



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

To: Mark Gibson  
Deputy Chief – Marine Fisheries

From: W. Michael Sullivan, Ph.D.  
Director

A handwritten signature in cursive script that reads "W. Michael Sullivan".

Date: September 11, 2006

Re: Recreational Tautog Fishery – Fall Bag Limits

This is a follow-up to my June 29, 2006 decision memo to you, and specifically with regard to regulations governing the recreational tautog fishery.

As per my June 29 memo, I had decided to adopt certain regulatory provisions relating to the recreational tautog fishery, while pursuing further study of others. Specifically, I adopted that part of the recommendation jointly offered by you and the Council pertaining to the June 1-30 and December 16-31 closures. I also subsequently agreed to extend the 3 fish/day bag limit an additional week, to October 21. These three measures have all since been enacted.

I had withheld a final decision on your recommendation to reduce the October 22 – December 15 bag limit from 10 to 8 fish/day. I have since received and reviewed your follow-up memorandum on the subject, dated August 4, 2006, and consulted with some key industry representatives, particularly those associated with the RI party and charter boat industry. Your memo and my interactions with the industry were both very informative and helpful, and gave me a sound basis to make a final decision.

I have decided not to reduce the late season bag limit for the 2006 season. I base my decision on the following key factors:

- Biomass and juvenile production indices both show that the tautog stock in RI waters is recovering from its low point in the 1990s, and is now approaching  $B_{MSY}$ , the long-term target.
- The new conservation measures implemented this year in response to the recommendations offered by the Council and you will bolster the already successful management program, and facilitate the trend toward full recovery.
- The recent escalation of effort in the fall fishery is a serious concern, but further monitoring of catch rates during waves 5 and 6 needs to take place before considering additional restrictions. I note particularly that while there has been an upward trend in recreational catches during waves 5 and 6 over the past few years, there has also been a fair amount of fluctuation. I also understand that the party boats from the Frances Fleet only “maxed out” under the current 10 fish/day regulations twice during the entire 2005 season. The Francis Fleet reports that their boats averaged 35 people, and 78 tautog, per trip during 2005, resulting in an average bag limit of 2.2 fish per person. I am also aware that New York has a smaller minimum fish size (14 inches) than Rhode Island, and a 10 fish/day season that commences on October 1. As such, a decrease in RI’s bag limit would put RI party and charter boat fisherman at a competitive disadvantage during a critical point in the season.

Given these factors, I feel that more data is needed before I can support a decrease in the current 10 fish/day bag limit. I urge you and your staff to monitor the 2006 season very carefully, and I urge the Council to review the performance of the 2006 fishery and revisit the issue of potential bag limit reductions during their deliberations on regulations for 2007.

I am also aware that New York party and charter boats fishing in RI waters during the fall season need to be properly permitted and need to abide by all applicable regulations, including RI’s 16” minimum size requirement. To help ensure compliance, I will be asking our Licensing office to send notices to all party and charter boat permit holders from New York, and I will be asking our Enforcement Division to conduct boardings of NY boats fishing in RI waters during the upcoming fall season.

Thank you, and through you, the Council, for all of your thoughtful work on this important issue.

cc: RI Marine Fisheries Council