

RI Department of Environmental Management

Division of Marine Fisheries

PRE-HEARING WORKSHOP

October 11, 2017



Marine Fisheries Informational Workshop – Rules of Engagement

- ◆ RIDFW staff will provide presentation on each of the proposed regulation amendments
- ◆ Discussion will ensue upon completion of each presentation;
- ◆ Discussion should focus on:
 - Understanding of the rationale behind each of the proposed amendments;
 - Recommendations of alternatives.
- ◆ **IMPORTANT!** The workshop discussion is *not* an official public record. Please offer your preferred option(s) and comments for the public hearing record during the public hearing on November 20th
- ◆ Full annotated regulations and public notice October 20th. Refer to Division and Sec. of State websites
- ◆ **Public comment period will end at 4:00PM on Monday, November 27th**



Workshop/Public Hearing Items

1. Definition of %Resident+
2. 2018 commercial Spiny Dogfish management
3. Gill net tagging requirements
4. Commercial Shellfish Harvester Education and Training Program
5. 2018 commercial scup management
6. 2018 commercial black sea bass management
7. 2018 commercial summer flounder management



Proposed amendment to Definition of “Resident” (Part 1 – Definitions)

- “ Removal of %automobile registration+as part of the definition
- “ DEM has identified this documentation as a potential means to exploit the system

Proposed language: "Resident" means a person who has had his or her actual place of residence and has lived in the State of Rhode Island for a continuous period of not less than six (6) months. Proof of residence may include a Rhode Island driver's license, ~~automobile registration~~, voter registration card or a notarized statement from a City or Town Clerk.



2018 commercial management of Spiny Dogfish (Part 3 – Finfish)

- “ Consistency with the ASMFC Fisheries Management Plan (FMP) for Spiny dogfish.
- “ Increase the RI state-water starting possession limit in *Part 3 – Finfish* to 6,000 lbs/vsl/day (note that possession limit is currently 6,000 lbs/vsl/day via noticed possession limit modification).



Proposed amendment to gill net tagging requirements (Part 6 – General Equipment Provisions)

- “ Main points:
 - “ Tags valid April 1 . March 31 to coincide with license renewals
 - “ Tags valid for one season; new tags must be ordered annually
 - “ Tags attached to each vertical line of a string of nets and also along float line of the string every 300 feet.
 - “ Ordering form and instructions being developed; will detail \$ cost/tag and vendor info (~\$1.55 / tag)
 - “ See proposed regulation for full annotated language



Commercial Shellfish Harvester Education and Training Program

Background:

- “ Requirement of NSSP Model Ordinance (Section II - Chapter VIII, Control of Shellfish Harvesting).
- “ Anyone who commercially harvests/lands shellfish must complete a training course, designed and implemented by the State, prior to obtaining their commercial license or landing permit.
- “ Applies to all license and landing permit renewals, as well as all new licenses and landing permits.
- “ Applies to all shellfish, harvested and landed in RI, except whelk, and except scallops (if shucked at sea, with only abductor mussels landed).
- “ Separate training requirement, administered by CRMC, applies to shellfish farmers who only harvest and land farmed stock.



Commercial Shellfish Harvester Education and Training Program

Elements of RI Program (proposed):

- “ Develop a tutorial, for presentation to groups in public forums (e.g., RISA membership meetings, sessions at Bay Campus, etc.), with certificates of completion automatically linked to licensing database.
- “ Post tutorial on Marine Fisheries website, and establish process enabling license holders (existing and prospective) to complete it on their own, with certificates of completion automatically linked to licensing database
- “ Promulgate regulations requiring all commercial shellfish harvesters to complete tutorial prior to obtaining new license; provide grace period, until April 6, 2018, for all 2018 renewals.
- “ Certificate of completion valid for 5 years



Commercial Shellfish Harvester Education and Training Program

Elements of regulations (proposed):

Applicable to:

- All holders of commercial shellfish licenses (PEL and CFL with Quahog, Soft-shell clam, and/or Shellfish other; 65 and Over Shellfish; and Student Shellfish);
- All holders of MPLs who harvest shellfish; and
- All holders of landing permits who land shellfish.

Not applicable to:

- Holders of MPLs or landing permits who do not harvest and land shellfish; and
- Holders of licenses and/or landing permits who only harvest and land whelk, or only harvest and land shucked scallops.



Commercial Shellfish Harvester Education and Training Program

Elements of regulations (proposed):

“ Compliance:

- “ No new license will be issued unless applicant has first completed the tutorial.
- “ For 2018 only: grace period until April 6 for all renewed licenses. Notice will be issued. After April 6, if license holder has not yet taken the tutorial, license will be suspended until tutorial is completed.
- “ Any holder of an MPL or landing permit who begins to harvest and land shellfish will have 90 days, from date of first landing, to complete tutorial. Notice will be issued within 90-day period. If, after 90 days, license/permit holder has not yet taken the tutorial, license/permit will be suspended until tutorial is completed.



Commercial management of Summer Flounder for 2018

- “ Summary of Stock Status
- “ 2017 Rhode Island Commercial Fishery Performance
- “ Recommendations for the 2018 Summer Flounder Fishery



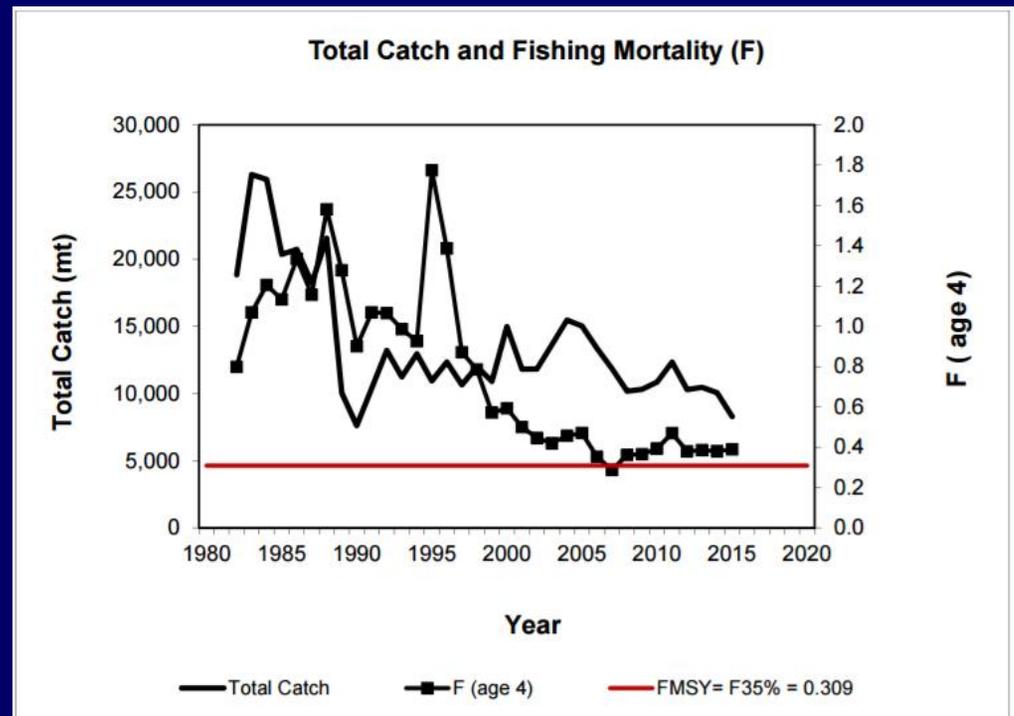
Commercial Summer Flounder

Stock Status:

“ Update in 2016: based on SAW/SARC 57 assessment

“ The summer flounder stock is not overfished, but overfishing is occurring relative to biological reference points.

“ Fishing mortality was estimated to be 0.390 in 2015, above the threshold F reference point = 0.309 (also above F target = 0.255).



Commercial Summer Flounder

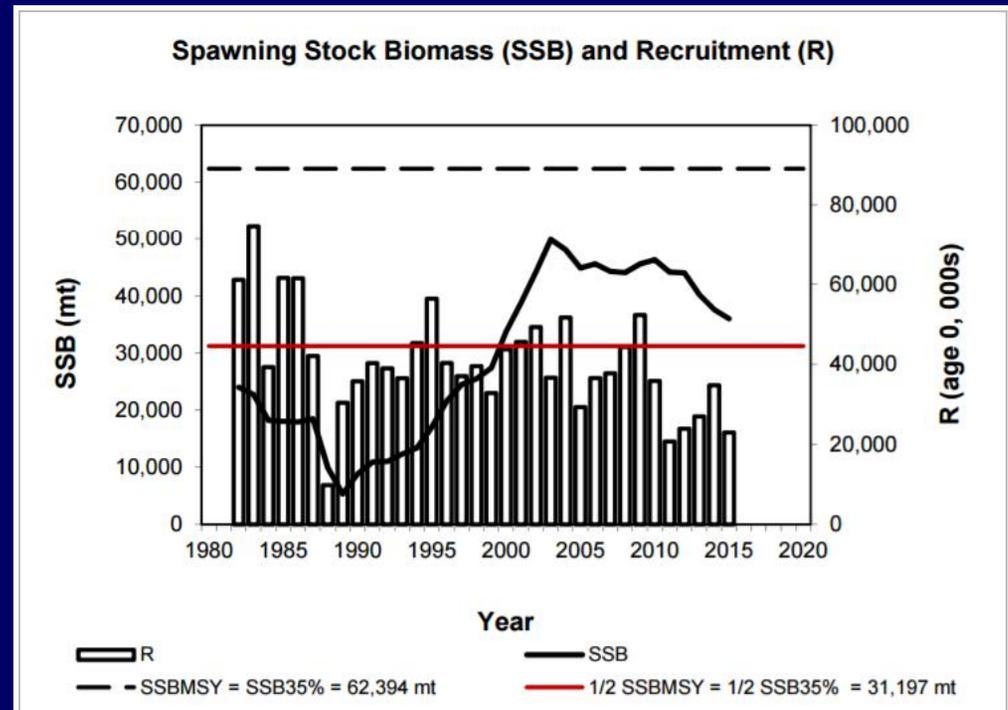
Stock Status cont'd:

SSB estimated to be 79.9 m lbs in 2015, below the SSB reference point = 137.6 m lbs but above the SSB threshold = 66.2 m lbs.

The 2015 year class is currently estimated to be about 23 million fish, well below the average of 41 million fish.

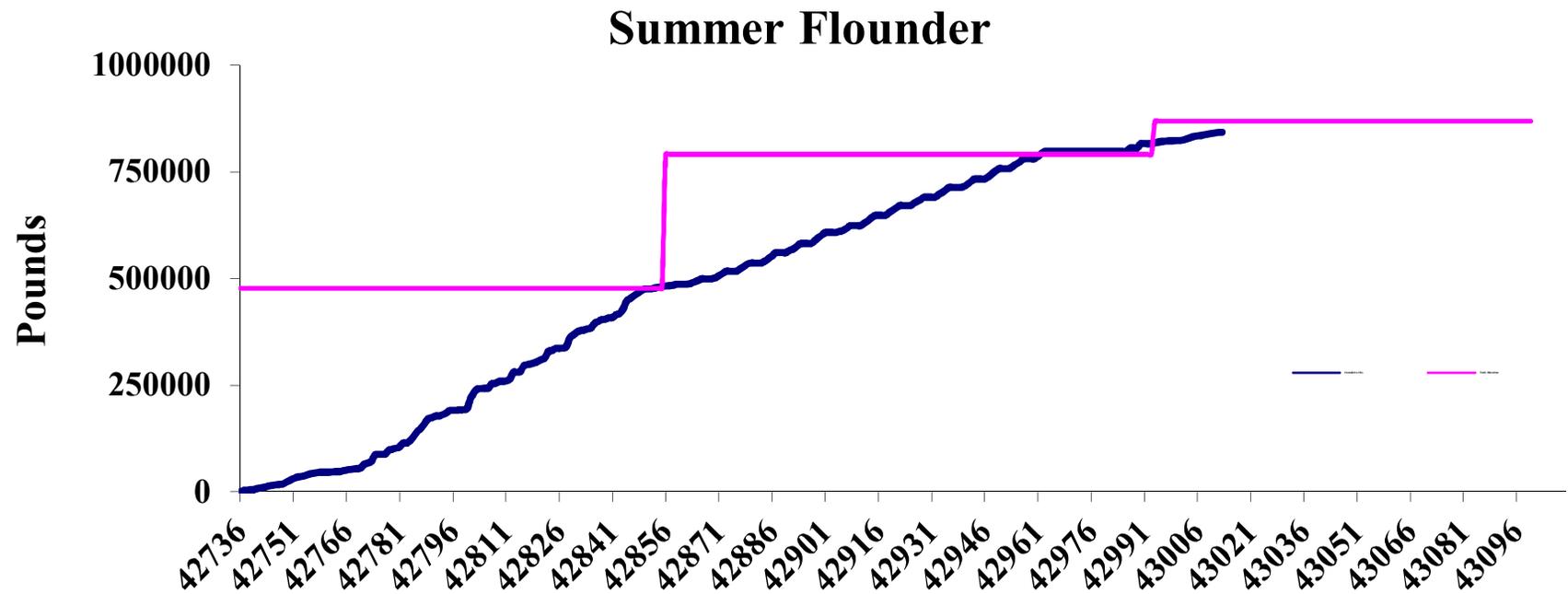
A retrospective pattern in recruitment is evident, the 2008 and 2009 large year classes have dropped significantly in recent updates.

Given previous specification setting, a 15% increase in quota is predicted for 2018



Commercial Summer Flounder

“ First commercial fishery closures since 2013 this year.



Commercial Summer Flounder

- “ Per the Director’s Decision memo from 2016, we will comprehensively review the options available for summer flounder management
- “ Some of these may take more time to develop so may not be ready for 2018
- “ The following is a comprehensive list of potential management options, with some analysis on their impacts
- “ Other proposals are welcome, the following are based on previous discussions/ideas that have been offered through recent history



Commercial Summer Flounder

Gear Specific Quotas



Commercial Summer Flounder

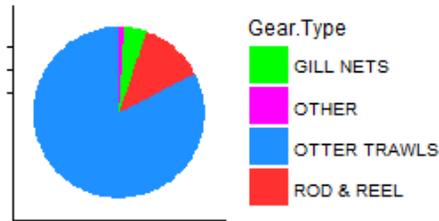
Gear Specific Quotas - Method

- “ Based on historical landings
- “ Used VTR and logbook submissions back to 2006
- “ Total pounds were used to determine what percentage of total landings were attributed to each gear type

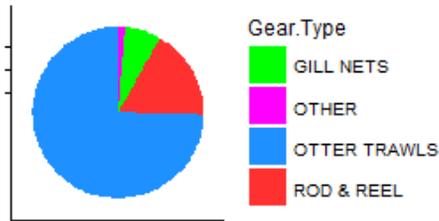


Commercial Summer Flounder-Gear Specific Quotas-Method

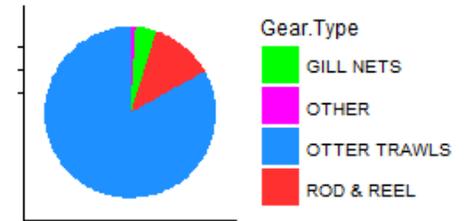
Fluke Pounds by Gear 2007



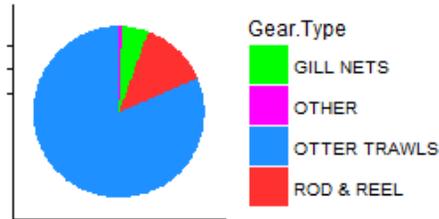
Fluke Pounds by Gear 2008



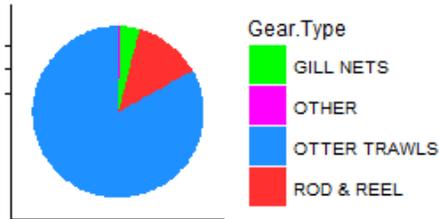
Fluke Pounds by Gear 2010



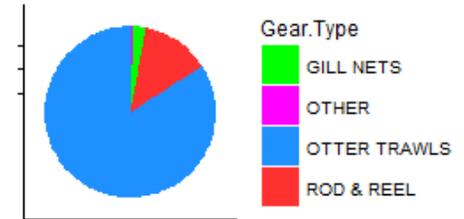
Fluke Pounds by Gear 2011



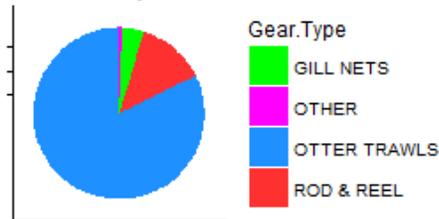
Fluke Pounds by Gear 2012



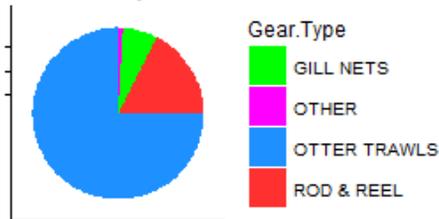
Fluke Pounds by Gear 2013



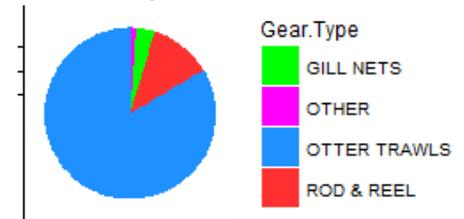
Fluke Pounds by Gear 2014



Fluke Pounds by Gear 2015



Fluke Pounds by Gear 2016



	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Average
GILL NETS	2%	4%	7%	5%	4%	5%	4%	2%	4%	7%	3%	4%
OTHER	0%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
OTTER TRAWLS	96%	83%	75%	82%	83%	81%	83%	84%	82%	75%	84%	83%
ROD & REEL	1%	12%	17%	13%	12%	13%	13%	13%	13%	18%	12%	12%

Commercial Summer Flounder

Gear Specific Quotas - Method

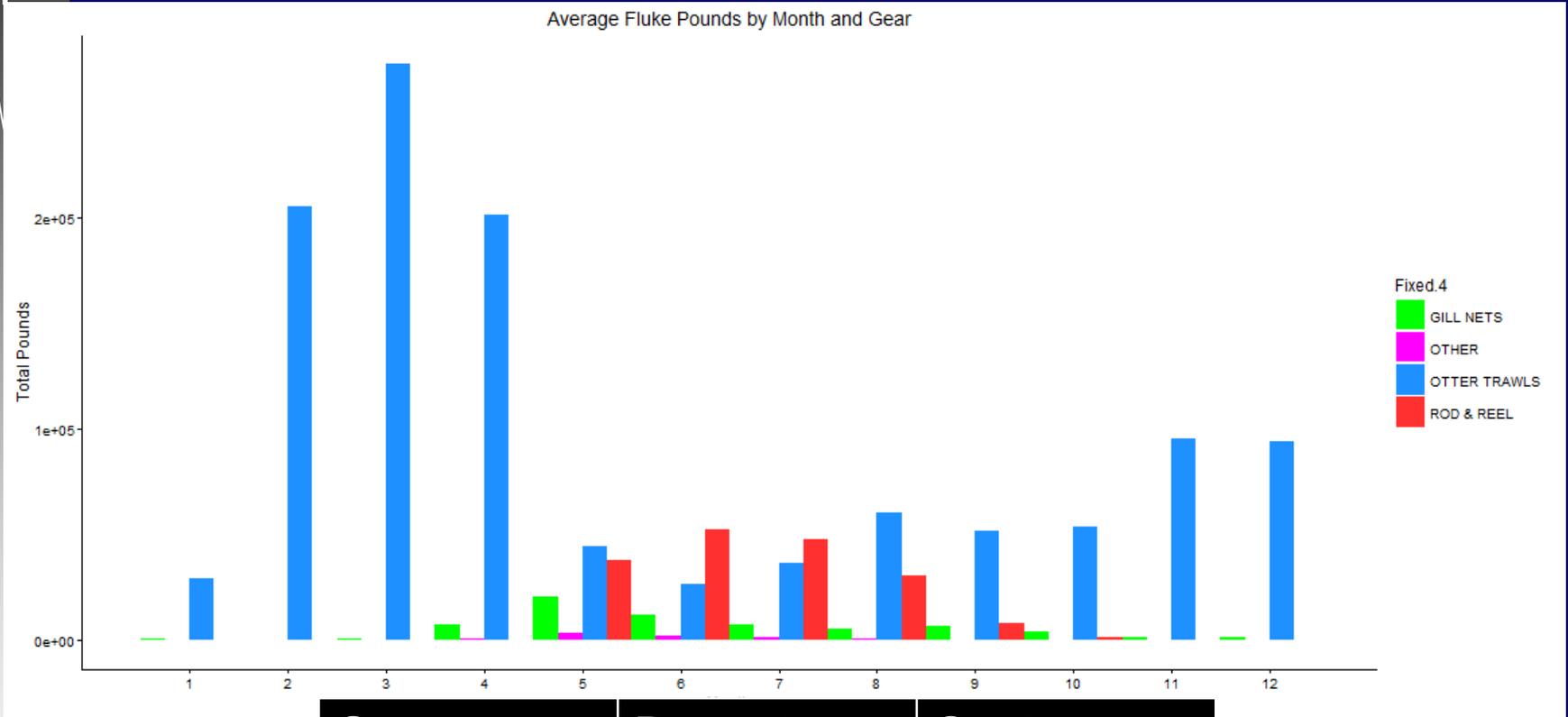
Using the average percent's 2018 quota (preliminary)

Gear	Percent	Quota
Gill Net	4%	40,826
Other	1%	10,206
Otter Trawl	83%	847,158
Rod & Reel	12%	132,687



Commercial Summer Flounder-Gear Specific Quotas-Method

Individual quotas would then be distributed across sub periods



Gear	Percent	Quota
Gill Net	4%	40,826
Other	1%	10,206
Otter Trawl	83%	847,158
Rod & Reel	12%	132,687



Commercial Summer Flounder

Gear Specific Quotas

Administration

- “ This would be a permit program
 - Fishermen would need to declare which quota they would be fishing under (which gear they use)
- “ Quotas would be tracked using the permit program
 - Switching from one quota to another would be not possible
- “ Compliance checked using logbook and VTR data
- “ Would need follow up meetings to set gear specific management measures
 - Doubtful this could be achieved for 2018, but could try



Commercial Summer Flounder

Expansion of the Aggregate Program



Commercial Summer Flounder

Expansion of the Aggregate Program - Method

- “ All activity prior to start of aggregate assumed to remain the same
- “ Assumed all vessels in aggregate for 2017, would land a full limit each week during aggregate in 2018
- “ Assume 15% quota increase for 2018
- “ Full aggregate amount would be 200 lbs per week
- “ Scenario 1: If a vessel landed at least 1 daily limit between 40 and 50 pounds, assume they will land the full aggregate limit
- “ Scenario 2: If a vessel landed at least 2 daily limits between 40 and 50 pounds, assume they will land the full aggregate limit



Commercial Summer Flounder

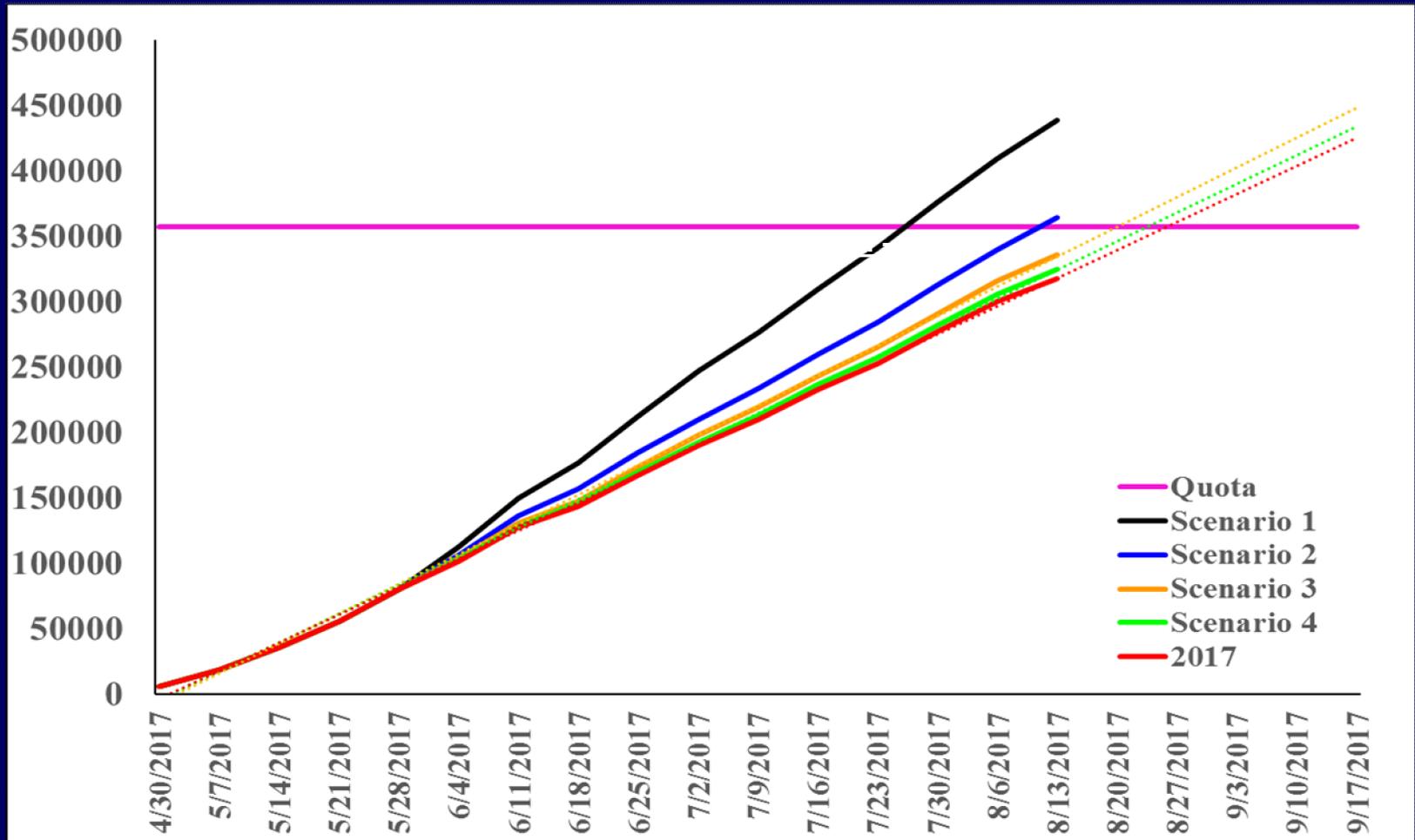
Expansion of the Aggregate Program - Method

- “ Scenario 3: If a vessel landed at least 3 daily limits between 40 and 50 pounds, assume they will land the full aggregate limit
- “ Scenario 4: If a vessel landed 4 daily limits between 40 and 50 pounds, assume they will land the full aggregate limit
- “ Did not account for the 80% aggregate trigger; would close aggregate when 80% trigger reached so the scenarios are conservative by way of closure dates



Commercial Summer Flounder

Expansion of the Aggregate Program - Method



Commercial Summer Flounder

Expansion of the Aggregate Program - Method

Closure Date	Scenario
7/30/2017	Scenario 1
8/13/2017	Scenario 2
8/20/2017	Scenario 3
8/24/2017	Scenario 4
8/27/2017	2017 Activity



Commercial Summer Flounder

Expansion of the Aggregate Program - Administration

- “ Participation in 1 aggregate sub-period only, cannot participate in both Winter and Summer
- “ **Fluke exemption certificate remains in effect**
- “ Fisherman who voluntarily sign up to participate will be required to satisfy the following (therefore would require a permit program):
 - **Sign up for e-Trips/Mobile**
 - Attend e-Trips/Mobile training
 - **Sign acknowledgement of the reporting elements required for all trips where summer flounder is harvested**
 - * Standard logbook/VTR reporting elements
 - * Future Evolution: Vessel tracking



Commercial Summer Flounder

Special Note on Summer Flounder Exemption Certificate

- There is no plan to alter the summer flounder exemption certificate program in this management option
- For those participating in the aggregate w/o the exemption, would be capped at 200 pounds per day
 - * Not meaningful under current conditions but could matter in the future
- Not having an exemption certificate would not prevent one from participating in the aggregate if other criteria are met



Commercial Summer Flounder

One Possession Limit for the Entire Year



Commercial Summer Flounder

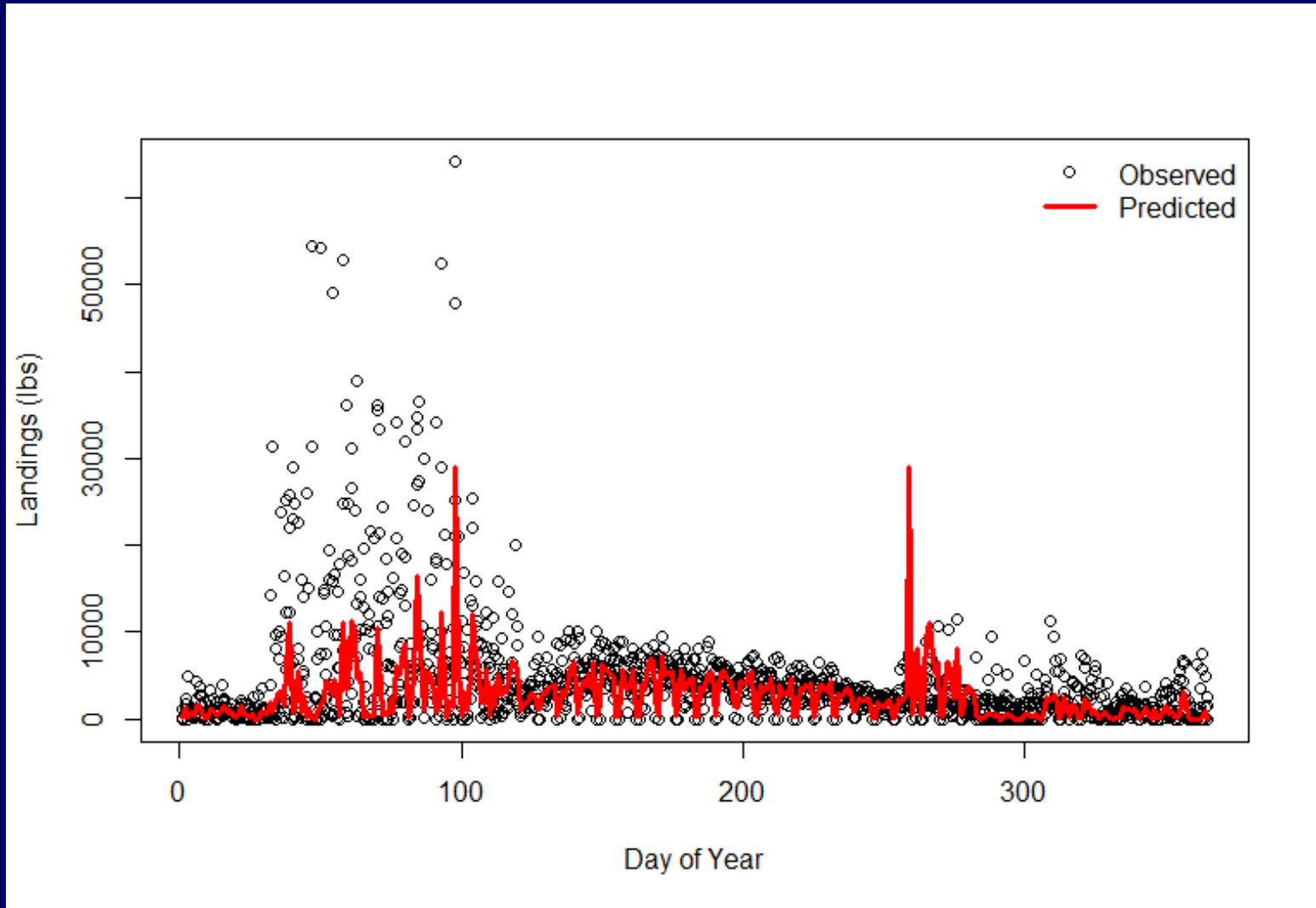
One Possession Limit for the Entire Year

- “ To calculate which possession limit would get from Jan. 1 to Dec. 31, developed a generalized linear model
- “ The model was populated with data from 2013 . 2016
- “ Model Formula
 - $\text{Log (Landings)} \sim \text{Possession limit} + \text{Day of Year} + \text{Season}$
- “ Assumptions:
 - Missing part of 2015 data so had to use %day of report+rather than day of landing for a portion of the year
 - Added 0.1 lbs to days with 0 lbs landed
 - Adjusted to meet preliminary 2018 quota (15% in crease from 2017)
 - Modeled winter under weekly possession limit during aggregate period



Commercial Summer Flounder

One Possession Limit for the Entire Year



Commercial Summer Flounder

One Possession Limit for the Entire Year

Results

- ♦ The possession limit that gets us through the year is:
 - ♦ 175 lbs/day
 - ♦ Would equate to 1,225 lbs/week in winter aggregate
- ♦ Results in total harvest of 1,041,232 lbs
 - ♦ Slightly higher than preliminary quota (1,020,673 lbs) but pretty close considering biases
- ♦ Defacto reallocates quota:

Period	Allocation
Winter 1	40%
Summer	42%
Winter 2	18%



Commercial Summer Flounder

One Possession Limit for the Entire Year - Administration

- “ No differences in administration for this type of management from current state
- “ Division would continue to use authority to adjust the quota in order to avoid closures
- “ Would not need year broken down in to sub periods



Commercial Summer Flounder

Sector



Commercial Summer Flounder

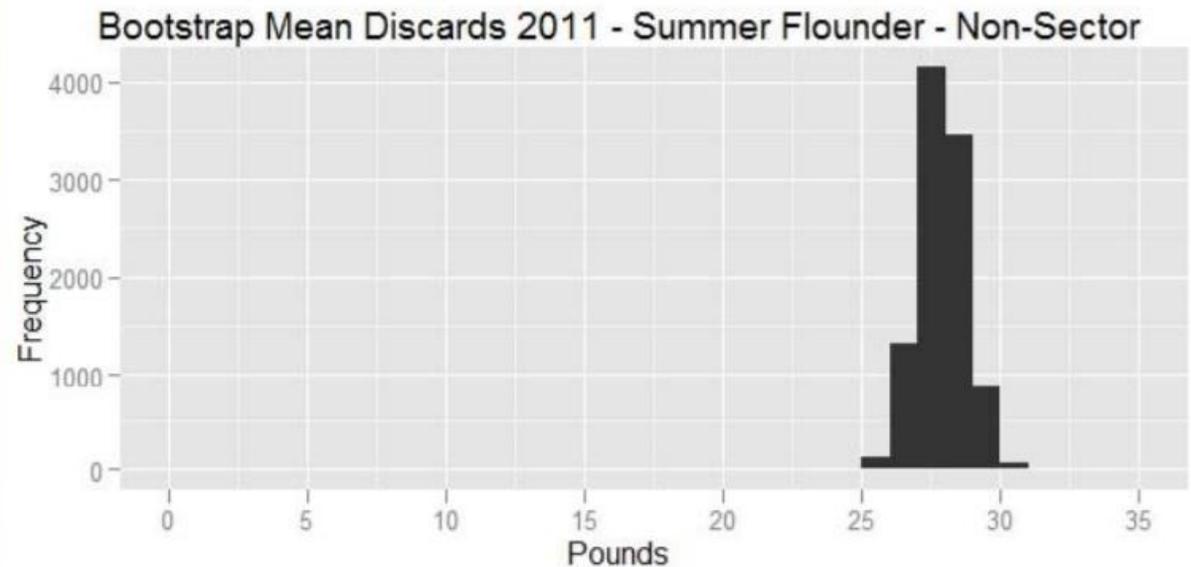
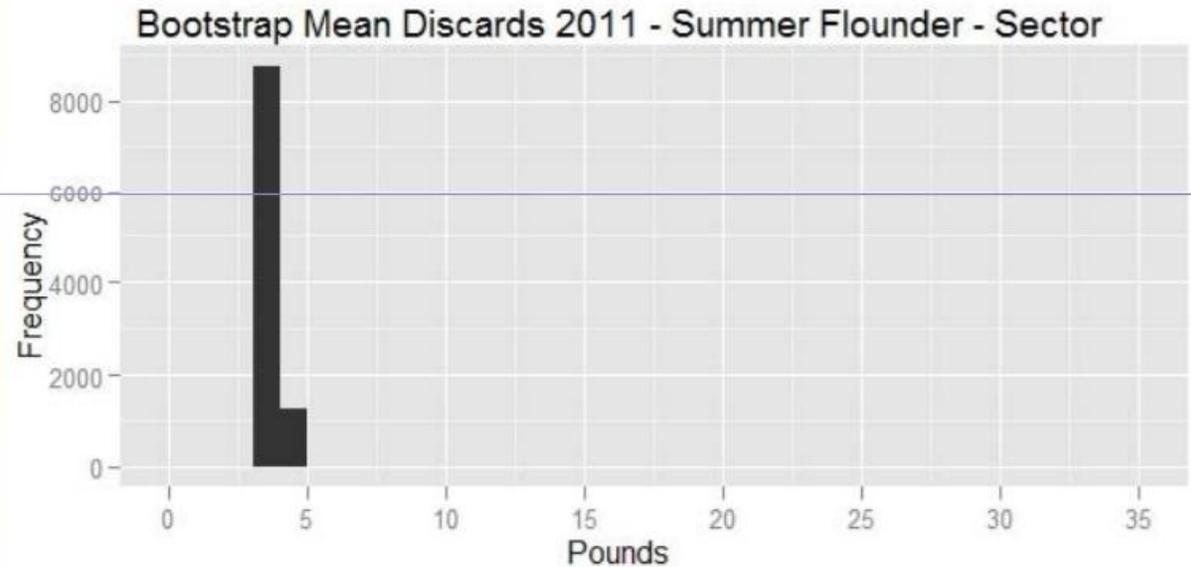
Sector – Method

- ♦ Would more or less follow the process set forth during the pilot project
- ♦ Would be open to any entity wishing to develop a sector
- ♦ Allocation methodology could be investigated
 - ♦ Historical
 - ♦ Formulaic
 - ♦ Hybrid of the two above
 - ♦ Auction process (would need more time and state legislature involvement)



Commercial Summer Flounder

Sector – Method



Commercial Summer Flounder

Sector . Administration

- “ Sectors would be monitored independently from rest of the fishery
- “ There would be no daily or weekly possession limits, but sector would be held to overall allocation
 - Could continue to count discards against allocation
- “ Severe penalties for violations of the sector agreement as developed during the pilot program would be continued
- “ Similar to expanded aggregate idea, would need sector participants to agree to electronic monitoring, perhaps progressing to vessel tracking tech



Commercial management of Scup for 2018

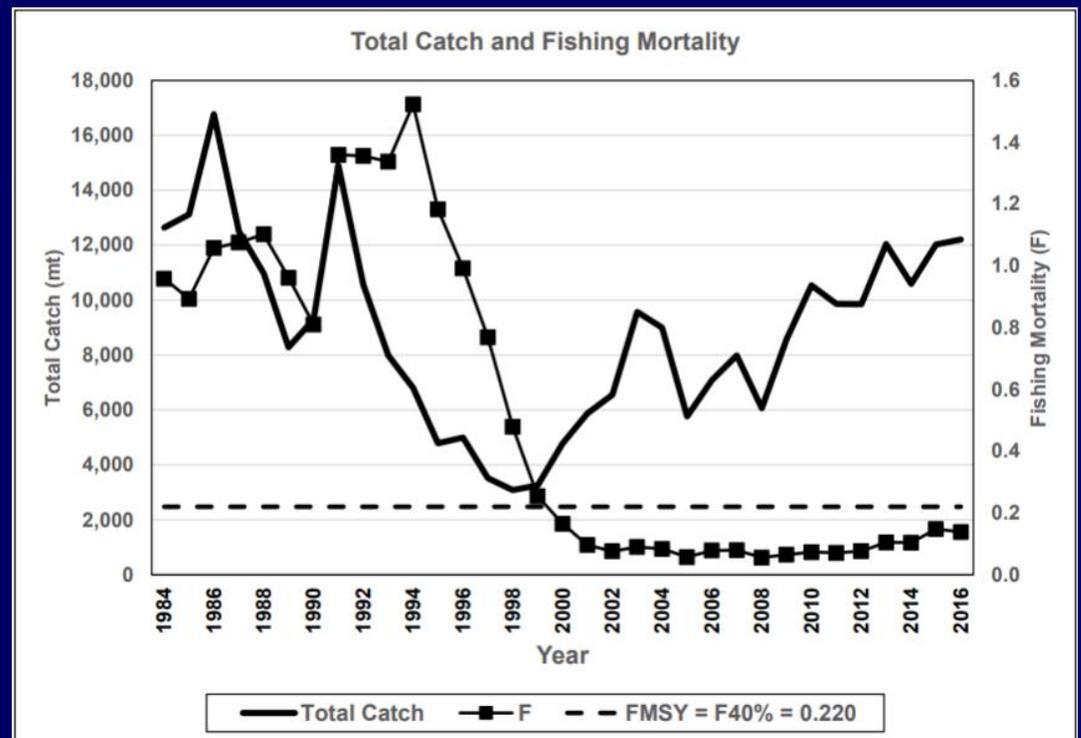
- “ Summary of Stock Status
- “ 2017 Rhode Island Commercial Fishery Performance
- “ Recommendations for the 2018 Scup Fishery



Commercial Scup

“ Stock Status:

- “ Benchmark in 2015, data update in 2016
- “ The scup stock is not overfished, overfishing is not occurring relative to biological reference points.
- “ Fishing mortality was estimated to be 0.139 in 2016, below the threshold F reference point = 0.22



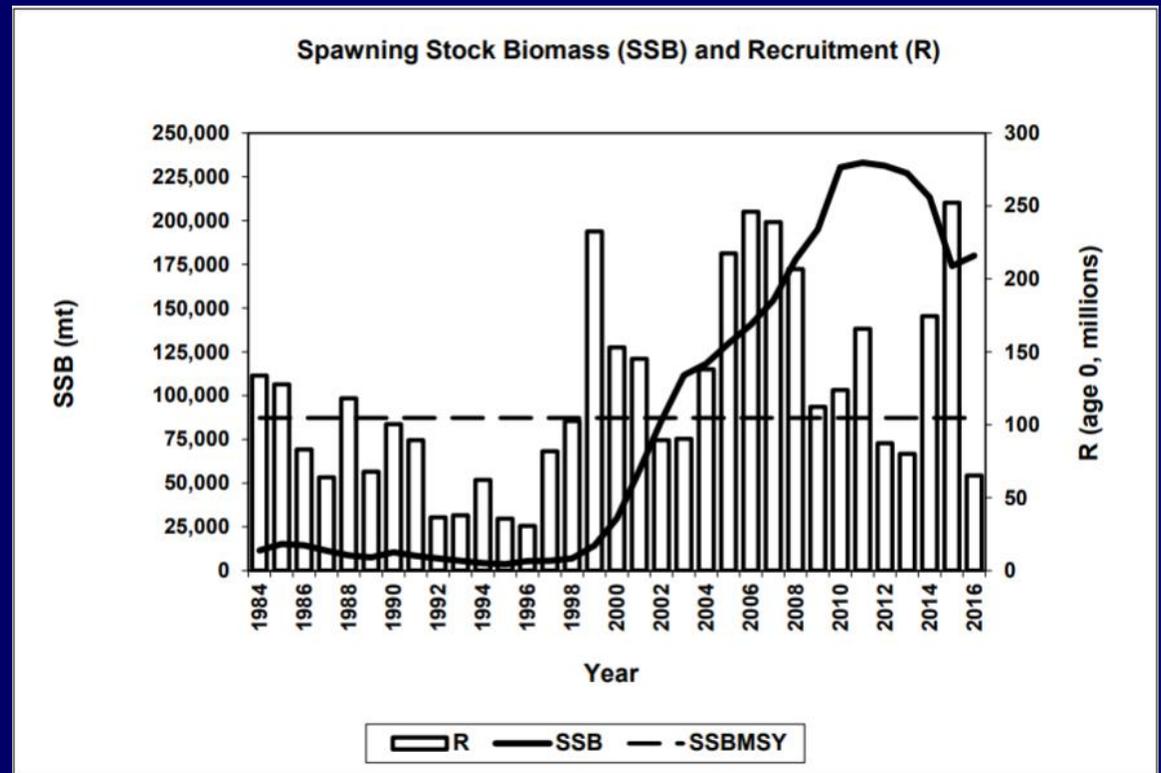
Commercial Scup

Stock Status:

“ SSB estimated to be 397 m lbs in 2016, above the SSB reference point = 192.47 m lbs and above the SSB threshold = 96.23 m lbs.

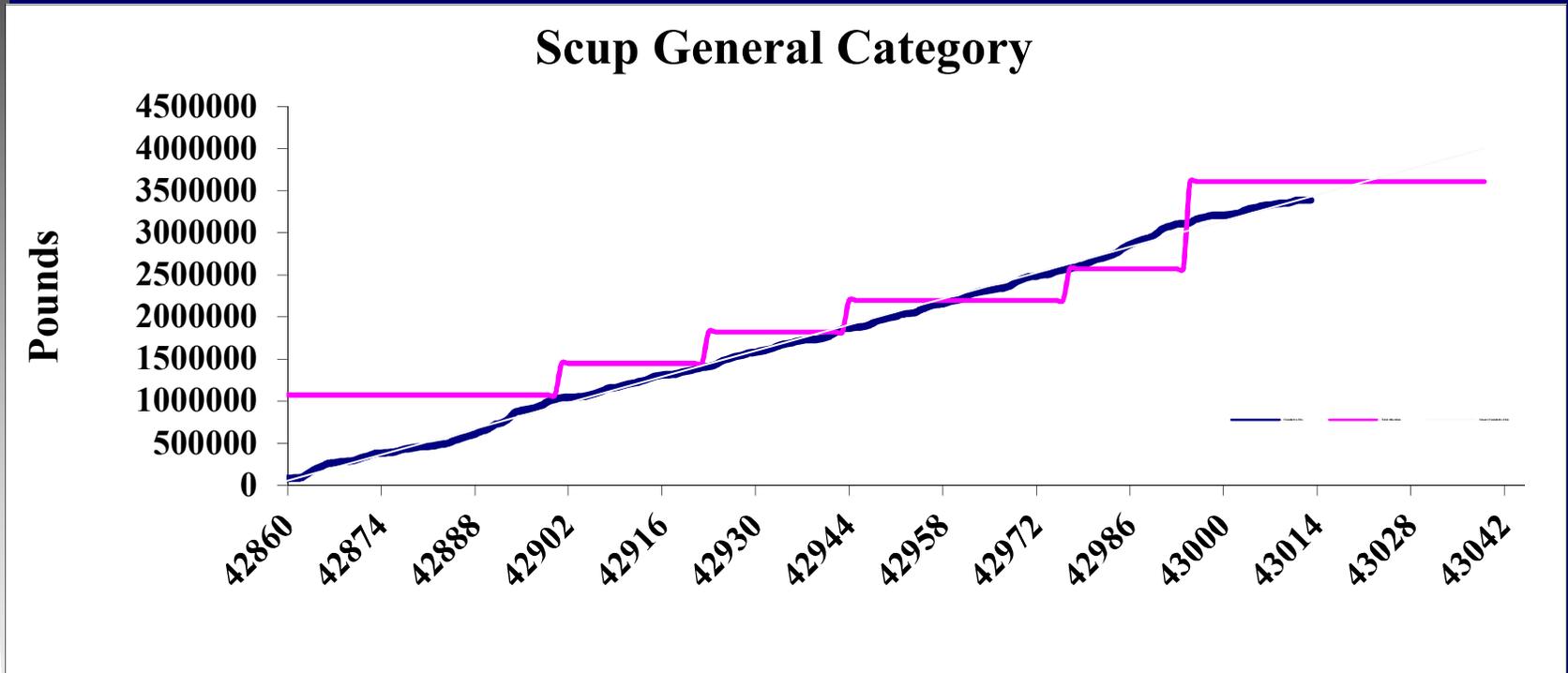
“ The 2016 year class is currently estimated to be about 60 million fish, around average.

“ Increase in quota expected in 2018



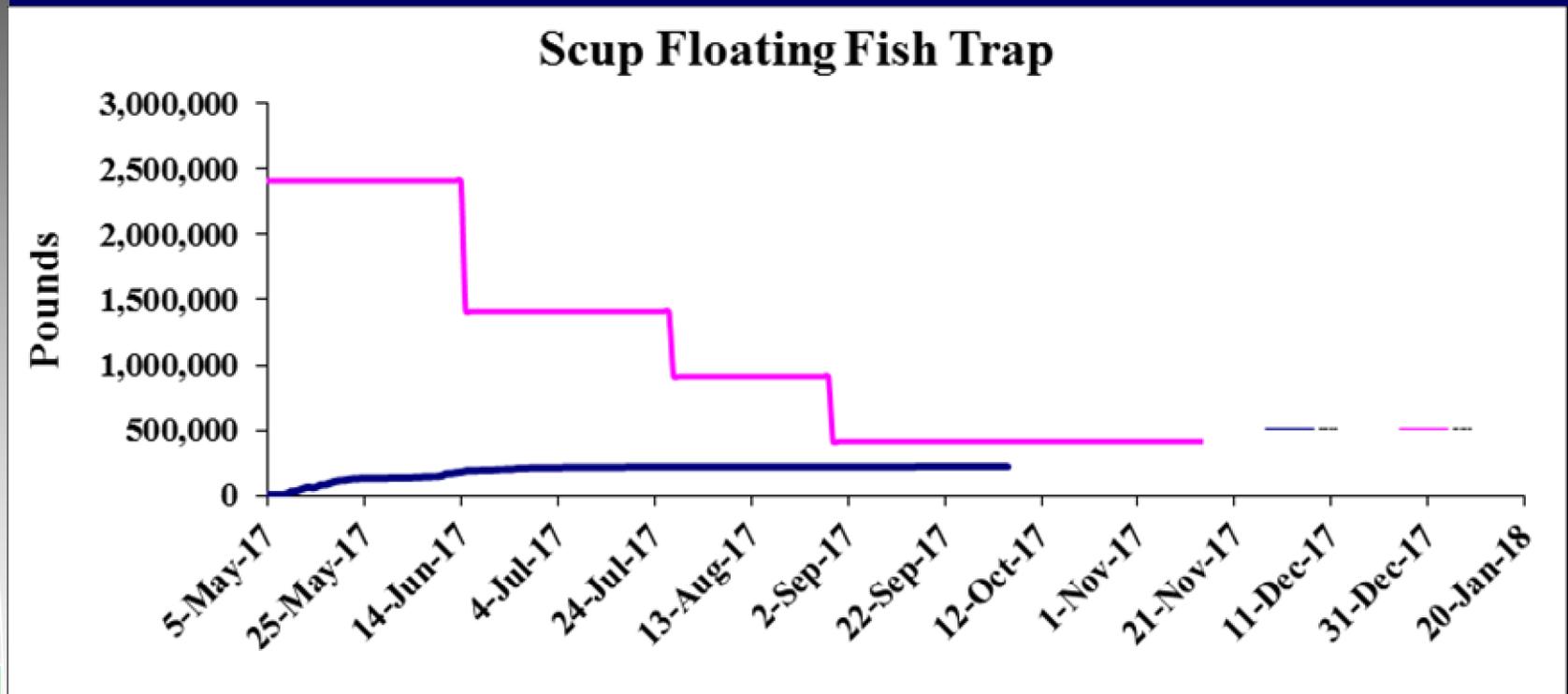
Commercial Scup

” To date, no commercial fishery closures



Commercial Scup

“ To date, no commercial fishery closures



Commercial Scup

“ **Proposal 1:** Annual review of management parameters

• **Option 1:** Status quo

Min. size	Seasons	Sub-periods	Quota		Starting Poss. limit
9+	Winter I: (1/1 . 4/30)		Coastwide		50,000 lbs/vsl/day
	Summer – Fall: (5/1 . 10/31)	Gen. Cat. Summer: (5/1 . 9/17)	40% of sub-period quota	2/3 of Gen. Cat. quota	10,000 lbs/vsl/wk
		Gen. Cat. Fall: (9/18 . 10/31)		1/3 of Gen. Cat. quota	10,000 lbs/vsl/wk
		FFT: (5/1 . 10/31)	60% of sub-period quota		Unlimited
	Winter II: (11/1 . 12/31)		Coastwide		2,000/18,000 lbs/vsl/day*

* Winter II possession limit begins at 2,000 lbs/vsl/day; change to 18,000/day after Winter I roll over calculated



Commercial management of Black Sea Bass for 2018

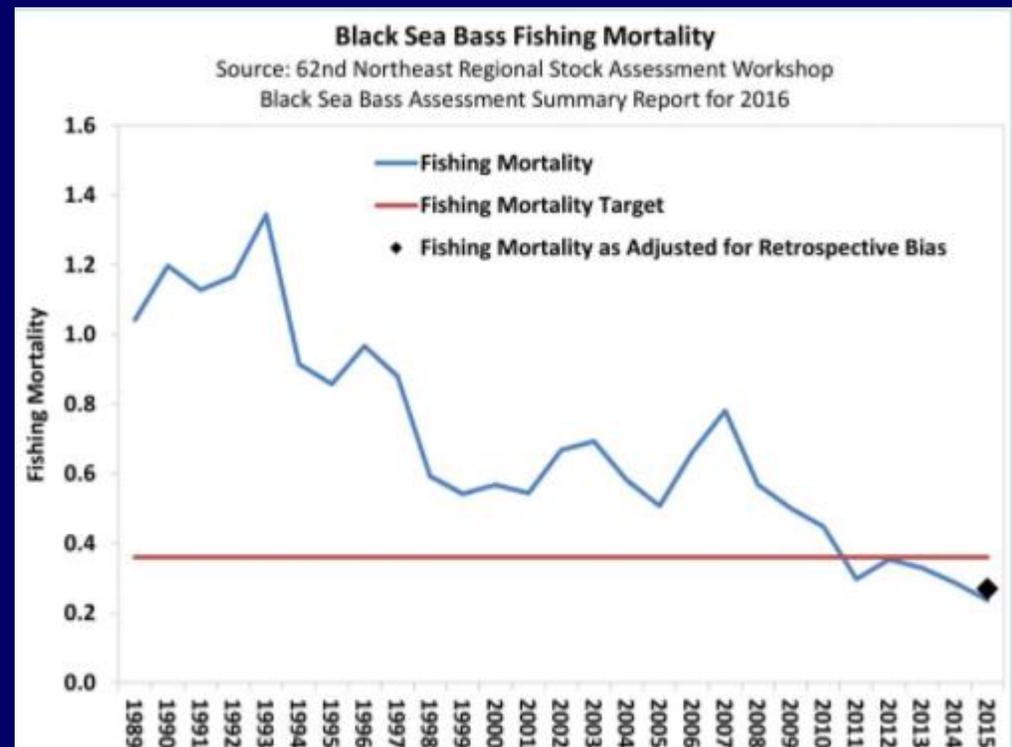
- “ Summary of Stock Status
- “ 2017 Rhode Island Commercial Fishery Performance
- “ Recommendations for the 2018 Black Sea Bass Fishery



Commercial Black Sea Bass

Stock Status:

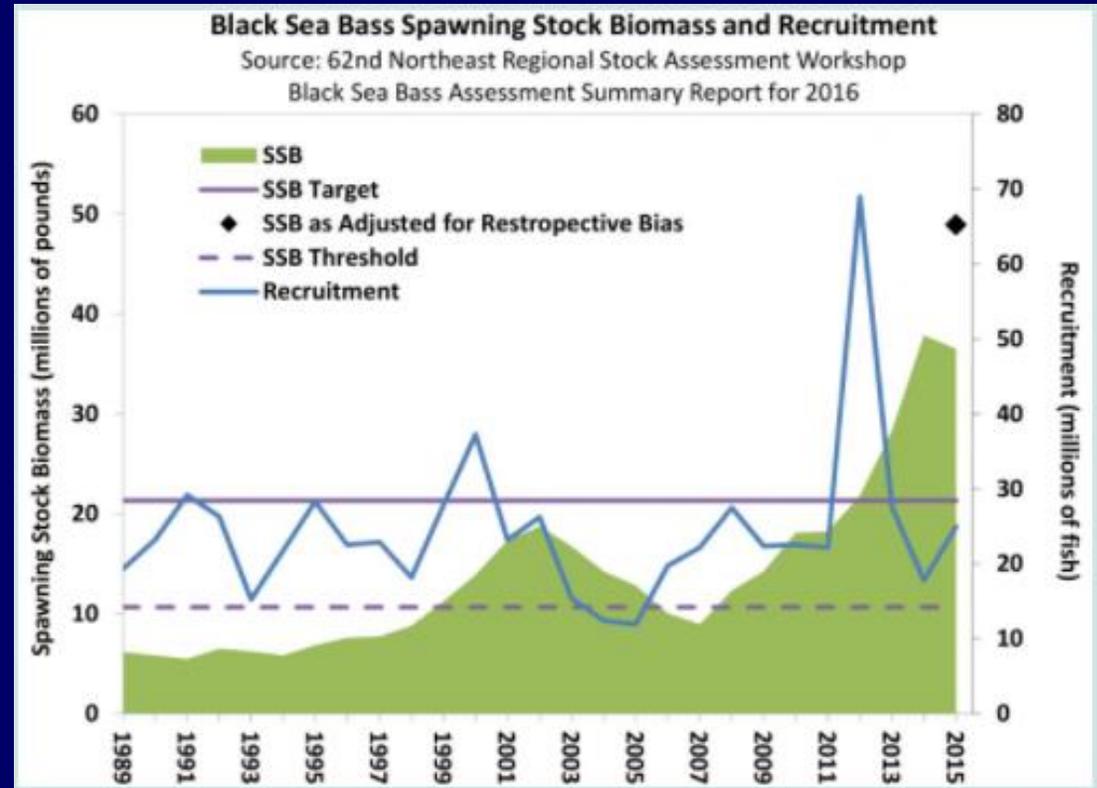
- “ Data update in 2016
- “ The black sea bass stock is not overfished, overfishing is not occurring relative to biological reference points.
- “ Fishing mortality was estimated to be 0.27 in 2015, below the threshold F reference point = 0.36



Commercial Black Sea Bass

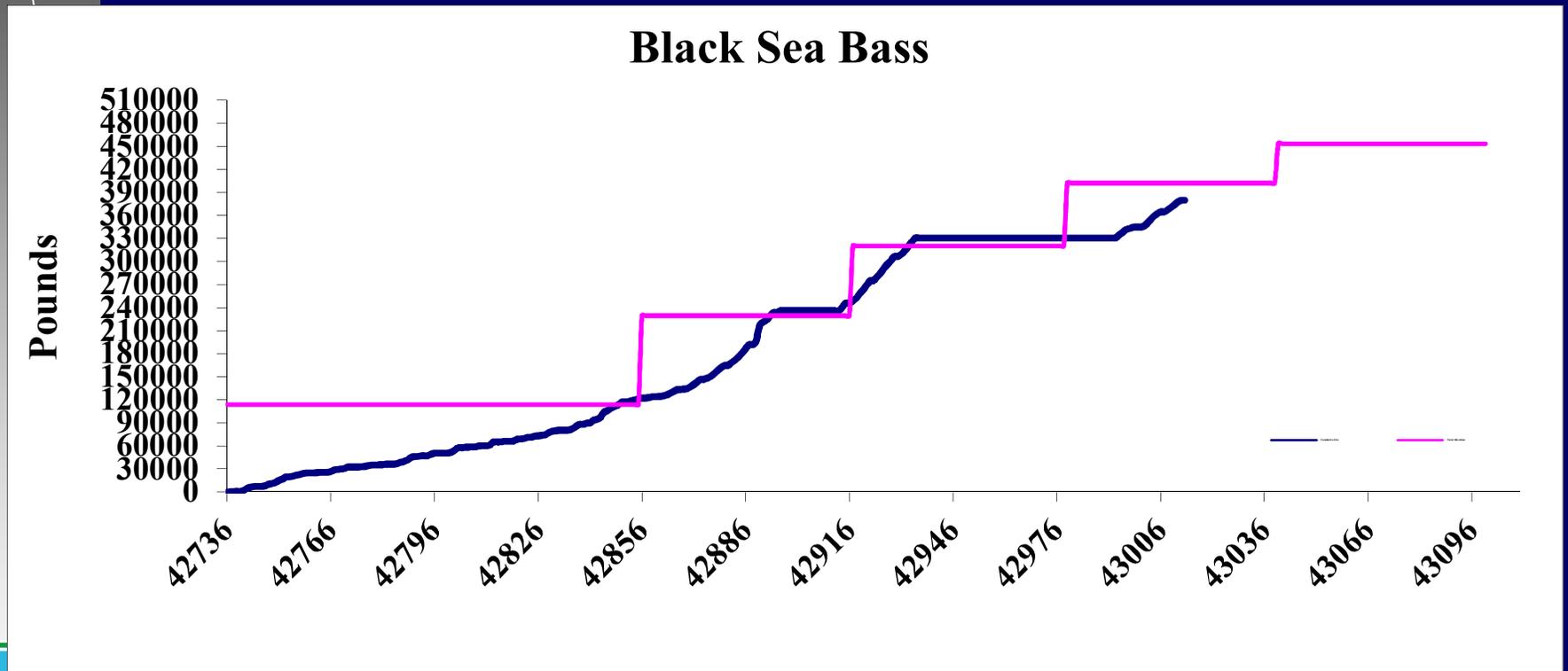
Stock Status:

- “ SSB estimated to be 48.9 m lbs in 2015, above the SSB reference point = 21.3 m lbs
- “ The 2014 year class is currently estimated to be about 24.9 million fish, around average.
- “ Small decrease in quota expected in 2018



Commercial Black Sea Bass

Despite doubling the quota, still have numerous fishery closures



Commercial Black Sea Bass

Proposal 1: Annual review of management parameters

Option 1: Status quo.

Season	Min. size	Allocation	Closed Days	Starting Poss. limit (vsl/day)
Jan 1 . Apr 30	11+	25%	N/A	1,000 (vsl/week)
May 1 . June 30		25%	Closed Fridays	50 (vsl/day)
July 1 . July 31		19.5%	Closed Fridays	50 (vsl/day)
Sept 15 . Oct 31		19.5%	Closed Fridays	50 (vsl/day)
Nov 1 . Dec 31		11%	N/A	100 (vsl/day)



End of Slides!

