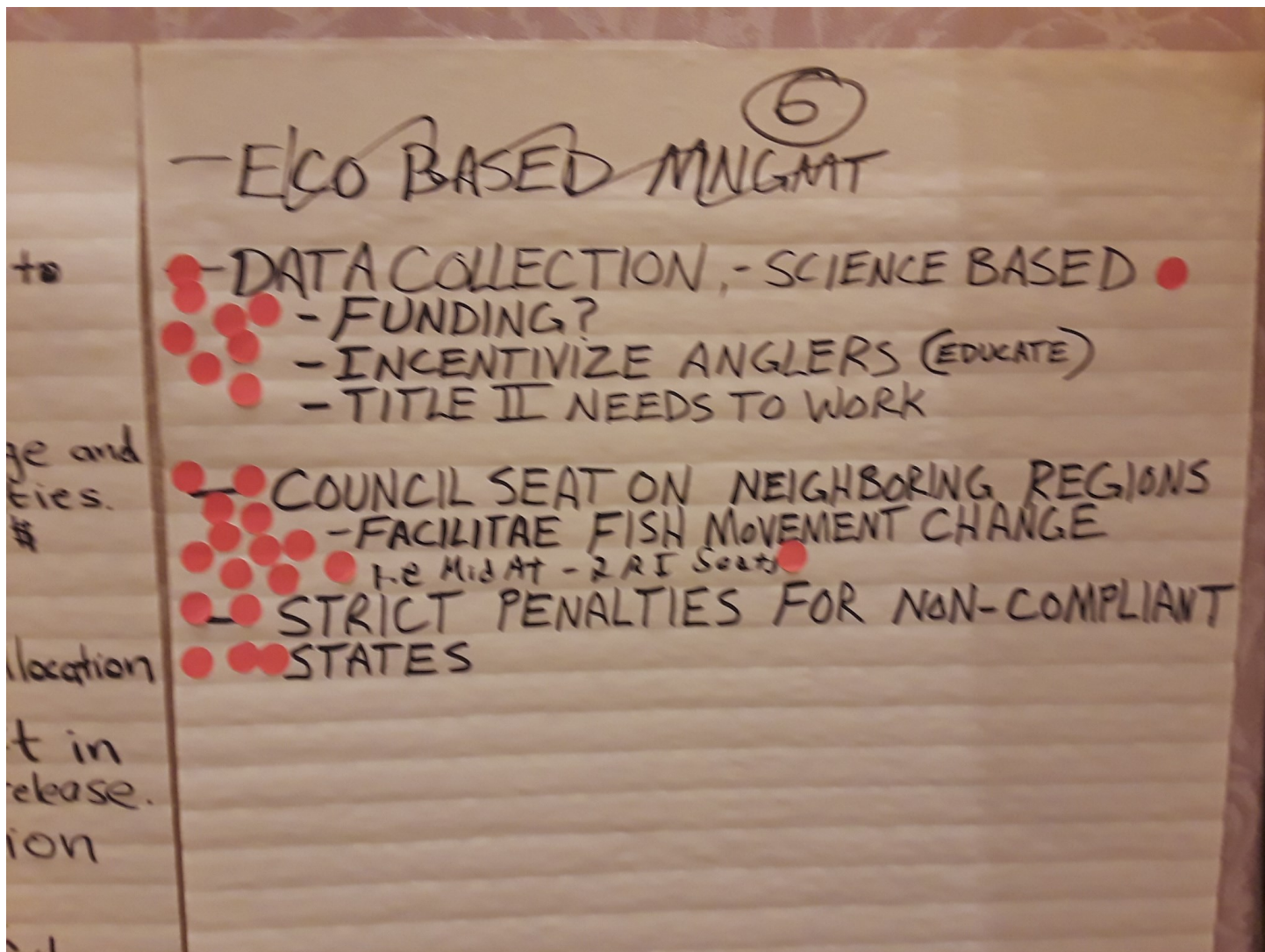


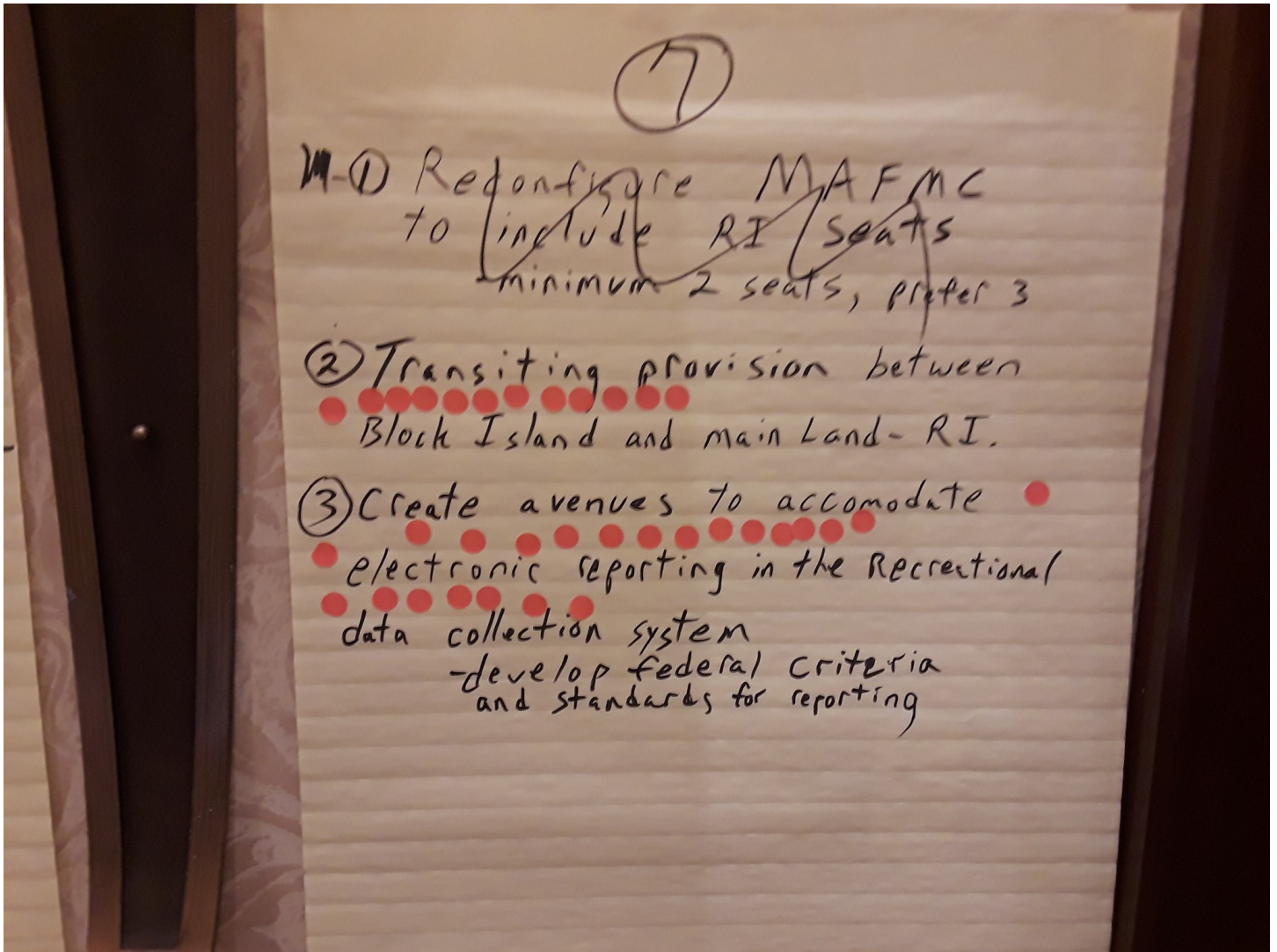


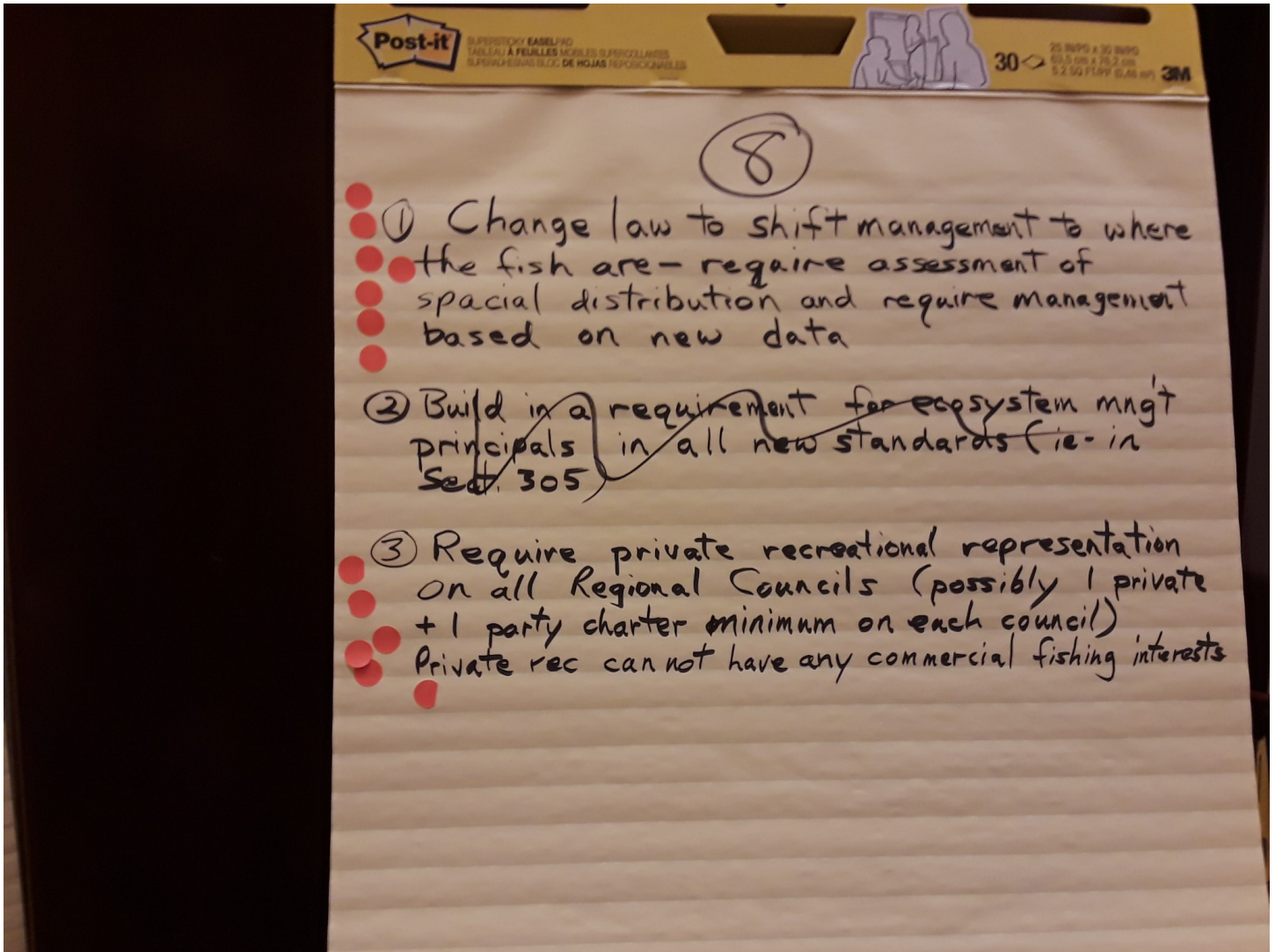












2018 Southern New England Recreational Fishing Symposium

The Magnuson-Stevens Act: How To Make It Work For Recreational Fishing

Co-sponsored by



Rhode Island
Saltwater Anglers
Foundation



AGENDA

- 7:00 **Registration / Meet other attendees/Continental breakfast**
- 8:00 **Welcome and Introductions**
Steve Medeiros, President, RI Saltwater Anglers Association

Janet Coit, Director, RI Department of Environmental Management

Richard Hittinger, *Symposium Director*
President, Alliance Environmental Group, Inc. and RISAA 1st Vice President
- 8:25 **Agenda Overview**
Dave Monti, Symposium Committee, 2nd Vice President, RI Saltwater Anglers
- 8:30 **Review of 2013 and 2015 Symposiums**
Richard Hittinger, Symposium Committee, 1st Vice President, RI Saltwater Anglers
2013 Financial impact of recreational fishing
2015 An Abundant Future for Recreational Fishing
 - o Electronic recording of catch and effort as well as climate change and its impact on the fish
 - o Ecosystem-based management... Jason McNamee, Chief of Marine Resource Management, RI Department of Environmental Management
 - o Climate change and its impact on the fish and fishing
- 9:15 **Magnuson-Stevens Act**
Russel Dunn, NOAA Fisheries, National Policy Advisor on Recreational Fisheries
 - o History/background
 - o Strengths and weak areas today
 - o National Recreational Fishing plans
- 10:00 **Break**

10:15 Panel Presentations and Discussion

Overview and introduction of panelists - **Dennis Nixon**

Ben Bulis, President, American Fly Fishing Trade Association

Russel Dunn, NOAA Fisheries, National Policy Advisor on Recreational Fisheries

Chris Macaluso, Director, Center for Marine Fisheries, the Theodore Roosevelt Conservation Partnership

John McMurray, Charter Captain, *One More Cast Charters*, Oceanside, NY, member of the Atlantic States Marine Fisheries Commission and author

Charles Witek, Esq., author/blogger and recreational fishermen, West Babylon

Questions from Dennis Nixon (40 min.)

Audience Questions (60 min.)

1:00 Working Lunch and Group Work

Table facilitator performs scribe function, group develops top three recommendations for MSA Reauthorization to better accommodate recreational fishing

2:25 Group Reports and Wrap-Up

- Groups report out (3 min. each)
- Reminder about electronic evaluation, issue prioritizing via voting with dots as they leave

3:00 Symposium closes

2018 Southern New England Recreational Fishing Symposium

The Magnuson-Stevens Act: How To Make It Work For Recreational Fishing

Co-sponsored by



Speakers/Panelists



Ben Bulis, President, American Fly Fishing Trade Association

Ben was the founding partner of Rocky Mountain Aviation which designed and developed executive class hangars for General Aviation aircraft. He has successfully owned and operated businesses in the construction and aviation industry. As a native of New Hampshire, Ben was introduced to fishing at a young age in the ocean, lakes and streams of New England. Ben studied Biology at Plymouth State University and Engineering at Montana State University. Ben has fished extensively around the world and as a guide in Montana. Ben is an FAA licensed Instrument Pilot and currently volunteers on the Backcountry Hunters and Anglers board, the Theodore Roosevelt Conservation Partnership Policy Council and the American Sportfishing Associations Government Affairs and Trade Show Committees. Ben has been the President and CEO of AFFTA since 2012, he lives in Bozeman, MT.



Janet Coit, Director, Rhode Island Department of Environmental Management

DEM Director Janet L. Coit has worked in the environmental field for more than 25 years. As Director of DEM since 2011, she has focused on efforts to promote local agriculture and seafood, provide opportunities to connect families and tourists to nature, and improve customer service and business processes to support environmental and economic interests. This year, she was awarded an honorary degree from Roger Williams Law School. Also, she was recently inducted into the American College on Environmental Lawyers and received the Environmental Business Council Paul G. Keough Environmental-Energy Award for Government Service.

She received the "Mary Brennan Tourism Award" from the Rhode Island Hospitality Association for her role in attracting and executing the Volvo Ocean Race Newport Stopover event in 2015; the event was the most successful North American stopover in the race's history, drawing more than 130,000 fans and contributing some \$47 million to the local economy.

In 2015, Director Coit was honored with Sail Newport's President's Award and the Leadership Award from Rhode Island Saltwater Anglers Association. She was also recognized as one of Rhode Island's most powerful women by Rhode Island Monthly in 2014 and received the prestigious "John H. Chafee Conservation Leadership Award" from the Environment Council of Rhode Island.

A magna cum laude graduate of Dartmouth College, Coit holds a J.D. from Stanford Law School, where she was president of the Environmental Law Society and a member of the Environmental Law Journal.



Russell Dunn, National Policy Advisor for Recreational Fisheries, NOAA Fisheries Service, National Oceanic and Atmospheric Administration (NOAA)

As the national policy advisor, Russell works with the recreational fishing community to safeguard and enhance the significant benefits sustainable recreational fisheries afford coastal communities and the nation through improved dialogue, partnership, and action. As a member of NMFS' national leadership team, he focuses high-level institutional attention on key priorities and serves as the national point of contact for the saltwater recreational fishing community and other federal agencies. In recent years, this included Agency adoption of a national saltwater recreational fisheries policy, as well as national, and regional implementation plans. Russell has 21 years of public and private-sector experience in national and international marine fisheries policy.



Chris Macaluso, Director, Center for Marine Fisheries for the Theodore Roosevelt Conservation Partnership

Chris works with a host of advocacy and conservation organizations to advance habitat restoration efforts across the Gulf and improve federal fisheries management law and policy.

He is an avid angler and duck hunter and a lifelong Louisiana resident who has worked in the outdoors communication field for more than 20 years, hosting hunting and fishing radio shows and working as a freelance outdoor and sports writer, radio and TV host.

Macaluso became the first-ever communications director for the Louisiana Coastal Protection and Restoration

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Authority in 2006 and handled media relations for the Authority during the 2010 Deepwater Horizon Oil Spill.

He left state-government in late 2010 to work as the Coastal Outreach Coordinator for the non-profit Louisiana Wildlife Federation helping to start the Vanishing Paradise Campaign that worked with outdoorsmen and the hunting and fishing industry to pass the RESTORE Act in 2012 before taking his current role at TRCP in 2013.

He and his wife Katie have a young son and daughter who both enjoy spending time in the swamps and marshes of Louisiana and the beaches along the Gulf Coast.



Capt. John McMurray is a full-time Captain/owner of "One More Cast" Charters in Oceanside, NY.

McMurray, served three terms (9-years) on Mid Atlantic Fishery Management Council from 2008 to 2017, and is currently the Legislative Proxy at the Atlantic States Marine Fisheries Commission for Senator Phil Boyle.

McMurray is a well-published outdoor writer, specializing in fisheries conservation. He wrote the *Resource Column for Flyfishing in Saltwater* for close to a decade, and is a regular contributor to *Saltwater Sportsman*, *Sport Fishing Magazine*, and *On The Water*. He has had op-eds published in Newsday and the New York Times and wrote a weekly conservation blog for the *Theodore Roosevelt Conservation Partnership*. He currently writes one for the *Marine Fish Conservation Network*.

McMurray sits on the Policy Board of the Marine Fish Conservation Network as well as being one of the administrators of *Fishes.org* - "News & Opinion for Conservation Minded Anglers".

In prior years McMurray served in the Coast Guard as a small-boat coxswain and law-enforcement officer, and was first Executive Director of the Coastal Conservation Association NY. He was also the Director of Grants at the Norcross Wildlife Foundation, and was responsible for much of the equipment finding for marine conservation organizations.



Jason E. McNamee, Chief, Marine Resource Management, Rhode Island Division of Marine Fisheries

Chief of the RI Department Environmental Management's (RIDEM) Marine Fisheries Division, Jason E McNamee has worked for over 15 years on environmental and fisheries matters. Before working for the Marine Division, he worked for 2 years as an intern with RIDEM Division of Fish and Wildlife's Freshwater Section as well as 2 years in the RIDEM's Office of Water Resources. While with the Marine Division, Jason has served as the principle investigator for the Narragansett Bay Juvenile Finfish Seine Survey. He is also active in the Atlantic States Marine Fisheries Commission's process on behalf of Rhode Island as a member of numerous technical committees and stock assessment sub committees. Jason was appointed in 2013 to the New England Fishery Management Council's Scientific and Statistical Committee, and is currently serving as chair of that committee.

Jason graduated from the University of Rhode Island in 1996 with a Bachelor's of Science in Zoology. His graduate work was done at the University of Connecticut, where he graduated in 2006 with a Master's of Science in Biological Oceanography. He is currently enrolled at the University of Rhode Island's Graduate School of Oceanography in their Oceanography Doctoral program.

As chief, he oversees the administration of DEM's marine fisheries science and management programs and staff, including its technical projects, scientific research, and outreach activities. He continues to work closely with other states, federal agencies, industry representatives, organizations and other stakeholders to develop interstate regional plans for the conservation and management of marine fisheries resources.



Dennis Nixon, Panel Moderator, Professor of Marine Affairs Dennis Nixon and Director of the Rhode Island Sea Grant Program

As Sea Grant Program Director since July 2013, Dennis leads a multi-million dollar research and education program devoted to using scientific knowledge to improve the management of Rhode Island's coastal waters. Prior to that, he served for four years as the Associate Dean for Research and Administration at the Graduate School of Oceanography at the University of Rhode Island, where he was responsible for the administration of the 200+ acre campus, pier, and the 185' Research Vessel *Endeavor*.

He served the previous 8 years as the Associate Dean of Academic Affairs at the College of the Environment and Life Sciences, also at the University of Rhode Island. He has been a faculty member at the University of Rhode Island for the past 39 years, teaching courses in the area of marine and coastal law. A marine lawyer by training, he is a member of the Maritime Law Association of the United States and the Rhode Island Bar.

He is the Secretary and General Counsel for the Point Club, a fishing vessel insurance cooperative he helped found over 20 years ago. He is one of the three founders of the International Marina Institute, which provides educational programs and certification for professionals in the marine industry around the world. Under a grant from the National Science Foundation, he is also the legal advisor and risk manager for the University National Oceanographic Laboratory System, and has been providing advice to all of the US academic research vessel fleet for the past 28 years.

He has lectured on marine law topics in 27 states and 26 countries on six continents. He is the author of over 50 articles and the casebook *Marine and Coastal Law*, first published in 1994 and released in a second edition in 2010. Professor Nixon earned his Bachelor's

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degree in history at Xavier University, his law degree at the University of Cincinnati, a Master of Marine Affairs at the University of Rhode Island, a Certificate on International Institutions at the University of Geneva, and a Certificate in Ocean Law from Harvard Law School.



Charles Witek, Esq., Fish Advocate and Writer

Charles Witek is a lifelong recreational angler, who lives on the South Shore of Long Island, New York. Although he most frequently fishes his local waters, he has fished on every coast of the United States, including Alaska and Hawaii, as well as in the Caribbean.

A chance conversation with the late Bob Pond, just as the striped bass stock began to collapse, opened his eyes to the need for the effective conservation of saltwater fisheries. Witek has been involved in saltwater fishery conservation issues ever since.

He has served as a bluefin tuna technical advisor to the U.S. ICCAT delegation, and has held a seat on the Mid-Atlantic Fishery Management Council. Today, he sits on New York's Marine Resources Advisory Council, and on the Atlantic States Marine Fisheries Commission's Winter Flounder and Coastal Sharks Advisory Panels.

Witek also combines his undergraduate education in English and his experience as an attorney to educate and advise the public on the legal and conservation aspects of fishery management. His "One Angler's Voyage" blog can be found at <http://oneanglersvoyage.blogspot.com>. He is also a regular contributor to the Marine Fish Conservation Network's blog, "From the Waterfront," which can be found at <http://conservefish.org/blog/>.

SYMPOSIUM COMMITTEE



Stephen Medeiros, RISAA President and Symposium Committee

One of the founding members of the R.I. Saltwater Anglers Association, Steve is currently serving his 21st year as President. He is also the Executive Director. He is a past member of the Rhode Island Marine Fisheries Council, having served for 12 years. He runs the New England Saltwater Fishing Show and serves on 14 committees.



Rich Hittinger, RISAA 1st Vice President and Symposium Committee

Rich has served in that position for more than 5 years. He is active in the RISAA Legislative Committee where he serves as Vice Chair. He also is a past member and Vice Chairman of the RI Marine Fisheries Council and is active in many fishing advocacy issues at a State, Regional, and National level. Rich has a Masters of Science degree in Chemical Oceanography from the University of RI Graduate School in Oceanography. He owns a 31' boat with his fishing partner Bob Murray and fishes regularly out of Point Judith, RI for everything from summer flounder to striped bass to cod and tautog. Rich is south of Point Judith every opportunity possible, including fishing the waters around Block Island. Rich has been on the organizing committee for all three RISAA Symposia and will give a summary of the past two symposia during the 2018 meeting.



Peter Jenkins, Symposium Committee, owner Saltwater Edge, Newport

Peter is forever grateful that his grandfather took him fishing at a young age and gave him a lifelong appreciation for striped bass. As a teenager, Peter caddied for a gentleman who taught him to fly cast, and another enduring gift was given. Today, he enjoys surfcasting and fly rodding as the situation dictates and in addition to stripers, his favorite species are false albacore, bonefish, and roosterfish.

He is the owner of the Saltwater Edge tackle shop in Middletown, Rhode Island and the Lead Instructor at the Orris Saltwater Fly Fishing Schools.

Peter Jenkins is a 17-year member of Rhode Island Saltwater Anglers Association and Chairman the Access Sub-Committee of Legislative Committee.



Dave Monti, RISAA 2nd Vice President, Symposium Committee

Dave grew up on the water and has been shell fishing and fin fishing all his life. Dave holds a masters captain's license and works as a charter fishing captain and guide. He is a communications consultant and semi-retired partner of the RDW Group marketing, public relations and digital marketing firm.

Dave is a fishing columnist for the Providence Journal, eleven other newspapers, On-the-Water magazine and blogs. He writes about the environment, fishing policy, regulations and ocean issues such as spatial planning, wind power, climate change as well as fishing tactics, strategy and conditions.

In 2011 Dave was appointed by the Governor of the State of RI to serve on the RI Marine Fisheries Council where he serves as vice chair. He understands ocean and fisheries management issues and polices as they relate to the environment, fishermen and fishing communities.

Dave serves as a vice president and chair of the legislation committee for the RI Saltwater Anglers Association and is an active member of the Rhode Island Party & Charter Boat Association participating in the "RI Fish for the Future" summer flounder pilot. He was twice appointed to the NOAA Marine Fisheries Advisory Committee's (MAFAC) Recreational Working Group as a New England representative. He also serves on the Atlantic States Marine Fisheries Commission's Atlantic menhaden Advisory Panel.



Rhode Island Marine Fisheries Council

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

Robert Ballou
Chairman

David Monti
Vice Chair

Travis Barao

Andrew Dangelo

Jeff Grant

William
Mackintosh, III

Christopher Rein

Michael Rice, Ph.D.

Michael Roderick

December 18, 2017

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application # 2017-07-021 – Watson
Narragansett Bay – Rome Point

Dear Mr. Beutel:

Pursuant to RIGL §20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter, "Council") on December 4, 2017 for review. The Council found that the proposal poses no inconsistency with competing uses engaged in the exploitation of marine fisheries in the area.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert Ballou".

Robert Ballou, Chair
RIMFC

cc: RIMFC



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

Robert Ballou
Chairman

David Monti
Vice Chair

Travis Barao

Andrew Dangelo

Jeff Grant

William
Mackintosh, III

Christopher Rein

Michael Rice, Ph.D.

Michael Roderick

February 28, 2018

Dave Beutel, Aquaculture Coordinator
Coastal Resources Management Council
4808 Tower Hill Road
Wakefield, RI 02879

Re: CRMC Aquaculture Lease Application # 2017-11-051 – East Beach Farms LLC
Quonochontaug Pond

Dear Mr. Beutel:

Pursuant to RIGL §20-10-5, the above-referenced application was brought before the RI Marine Fisheries Council (hereafter “Council” or “RIMFC), via the Council’s Shellfish Advisory Panel, on February 7, 2018 for review. The Panel found that the proposal poses no inconsistency with competing uses engaged in the exploitation of marine fisheries in the area. In accordance with RIMFC Policy, the recommendation of the Panel constitutes the recommendation of the Council, unless there is a request to bring the matter before the full Council. Given that no such request was made on this matter, the Panel’s recommendation stands and the Council’s review is complete.

Sincerely,

Robert Ballou, Chair
RIMFC

cc: RIMFC